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Jo Hamilton, *First Vice Chair*
Bo Riccobono, *Second Vice Chair*
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

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Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

FULL BOARD MINUTES

DATE: July 24, 2008
TIME: 6:00 P.M.
PLACE: P.S. 41, 116 West 11th Street, Auditorium

BOARD MEMBERS PRESENT: Steve Ashkinazy, Keen Berger, Tobi Bergman, Makrand Bhoot, Carter Booth, Sigrid Burton, Maria Passannante Derr, Doris Diether, Ian Dutton, Harriet Fields, Sheelah Feinberg, Edward Gold, David Gruber, Jo Hamilton, Anne Hearn, Brad Hoylman, Chair, Community Board #2, Manhattan (CB#2, Man.), Amanda Kahn, Susan Kent, Arthur Kriemelman, Evan Lederman, Edward Ma, Don MacPherson, Jason Mansfield, Judy Paul, Lois Rakoff, David Reck, Erin Roeder, Rocio Sanz, Arthur Z. Schwartz, Shirley Secunda, Shirley H. Smith, Sean Sweeney, Annie Washburn, Carol Yankay, Elaine Young, Jin Ren Zhang

BOARD MEMBERS EXCUSED: Lisa Cannistracci, Dalton Conley, Elizabeth Gilmore, Zella Jones, Raymond Lee, Robert Riccobono, Wendy Schlazer, James Solomon

BOARD MEMBERS ABSENT: Renee Kaufman, Ke-Wei Ma, Jane McCarthy, Rosemary McGrath, Richard Stewart

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

GUESTS: Erin Drinkwater, Congressman Jerrold Nadler's office; Crystal Gold-Pond, Senator Tom Duane's office; Rudy Greco, Senator Martin Connor's office; Shaan Khan, Angelica Crane, Manhattan Borough President Scott Stringer's office; Grey Elam, Council Speaker Christine Quinn's office; Matt Borden, Assembly Member Deborah Glick's office; Paul Nagle, Council Member Alan Gerson's office; Kate Mikuliak, Council Member Rosie Mendez's office; John Ricker, NYC Comptroller's office; Adelaide Polsinelli, Gil Horowitz, Samuel Farber, Lincoln Anderson, Laura Walker, Philip Mouquinho, John Moodie, Laurie Moody, Daniel Ferris, Becky Ferguson, David Ehrlich, Joanne Ehrlich, Rei Thompson, Bob Radivoyerich, Michael Alvandi, Jeanne McArthur, Tara O'Brien, Elizabeth O'Brien, Jennifer Hill, Lynn Fisher Hill, Charles Anflick, Anderson Santlamma, Irene Kaufman, Chenault Spence., Jane Crotty, Elizabeth Adam, Ron Mandel, Carol Wilson, Cormac Flynn, Bruce Silverstein, Selma Marks, Dan Ferris, Arnie Charnick, Margie Rubin

MEETING SUMMARY

Meeting Date - July 24, 2008
Board Members Present – 35
Board Members Excused– 8
Board Members Absent - 5

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II. PUBLIC SESSION

Non-Agenda Items

75 Morton Street

Irene Kaufman spoke regarding the proposal for a new school at this site.

New York University

Daniel Ferris, representing the University, made several announcements concerning events.

Village Care

Carles Anflick made an announcement regarding a new program for senior in Chelsea and the West Village.

Washington Square Park

Margie Rubin spoke against the revisions regarding Washington Square Park.

Arnie Charnick spoke.

Business Items

RBM Rest. Corp, 45-47 W. 8th St.

Bob Radivoyerich, principal, spoke in favor of the proposed liquor license application.

Gil Horowitz, Laurie Moody, John Moodie, Carol Wilson, and Cormac Flynn, spoke against the liquor license application for this establishment.

Landmarks & Public Aesthetics Items

335 W. 12th St. a/k/a 802-810 Greenwich St. App. to demolish the building and construct a 4-story building. Bruce Silverstein, David Ehrlich, and Selma Marks, did not speak, but were in favor of the resolution recommending denial of the application.

Samuel Farber spoke in favor of the resolution recommending denial.

Street Activity & Film Permits

Support for Hudson Square Business Improvement District CEQR #08SBS011M
Phil Mouquinho and Laura Walker spoke in favor of the proposed Hudson Square B.I.D.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Erin Drinkwater, Congressman Jerrold Nadler's office

Crystal Gold-Pond, Senator Tom Duane's office

Matt Borden, Assembly Member Deborah Glick's office

Shaan Khan, Manhattan Borough President Scott Stringer's office introduced Angelica Crane as the new CB2 liaison.

Grey Elam, of Council Speaker Christine Quinn's office

Paul Nagle, Council Member Alan Gerson's office.

Kate Mikuliak, Council Member Rosie Mendez's office,

John Ricker, NYC Comptroller's office;

V. ADOPTION OF MINUTES

Adoption of May minutes and distribution of June minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** Brad Hoylman reported
2. **District Manager's Report** Bob Gormley reported.
3. **Rejection by CB#2, Man. of Two Free Government-Issued Parking Placards**

WHEREAS, earlier this year, the City Administration announced a reduction in the distribution of parking placards by 20 percent, a goal that CB#2, Man., strongly supports; and

WHEREAS, CB#2, Man. is eligible to apply for two government-issued parking placards (one for each of the District Manager and Chairperson), which it has utilized in the past; and

WHEREAS, reducing the use of government-issued parking placards would reduce automobile traffic congestion and pollution and encourage greater use of mass transit and other alternatives to cars such as cycling and walking; and

WHEREAS, CB#2, Man. supports fewer free parking spaces for government employees, a position it reiterated in opposing the plans to provide approximately 70 employee parking spaces for the proposed three-district garage at Spring and Washington Streets proposed by the Department of Sanitation.

THEREFORE BE IT RESOLVED, that CB#2, Man., permanently disclaims the use of the two free government-issued parking placards for which it is eligible and will not apply for them in order to do its small part to reduce automobile traffic congestion and pollution, encourage the use of mass transit and other alternatives to cars, and make a statement to other City agencies, such as the Department of Sanitation, that government-sponsored employee parking should be discouraged wherever possible.

Vote: Unanimous, with 33 Board members in favor.

STANDING COMMITTEE REPORTS

BUSINESS

1. GBND Enterprises, Inc. d/b/a The Village Underground, 130 W. 3rd St., NYC 10012

Application to DCA for the renewal of a Cabaret License.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a renewal of a cabaret license for a bar and located in a 3,000 s.f. premise in a mixed use building on 3rd Street between 6th Avenue and MacDougal Street, with 29 tables and 170 seats and 1 bar with 17 seats and a maximum legal capacity of 200 persons; and,

Whereas, the applicant stated the hours of operation are 8:30 p.m. – 4:00 a.m. daily including Sunday; there will not be a sidewalk café application nor a backyard garden; music will be a live DJ; and,

Whereas, no one appeared in opposition from the community; and,

Whereas, all permits are in order for changes made to the interior of the building; and,

Therefore, be it resolved that CB#2, Man. recommends approval of a Cabaret License to GBND Enterprises, Inc. d/b/a The Village Underground, 130 W. 3rd St., NYC.

Vote: Unanimous, with 33 Board members in favor.

2. Archipelago Restaurant Inc., 333 Hudson St., NYC 10013. Application to SLA is for the transfer of an On Premise license.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an On Premise license for a bar and restaurant located in a 2,800 s.f. premise in a commercial building on Houston St. between Charlton and Van Dam Street, with 27 tables and 72 seats and 1 bar with 19 seats and a maximum legal capacity of 211 persons; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 12:00a.m. Sunday through Thursday and 12:00 p.m. – 1:00a.m Friday and Saturday; there will not be a sidewalk café application nor a backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community; and,

Whereas, the total capacity of 211 on the C-of-O includes a deli store on the same floor which is not a part of this applicants operation; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of an On Premise License to Archipelago Restaurant Inc., 333 Hudson St., NYC.

Vote: Unanimous, with 33 Board members in favor.

3. Josh Halegua or Corp. or 108 W. Houston St., 108 W. Houston St., NYC 10012 Application to SLA is for the Transfer of an On Premise license.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an On Premise license for a bar and restaurant located in a 960 s.f. premise in a mixed use building on Houston St. between Sullivan and Thompson St., with 8 tables and 32 seats and 1 bar with 6 seats and a maximum legal capacity of 72 persons; and,

Whereas, the applicant stated the hours of operation are 10:00 a.m. – 2:00a.m. Sunday through Wednesday and 10:00 a.m. – 4:00a.m Thursday through Saturday; there will not be a sidewalk café application nor a backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community; and,

Whereas, the applicant agrees to provide a letter of no objection, will not change the current floor plan, and will keep the kitchen open up to 1 hour before closing; and,

Whereas, the only change in the method of operation is to decrease the hours open by 2 hours Sunday through Wednesday and some change to the menu; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed transfer of the On Premise License to Josh Halegua or Corp. or 108 W. Houston St., 108 W. Houston St., NYC, unless those conditions agreed to by applicant relating to the fifth and sixth “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 33 Board members in favor.

4. RBM 8th Rest., LLC, 45 W. 8th St., NYC 10011 Application to SLA is for a new, On Premise license.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new, On Premise license for a restaurant located in a 2-floor space with 2,800 s.f. premise in a mixed use building on 8th Street between 5th Avenue and 6th Avenue, with 30 tables and 95 seats and 2 bars with 23 seats and a maximum legal capacity of 100 persons; and,

Whereas, the applicant stated the hours of operation are 11:00 a.m. – 2:00a.m. Sunday through Thursday and 11:00 a.m. – 2:30a.m Friday through Saturday; there will not be a sidewalk café application nor a backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community; and,

Whereas, the correct address be it 45 W. 8th or 47 W. 8th is submitted; and,

Whereas, the applicant will provide a Public Assembly Permit, submit a new floor plan that eliminates back bar on first floor, sound proof entire space, provide security outside, post signs inside and out regarding courtesy to neighbors and serve food up to 1 hour before closing; and,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise License to RBM 8th Rest., LLC, 45 W. 8th St., NYC, unless the condition agreed to by applicant relating to the sixth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: THIS APPLICANT/RESOLUTION WAS SENT BACK TO THE COMMITTEE.

5. Martin Whelan or Corp. to be formed, 80 West 3rd Street, NYC 10003 Application to SLA is for a new On Premise license.

Whereas, the applicant reappeared before the committee after a lease issue caused a 6-month delay; and,

Whereas, the past application had approval by the full board in November 2007; and,

Whereas, there has been no change in the method of operation except for the decrease in the number of tables, chairs, and total capacity; and,

Whereas, this application is for a new, On Premise license for a restaurant with 3,100 s.f. premise in a commercial building on W. 3rd Street between Thompson and Sullivan, with 15 tables and 74 seats and 2 bars with 38 seats and a maximum legal capacity of 130 persons; and,

Whereas, the applicant stated the hours of operation are 11:30 a.m. – 3:00a.m. seven days a week; there will not be a sidewalk café application nor a backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community but that BAMRA appeared in support of this application; and,

Whereas, the applicant will provide a Public Assembly Permit, sound proof entire space, and have no velvet ropes, and serve food up to 1 hour before closing; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise License to Martin Whelan or Corp. to be formed, 80 West 3rd Street, NYC, unless those conditions agreed to by applicant relating to the third and seventh “whereas” clauses above are incorporated into the “Method of Operation” on the SLA On Premise license; and,

BE IT FURTHER RESOLVED that CB#2, Man. strongly recommends that the SLA conduct a 500- foot rule hearing with the applicant and members of the community to determine if licensing this restaurant is in the public interest.

Vote: Unanimous, with 33 Board members in favor.

6. Play Earth, Inc., 57 Great Jones St., NYC 10012

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

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

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license Play Earth, Inc., 57 Great Jones St., NYC 10012, and requests that the SLA send this applicant back to CB2 should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard.

Vote: Unanimous, with 33 Board members in favor.

7. My Little Secret Rest., 149 Mulberry St., NYC Application to SLA is for a new On Premise license.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new of an On Premise license for a bar and restaurant located in a 1000 s.f. premise in a mixed use building on Mulberry St. between Grand and Hester, with 27 tables and 62 seats and 1 bar with 7 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are 11:00 a.m. – 4:00 a.m. Sunday through Saturday; there will not be a sidewalk café application but will have a backyard garden which will be closed by 1a.m. and will be enclosed within one year to minimize noise; music will be background only; and,

Whereas, no one appeared in opposition from the community and noting many letters of support; and,

Whereas, the applicant agrees to provide a C of O and will keep the kitchen open up to 1 hour before closing; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise License to My Little Secret Rest., 149 Mulberry St., NYC, unless the condition agreed to by applicant relating to the second and fifth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license; and,

BE IT FURTHER RESOLVED that CB#2, Man. strongly recommends that the SLA conduct a 500- foot

rule hearing with the applicant and members of the community to determine if licensing this restaurant is in the public interest, in light of the roughly 25-licensed establishments within 500-ft. of the proposed establishment.

Vote: Passed, with 28 Board members in favor and 5 in opposition.

8. R & L Rest. Corp., 69 Gansevoort St., NYC Application to SLA is for an On Premise license.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a Diner located in a 1,900 s.f. premise in a mixed building on Gansevoort St. between Greenwich St and Washington St., with 20 tables and 63 seats and no bar with and a maximum legal capacity of 73 persons; and,

Whereas, the applicant stated the hours of operation is to be open 24 hours a day, 7 days a week; there will be a sidewalk café application but no backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community and this applicant will not be making any changes to the Method of Operation; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of an On Premise License to R & L Rest. Corp., 69 Gansevoort St., NYC.

Vote: Passed, with 27 Board members in favor, and 6 in opposition.

9. Lynn Fisher Hill or entity to be formed 508 Greenwich St., NYC Application to SLA is for the transfer an On Premise license.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer an On Premise license for a restaurant located in a 2,500 s.f. premise in a mixed building on Greenwich St. between Spring and Canal, with 28 tables and 56 seats and 1 bar with 9 seats and a maximum legal capacity of 74 persons on the first floor and 20 persons in the cellar; and,

Whereas, the applicant stated the hours of operation are 8:00 a.m. – 12:00a.m. Sunday through Saturday; there will not be a sidewalk café application nor a backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community but 4 people came in support; and,

Whereas, the applicant will submit a letter of no objection; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed transfer of the On Premise License to Lynn Fisher Hill or entity to be formed 508 Greenwich St., NYC, unless the condition agreed to by applicant relating to the fifth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license; and,

BE IT FURTHER RESOLVED that CB#2, Man. strongly recommends that the SLA conduct a 500- foot

rule hearing with the applicant and members of the community to determine if licensing this restaurant is in the public interest.

Vote: Unanimous, with 33 Board members in favor.

10. 93 MacDougal Café, 93 MacDougal St., NYC 10012 Application to SLA is for the transfer of an On Premise license.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an On Premise license for a restaurant located in a 1,400 s.f. premise in a mixed building on MacDougal St., between Bleecker St. and Minetta Ln, with 24 tables and 62 seats and 1 bar with 12 seats and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 1:00a.m. Sunday through Wednesday and 12:00 p.m. – 3:00 a.m. Thursday through Saturday; there will be a sidewalk café application but no backyard garden; music will be background only except for the occasional acoustic music at lunch time and at brunch on weekends; and,

Whereas, no one appeared in opposition from the community; and,

Whereas, the applicant will submit a letter of no objection and will secure sound proofing for the entire space;

BE IT FURTHER RESOLVED that CB#2, Man. strongly recommends that the SLA conduct a 500- foot rule hearing with the applicant and members of the community to determine if licensing this restaurant is in the public interest.

Vote: Unanimous, with 33 Board members in favor.

11. Kika 99, Inc., 90 Thompson St., NYC 10012 Application to SLA is for a new On Premise license.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the a new On Premise license for a restaurant located in a 900 s.f. premise in a mixed building on Thompson St. between Prince and Spring St., with 16 tables and 40 seats and 1 bar with 3 seats and a maximum legal capacity of 47 persons; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 12:00a.m. Sunday through Saturday; there will be no sidewalk café application and no backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community; and,

Whereas, the applicant will submit a letter of no objection; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise License to Kika 99, Inc., 90 Thompson St., NYC, unless the condition agreed to by applicant relating to the fifth

“whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license; and,

BE IT FURTHER RESOLVED that CB#2, Man. strongly recommends that the SLA conduct a 500- foot rule hearing with the applicant and members of the community to determine if licensing this restaurant is in the public interest.

Vote: Unanimous, with 33 Board members in favor.

12. 230 LLC, 230 Varick St., 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 an On Premise liquor license; and,

Whereas, the Carmine Street, Bedford Downing and W. Houston Associations were represented and letters against this applicant were submitted, the owner of the building was present as well as members of the community, and

Whereas, applicant had no lease for this space and offered no notice to the community.

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license 230 LLC, 230 Varick St., NYC 10014 and requests that the SLA send this applicant back to CB2 should this application proceed in order that this important step not be avoided and that the concerns of the Community be fully heard

Vote: Unanimous, with 33 Board members in favor.

13. 14 Bar, LLC, 63 Gansevoort, NYC Application to SLA is for the transfer of an On Premise license.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an On Premise license for a restaurant and bar located in a 3,200 s.f. premise in a commercial building on Gansevoort St. between 9th Avenue and Washington St., with 23 tables and 108 seats and 1 bar with 8 seats and a maximum legal capacity of 150 persons; and,

Whereas, the applicant stated the hours of operation are 5:00 p.m. – 4:00 a.m. Sunday through Saturday; there will be a sidewalk café application but no backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community; and,

Whereas, the applicant will submit a letter of no objection, and will submit a Public Assembly Permit; and

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed transfer of the On Premise License to 14 Bar, LLC, 63 Gansevoort, NYC, unless the condition agreed to by applicant relating to the fifth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 33 Board members in favor.

14. BKPR Empire, Inc., 100 Christopher St., NYC 10014 Application to SLA is for a new On Premise license.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license for a restaurant located in a 1,100 s.f. premise in a mixed use building at 102 Christopher St. between Bleecker and Bedford St., with 18 tables and 55 seats and 1 bar with 10 seats and a maximum legal capacity of 74 persons; and

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 12:00a.m. Sunday through Saturday; there will be no sidewalk café application and no backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community; and,

Whereas, the applicant will submit a letter of no objection; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of an On Premise License to BKPR Empire, Inc., 100 Christopher St., NYC, unless the condition agreed to by applicant relating to the fifth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 33 Board members in favor.

15. Whole Restaurant Group, LLC, 47 E. 12th St., NYC 10003 Application to SLA is for a new On Premise license.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for a new On Premise license for a restaurant located in a 1,000 s.f. premise in a commercial building on E. 12th St., between University and Broadway, with 13 tables and 32 seats and 1 bar with 8 seats and a maximum legal capacity of 47 persons; and,

Whereas, the applicant stated the hours of operation are 12:00 p.m. – 11:00 p.m. Monday through Wednesday and 12:00 p.m. – 12:00 p.m. Thursday through Saturday and 12:00 p.m. – 10:00 p.m. on Sunday; there will be a sidewalk café application but no backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of an On Premise License to Whole Restaurant Group, LLC, 47 E. 12th St., NYC.

Vote: Unanimous, with 33 Board members in favor.

16. Ginx, Inc. d/b/a Lola’s, 15 Watt street, 40 -42 Thompson St., NYC 10013
Application to SLA is for the alteration to the interior space of the On Premise License

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration to the interior space of the existing On Premise License for a restaurant with a new glassed-in stage and vestibule; and,

Whereas, no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of the alteration to interior space of the existing On Premise License for Ginx, Inc. d/b/a Lola's, 15 Watt Street, 40 -42 Thompson St., NYC.

Vote: Unanimous, with 33 Board members in favor.

17. 150 RFT Varick Corp., 150 Varick St., NYC 10013 Application to SLA is for the alteration to the interior space of the On Premise License

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration to the interior space of the existing On Premise License for a restaurant to relocate existing bar, to stay in the same room but become perpendicular to the bar's original placement; and,

Whereas, no one appeared in opposition from the community, but community members came to state the patrons are there overnight or seem to be leaving around 3 p.m. the next day and that the applicant has deep base sounds all night long, and it was suggested by the committee to meet with the owners regarding concerns; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval of the alteration to the On Premise Beer and Wine license for a Sidewalk Café for 150 RFT Varick Corp., 150 Varick St., NYC 10013.

Vote: Unanimous, with 33 Board members in favor.

18. JZ Food and Wine, LLC, 47 8th Avenue, NYC Application to DCA and SLA is for the alteration of the On Premise license to include a sidewalk cafe.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration of the On Premise license to include a sidewalk café for a restaurant located in a 1,400 s.f. premise in a mixed use building on 8th Avenue between Jane and Horatio, with 16 tables and 42 seats with no bar with and a maximum legal capacity of 74 persons; to include a sidewalk café with 2 table and 4 chairs; and,

Whereas, the applicant stated the hours of operation are 4:00 p.m. – 2:00 a.m. 7 days a week; there will be no backyard garden; music will be background only; and,

Whereas, no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval for the alteration of the On Premise license to include a sidewalk café for JZ Food and Wine, LLC, 47 8th Avenue, NYC.

Vote: Unanimous, with 33 Board members in favor.

19. Half Pint on Thompson LLC, 234 Thompson St. a/k/a 76 W. 3rd St., NYC 10012

Application to SLA is for the alteration of the On Premise license to include a sidewalk cafe.

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the alteration of the On Premise license to include a sidewalk cafe. for a restaurant located in a 1,200 s.f., mixed use building on Thompson St on the corner of W. 3rd which will be adding a sidewalk café with 9 tables and 18 chairs; and,

Whereas, the applicant stated the hours of operation are 12:00p.m. – 2:00 a.m. 7 days a week; there will be no backyard garden; music will be a jukebox at background level only; and,

Whereas, the applicant will submit updated sidewalk plans filed with the DCA and follows the guidelines established by the Sidewalk committee which are the following:

- The reduction of the sidewalk plan to 9 tables & 18 seats, with revised drawings submitted with this resolution and a revised application
- A reduction in hours of operation for the sidewalk café to 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday
- Regular dialogue with Judith Callet a community member and member of BAMRA as regards the continuing compatible operation of the Sidewalk Café.

Whereas, no one appeared in opposition from the community; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial of the proposed alteration to and On Premise license to include a sidewalk café at Half Pint on Thompson LLC, 234 Thompson St. a/k/a 76 W. 3rd St., NYC, unless the condition agreed to by applicant relating to the fourth “whereas” clause above are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 33 Board members in favor.

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

1. 484-486 Broadway, a/k/a 437-441 Broome Street - SoHo-Cast Iron H.D. A store and loft building designed by J. Webber & Sons and built in 1879 and altered in 1911; and a store and loft building with Romanesque and Moorish style elements designed by Lamb & Rich and built in 1882-83. Application is to legalize storefront alterations, and to approve additional storefront and fire escape alterations.

Whereas, we take exception to the proposed awnings, which obscure architectural detail, create visual clutter, set a bad precedent, and are unnecessary. The awnings are on the north side, which receives little direct sunlight. Thus the awnings do not serve the intended function of an awning, which is to provide shade, but, are, in fact, merely advertising signage.

If the applicant wants advertising signage, fine. There should be an application for a blade sign or a flagpole with banner. If every applicant wanted multiple signage like this, it would start an alarming trend of awnings cluttering the architecture of the historic district, where necessity or aesthetics does not require them; but

Whereas, the removal of part of the fire escape will contribute to the appreciation of the façade; and

Whereas, the changing of the pink color to a darker palette in the cast-iron central portion of the Broome Street façade will contribute to the building and the district; now

Therefore, be it resolved that CB#2, Man. recommends denial of the awnings on Broome Street because their presence is fallacious; but

Further, be it resolved that CB#2, Man. recommends approval of the remainder of the application.

Vote: Unanimous, with 35 Board members in favor.

2. - 155 Wooster Street (s.w. corner of Houston) - SoHo-Cast Iron Historic District A Classical Revival style store and loft building designed by George F. Pelham and built in 1897-1898. Application is to establish a master plan governing the future installations of painted wall signs. Zoned M1-5A.

Whereas, this proposal calls for a sign that, we believe, would be too large under current guidelines, that is, an area greater than six times the building's frontage. This is NOT a corner lot or building, and does not warrant a sign larger than what the formula prescribes; and

Whereas, this building has benefited very, very handsomely for some dozen years with monstrous advertising signage, - sometimes legal, often illegal - which source of income very few other buildings in the historic district choose to exploit, since it is so detrimental to the character of the district and the appearance of their property; and

Whereas, although there was an LPC permit for a sign for a couple of years, that permit expired in 2004. Thus, for most of the time, this property profited handsomely from illegal behavior; and

Whereas, thus, there is no extant, conforming, "grandfathered" sign to support a request for a new sign of this gargantuan size; and

Whereas, this sign would be situated at the entrance to the SoHo Cast-Iron Historic District on Wooster and Houston. As an individual passes through I.M. Pei's Silver Towers (which may be designated), past the lovely Picasso statue, one would have this crass piece of commercial signage disrupting the line of vision of a wonderful perspective looking down the attractive facades of Wooster Street toward Canal; now

Therefore, be it resolved that CB#2, Man. strongly recommends that no sign be permitted, since the applicant has no 'grandfathered' sign to refer to, and since the applicant has so egregiously abused the Landmark Law and the Historic District for years.

Vote: Unanimous, with 35 Board members in favor.

3. - 222 Bowery (Prince/Spring)- (Former) Young Men's Institute Building of the Young Men's Christian Association (YMCA) - Individual Landmark A Queen Anne style institutional building designed by Bradford L. Gilbert and built in 1884-85. Application is to install storefront infill and signage.

Whereas, we are sorry to see the rhythm of the three original windows broken by the replacement of one with an entrance door to the new store, but understand the necessity for that entrance being located there; and

Whereas, the signage, although illuminated, would not be very distracting on this busy thoroughfare; and

Whereas, the proposed work will improve this Individual Landmark from its current state; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 35 Board members in favor.

4. - 415 West 13th Street - Gansevoort Market Historic District A vernacular style building, designed by Thompson Starrett Co. and built in 1900-01, with an addition designed by Steven Kratchman and built in 2002-03. Application is to install new storefront infill and alter the loading platform.

Whereas, although it is not the original loading-dock canopy, the canopy is iconic to the Meat Market, and the flat signage with raised lettering attached to the canopy is modest; and

Whereas, we had problems with the premise of the application. That is, to remove the loading dock and replace it with extended steps. The reasons are twofold.

First, the proposed individual storefronts are not protruding. Therefore, extending the proposed steps forward would not 'sit' in this district.

Secondly, this district, remember, historically was a meat market, a rough-and-tumble commercial district, not a chi-chi fashion district. To remove the loading doors and replace it with an extended stairway belies the creation of the historic district; and

Whereas, on the other hand, if the loading dock is retained, even extended, it would better facilitate the handicap access to all the storefronts; and

Whereas, the proposed glass on the existing piers is inappropriate and sets a bad precedent. That is, covering up historic fabric with a modern glazing treatment; now

Therefore, be it resolved that CB#2, Man. recommends approval of the canopy and signage; but

Further, be it resolved that CB#2, Man. recommends denial of the proposed steps to replace the loading dock.

Vote: Unanimous, with 35 Board members in favor.

2ND LANDMARKS MEETING

1. - 93 Grand Street - SoHo Cast Iron Historic District A store building designed by J. B. Snook and built in 1869. Application is to alter the storefront.

Whereas, the proposed blade sign will not detract from the building or the district, and the restoration work is generally well-done; but

Whereas, the defense by the applicant of extending the display window, the vitrine, as it were, to the floor was feeble and logically fallacious, with the claim that there is no documentation to negate that this proposed window is not an historic style; and

Whereas, based on the knowledge of other buildings from that period, there is simply no evidence whatsoever of windows going to street level; and

Whereas, the height of the window sill should be determined by comparing other buildings of the same period; now

Therefore, be it resolved that CB#2, Man. recommends denial of this application unless the windows have a base of appropriate height.

Vote: Unanimous, with 35 Board members in favor.

2. - 35 Wooster Street - SoHo-Cast Iron Historic District A French Renaissance style store and loft building designed by S. Curtiss Jr. and built in 1866. Application is to legalize the replacement of an access lift without Landmarks Preservation Commission permit.

Whereas, the replacement lift has a more appealing design than the lift it replaced; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 35 Board members in favor.

3. - 26 Commerce Street - Greenwich Village Historic District A Federal style rowhouse built in 1821. Application is to alter the roof and enlarge a rear extension. Zoned C2-6

Whereas, on the front façade, the removal of the balconies will not be detrimental to the building or the district, since they are not original and are aesthetically ‘noisy’; and

Whereas, on the rear façade, we would like a complete re-design of what was presented to us, for it has no coherency, contextuality, harmony or historical authenticity; now

Therefore, be it resolved that CB#2, Man. recommends approval of this work on the front; but

Further, be it resolved that CB#2, Man. recommends denial of the remainder.

Vote: Unanimous, with 35 Board members in favor.

4. - 335 West 12th Street, a/k/a 802-810 Greenwich Street - Greenwich Village A one-story garage building, built in 1944. Application is to demolish the building and construct a four-story building. Zoned R6

Whereas, the extant low-rise building is part of the heterogeneous character of the neighborhood and we object to seeing these structures disappear on a seemingly monthly basis, which will leave the area with mid- and high-rise buildings, without any one-story structures. This was not the case at designation.; and

Whereas, the final result of the applicant’s efforts is not contextual, especially with Greek Revival elements; and

Whereas, the stairwells appear as blank masonry towers, projecting from the face of the building, and are evocative of a Scottish castle or the works of Charles Rennie MacIntosh or Edwin Lutyen, but definitely not characteristic of the Village; and

Whereas, we also object to:

- The setback after the first floor; and
- The lack of vertical alignment of the windows, as well as three different sizes of windows; and
- Too much masonry (as opposed to the usual “too much glass” objection); and
- The lack of acknowledgement of the architecture of the four original townhouses that used to be at this location;
- The lack of specific information for the design details for the entrance doors; now

Therefore, be it resolved that CB#2, Man. requests the Commission to consider the eventual result of the continuous elimination of these one-story structures from the district; and

Further, be it resolved that CB#2, Man. recommends denial of the proposed application and respectfully suggests an entire rethinking of the design.

Vote: Unanimous, with 35 Board members in favor.

5. - 142 West 13th Street - Greenwich Village Historic District A rowhouse built in 1842 and altered in 1938. Application is to remove the front stairs, replace windows, and alter the rear facade.

Whereas, on the rear façade, there is a large percentage of original façade intact; therefore, the second and third floors should be preserved; and

Whereas, on the front façade, the removal of the existing iron stairway will not detract from the building or the district; but

Whereas, in instances where stoops have been removed in Greenwich Village, there were inserts added to make the entrance a bit grander; and

Whereas, perhaps in this application, there should be wider doors to make it seem more like a building entrance and less like a door under a window; and

Whereas, the new entrance should be recessed; and

Whereas, a single pane window in the front is not appropriate; a 1over1 or 6over 6 appropriate to an 1840s townhouse is preferred; and

Whereas, if that fenestration proposal is not adopted, then the applicant should restore the modernist window existing at the time of designation; and

Whereas, the proposed metal awning is inappropriate; now

Therefore, be it resolved that CB#2, Man. recommends a complete re-design of the rear façade and retention of the second and third floors, including the bronze mesh screen; and

Further, be it resolved that CB#2, Man. recommends that the front also be given serious reconsideration, including, but not limited to the points that are mentioned above.

Vote: Unanimous, with 35 Board members in favor.

6. - 837 Washington Street a/k/a 426-432 West 13th Street - Gansevoort Market A Moderne style market building designed by David M. Oltarch and built in 1938. Application is to alter the facades and construct a four-story rooftop addition. Zoned M1-5

Whereas, the restoration work is commendable and we congratulate the applicant for not requesting demolition of the existing structure, but instead choosing to work with what is there and adding to it; and

Whereas, we do not object to the ivy, but the applicant should have presented how the building would look like without ivy, which was not done at the community board; but

Whereas, we worry that when this owner sells the property, the future owners will not maintain the watering and maintenance of the plantings, resulting in a look not envisioned by this applicant; and

Whereas, using the existing structure as a podium maintains the concept of the rectilinear Moderne low-rise building; and

Whereas, the floor height mirrors the Colliers Building next door; and

Whereas, the new building asserts individuality and has integrity and thought, executed in a high-scale manner; and

Whereas, there was some disagreement within the Landmarks Committee on the appropriateness of the ivy and some members rejected the proposal for that reason; now

Therefore, be it resolved that CB#2, Man. recommends approval of this application; but

Further, be it resolved that CB#2, Man. recommends that the Commission require a covenant or agreement of some sort written into the title deed or such that would require perpetual maintenance of the plantings in order to insure the integrity of the proposal, as occurs in 74-711 Perpetual Maintenance Agreements.

Vote: Unanimous, with 35 Board members in favor.

PARKS, RECREATION & OPEN SPACE

Minetta Playground

Whereas the CB#2, Man. Parks Committee participated in a site scope meeting at Minetta Playground on March 3, 2008; and

Whereas the CB#2, Man. Parks Committee held a follow-up public hearing on April 15, 2008, and

Whereas at its April, 2008, full board meeting CB#2, Man. passed a resolution including specific recommendations for the design of the reconstruction of this playground; and

Whereas the Parks Department has presented a proposed design for the playground which is highly responsive to the recommendations from CB#2, Man.; and

Whereas the committee discussed features of the design including overall layout, fences, paving materials, plantings, seating, and play equipment and play showers,

Whereas the design gives priority to children's play, keeps perimeter fences low and attractive, provides a single entrance at the southwest corner of the park, preserves and protects the fine mature trees, provides lush and attractive plantings, provides challenging play equipment for children approximately 5 to 10 years old, removes the unattractive play equipment and maintenance structure, and includes a spray shower; and

Whereas at the presentation of the design for the playground questions were raised about the safety of the entrance because of the proximity to Sixth Avenue and the lack of benches near the entrance where parents and guardians can sit to prevent small children from escaping;

Whereas questions were also raised about the suitability of play equipment for children in wheel chairs; and

Whereas questions were raised about the use of light colored pavers that have proven difficult to maintain and therefore unattractive in the newly renovated Father Demo Square nearby, and which are not needed in a playground such as this with so much shade from mature trees;

Therefore it is resolved that CB#2, Man. appreciates and applauds the expeditious and responsive design process and enthusiastically approves the general design for the project; and

It is further resolved that CB#2, Man. requests that Parks give further consideration to the safety of the gate because of the proximity to Sixth Avenue (above and beyond the design of the latch) and in particular consider more bench seating near to and facing the entrance; and

It is further resolved that CB#2, Man. requests that Parks seek to provide a more interesting environment for children in wheelchairs, possibly by providing a up/down ramp on the path to the play house area and a wheel chair carrying swing; and

It is further resolved that CB#2, Man. strongly opposes the use of light colored pavers that quickly become stained and unattractive.

Vote: Unanimous, with 34 Board members in favor.

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

App. to NYCDOT for revocable consents to construct and maintain:

- 1. Fenced-in-area and stoops at 18 Grove St. @ Bedford St. Block: 585; Lot: 23.**

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and the applicant was represented, and,

Whereas, this location is zoned as R6 Residential in a Landmarked District with lot frontage of 20.25' and the building is a multi-family walk-up, estimated as built in 1910s, previously with 4 residential units, but currently under renovation by new owner Joseph Evangelisti, and

Whereas, contiguous buildings on this Landmarked block have stoops and the applicant has stated that there is a Landmarks Preservation Commission (LPC) certificate of approval, which was not attached to this application;

Therefore be it resolved that CB#2, Man. recommends APPROVAL of the application to NYCDOT for revocable consents to construct and maintain a fenced-in-area and stoops at 18 Grove St. @ Bedford St., provided that the LPC certificate is attached to this application.

Vote: Unanimous, with 35 Board members in favor.

2. Stoop entrance and fenced in area at 288 W. 4th St. betw. Bank & West 11th St., Block: 623; Lot: 42.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and the applicant was represented and,

Whereas, this location is zoned as R6 Residential in a Landmarked District with lot frontage of 20.25' and the building is a multi-family walk-up, estimated as built in 1910s, previously with 4 residential units, but currently under renovation by new owner Keith Recker, and,

Whereas, contiguous buildings on this Landmarked block have stoops and the plan shows matching details with 290 West 4th St and the applicant has stated that there is a Landmarks Preservation Commission (LPC) certificate of approval, which was not attached to this application,

Therefore be it resolved that CB#2, Man. recommends APPROVAL of the application to NYCDOT for revocable consents to construct and maintain a stoop entrance and fenced in area at 288 W. 4th St. betw Bank & West 11th St., provided that the LPC certificate is attached to this application.

Vote: Unanimous, with 35 Board members in favor.

New App. for revocable consent to operate an Unenclosed sidewalk café for:

1. Grand Sichuan 7th Ave., Inc., 15 7th Ave. So., between 7th and Carmine, Block: 582; Lot: 26; Police Precinct: 6; with 10 tables & 20seats, DCA#12288706

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and the owner, Tao An appeared, and,

Whereas, the lot as frontage of 68.33', contains 2 buildings with 2 floors; Residential Units: 37; Total # of Units: 41 in a Mixed Residential and Commercial C2-6 Commercial Zone (Zoning Map #: 12A), and

Whereas, the plan presented indicates there is sufficient sidewalk clearance from existing tree pits and a bike rack,

Therefore be it resolved that CB#2, Man. recommends APPROVAL of a New App. for revocable consent to operate an Unenclosed sidewalk café for **Grand Sichuan 7th Ave., Inc., 15 7th Ave. So., between 7th and Carmine** with 10 tables & 20seats, **DCA#12288706.**

Vote: Unanimous, with 35 Board members in favor.

2. RF Rest., & Food Corp. d/b/a Café Espanol, 78 Carmine St., betw. Bleecker and 7th Ave. So; Block: 528; Lot: 63; Police Precinct: 6, City Address: 76 CARMINE STREET, 10014 with 12 tables & 24 seats, DCA#1287002.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and the owner, Pablo Manso appeared, and,

Whereas, there is lot frontage of 50', the building has 6 floors and 20 residential units of a total 21 units; in a mixed Residential and Commercial C2-6 Zoning envelope (Zoning Map 12A) and the building was estimated to be built in 1910, and

Whereas this is a new application because there has been a change in ownership but the sidewalk café has no changes from its current operation or configuration, and,

Whereas, there was no community objection,

Therefore be it resolved that CB#2, Man. recommends APPROVAL of a New App. for revocable consent to operate an Unenclosed sidewalk café for **RF Rest., & Food Corp. d/b/a Café Espanol, 78 Carmine St.,** betw. Bleecker and 7th Ave. So; (City Address: 76 CARMINE STREET), with 12 tables & 24 seats, DCA#1287002.

Vote: Unanimous, with 35 Board members in favor

3. 60 Greenwich LLC, d/b/a Gusto Restaurant & Bar Americano, 60 Greenwich Avenue @ Perry St., Block: 606; Lot: 25; Police Precinct: 6, with 13 tables & 26 seats, DCA# 1191326.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and the owner's representative, Michael Kelly appeared, and,

Whereas, this application proposes to extend a current sidewalk café to 62 Greenwich Ave. which is also in a Mixed Residential and Commercial C1-6 Zoning Envelope (Zoning Map 12A) and the area is Landmarked, and,

Whereas, the current sidewalk café at #60 Greenwich Ave. has introduced tables and chairs into their original plan that take up the entire area of the sidewalk café, requiring service from the public sidewalk area, and no accommodation for a legal service aisle, and,

Whereas, there is a table blocking an entrance/exit to the building on the east and a table added on the west opposite a tree pit, leaving 6' 10" from edge of café to fire hydrant on east and from tree on the west, and,

Whereas, the owners representative warrants that the current and proposed café will replace the current tables and chairs with smaller units to comply with legal clearances for both the existing and proposed sidewalk café, and will attest to same on the attached Change Order,

Therefore be it resolved that CB#2, Man. recommends APPROVAL of a New App. for revocable consent to operate an Unenclosed sidewalk café for **60 Greenwich LLC, d/b/a Gusto Restaurant & Bar Americano, 60 Greenwich Avenue @ Perry St.**, with 13 tables & 26 seats, DCA# 1191326, CONDITIONAL UPON:

- The restoration and provision of a legal service aisle WITH the proposed sidewalk café area
- The provision of legal separation from the Fire Hydrant on the East and the Tree Pit on the West
- The removal of the table that blocks the building entrance/exit at 60 Greenwich Ave.

Vote: Unanimous, with 35 Board members in favor.

4. SoHo Bistro Inc., 69 Thompson St., with 4 tables & 8 seats, DCA# 1282784-(cont'd) - Amended June Reso Below presented for Board Vote
SoHo Bistro Inc., d/b/a Country Café, 69 Thompson St. btw Spring & Broome, Block: 489 Lot: 32 Police Precinct: 1 with 4 tables & 8 seats, DCA# 1282784. REVISED 6/23, 2008

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and the SoHo Alliance made inquiry as to the zoning regulations and the placement of this café , and the owner, Juraci M DaSilva was present, and,

Whereas, lot frontage is 21.5 feet; there are 9 residential units, this is a Multi-Family Walk-up Building zoned as R7-2 Residential beginning 100' south of Spring, and,

Whereas, the plans show 105' from Spring St. but the actual distance is 176.08', and,

Whereas, a sidewalk café is not allowed in the area 100' south of Spring Street and it has been confirmed by the Department of City Planning that this address is in the R7-2 zone and not in the M1-5B zone just to its south on the same block,

THEREFORE BE IT RESOLVED, that CB#2, Man. recommends DENIAL of the new App. for revocable consent to operate an Unenclosed sidewalk café for **SoHo Bistro Inc., d/b/a Country Café, 69 Thompson St. btw Spring & Broome, with 4 tables & 8 seats, DCA# 1282784.**

Vote: Unanimous, with 35 Board members in favor.

5. 4 Runners, Inc. d/b/a Istanbul Grille, 310 W. 14th St. Betw 8th & 9th Ave., Block: 629; Lot: 29; Police Precinct: 6; City Address,: 304 WEST 14 STREET, 10014, with 5 tables & 10 seats, DCA# 1290477

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and the applicant, Murat Eisen, appeared, and,

Whereas, there is lot frontage of 100', 6 floors, 66 Residential Units of 73 total Units in a building estimate to be built in 1905; and the bulding is in a Mixed Residential and Commercial C6-2A Zoning Envelope (Zoning Map # 08B), and,

Whereas, there is a sidewalk grille 15'5" from the property line and the proposed sidewalk plan shows clearance in excess of 4'5" from the sidewalk grille, and,

Whereas, the applicant states that their original application requested 6 tables and 12 seats and the plan submitted shows legal compliance with that configuration,

Therefore Be It Resolved that CB#2, Man. recommends **APPROVAL** of a New App. for revocable consent to operate an Unenclosed sidewalk café for **4 Runners, Inc. d/b/a Istanbul Grille, 310 W. 14th St. Betw 8th & 9th Ave.**, (City Address,: 304 WEST 14 STREET), with 6 tables & 12 seats, DCA# 1290477

Vote: Unanimous, with 35 Board members in favor.

6. 117 Avenue of the Americas Food Corp., 117 Ave. of the Americas, betw Broome & Watts, with 13 tables & 26 seats, DCA#1285231 – *Held over from June. Held over to August.*

New App. for revocable consent to operate an Enclosed sidewalk café for

7. Zonor Restaurant Corp., d/b/a Riviera Café, 225 W. 4th St., with 17 tables & 36 seats, DCA#0629616.

Whereas, this location is in a C4-5 zoning envelope with Mixed Residential and Commercial Buildings on Zoning Map #: 12A, and,

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the owner, Steve Sertell, General Manager was present, and,

Whereas, this establishment and sidewalk café have operated continuously with the same configuration from a date prior to 1971, and this Committee cannot determine why this is classified as NEW application, but would not see any reason to deny it based on historical compliance,

THEREFORE BE IT RESOLVED that CB#2, Man. **APPROVAL** of this renewal application for revocable consent to operate an Enclosed sidewalk café for **Zonor Restaurant Corp., d/b/a Riviera Café, 225 W. 4th St.**, with 17 tables & 36 seats, DCA#0629616.

Vote: Unanimous with 35 Board members in favor.

Renewal App. for revocable consent to operate an Unenclosed sidewalk cafe for:

8. 151 Mulberry Street Corp. d/b/a IL Palazzo, 151 Mulberry St., Block: 236; Lot: 20; Police Precinct: 5, with 12 tables & 24 seats, DCA#113376...*Held over from May 08, Hold Over to June, Held over to August.*

9. Smorgas Chef West Village, LLC, d/b/a Smorgas Chef, 283 W.12th St. @ W 4th St., with 14 tables & 28 seats, DCA# 123313.

Applicant/Representative asked for re-hearing on this item. If approved this resolution will replace the one voted upon in June.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail, there were community members present and the applicant's representative, Michael Kelly was present, and,

Whereas, there is lot frontage of 24' on West 12th St. all of which is utilized by this café and lot depth of 65' on West 4th St. where the café utilizes 33.6' and the applicant is on the ground floor of a building built in 1910 (est.) with four-stories three of which have residential units in a Mixed Residential and Commercial C1-6 zone (Zoning Map #: 08B), and,

Whereas, there has been concern for the noise created by the sidewalk café by the residences directly to the west, abutting the front tables, and,

Whereas, the original (and submitted) plans for the café along the West 4th St. side show small tables and a 3' service aisle, and

Whereas, there are currently larger tables, no service aisle and service is made from the sidewalk which offers exactly 8' for pedestrian right of way, and,

Whereas, there was also concern expressed for the noise Sunday mornings from the café on the West 4th St. side, where set up and serving have occurred before noon,

THEREFORE BE IT RESOLVED that CB#2, Man. APPROVES the renewal App. for revocable consent to operate an Unenclosed sidewalk café for Smorgas Chef West Village, LLC, d/b/a Smorgas Chef, 283 W.12th St., @ 4th St., with 14 tables & 28 seats, DCA#1233131, CONDITIONAL UPON the following in written and signed agreement attachable to this application:

- The sidewalk café on the West 4th St side will be restored to its original single row of small tables with a 3' service aisle within the boundary of the café leaving 8' pedestrian right of way. Planters will be removed at the end of the season (I.e. November) or put on wheels so that they can be stored at the end of the night;
- All tables and fixtures will be struck down and stored at the end of sidewalk café hours
- Tables on the 12th St side have more separation from the abutting windows on the building to the west of the café
- The café will operate from 8 a.m. to 11 p.m. Monday through Thursday; 8:00 am to Midnight Friday and Saturday and Noon to 11 pm on Sunday. **Except** that closing will be 1 hour earlier on 12th street side every night (which means the last serving is approximately 45 minutes before close);
- There will be no additional furniture, including podium placed at the corner of 12th St and West 4th St. outside the planned café area, as a station for a maître d' or menu display
- Owner will co-operate and maintain a positive working relationship with neighbors

Vote: Unanimous, with 35 Board members in favor.

10. West End Kids, Corp. d/b/a Henrietta Hudson 438-444 Hudson Street @ Morton St., Block: 584; Lot: 7501; Police Precinct: 6; City Address: 442 HUDSON STREET, 10014 with 8 tables and 16 seats, DCA# 0908690. *Held over to August*

Renewal App. for revocable consent to operate an Enclosed sidewalk cafe for:

11. Karavas Food Ltd., d/ba Karavas Pl., 162 W. 4th St., @ Cornelia St., Block: 590; Lot: 32; Police Precinct: 6; with 10 tables & 21 seats, DCA# 1001562

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and the owner was represented, and

Whereas, there is lot frontage of 76' and depth of 40.92', 5 floors, 16 residential units of a total 19 units in a building erected in 1910, in a Mixed Residential and Commercial R7-2 Zoning Envelope with a Commercial Overlay (Zoning Map#12A), and

Whereas, there have been no changes in configuration or operation of this enclosed sidewalk café,

THEREFORE BE IT RESOLVED that CB#2, Man. commends APPROVAL of this renewal application for revocable consent to operate an Enclosed sidewalk café for Karavas Food Ltd., d/b/a Karavas Pl., 162 W. 4th St., @ Cornelia St., with 10 tables & 21 seats, DCA# 1001562.

Vote: Unanimous, with 35 Board members in favor.

App. to Department of Consumer Affairs for Newstand at:

12. Northwest corner of Prince St. & West Broadway DCA# 1289781.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were community members present and expressing opposition along with other letters opposing, and the applicant MD Shahinur Islam, appeared, and

Whereas, there was overwhelming community opposition to any sidewalk activity additional to the already heavy weekend street vending and tourist traffic well-documented by the community,

Therefore Be It Resolved that CB#2, Man. recommends DENIAL of the **App. to Department of Consumer Affairs for Newstand for the Northwest corner of Prince St. & West Broadway DCA# 1289781**; and

Therefore be it further resolved that this Committee is willing to work with the applicant if they applied for a more suitable location.

Vote: Unanimous, with 35 Board members in favor.

13. Northwest corner of Delancey St. & Bowery DCA# 1289705. Applicant: Sukanta Das.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and the applicant Sukanta Das appeared, and

Whereas, this applicant had previously applied for a newsstand location at the Southwest corner of Delancey St & Bowery in June, that was approved but considered it a less desirable location, and,

Whereas, the applicant prefers this new location,

Therefore Be It Resolved that CB2 Manhattan recommends APPROVAL of the **App. to Department of Consumer Affairs for Newsstand for the Northwest corner of Delancey St. & Bowery DCA# 1289705**.

Vote: Unanimous, with 35 Board members in favor.

SOCIAL SERVICES AND EDUCATION

CB2 Resolution on Department of Aging Modernization Plan

Whereas A representative from the Department for the Aging (DFTA) gave a detailed presentation at a meeting of the Social Services Committee of Community Board 2, outlining plans to “Modernize” Senior Centers, and

Whereas many members of the community, including employees, directors and clients of several local Senior Centers voiced concerns that contrasted sharply with the DFTA presentation, and

Whereas a new RFP (request for proposals) process has created fear and anxiety among users and operators about programs that have a long history of providing services to seniors in our community, and

Whereas some specifics of this final stage are surprising, puzzling, and troubling to our community, including members of this Community Board, elected officials, and seniors themselves, and

Whereas DFTA states that most Senior Centers are “underutilized” but DFTA’s mode of measuring use and capacity are critically flawed, such that capacity at Greenwich House is put at 97 although it can accommodate only 60, and The Caring Community regularly feeds more people each day than it is paid to serve, and

Whereas DFTA states that cost effectiveness is not the sole factor in grading proposals, but many fear it is the prime factor, resulting in closing of long-standing non-profit centers, replaced with for-profit programs, and

Whereas an emphasis on cost may reduce quality of services, as is demonstrated by the “Pilot Program” that cut costs by replacing daily hot meals with bi-weekly frozen ones and by research that found such program preferred by new clients, ignoring the experiences of traditional clients who refused such meals, and

Whereas food costs have increased but DFTA reduced funding by an additional 3 percent, July 2008, and

Whereas without the meals and socialization provided by their Centers, many more seniors will be hungry, lonely, and sick, and

Whereas Centralizing caseworkers by region, thus reducing local accountability, adds confusion, delays, depersonalization, and needless change, harming seniors in the name of bureaucratic simplicity,

Therefore Be It Resolved that CB#2, Man. requests The Department of Aging to provide compelling data (not merely financial) to the community, Community Board 2, and our local elected officials **before** any decisions that would reduce funding or close existing Senior Centers, and

Be It Further Resolved that CB#2, Man. urges DFTA to coordinate with the Senior Centers under its contracts to establish individual capacity guidelines that are accurate and realistic, and

Therefore Be It Further Resolved that CB#2, Man. commits itself to developing new ways to publicize the work of our local Senior Centers to encourage more seniors to use them.

Vote: Passed, with 34 Board members in favor, and 1 recusal (Amanda Kahn)

STREET ACTIVITY & FILM PERMITS

1. Support for Street Fair Activity Permit for Hudson Square Business Improvement District CEQR #08SBS011M

The Hudson Square Area as described in a map provided by the representatives who presented this plan Not an event or street fair but a Business Improvement District plan (see attached)

Whereas, the plan was presented at the committee meeting by Phil Mouquinho, Liz Lusskin and George Glatter; and

Whereas, the BID area, bounded by (see the map attached to the description of the Hudson Square BID Proposal) has recognized many problems in this area and have reached out to the business and residential community by taking surveys, and visiting businesses,

Whereas, many realize that this area needs mitigation for the traffic problems, to control pollution, plant trees, create more bike lanes, control noise, improve the parks and streets sitting areas etc.; and

Whereas, the application has many supporters who are hoping to invite “service industries” such as laundries, shoe repair, supermarkets, pharmacies, small neighborhood type restaurants, stores etc.; and

Whereas, businesses and landlords will pay the assessment, with residential buildings being assessed only \$1.00 annually; and

Whereas, the presenters were able to answer many questions that the committee members had and distributed a comprehensive plan that documented their proposal and the work that has been done;

Therefore Be It Resolved that CB#2, Man. supports the Hudson Square Business Improvement District that is being formed knowing that residents will be assessed only \$1.00 annually for this BID; and

Be It Further Resolved that there was no community opposition at three Public Meetings that were held prior to this meeting; and

Be It Further Resolved that CB#2, Man. is also concerned about lack of service businesses for the residents of this area, and about the pollution, traffic, streets, lack of greening of the parks, lack of street trees and other problems in the Hudson Square area and supports the BID and its’ proposals to mitigate these problems.

Vote: Passed, with 31 Board members in favor and 4 recusals (T. Bergman, E. Roeder, A. Kahn, R. Sanz).

2. Support for Street Fair Activity Permit application for The New School, 79 Fifth Avenue, 9/4 12th Street—Between 5th and 6th Avenues

Setup/Breakdown window: 12pm – 8:30pm

Street Closure Request: 12pm - 8:30pm

Event Time: 4:30-7:30pm

Whereas, the applicant was represented at the committee meeting by a representative from the New School, Guinevere Molina; and

Whereas, this is a reoccurring event that has had very positive feedback in the past, and

Whereas, the applicant presented a well organized, thoughtful proposal to the committee detailing how the New School event is a welcoming event for the new students; and

Whereas, the applicant is working with the neighborhood representative of the 12th Street Block Association and a security team to ensure that the event is well-executed, cleaned after use and that noise will be kept to a minimum level;

Therefore Be It Resolved, that CB#2 Man. supports the Street Permit request for the New School's Street Fair Activity Permit, 9/4/08, on 12th Street between 5th and 6th Avenues, from 12pm to 8:30pm with an actual event time of 4:30pm to 7:30pm.

Vote: Passed, with 31 Board members in favor and 4 recusals (T. Bergman, E. Roeder, A. Kahn, R. Sanz).

3. Request for Street Fair Activity Permit for Rebecca & Drew Manufacturing (new) sponsored by Housing Works Book Café, 126 Crosby Street

9/6 West 13th Street between Gansevoort Street & Hudson Street: lay over until August in order to have a representative from Housing Works to attend and more details of the event are available.

Setup/Breakdown window: 8:00am - ?

Street Closure Request: 8:00am - ?

Event Time: 11:30am- ?

Whereas, the applicant appeared before the Committee; and

Whereas, a Housing Works representative did not attend; and

Whereas, the committee had questions about the participation of Housing Works, and other questions; and

Whereas, the applicant was not sure about many of the details concerning the space needed, and the division of the proceeds etc.,

Therefore Be It Resolved that CB#2, Man. requested that the applicant return in August with more information about the requested event, the exact location, the division of the proceeds and a Housing Works (320 West 13th Street) representative to answer questions the committee had.

Vote: THIS RESOLUTION WAS LAID OVER TO AUGUST.

4. Support for the Street Activity Permit Request for the Minetta Block Association, annual "Palio On Minetta".

9/7 Minetta St. and Minetta Lane between 6th Ave. & MacDougal St.;

Setup/Breakdown window: 12pm-9pm

Street Closure Request: 12pm-9pm

Event Time: Street Fair 3:pm –8:00pm

Whereas, the applicant was represented at the committee meeting by Pari Dulac from the Minetta Block Association, who gave an informative presentation outlining the event to the committee; and

Whereas, the street fair will be a series of tables with food that will be donated by local merchants and will be open to the public; and

Whereas, there will be no amplified sound; and

Whereas, this street fair has been held for many years prior with no complaints; and

Whereas, this event, as described by the applicant, is modeled after a cultural event held in Sienna, Italy every year; and

Therefore Be It Resolved that CB#2, Man. supports the Street Permit request by the Minetta Block Association on 9/7/08, at Minetta Street & Minetta Lane, bet. 6th Ave. & MacDougal St. from 3pm to 8pm for the annual “Palio On Minetta”.

Vote: Passed, with 31 Board members in favor and 4 recusals (T. Bergman, E. Roeder, A. Kahn, R. Sanz).

5. Support for the Street Activity Permit Request for The Bedford/Downing Block Association between Bedford Street & 6th Avenue

9/13 Downing Street between Bedford & 6th Avenue

Setup/Breakdown window: 9am – 5pm

Street Closure Request: 9am – 5pm

Event Time: 10am-5pm

Whereas, the applicant appeared before the committee and answered all question about the event; and

Whereas, this has been an annual event for many years without any community opposition; and

Therefore Be It Resolved that CB#2, Man. supports the street activity permit request for The Bedford/Downing Block Association, on 9/13/08, at Downing Street Between Bedford Street & 6th Avenue from 9am to 5pm.

Vote: Passed, with 31 Board members in favor and 4 recusals (T. Bergman, E. Roeder, A. Kahn, R. Sanz).

6. Theatre Exile, Inc. (new), MacDougal Street between West Houston & Prince Sts.

9/20 MacDougal St. between West Houston & Prince Streets

Setup/Breakdown window: 9am-6:30pm

Street Closure Request: 9m-6:30pm

Event Time: 11am-6pm

Whereas, the application was presented by Jen Senko representing the not for profit documentary film: Vanishing New York; and

Whereas, this particular film has strong ties to the community; and

Whereas, the applicant described the event using a street fair as a way to unite a community and provide resources for the film and education about the setting of the film, in a fun atmosphere; and

Therefore Be It Resolved, that CB#2 Manhattan supports the street fair activity permit for this event because this documentary film has definite ties to this particular community.

Vote: Passed, with 31 Board members in favor and 4 recusals (T. Bergman, E. Roeder, A. Kahn, R. Sanz).

TRAFFIC AND TRANSPORTATION

1. Support of Grand St. partially-protected bicycle path pilot project bet. Varick and Chrystie Sts.

Whereas the NYC Department of Transportation (DOT) presented a plan for a partially protected bicycle lane on Grand St. bet. Varick and Chrystie Sts., consisting of an 8-9 foot northern lane for commercial loading/unloading and other uses, a 10-11 foot travel lane for motorists, an 8-9 foot floating parking lane, a 3 foot protective buffer and a 5-6 foot bicycle path at the southern curb; and

Whereas this pilot project (for Fall 2008) addresses the problems of vehicles parking and driving in the current unprotected bike lane, double-parking, and disorderly cut-through traffic there, aiming to create a safer and more pleasant environment for cyclists while assessing how these solutions work on a narrow street; and

Whereas proposed accompanying parking regulations include commercial muni-meter parking 9 am-7 pm and No Standing 11 pm-7 am on the street's north side with street cleaning regulations from 3 am-6 am on the south side; a few business people have asked to modify these regulations; and DOT is open to meeting with business owners to discuss this; and

Whereas DOT is installing new signage, posting educational information and distributing brochures to alert all users of these changes; and

Whereas it was noted that in view of Grand St.'s heavy pedestrian use, pedestrian safety, comfort and accessibility need to be more fully addressed as well as how the streetscape can be shaped to better accommodate pedestrians;

Therefore Be It Resolved that CB#2, Man. supports the proposed Grand St. partially-protected bicycle path pilot project bet. Varick and Chrystie Sts.; and

Be It Further Resolved that CB#2, Man. encourages DOT to work with the business community to further develop parking regulations suitable to local needs there; and

Be It Finally Resolved that CB#2, Man. urges DOT to seek opportunities to improve the Grand St. pedestrian environment as the bicycle path pilot progresses.

Vote: Passed, with 33 Board members in favor, 1 in opposition and 1 abstention.

2. Support of a peak-rate metered parking pilot program in Manhattan Community District 2.

Whereas Community Board 2, Manhattan (CB2), was approached by the NYC Department of Transportation (DOT) with the opportunity to participate in a six-month pilot study of a performance-target based program to vary parking meter rates according to demand as is being implemented in other U.S. cities, a program called "peak rate pricing;" and

Whereas a meeting of the CB2 Traffic Strategies Subcommittee was held, publicized by the distribution of several hundred DOT-produced Community Board notices as well as normal Community Board postings, in which participants and DOT officials reached consensus on elements of the pilot program; and

Whereas participants at the subcommittee meeting have recommended an area bounded by Charles and 10th Sts. on the north, Houston St. on the south, 7th Ave. and Bleecker St. on the west and MacDougal St. and Waverly Pl. on the east, wherein existing metered parking spaces will be test-priced at a premium during periods of peak demand, as determined by DOT studies, so as to achieve a target curb occupancy rate; and

Whereas potential benefits of the program discussed at the meeting include greater availability and turnover of parking spots in metered zones, a reduction of congestion and pollution caused by vehicles circling in search of an available parking space, a reduction in double-parking by vehicles unable to pull to the curb for deliveries and quick errands, and better access to the curb for buses, whose stops are regularly blocked by infringing vehicles; and

Whereas DOT has agreed to share relevant data collected over the course of the study with interested members of the community; and

Whereas DOT has agreed that following the pilot study, CB#2, Man. will review the results and feedback and, should the program be found satisfactory, pass a resolution so stating; failing this, DOT will revert back to traditional meter operations; and

Whereas meeting participants also expressed desire to gain consistency of meter regulations and effective hours, as well as to explore changes to those criteria, so as to address a variety of needs such as dinnertime restaurant business; and

Whereas CB#2, Man. has concerns about the technical limitations of single space meters;

Therefore Be It Resolved that CB#2, Man. applauds DOT's efforts in addressing persistent community concerns regarding congestion, safety and environmental quality and showing willingness to implement modern methods to mitigate these issues; and

Be It Further Resolved that CB#2, Man. supports the proposed six-month peak-rate pricing pilot program as a means to achieve better performance from curb parking to the benefit of residents and businesses in our community; and

Be It Further Resolved that CB#2, Man. approves this pilot study on the condition that the study automatically sunsets after the six-month trial period, whereby after such period the pilot will expire, and will remain expired, unless CB2 takes affirmative action to recommend its renewal; and

Be It Finally Resolved that CB#2, Man. urges DOT to ensure that (1) chipsets for muni-meters that would accommodate a variable-rate pricing be acquired and installed as soon as possible and (2) as a short-term remedy, NYC parking cards be made available at local merchants, and (3) efforts be made to educate potential users in advance and during the pilot about the test program.

Vote: Unanimous, with 35 Board members in favor.

3. Support of maintaining left turns from 8th Ave. onto Jane St.

Whereas the NYC Department of Transportation (DOT) has proposed prohibiting left turns from 8th Ave. onto Jane St. in conjunction with its 8th Ave. protected bike lane (“cycletrack”) project approved unanimously by Community Board 2, Manhattan (CB2) on June 19, 2008; and

Whereas CB2’s Traffic and Transportation Committee determined that more specific input from the immediate community was needed before making a decision concerning the proposed left turn prohibition; and

Whereas input from the immediate community indicates strong opposition to the DOT’s proposal, because banning such left turns would force drivers to cruise around in search of other routes to Jane St., thereby increasing traffic (i.e., VMT/Vehicle Miles Traveled), leading to additional congestion, pollution, waste of fuel and danger to pedestrians, while the overall traffic pattern change would negatively impact other parts of the neighborhood;

Therefore Be It Resolved that CB2 is in favor of continuing to allow left turns from 8th Ave. onto Jane St. and opposes any prohibition of such turns.

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

ZONING AND HOUSING

General Large Scale Text Amendment, N080518ZRY, Application by the Department of Housing Preservation and Development to amend the Special Permits allowed in General Large Scale Development (Section 74-74).

WHEREAS; The proposed Special Permit is consistent with other Special Permits currently allowed under General Large Scale Development, And;

WHEREAS; any application to use this Special Permit would require a Uniform Land Use Review and Community Board review, And;

WHEREAS; Any easement that was approved as part of this application would be recorded on the deed, And;

WHEREAS; An appropriate area to provide light and air would still be provided.

THEREFORE BE IT FURTHER RESOLVED, That CB#2, Man. supports this General Large Scale Text Amendment, N080518ZRY, Application by the Department of Housing Preservation and Development to amend the Special Permits allowed in General Large Scale Development (Section 74-74).

Vote: Passed, with 32 Board members in favor, 1 in opposition, and 1 recusal (J.R. Zhang).

NEW BUSINESS

Respectfully submitted,

Susan Kent
Secretary
Community Board #2, Manhattan