



■ January 18, 2007
■ 6:30 P.M.
■ St. Vincent's Hospital, 170 W. 12th Street
Cronin Auditorium, 10th Floor

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

■ Sheelah Feinberg, Don Lee, Elizabeth Loeb, Robert Riccobono, Robert Rinaolo, Richard Stewart, Carol Yankay

■ Lisa Cannistracci, Harriet Fields, Garth Harvey, Betty Williams, Michael Xu

■ Bob Gormley, District Manager, Florence Arenas, Community Coordinator

GUESTS: Erin Drinkwater, Congressman Jerrold Nadler's office; Adam Riff, Senator Tom Duane's office; Lee Grodin, Emily Brodsky, Council Speaker Christine Quinn's office; Gregory Brender, Assembly Member Deborah Glick's office; Cindy Voorspuy, Council Member Alan Gerson's office; John Fout, Council Member Rosie Mendez's office; John Ricker, NYC Comptroller's office; Jennifer Craft, Ivy Brown, Michael Bloomberg, Leigh Behnke, Salim Washington, James Corter, Carey Pulverman, Ian Dutton, Shea Hovey, Zack Tagani, Diana Stirling, Myra Martin, Robert Schwartzman, Elaine Hudson, Lois Rakoff, Susan Goren, Mary Johnson, Chisato Shimada, Janet Scardino, Susan Furman, Timothy C. Demarco, Steve Bensusan, Bob Cohen, Jason Scherr, David Lehmann, J. McNab, Alicia Hurley, Jerry Martin, Donna Strugatz, Jeremy Friedman, John Berg, Adam Oestreich, Shan Reddy



Meeting Date - January 18, 2007
Board Members Present – 38
Board Members Excused– 7
Board Members Absent - 5

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Blue Note Way

Steve Bensusan spoke regarding the co-naming of W. 3rd St. to Blue Note Way.

NYU Co-Generation Power Plant

James Corter, Myra Martin, Robert Schwartzman, and Jason Scherr, spoke against the proposal to build a co-generation power plant on Mercer St.

Elaine Hudson, and Shan Reddy spoke against the Mercer St. site for the proposed co-generation plant.

Jeremy Friedman, Green Arch Initiative, spoke in favor of the proposal.

Jerry Martin, Donna Strugatz, Myra Martin, John Berg, and Adam Oestreich, spoke regarding the co-generation plant.

Alicia Hurley, NYU, spoke regarding the proposal for their co-generation plant on Mercer St.

NY Public Library

Jennifer Craft, updated everyone on the SoHo Branch of the Public Library.

NYU Community Fund

Bob Cohen, NYU, reported on their community fund.

Committee on Sidewalk Documentation

Leigh Behnke spoke regarding this organization.

New York University

David Lehmann, NYU, reported on upcoming events.

Whitney

Ivy Brown spoke in favor of the Whitney.

CERT Training in the Community

Lois Rakoff spoke in favor of the training.

Rodent Control

Susan Goren spoke regarding rodent control.

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Washington Square Park

J. McNab spoke against the proposed renovations.

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Sidewalk Congestion in SoHo

Ian Dutton spoke in favor of the resolution on this topic.

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V ■

Erin Drinkwater, Congressman Jerrold Nadler’s office, introduced herself.

Adam Riff, Senator Tom Duane’s office

Gregory Brender, of Assembly Member Deborah Glick's office

Lee Grodin, of Council Speaker Christine Quinn's office

Cindy Voorspuy, Council Member Alan Gerson’s office.

John Fout, Council Member Rosie Mendez’s office,

John Ricker, NYC Comptroller’s office;

V ■

Distribution of November minutes.

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1. ■ Maria Passannante Derr reported

2. ■ Bob Gormley reported.

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■ The applicant appeared before the committee; and,

■ This application is for an On Premise license in a 1400 s.f. restaurant, located in a mixed use building between Bedford and Bleecker Streets, with 60 table seats and 1 bar with 12 seats; and,

■ The applicant stated that the hours of operation will be 12:00 p.m. – 12 a.m. Sunday-Wednesday and 12:00 p.m. – 2 a.m. Thursday-Saturday; music is background only; and,

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

■ There was significant input from the local block association in favor of the applicant;

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

Vote: Unanimous, with 38 Board members in favor.

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■ The applicant appeared before the committee; and,

This application is for an On Premise license, pursuant to a corporate reorganization, in a 2500 s.f. restaurant/bar between Thompson and Bleecker Streets, in a commercial building, consisting of 80 table seats and 1 bar with 24 seats; and,

The applicant stated no changes to the current operation are to be made; the hours of operation are 11:00 a.m. – 4:00 a.m.; the music is background and sometimes live entertainment; there is a sidewalk café, but there will not be a backyard garden; and,

There were no complaints regarding the Red Lion operation and no opposition to this application;

That CB#2, Man. has no objection to the granting of an On Premise license to [REDACTED]

Vote: Unanimous, with 38 Board members in favor.

[REDACTED]

The applicant appeared before the committee; and,

This application is for alteration of a beer & wine license to include a proposed sidewalk café for an 820 s.f. restaurant, in a mixed-use building between Kenmare and Spring Streets, consisting of 28 table seats and 1 bar with 8 seats; the proposed sidewalk café will have 6 tables and 12 seats if approved; and,

The applicant stated that the hours of operation are 11:00 a.m. – 2:00 a.m.; the music is background only; the sidewalk café application is pending, but there will not be a backyard garden; and,

There was no opposition to this application nor complaints concerning the current operation;

That CB#2, Man. has no objection to the alteration of the beer & wine license of [REDACTED] to include any area duly approved by CB#2, Man. and the Department of Consumer Affairs as a sidewalk café under the New York City regulations.

Vote: Unanimous, with 38 Board members in favor.

[REDACTED]

The applicant appeared before the committee; and,

This application is for an On Premise license, pursuant to purchase of the previously licensed location (Lemongrass Grill), a 2000 s.f. restaurant off 7th Avenue South, in a commercial building, consisting of 76 table seats and 1 bar with 8 seats; and,

The applicant stated the hours of operation would be 8:00 a.m. – 12:00 a.m. Sunday-Thursday and 8:00 a.m. – 2:00 a.m. Friday-Saturday, stipulating to reduce the weekend hours from 4:00 a.m. in light of community concerns; the music will be background only; there is an enclosed sidewalk café on the premise, but there will not be a backyard garden; and,

That CB#2, Man. has no objection to the granting of an On Premise license to [REDACTED]

Vote: Unanimous, with 38 Board members in favor.

[REDACTED]

The applicant appeared before the committee; and,

This application is for an On Premise license in a mixed use building on the corner of Mulberry and Hester Streets, for a 3,200 s.f. restaurant, with 85 table seats and 2 bars with 7 seats; and

The applicant stated that the hours of operation will be 9:00 a.m. – 2:00 a.m.; the music will be background only; there will be an application for a sidewalk café, but there will not be a backyard garden; and,

The applicants have an established track record in the community at their other location, Caffe Napoli, and seem like a good fit for this space; and,

No one from the community spoke in opposition to this application;

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

Vote: Unanimous, with 38 Board members in favor.

█

█The applicant appeared before the committee; and,

█This application is for transfer of an On Premise license, pursuant to purchase of Rosie's Turn, a piano bar located in a 756 s.f. premise in a mixed use building between Bleecker Street and 7th Avenue South, with 40 table seats with 1 bar with 10 seats; and,

█The applicant stated there are no plans to change current operations; hours of operation will be 4:00 p.m. – 2:30 a.m. weekdays and 4:00 p.m. – 3:30 a.m. weekends; there will not be a sidewalk café application nor a backyard garden; music will be live, primarily piano; and,

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

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

Vote: Unanimous, with 38 Board members in favor.

█

█The applicant appeared before the committee; and,

█This application is for an On Premise license, in a location previously licensed as Blue Mill Tavern, in a mixed use building between Barrow and Bedford Streets, for a 2000 s.f. restaurant, with 80 table seats and 1 bar with 8 seats; and

█The applicant stated that the hours of operation will be 11:00 a.m. – 11:00 p.m. Monday-Thursday, 11:00 a.m. – 12:00 a.m. Friday-Saturday and 10:00 a.m. – 11:00 p.m. Sundays; the music will be background only; there will not be an application for a sidewalk café, nor will there be a backyard garden; and,

█No one from the community spoke in opposition to this application;

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

Vote: Unanimous, with 38 Board members in favor.

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█On December 6, 2006, the U.S. Environmental Protection Agency (EPA) released its Final Lower Manhattan Indoor Test and Clean Program, and declared this program the final phase of EPA's response to the national terrorist attacks of September 11, 2001, and

█In March 2006 CB#2, Man. passed a resolution, that joined with Community Board 1-Manhattan in calling upon EPA to abandon its technically and scientifically flawed November/December 2005 Test and Clean Program; and

█One year later, without any input from World Trade Center community residents or workers, or the Community Boards, the EPA released a program which provides grossly insufficient financial resources (only \$7 million) to test and clean all potentially affected residences and workplaces, and which is substantially the same as, but in some key areas worse than, its previous inadequate plan; and

█EPA's December 2006 program fails to correct the major shortcomings of its 2002-3 test and clean program, cited by EPA's Inspector General in a highly critical August 2003 report, including:

- 1) Failure to address potential residual contamination in HVAC systems;
- 2) Failure to test and clean whole buildings as a system;
- 3) Failure to address potential residual contamination in workplaces;
- 4) Failure to expand testing and cleanup beyond the arbitrarily imposed Canal Street boundary line, and
- 5) Failure to incorporate appropriate science-based testing methods; and

■ It is impossible to substantiate the assertion of the Assistant Administrator for the EPA Office of Research and Development, that “The vast majority of occupied residential and commercial spaces in Lower Manhattan have been repeatedly cleaned, and we believe the potential for exposure related to dust that may remain from the collapse of the World Trade Center buildings is low”, because virtually all testing and cleaning over the past five and a half years was done by individual residents, employers, or landlords without proper guidance, oversight or verification, without centralized information collection, and with little or no financial support from the Federal, State or City government;

■ CB#2, Man. joins CB#1, Man. in rejecting EPA’s December 2006 plan and in expressing continuing outrage at the EPA's failed federal response to the September 11th attack on the United States of America; and

■ CB#2, Man. calls upon EPA to withdraw its December 2006 "test and clean" program and to work with affected communities and elected officials to develop a scientifically sound testing and cleanup plan for World Trade Center residual contamination; and

■ CB#2, Man. again calls upon EPA to dispense with its arbitrarily imposed Canal Street boundary line and to instead make a scientifically sound determination of areas to test and clean.

Vote: Unanimous, with 38 Board members in favor.

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Vote: Passed, with 19 Board members in favor of tabling and 10 in opposition.

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1st ■

■ Individual landmark. A Federal style rowhouse built circa 1816. Application is to legalize roof replacement installed without obtaining the required Landmarks Preservation Commission permit.

■ It is impossible to determine the original covering of the roof but the Committee believes that it was metal consistent with the roofs of similar Federal style rowhouses of this era, and

■ prior owner had made improper alterations and installed non-historic asphalt shingles on the roof, and

■ the applicant has replaced the asphalt shingles with more expensive and longer lasting composite shingles designed to mimic the look and texture of slate shingles,

■ that CB#2, Man. does not object to the application to retroactively approve the existing composite shingles but cautions that alterations done without first obtaining the required LPC permit will generally not be approved by this Committee as such approval would effectively emasculate the provisions of the Law and its purpose to preserve landmark buildings.

Vote: Unanimous, with 38 Board members in favor.

■ SoHo Cast Iron Historic District. A store and loft building designed by J. Odell Whitenach and built in 1917. Application is to alter north facade, re-install sculpture, and install a plaque and illuminated advertising signage and light fixtures.

■ The Owner/Applicant did not appear before the Committee thereby preventing us from reviewing the full scope of the proposed work, and

■ The artist, Forest Myers, who created the 1973 sculpture, pursuant to a request from the New York City Arts Commission, appeared before the Committee and explained that after lengthy litigation the Owner/Applicant had obtained permission from a Federal Court to remove the sculpture and replace it with signage but that the Owner/Applicant has reached an agreement with Mr. Myers to re-install the sculpture at a higher elevation above the signage and to illuminate it, and

Mr. Myers explained that it was his understanding that the Owner/Applicant intended to place significant lighted signage under the sculpture extending the length of the building,

CB#2, Man. does not object to the application solely to the extent that the applicant seeks to re-install the 1973 sculpture, and

B#2, Man. cannot approve the proposed signage and light fixtures as the Owner failed to appear before the Committee.

Vote: Unanimous, with 38 Board members in favor.

Charlton-King-Vandam Historic District, an extension of the Greenwich Village Historic District. A Federal style house built in 1826. Application is to construct a rear yard addition.

The applicant seeks to install three story addition to the back of the house, essentially located on the same footprint as an existing landing, and adding a bay window which would extend into the rear yard by an additional 5 feet, and

The applicant intends to demolish an existing shed in the rear yard and build a new shed approximately half the size of the existing shed, and

is apparent from the drawings and existing mock-up that the new addition to the house will be highly visible from the street, and

The proposed materials, metal framing and modern windows, do not reflect the existing historic and landmark character of the house, and

The Committee is greatly concerned with the existing trend of eliminating or decreasing the size of rear yards in the Greenwich Village Historic District by new owners who purchase historic houses and attempt to increase the size of such houses, out of proportion and contrary to the historic and landmark design, by rear yard additions, which will greatly change the character of the Historic District if allowed to continue,

That CB#2, Man. does not approve the proposed rear yard addition proposed for 20 Charlton Street.

Vote: Unanimous, with 38 Board members in favor.

Greenwich Village Historic District. A house built in 1826 and altered in the neo-Greek style in 1878. Application is to replace storefront infill installed without permits.

The existing storefront was installed illegally and is not consistent with the existing historic and landmark character of the area,

The applicant seeks to install a new storefront which will restore the original design, and

The applicant has agreed to consider modifying the proposed plans to more closely match the neighboring building, which was originally a mate to the subject building, including matching the cornice above the entrance doors,

That CB#2, Man. approves the proposed new storefront infill.

Vote: Unanimous, with 38 Board members in favor.

Greenwich Village Historic District. A Greek Revival style townhouse built in 1840 Application is to reconstruct the rear wall.

The applicant showed the Committee evidence that the load-bearing rear brick wall of the subject building, currently vacant, is in deteriorating and dangerous condition and must be replaced, and

The rear wall faces an unused alley and cannot be seen or easily accessed from the street and has little historic significance,

The Owner contends that using brick to restore the lot line wall would be impractical under the circumstances because there is not enough room available to do such work in a safe and effective manner using modern building techniques, and

The Owner proposes to restore the wall using with concrete covered by cement plaster,

That CB#2, Man. approves the Owners proposal to restore of the rear wall at 61 Bank Street using concrete and with a cement plaster covering.

Vote: Unanimous, with 38 Board members in favor.

~~1~~ Greenwich Village Historic District. A neo-Grec style school building designed by David I. Stagg and built in 1885-86 with an annex designed by Leo J. Blackman Architechs and built in 2000-2003. Application is to alter existing and create new entrances.

~~The~~ applicant the subject building did not have landmark designation in 2000- 2003 when the annex was built but has subsequently been included in the Greenwich Village Historic District, and

~~The~~ applicant seeks to reconfigure the interior of the building by removing an existing auditorium which is no longer needed and replacing it with a kitchen and room to serve hot meals to the children, and

~~The~~ applicant seeks to provide proper access to the new space and to remove access no longer required by changing some existing windows to doors and some doors to windows in the existing style of the building and by adding a glass and metal canopy over the doorway facing the courtyard, and

~~The~~ proposed alterations are consistent with the existing 2000-2003 annex,

That CB#2, Man. approves the proposed alterations to the entrances and the creation of new entrances to the school located at 272-280 W 10th Street.

Vote: Unanimous, with 38 Board members in favor.

2ND

~~A~~pplication is to install a through-the-wall air conditioning unit.

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

~~The~~ Applicant failed to respond to mail and a phone call from the staff of Community Board #2 to confirming an appearance at the Landmarks Committee’s January 16, 2007 meeting, and did not contact Community Board #2 to reschedule prior to such meeting,

~~CB#2, Man. recommends the Landmark Preservation Commission adjourn this matter, currently scheduled for January 23, 2007, and instruct the Applicant to appear before the Landmarks Committee of Community Board # 2 on January 29, 2007 in order to complete this important step in the review process.~~

Vote: Unanimous, with 38 Board members in favor.

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1. CB#2, Man. has gone on record as opposing the use of the Gansevoort Peninsula as a site for a waste transfer station; and

2. It appears that use of the track running in and a cut west of 11th Avenue may represent a viable alternative to the use of park land to deal with the transfer of garbage out of the West Side of Manhattan; and

3. Efforts are underway to plan the future of the Hudson Rail Yards, which are located adjacent to these tracks; and

4. Friends of the High Line is advocating an extension of the High Line Park from 30th Street to the conclusion of the High Line track at 34th Street; and
5. If extension of the High Line occurs, it can apparently be done in a way which does not jeopardize the rail alternative for garbage transfer; and
6. Gaining additional parkland for the High Line, at the expense of losing it at Gansevoort, will not benefit either Chelsea or the Village;

What:

1. CB#2, Man. applauds the efforts to extend the High Line Park to 34th Street.
2. CB#2, Man. calls upon the City in planning for Hudson Yards, and Friends of the High Line, in advocating and planning the possible extension of the High Line Park, not to take any action or make any plans which would eliminate the possibility of utilizing the CSX tracks, below 34th Street, as a means of transporting waste away from the West Side of Manhattan.

Vote: Unanimous, with 38 Board members in favor

2 **MR**

Dear Commissioners Benepe and Castro:

As you are aware, Community Board 2 has an ongoing desire and obligation to ensure public input into and review of the Washington Square Park renovation.

On November 16, 2006, following the Supreme Court decision in *Greenberg v. City of New York*, and various statements that were made both in court and out of court by representatives of the Parks Department, CB#2, Man. voted unanimously to request that the Parks Department attend the January 8, 2007 meeting of its Waterfront and Parks Committee in order to make a thorough presentation of the Parks Department most recent plans for the Washington Square Park project. The Board resolution addressed a need to resolve confusion and to clarify what appeared to be discrepancies between the plans shown to CB#2, Man. in April 2005, the bid documents, the environmental assessment statement, and the agreement between the Parks Department, Speaker Quinn and Council Member Gerson, which was endorsed by CB#2, Man.. To the extent that these issues were not resolved, the position of CB#2, Man. regarding the project remains open.

We were disappointed that the Parks Department did not appear to speak at the January 8th meeting (although we appreciate that Bob Redmond did attend). We understand that this was done upon the advice of counsel; while we disagree with the need for such public silence, and were extremely disappointed by the Department's failure to speak with the Board, we understand that the Department itself had to abide by counsel direction.

CB#2, Man. has authorized us to advise the Department that it wishes the CB#2, Man. Waterfront and Parks Department to come and make the requested presentation to the Parks Committee meeting immediately following a decision of the Appellate Division. We make this request after fully considering our responsibilities as a community board, a consideration which we hope you respect. If the Parks Department does not appear at that meeting, or at some other time mutually agreed upon by the Board and the Department within the thirty day period following the Appellate Decision, CB#2, Man. will consider a resolution withdrawing its approval of the Parks Department plan.

We will be forced, at that point, to make our decision based on available information regarding the unresolved issues. We also ask that you agree not to proceed with the project until you have attended our meeting and provide the required clarifications.

We look forward to a cooperative, and not combative, relationship with the Parks Department on this project. As always, we are committed to carrying out our legally mandated role of working with the Parks Department in its efforts to protect and improve our parks.

Vote: Unanimous, with 38 Board members in favor.

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The architects Giuseppe Anzalone and Dan Esposito appeared before the committee; and
Their renovation work went beyond the scope of the permit (which was very specific); and
They have since corrected the issues of lighting, window frames etc.; and
All current drawings have been approved by LPC; and
There was no community opposition;

That CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an ENCLOSED SIDEWALK CAFE to Starbucks Corporation, d/b/a Starbucks Coffee Company #825, 454 Lafayette Street a/k/a 13-25 Astor Pl., New York, N.Y. 10003 with 25 tables and 77 seats. DCA 0924582.

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

2

The area was posted and the applicant's representative, Mike Kelly, appeared before the committee; and
The restaurant has been at this location for 10 years; and
There was no community opposition; and

This establishment is located on Macdougall Street between Bleecker and West Houston Streets; and

That CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café to Foccaceria LTD., d/b/a/ Foccaceria Restaurant, 87 MacDougal Street New York, N.Y. 10012 with 7 tables and 14 seats. DCA 1244977.

Vote: Unanimous, with 38 Board members in favor.

1

1

The owner appeared before the committee; and
The plans submitted were not true to the actual layout of the cafe; and
The owner agreed to produce new and accurate plans within 3 days and did; and
There was no community opposition; and

There has been a sidewalk café at this location since 1997;

That CB#2, Man. recommends APPROVAL to Porto Alegre Inc., d/b/a Café Colonial, 73 East Houston Street, New York, N.Y. 10012 for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 7 tables and 14 seats. DCA # 0955172.

Vote: Unanimous, with 38 Board members in favor.

2

The owners representative appeared before the committee; and
There are no violations against this restaurant at this time; and
There was no community opposition; and
There is sufficient passage for pedestrian safety; and
This restaurant has had a good working relationship with the community for many years; and
There are no changes in the café configuration;

That CB#2, Man. recommends APPROVAL to Mulberry Street Bar LLC. d/b/a Mulberry Street Bar, 176 1/2 Mulberry Street, New York, N.Y. 10013 for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 4 tables and 8 seats. DCA # 1164852.

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

3

The owner's representative appeared before the committee; and

There are no violations against this restaurant at this time; and

There was no community opposition; and

This restaurant is located on Mulberry Street between Hester and Grand Streets; and

This is an Italian Restaurant with a brick oven Pizza based menu; and

That CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café to Buffanna Inc., 141 Mulberry Street, New York, N.Y. 10013, with 4 tables and 8 seats. DCA # 1165364.

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

4

The owner appeared before the committee; and

There are no violations against this restaurant at this time; and

There was no community opposition; and

There is sufficient passage for pedestrian safety; and

This restaurant is located on Carmine Street between Bedford and Seventh Avenue South and is within 100 feet of a commercial district;

That CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café to Oreste Inc., d/b/a Trattoria Oreste, 64 Carmine Street, New York, N.Y. 10014, with 8 tables and 20 seats. DCA # 1163792.

Vote: Unanimous, with 38 Board members in favor.

5

The owners representative Mike Kelly appeared before the committee; and

There are no violations against this restaurant at this time; and

There was no community opposition; and

There is sufficient passage for pedestrian safety; and

The owner's rep agreed to close the café at the legal hours in order to avoid any neighbors complaints;

That CB#2, Man. recommends APPROVAL for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café to Facosull Corp., d/b/a Four Faced Liar, 165 West 4th Street, New York, N.Y. 10014 for a TWO YEAR revocable consent to operate an Unenclosed Sidewalk Café with 5 tables and 11 seats. DCA # 1166884.

Vote: Unanimous, with 38 Board members in favor.

6

The owner's representative appeared before the committee; and

There were numerous complaints called in to various city agencies anonymously all dated March 17, 2006; and

No violations were ever issued; and

The owner's representative was asked by the committee to investigate those claims and so complied with city agencies findings; and

There was no community opposition; and

There is sufficient passage for pedestrian safety;

That CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to operate an unenclosed sidewalk café to Service Corp., d/b/a Mix It, 20 Prince St., New York, N.Y. 10012, with 6 tables and 11 seats. DCA # 1173208.

Vote: Unanimous, with 38 Board members in favor.

2

It has come to the attention of CB#2, Man. that chronic sidewalk congestion exists in SoHo, particularly on West Broadway to Broadway along Spring and Prince Streets due to the illegal display of merchandise for sale; and,

Various block associations, civic groups, residents, business owners, property owners and a representative of the local council member appeared before the committee, stating that the configuration of tables, benches, hand trucks and inventory on the sidewalk, with illegal and sometimes counterfeit goods, has expanded to the point that pedestrians and people with carriages, particularly during peak rush hours, are forced to walk in the street roadway; and,

Merchants stated that this situation has a negative impact on local merchants who pay taxes, rent, insurance, utilities and other expenses associated with operating legitimate business in that they are forced to compete with illegal vendors; and,

Residents stated that there has been an increase in congestion, noise, and garbage accumulation, due to the presence of illegal sidewalk vendors; and,

The chronic presence of illegal sidewalk vendors has escalated so that their activities now threaten the public safety and well being of the community; and,

CB#2, Man. recognizes that on December 15, 2006, officers from the 1st Precinct and inspectors from the City's Department of Consumer Affairs ("DCA") patrolled Prince Street and Spring Street between Broadway and West Broadway, as well as Broadway between Prince Street and Spring Street; and

The police officers and DCA inspectors issued numerous summonses to the vendors and explained to them the laws and rules regarding street vending; and

That CB#2, Man. applauds the December 15th initiative, but strongly demands that the City immediately commence and continue the enforcement of all laws and rules pertaining to street vendors to ensure the safety and well being of the this community's residents and merchants.

Vote: Unanimous, with 38 Board members in favor.

The Centers for Medicare and Medicaid Services (CMS) has terminated funding and forced the closure of the Medicare Walk-in Customer Service Center formerly located at the Empire Medicare Service Center at 800 Second Avenue; and

The Walk-in center being the only one of its kind in the New York City Metropolitan area served between 5,000 –7,000 people annually; and

Approximately 40% of seniors in New York State reside in New York City; and

The Department for the Aging reports that nearly 30% of the city's elderly have a sensory disability and 30% have a mental disability; and

Empire Medicare will be encouraging the elderly who require assistance to utilize toll-free telephone numbers and the Internet; and

No reports by the United States Government Accountability Office found that the Medicare program through the 1-800-Medicare hotline is unable to provide accurate or appropriate answers to one-third of the basic questions; and

That CB#2, Man. opposes the closing of the Medicare Walk-in Center located at the Empire Medicare Service Center at 800 Second Avenue since it harms the ability of the elderly of New York to effectively enroll and participate in the complex Medicare program, especially the Part D program; and

That CB#2, Man. urges CMS to immediately restore full funding to the Walk-in Center and work with the community and our elected representatives, to limit the amount of time New Yorkers are left without this resource and re-open the center as soon as possible; and

That CB#2, Man. strongly urges the CMS to open at least one Walk-in Center in each of the five boroughs of New York City as soon as possible but no later than the end of the year.

Vote: Unanimous, with 32 Board members in favor.

■

1 ■

There has been a proliferation of generic street fairs managed by professional street fair and festival promoters over the last decade in Manhattan and within this Community Board; and

This Community Board recognizes that it is desirable to encourage traditional neighborhood-association street fairs that have a genuine connection with the community and retain their individual flavor, rather than those that rely on professional street fair and festival promoters; and

Going forward street activity permit applications will be reviewed at public meetings before a subcommittee of the Traffic & Transportation Committee and it is therefore necessary that criteria for evaluating such applications be adopted by the Community Board; and

The Community Board has had no guidelines for reviewing street activity permits within its boundaries; and

That CB#2, Man., adopts the following general guidelines that shall serve as a starting point to facilitate discussion of the review of street activity permit applications:

- The street fair applicant/sponsor (the "Applicant") will present its application for a street activity permit for a street fair (the "Event") in person to the appropriate subcommittee of Community Board Two if requested.
- If the Applicant is using a professional street fair and festival promoter to organize the Event, the Applicant will submit the following if requested: (i) documentation of its status as a 501(c) 3 nonprofit entity; (ii) a copy of relevant contracts between Applicant and professional promoter (if applicable); (iii) a copy of its most recent financial statements; and (iv) a schedule of income and expenses budgeted for the Event.
- If the Community Board, police department, Street Activity Permit Office, or any other agency has received complaints regarding a past Event, the Applicant will provide a written response to these complaints, which shall include a mitigation plan to avoid these problems in the future.
- The Community Board will not support a *new* street activity permit application at a location with more than two street activities in any given year or for a location that has a street activity scheduled within six weeks of the proposed street activity permit.
- If the Applicant is using a professional street fair and festival promoter to organize the Event, the Applicant agrees that set-up will commence no earlier than 9 AM and striking will be completed no later than 8 PM on the day of the Event and to institute a recycling program during the Event.
- If the Applicant is using a professional street fair and festival promoter to organize the Event, Applicant agrees that merchants within the boundaries of the Event must be given first choice of renting

vendor space directly in front of their establishments at the standard rate before offering it to a different vendor.

- The Street fair applicant/sponsor shall provide space for a CB2 table so that information deemed appropriate by CB2 may be distributed by the community to the attendees of the fair.

Vote: Unanimous, with 38 Board members in favor.

2

Small businesses in Chinatown have suffered tremendously since September 11, 2001; and

The use of widespread use of parking placards by police and corrections officers in Chinatown limits the availability of on-street parking for customers, particularly in this neighborhood; and

The plan to create new on-street parking below, which will create a net total of 80 – 100 new spaces, is supported by the Chinatown Partnership Local Development Corporation, Chinese-American Planning Council and Chinese Chamber of Commerce of N.Y., Inc., among other civic and business groups in the neighborhood, and

Notwithstanding the need for more on-street parking in Chinatown, this Community Board has stated in a previous resolution that increasing parking can exacerbate traffic congestion and contribute to idling automobiles and increased harmful carbon dioxide emissions, factors which necessitate DOT instituting a comprehensive re-examination of the City's alternate side parking policy.

That CB#2, Man., supports the following changes to the parking regulations where indicated:
On Howard Street, the south side from Centre Street to Lafayette Street, from "No Standing" to 2 hour metered parking.

Vote: Unanimous, with 38 Board members in favor.

3

The Bedford-Downing Street Block Association and the Carmine Block Association have worked over the last twelve months on a joint proposal to address several important traffic and pedestrian issues in the local neighborhood and the proposals have widespread support within the neighborhood; and

The proposal will help make the parking regulations in the neighborhood more consistent, create a total of approximately 25 new parking spaces and improve pedestrian safety; and

Notwithstanding the need to make parking regulations more consistent and create more parking in this neighborhood, this Community Board has stated in a previous resolution that increasing parking can exacerbate traffic congestion and contribute to idling automobiles and increased harmful carbon dioxide emissions, factors which necessitate DOT instituting a comprehensive re-examination of the City's alternate side parking policy.

That CB#2, Man. supports the following proposals:

Change the parking regulations on Bedford St. (between 6th and 7th Avenues) on the West side from "No Parking, 8 a.m. – 6 p.m., Mon., Wed., Fri." and on the East Side from No Parking, 8 a.m. – 6 p.m., Tue., Thurs., Sat." to the following: On the West side, "No Parking, Mondays and Thursdays, 9 a.m. - 10:30 a.m." and on the East Side, "No Parking, Tuesday and Friday, 9 a.m. - 10:30 a.m. "

- Change the parking regulations on Downing Street (between 6th and 7th Avenues) on the South side (multiple regulations) from "No Parking, 8 a.m. – 6 p.m., Mon. - Fri.;" "No Parking, 8 a.m. – 6 p.m., except Sun.;" and, on the corners "No Parking, Tuesday and Friday, 9 a.m. -10:30 a.m." to "No Parking, Tuesday and Friday 9 a.m. - 10:30 a.m." (i.e., along the entire length of Downing Street and not just at the corners).
- Change the parking regulations around the perimeter of Father Demo Square from "No Parking Anytime" to "No Standing Anytime."
- Explore the possibility of construction pedestrian neckdowns (with input on the design from the community) at the intersections of Bedford as it approaches Downing and Leroy Streets.
- Address the lack of coordination of traffic lights along Carmine Street through a traffic light sequence analysis.

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



1 █ Applicant is seeking to modify the variance for a use conversion from manufacturing to residential that was originally granted on Nov. 15, 2005 and modified by letter on March 24, 2006.

█ This is an application to amend a previously granted variance by the Board of Standards & Appeals which permitted residential use in the MI-5B NoHo district, and

█ The original proposal for the building was lowered to 120'0" in order to secure approval from the Board of Standards & Appeals, and

█ The proposal also allowed a stair bulkhead on the roof of 8'11" above the 120' total height, and

█ The proposal was also limited to a total FAR of not more than 5, and

█ The applicant now wishes to add to the roof of the building a roof cabin to match the height of the stair bulkhead, behind the bulkhead and not visible from the street, and

█ The total floor area of the roof cabin will be limited to 143 sq. ft, and, because of the relocation of some of the mechanicals, the total FAR of the building will still be under the permitted FAR of 5, and

█ According to the applicant, this roof cabin will be connected to the top floor residential unit, and will only be used for the storage of things like chairs, etc. to be used by the tenant for recreational use of the roof, and this was also a concern of the neighbors who wanted assurance that this structure would not be expanded into some kind of liveable roof structure,

█ CB#2, Man. has no objection to this small roof cabin on the roof of 46-48 Bond St., provided it is made clear in the BSA grant that this is not to be used as an extra room for the apartment below but will be restricted to being a storeroom only.

Vote: Unanimous, with 38 Board members in favor.

2 █

█ This is an application for a Special Permit to permit a physical culture establishment to occupy part of the second floor of a commercial building at 225 Varick St., and

█ The application was originally filed in June 2006, but is just now coming to our Board for action, and

█ Because of the delay, the physical culture establishment is already open and, in fact, was visited by at least one member of the Committee, and

█ The operator of the establishment is New York Sports Club, which operates a number of similar establishments in the City and even some in the CB#2 area, and

█ The establishment is entered by a stair from the first floor, but there is also handicapped access from the building elevator, and

█ The plans, as submitted, indicate the usual sports equipment for such an establishment, and this was confirmed by the Committee member who actually visited the premises,

█ CB#2, Man. has no objection to the grant of a Special Permit for a physical culture establishment at 225 Varick St., but is concerned that it is in operation before the permit is granted.

Vote: Unanimous, with 38 Board members in favor.

█

Respectfully submitted,

Jo Hamilton
Secretary
Community Board #2, Manhattan