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COMMUNITY BOARD No. 2, MANHATTAN

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

FULL BOARD MINUTES

DATE: October 22, 2009

TIME: 6:00 P.M.

PLACE: St. Vincent's Hospital, 170 W. 12th St. Cronin Auditorium, 10th Floor

BOARD MEMBERS PRESENT: Steve Ashkinazy, Keen Berger, Tobi Bergman, Carter Booth, Sigrid Burton, Lisa Cannistraci, Maria Passanante Derr, Doris Diether, Ian Dutton, Sheelah Feinberg, Elizabeth Gilmore, Alison Greenberg, Sasha Greene, David Gruber, Jo Hamilton, Chair, Community Board #2, Manhattan (CB#2, Man.), Anne Hearn, Brad Hoylman, Mary Johnson, Zella Jones, Renee Kaufman, Susan Kent, Arthur Kriemelman, Evan Lederman, Edward Ma, Ke-Wei Ma, Jason Mansfield, Jane McCarthy, Judy Paul, Lois Rakoff, David Reck, Robert Riccobono, Maury Schott, Arthur Z. Schwartz, Shirley Secunda, Shirley H. Smith, Richard Stewart, Carol Yankay, Elaine Young, Jin Ren Zhang

BOARD MEMBERS EXCUSED: Makrand Bhoot, Amanda Kahn Fried, Edward Gold, Raymond Lee, Erin Roeder, Rocio Sanz, Wendy Schlazer, James Solomon, Sean Sweeney

BOARD MEMBERS ABSENT: Harriet Fields, Annie Washburn

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

GUESTS: Erin Drinkwater, Congressman Jerrold Nadler's office; Crystal Gold-Pond and Eric Sumberg, Senator Tom Duane's office; Mary Cooley, Sen. Daniel Squadron's office; Sandy Myers, Man. Borough President Scott Stringer's office; Lisa Parsons, Assembly Member Deborah Glick's office; John Ricker, NYC Comptroller's office; Noah Isaacs, Council Speaker Christine Quinn's office; Council Member Alan Gerson, Paul Nagle, Council Member Alan Gerson's office; Kate Mikuliak, Council Member Rosie Mendez's office; Jake Hikowitz, Council Member Elect, Margaret Chin's office; Ezequiel Castro, Judith Callet, Ling Lai, Nancy Rankin, Elizabeth Adam, Lauren Danziger, Tony Juliano, Donald Sposa, Terry Casey, Fred Loh, Rikk Stone, Claudia Seymone, Harvey Russack, Peggy Ng, Martin Tessler, Ellen Baer, Bruce Van Dusen, Patricia Garcia-Gomez, Tad Floridis, Desiree Marshall, Peter Mullan, John Flood, Tara Allporf, Kathleen Arffman, Tamara Picache, Judith Zarin, Casey Butler, Tula Batanchier, Rolland Garcia, Carmen Beh, Renee Schoonbeer, Robin Goldberg, Robin Rothstein, John Shen, Brian Dalek, Susan Klin, Nicole Breskin, Rhea Sohne Vadher, Igor Guryashkin Andre Tanar, Lori Higgins, Brenna Peel, Dennis Martin

MEETING SUMMARY

Meeting Date –October 22, 2009

Board Members Present – 39

Board Members Excused–9

Board Members- Absent -2

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II. PUBLIC SESSION

Non-Agenda Items

Claudia Symone spoke.

Retail Store

Harvey Russack spoke in support of a new retail store opening in SoHo.

NYU Poe Room Event

Lois Rakoff made an announcement regarding the annual Edgar Allan Poe Room event at NYU.

Hudson Square B.I.D.

Ellen Baer introduced herself and talked about some of the B.I.D.'s services.

Crystal Transportation Project

Ed Ma spoke in favor of this project.

Healthfirst

Ezequiel, representing Healthfirst, spoke regarding the services they provide.

The Highline

Peter Mullan, from Friends of the Highline, reported on programs that Friends of the Highline are offering.

Hudson Park Library

John Flood introduced himself and spoke regarding library services.

Pier 40

Desiree Marshal spoke regarding the pier.

Waverly Place at Washington Square Association

A representative from the association, introduced the new association.

Sidewalks, Public Facilities & Access Items

La Mela Ristorante Italiano, Inc., 167-171 Mulberry St., NYC

Donald Sposa, proprietor, did not speak but was in favor of the sidewalk café license renewal.

SLA Licensing Items

Pear Tree Café, Inc., 92 W. Houston St., NYC

Judith Callet, from BAMRA, spoke in opposition to the applicant's proposed hours of operation.

Femme Fatale, Inc., d/b/a The Mott/Lucky's 11, 173 Mott St., NYC

Ling Lai, Peggy Ng and Robing Goldberg spoke against the proposed liquor license application.

Fred Loh, principal, spoke in favor of the proposed liquor license upgrade.

217 South, LLC, d/b/a Cheers, 21 7th Ave. So. NYC 10014

Terry Casey, spoke against the proposed corporate transfer of the liquor license.

Matthew Isaacs and Justin McManus or Entity to be formed 248 W. 14th St. NYC

Rikk Stone spoke against the proposed liquor license.

JASL Café, Inc. d/b/a Moomia, 157 Lafayette St., NYC

Bruce Van Dusen, Patricia Garcia-Gomez and Tad Floridis, all spoke in opposition to the proposed liquor license renewal.

Social Services and Education

Intro #1059 - The Paid Sick Time Act

Nancy Rankin and Elizabeth Adam spoke in favor of the resolution supporting the proposed paid sick leave legislation

Lauren Danziger and Tony Juliano spoke against the proposed legislation for paid sick leave.

Zoning and Housing Items

58 Washington Square South, New York University Center For Academic And Spiritual Life

Martin Tessler spoke in favor of the resolution for this application.

III. ADOPTION OF AGENDA

IV. ELECTED OFFICIALS PRESENT AND REPORTING

Erin Drinkwater, Congressman Jerrold Nadler's office

Eric Sumberg and Crystal Gold-Pond, Senator Tom Duane's office

Mary Cooley, Sen. Elect Daniel Squadron's office;

John Ricker, NYC Comptroller's office;

Sandy Myers, Man. Borough President Scott Stringer's office

Matt Borden, Assembly Member Deborah Glick's office, was promoted to Chief of Staff and introduced the new community board liaison, Lisa Parson.

Lisa Parson, Assembly Member Deborah Glick's office

Noah Isaacs, of Council Speaker Christine Quinn's office

Council Member Alan Gerson

Paul Nagle, Council Member Alan Gerson's office.

Kate Mikuliak, Council Member Rosie Mendez's office,

Jake Hikowitz, Council Member Elect, Margaret Chin's office;

V. ADOPTION OF MINUTES

Adoption of July minutes.

VI. EXECUTIVE SESSION

1. **Chair's Report** Jo Hamilton reported

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

STANDING COMMITTEE REPORTS

LANDMARKS AND PUBLIC AESTHETICS

1ST LANDMARKS MEETING

Item 1 - 67 Charles Street – (W 4th/Bleecker) Greenwich Village Historic District A French Second Empire style rowhouse built c.1867. Application is to construct a rooftop bulkhead and a rear yard addition, and to excavate at the cellar and rear yard. Zoned R6

Whereas, we appreciate the effort restoring the front of the building to match the other houses in the row, and the roof expansion has little impact due to the minimum visibility of the chimney flue; but

Whereas, we bemoan the loss of another parlor precipitated by the construction of the elevator, which loss unfortunately is not within our purview to comment upon officially; and

Whereas, several neighbors were present and expressed concern that the evacuation would damage the underpinning of their buildings; and

Whereas, we oppose this proposal for recladding the rear façade; the original rear façade brick should remain, as well as the brownstone sills and lintels; and

Whereas, we object to the replacement of the windows, particularly the proposal for unpainted teak, a material not present historically in this style of rowhouse; the windows should remain as painted, one-over-one, double-hung sash; and

Whereas, the greystone treatment is inappropriate and calling it ‘brick clad’ does not convince us otherwise; and

Whereas, we prefer that the parlor-floor piers be retained, and as much of the parlor itself as possible; and

Whereas, we affirm that the Landmarks law covers the rear façade and also affirm that the owner has the right to restore the façade to one of its historical appearances. But this restoration is not it!; and

Whereas, this cellar excavation is not really a renovation, but rather an expansion; and

Whereas, the light well in the rear yard has nothing to do with the Greenwich Village Historic District; and

Whereas, the round skylights in the garden are also out of character for the district; and

Whereas, a percentage of the property should have arable land with enough soil below grade to ensure the original verdant character of the doughnut, instead of an extended basement with a ‘carpet’ of soil above it, dotted with planters; and

Whereas, given the increasing popularity of this type of renovation – expanding the basements out to the backyard - and the benefit and incentive it gives to the owner, LPC should reexamine their prior approvals of this type of project and deny future requests, because to permit it without restriction will eventually transform substantially the doughnuts that are so characteristic of the interior of these historic blocks; now

Therefore, be it resolved that CB#2, Man. recommends approval of the front facade; and the construction of the rear yard addition, but

Further, be it resolved that CB#2, Man. recommends denial of the portion of the application dealing with masonry of the rear façade, the window replacement, the cellar expansion and the work on the rear yard itself.

Vote: Unanimous, with 39 Board members in favor.

Item 2 - 111 Waverly Place (Sixth Ave/MacDougal)– Greenwich Village Historic District A Greek Revival style brick house built in 1839-40. Application is to replace and consolidate the bluestone sidewalk.

Whereas, we recognize the need for repairing the sidewalk; but

Whereas, it is desirable to see the entire sidewalk restored, particularly given the extensive restoration to the rest of the building; and

Whereas, 107 Waverly, a matching house, recently installed new bluestone pavers, and even on commercial Sixth Avenue around the corner a new bluestone sidewalk was installed; now

Therefore, be it resolved that CB#2, Man. recommends denial of this piecemeal approach and recommends the entire sidewalk be restored to bluestone, not just moving around a few pieces and adding concrete to the rest.

Vote: Unanimous, with 39 Board members in favor.

Item 3 - 324 Bleecker Street (Grove/Christopher) - Greenwich Village Historic District An Italianate style building built in 1854 and altered in the 20th century. Application is to demolish and reconstruct the facade.

Whereas, we highly commend the applicant for this extensive and very sensitive restoration; but

Whereas, we do take exception to the claim by the architect that the transom above the front door is not original and was added along with the new door as part of the alteration to the entrance in the early 20th century.

It is our belief that the transom may in fact be original. Such style of transom was popular in Kensington in London in the late 1840s and its presence in this 1854 may be a retardataire. Examples of such transoms can be seen in Roger G. Kennedy's book, *Greek Revival America*. Thus the transom was not added as part of a 1920s restoration, but the 1920s door was styled to conform to the existing historic transom; now

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

Further, be it resolved that CB#2, Man. recommends LPC staff research further whether the transom is original.

Vote: Unanimous, with 39 Board members in favor.

Item 4 - 4-8 Astor Place, 8-10 Astor Place (Lafayette)– NoHo Historic District A Romanesque Renaissance Revival style loft building designed by Francis H. Kimball and built in 1891; and a neo-Grec style factory and printing office designed by Griffith Thomas and built in 1875-1876. Application is to install signage.

Whereas, the proposed electrically illuminated LED signage is historically inaccurate; lighting was never present on this building or other buildings in the district, especially this type of lighting; and

Whereas, the architect pointed to other examples of such gross signage in nearby buildings, but that signage was installed before designation and will eventually disappear, we hope; and

Whereas, the letters themselves, spanning 54 feet, 5' 6" in height, and covering two facades detract substantially from the building and the district. There was no justification provided why such gross signage should obscure the second story of the building. Traditionally, such signage would go discreetly on the entablature; now

Therefore, be it resolved that CB#2, Man. strongly recommends denial of this application; and

Further, be it resolved that CB#2, Man. recommends that simpler, less obtrusive and non-illuminated signage be applied, say on the entablature as is the tradition in these buildings.

Vote: Unanimous, with 39 Board members in favor.

2ND LANDMARKS MEETING

1. 84 Wooster St. – SoHo Cast Iron Historic District A Beaux Arts/Classical style mercantile Building designed by Albert Wagner & built in 1895-96. Application is to install new storefront.

Whereas, this building now has obtrusive steps extending into the public sidewalk and

Whereas, the applicant wishes to remove these steps and restore the store front, which now has a recessed entry behind the steps, so that the store front will be in line with the other storefronts on the street, and

Whereas, this will require 2 small risers in front of the new entry and 2 additional steps inside the store, and

Whereas, the new storefront entry will be metal painted in a dark grey color,

Therefore be it resolved CB#2, Man. recommends approval of this application for the change in storefront for 84 Wooster St.

Vote: Unanimous, with 39 Board members in favor.

2. 200 Mercer St. aka 631-635 Broadway – NoHo Historic District

A vernacular style stable building designed by John G. Prague built in 1870-1871, and three Italianate style store & loft buildings built in 1853-1854, all joined internally & converted to an apartment complex in 1985. Application is to establish a master plan governing the future placement of windows.

Whereas, the proposal is to restore the arched windows on the Broadway side of the building and replace the other windows with regular windows, and

Whereas, there was some question about the thickness of the arch above the arched windows as it relates to the sills under these windows, and

Whereas, the applicant is proposing metal windows, but we would prefer to see the wood frames instead, however,

Therefore be it resolved CB#2, Man. would recommend approval of this application for 200 Mercer St.

Vote: Unanimous, with 39 Board members in favor.

3. 456 Hudson St. – Greenwich Village Historic District A neo-Federal style apartment building designed by Charles B. Mayer & built in 1925. Application is to install new storefront infill.

Whereas, the applicant proposes to restore the brick base at the storefront and remove the roll-down gates, and

Whereas, he proposes to add one additional louver above the storefront at the same height as the current louver, and

Whereas, signage is proposed for the edge of the awning, which will be retractable, and

Therefore be it resolved CB#2, Man. recommends approval of this application for 456 Hudson St.

Vote: Unanimous, with 39 Board members in favor.

4. 35 West 8th St. – Greenwich Village Historic District. A rowhouse built in 1845 & altered in the early 20th Century to accommodate storefronts at the first & second floors. Application is to install storefront infill.

Whereas, currently the storefront is setback at an angle and out of line with the rest of the storefronts along this portion of 8th St. and

Whereas, the proposal is to bring the storefront forward and in line with the other storefronts on the block, and

Whereas, the new storefront will be painted wood with a sign area above and a fixed awning, and

Whereas, we have usually asked for a retractable awning, but the applicant assured us that the Landmarks Commission approved fixed awnings as long as the sides were not closed,

Therefore be it resolved CB#2, Man. recommends approval of this application for 35 West 8 St., feeling it is a big improvement over what is there now, provided the applicant is correct that LPC approves of fixed awnings in the Greenwich Village Historic District. Since the applicant had no information on the proposed sign, we ask that he return with that information.

Vote: Unanimous, with 39 Board members in favor.

5. 298 Bleecker St. – Greenwich Village Historic District. A Federal style residential building with a commercial ground floor, built in 1829. Application is to install storefront infill.

Whereas, the proposal is to install a wood storefront and replace the existing doors, with aluminum around the doors, and the door to the upper floors a painted door and

Whereas, the signage proposed was set forward with lighting behind it, and

Whereas, a panel of masonry was shown next to the residential door, left in its original color, and we would prefer that this panel be painted the same color as the wood to create a more uniform frontage, and

Whereas, a painted sign would be more in keeping with the area than the signage proposed,

Therefore be it resolved CB#2, Man. recommends the Landmarks Commission consider our revisions to the proposed plan rather than just approve what was submitted for 298 Bleecker St.

Vote: Unanimous, with 39 Board members in favor.

6. Proposed SoHo Cast Iron District Extension.

Whereas, CB#2, Man. was notified on Oct. 2 that LPC would be holding a Public Hearing on the proposed extension of the SoHo Cast Iron District, and

Whereas, this proposal would expand the current SoHo Cast Iron Historic District by extending the western boundary to encompass the west side of West Broadway, and would expand it to the east by taking in the blocks between the current boundary and Bowery/Lafayette St. with one portion extending to Cleveland Place and Center St., and filling in the portion previously excluded from Howard St. to Canal St., and

Whereas, as early as July 2006 CB#2, Man. adopted a resolution, based on a study undertaken by the Victorian Society of America of the area, supporting the proposal to expand the SoHo District, and again in July 2009 CB#2 requested the Landmarks Commission to calendar the extension, since the areas now being proposed are very much in the character of the SoHo Cast Iron Historic District previously adopted,

Therefore be it resolved CB#2, Man. enthusiastically supports the proposed SoHo Cast Iron Historic District Extension.

Vote: Unanimous, with 39 Board members in favor.

7. Proposed Greenwich Village Historic District Extension II

Whereas, CB#2, Man. was notified on Oct 2nd that the Landmarks Commission would be holding a Public Hearing on the proposed Greenwich Village Historic District Extension II, and

Whereas, this proposed area contains some of the buildings associated with the history of the Italian immigration to our city with such monuments as Our Lady of Pompeii Church, Father Demo Square, Greenwich House Pottery (from the settlement house days), and many other intact historic buildings, both residential and commercial, which reflect the history of Greenwich Village, and

Whereas, CB#2, Man. has been a strong supporter of designation of this area for the protection afforded by such historic designation,

Therefore be it resolved CB#2, Man. is in support of this designation of the Greenwich Village Historic District Extension II, but continues to urge the Commission to consider a further expansion of the Historic District designation to those other parts of our area still not designated and in danger of further destruction.

Vote: Passed, with 38 Board members in favor, and 1 in opposition (S. Ashkinazy).

PARKS, RECREATION & OPEN SPACE

1. Resolution withholding objection to an application to remove two street trees at 350 Hudson Street.

Whereas, the management of 350 Hudson Street appeared before the committee to request support for the removal of two trees to facilitate the construction of a vault for an electrical transformer required to meet the growth in demand at the building; and

Whereas, there are six trees along Hudson Street between King Street and Charlton Street in front of the building, of which one of the two that would be removed is the healthiest and most mature; and

Whereas, maintaining and increasing the number and quality of street trees is an important priority for CB#2, Man.; and

Whereas, the building management has apparently made a credible effort to identify alternatives, but to no avail; and

Whereas, the Parks Department requires compensation, either in cash or in commitment to plant new trees, whenever trees are removed, according to a formula based on the size of the trees; and

Whereas, the building management presented a plan to plant 14 new trees in the immediate area, mostly along the sidewalks adjacent to 345 Hudson Street, also owned and operated by Trinity Real Estate; and

Whereas, the building management also committed to future tree plantings at other Trinity buildings in the Hudson Square neighborhood;

Therefore it is resolved that CB#2, Man. regrets the loss of these trees and would prefer that an alternative be found; and

Be it further resolved, that CB#2, Man. applauds the responsible approach of the building management and its demonstration of concern for the streetscape and the importance of street trees for the neighborhood; and

Be it further resolved, that based on the lack of an alternative and the commitment to planting and maintaining new trees, CB#2, Man. does not object to these removals but requests a detailed proposal be submitted to the Parks Department and CB#2, Man. prior to the removal of the two trees and that this proposal include the size and kind of the new trees, and a planting schedule.

Vote: Unanimous, with 39 Board members in favor.

2. Resolution supporting preliminary plans for renovations of the sitting area at Bleecker Park and requesting continued participation of the committee as the project advances.

Whereas, a combination of public and private funding is available for renovation of the Bleecker Park seating areas; and

Whereas, this part of Bleecker Park has not been renovated since its initial construction was completed in 1965; and

Whereas, the pavement is degraded and sunken in many area; and

Whereas, the health of the American linden trees that provide shade and beauty is jeopardized by the constraint of their root systems; and

Whereas, this area continues to be a very popular sitting area for residents and visitors alike; and

Whereas, CB#2, Man. has previously passed resolutions requesting renovation of this area and included allocation of funding as a capital budget priority; and

Whereas, the Parks Department presented a preliminary design to the Parks Committee; and

Whereas, the Parks Committee anticipates continued involvement in the design process as it moves toward a final proposal; and

Whereas, the design provides a combination of planting beds and permeable pavements to improve conditions for the long term health of the trees; and

Whereas, the design provides a planting area to serve as a buffer between the park and the adjacent property; and

Whereas, the number of park benches will stay the same or increase; and

Whereas, lighting will be improved; and

Whereas, the park will remain open with no fences and gates; and

Whereas, the Parks Department is hopeful that after renovation private funding will be available to supplement public funds available for maintenance; and

Whereas, the designer expressed assurances that the design incorporates full wheelchair accessibility, including paved and unpaved surfaces that do not impede wheelchair access to any pedestrian accessible areas; and

Whereas, the proposed movable furniture and some other features depend on a high level of maintenance funding that is not yet assured; and

Whereas, neighbors expressed concern about use of the park for sleeping and a long standing problem with rodent infestations;

Therefore it is resolved that CB#2, Man. supports this project and the general direction of the preliminary design work; and

Be it further resolved, that CB#2, Man. requests inclusion of permanent tables and also benches that face each other to provide a variety of seating options including areas that are more intimate and social, rather than dependence on movable furniture; and

Be it further resolved, that CB#2, Man. reiterates its desire that the sitting area and/or the east/west connection between Bleecker and Hudson Streets be named for Jane Jacobs.

Vote: Unanimous, with 39 Board members in favor

SIDEWALKS, PUBLIC FACILITIES AND ACCESS

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

1. PQ 550 Hudson, Inc., d/b/a/ Pain Quotidien , 550 Hudson St., at Perry St. Block:621; Lot:8; Police Precinct:6, with 13 tables & 26 seats, DCA# 1274769.

Whereas, the area was posted, community groups notified and no people representing the community were present but the applicant's representative, Mike Kelly was present, and,

Whereas, this lot has frontage of **26.33** feet, with one building of five stories, built in 1920 (est), with 12 residential units of a total 14 units in an area of Multi-Family Walk-Up buildings, Zoning: C1-6, Zoning Map #: 12A, and

Whereas, this location has had a sidewalk café for more than 20 years without objection from the community, and,

Whereas, the owners of this establishment have completed their first two year license period without incident.

THEREFORE BE IT RESOLVED that CB#2, Man. **approves a RENEWAL** Application for revocable consent to operate an Unenclosed sidewalk café for **PQ 550 Hudson, Inc., 550 Hudson St. , d/b/a/ Pain Quotidien**, Block:621; Lot:8; Police Precinct:6, **with 13 tables & 26 seats, DCA# 1274769.**

Vote: Unanimous, with 39 Board members in favor.

2. Caffe Dante, Inc., 81 Macdougall St., betw Bleecker and Houston, Block:526; Lot:28; Police Precinct:6, **with 7 tables & 14 seats, DCA# 0768933.**

Whereas, the area was posted, community groups notified and no people representing the community were present but there was written inquiry from Bleecker Area Merchants and Residents Assoc. (BAMRA) and the applicant's representative, Mike Kelly was present, and,

Whereas, this lot has frontage of **39.75** feet, with one building of seven stories, built in 1910 (est), with 38 residential units of a total 40 units in an area of Mixed Residential and Commercial Buildings, Zoning:R7-2, with no commercial overlay, but this location was Grandfathered from a previous commercial overlay; Zoning Map #: 12A, and

WHEREAS, this committee has observed that the sidewalk café has currently 10 tables and 20 seats and at the time of their last review there were 8 tables and 18 seats, and

WHEREAS, the applicant's representative had agreed in 2007 that 1 table and 4 seats will be removed, but instead two more tables and two more seats have been added, and

WHEREAS, this committee observed that in 2007 there was no DCA sign publicly present, and in 2009 the DCA sign is still not present,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Caffe Dante, Inc. 81 Macdougall St. between Bleecker and Houston**, Block:526; Lot:28; Police Precinct:6, **with 7 tables & 14 seats, DCA# 7658933, CONDITIONAL** upon a fully executed and signed Change Agreement by the APPLICANT, specifying:

- The removal of 3 tables table and 6 chairs from the current actual configuration, thereby complying with this application
- The prominent placement of the DCA Sign for public viewing.

Vote: Unanimous, with 39 Board members.

3. 10 Downing, LLC, 10 Downing St., at Sixth Avenue, Block: 527; Lot:27; Police Precinct:6, **with 18 tables & 36 seats, DCA# 1260889.**

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and residents appeared before the committee and both the Applicant and his attorney were present at this hearing; and,

Whereas, this lot has frontage of **157.67** feet, and depth of 284.83 feet with one building of seven stories, built in 1940 (est), with 127 residential units of a total 137 units in an area of Multi-Family Elevator Buildings; **Zoning:R7-2R6; Commercial Overlay:C1-5; Zoning Map # 12A:**

Whereas, since the granting of this license two more sidewalk café licenses have been granted in contiguous locations fronting Sixth Avenue adding cumulative disturbance to the surrounding residential neighbors, and

Whereas, this applicant has had considerable difficulty installing a previously agreed awning over the location of the sidewalk café, but has now overcome a variety of technical, Landmarks, and DOB requirements to install said awning, and

Whereas, the applicant has demonstrated a favorable compatibility with neighbors in providing compliance with previously recommended stipulations:

- A reduction in hours to 11:00 P.M. Sunday through Thursday and Midnight on Friday and Saturday (meaning all tables cleared at those times).
- Provision for the engagement of a sound engineer, at the applicant's expense, to monitor noise (from the interior and exterior portions of this establishment) in second story apartments (location to be determined by the 10 Downing St. Tenants Association) for the first week of opening, to ensure that all NYC Noise code statutes (including the new statute) are adhered to and an ongoing and acceptable base-line is established.
- Request for daytime garbage pick-up with all garbage to be stored in a vermin-proof, refrigerated room until pick-up, on the Sixth Avenue side.
- No benches placed anywhere on the perimeter of this establishment, for smokers or any other purpose,

Whereas, the applicant has agreed to continuing quarterly meetings with J. Arnstein, a building resident and member of the tenants association, who has agreed to keep all tenants up to date on meetings, issues and remedies.

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a RENEWAL application to operate an UNENCLOSED sidewalk café to. **10 Downing, LLC, 10 Downing St., DCA# 1260889, CONDITIONAL UPON:**

- The continued reduction in hours to 11:00 P.M. Sunday through Thursday and Midnight on Friday and Saturday (meaning all tables cleared at those times).
- Quarterly meetings with J. Arnstein as 10 Downing St. Tenants representative.

Vote: Unanimous, with 39 Board members in favor.

4. 174 Grand Street Corp., d/b/a/ Oniel's Café, 174 Grand St., at Centre Market Place, Block:471; Lot:28; Police Precinct:5, with 7 tables & 14 seats, DCA# 1218544

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, CHRIS ONIEAL was present at this hearing; and,

Whereas, this lot has frontage of **24.75** feet, and depth of 72.33 feet with one building of four stories, built in 1910 (est), with 6 residential units of a total 7 units in an area of Mixed Residential and Commercial Buildings, Zoning:C6-2G; Zoning Map #: 12C , and

Whereas, the last renewal application was heard in 2006, but there has been no complaint or incident with this application,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of a RENEWAL application to operate an UNENCLOSED sidewalk café to **174 Grand Street Corp., d/b/a Oniel's Café, 174 Grand St., Block:471; Lot:28; Police Precinct:5, with 7 tables & 14 seats, DCA# 1218544**

Vote: Unanimous, with 39 Board members in favor.

5. Cantaloupe, LLC, d/b/a Lovely Day, 196 Elizabeth St., betw Prince and Spring Sts., Block:492; Lot:4; Police Precinct:5, with 2 tables & 5 seats, DCA# 1260966

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Kazuga Jibiki and her architect, Sam Cohen were present at this hearing; and,

Whereas, this lot has frontage of **25.17** feet, with one building of six stories, built in 1900 (est), with 20 residential units of a total 21 units in an area of Mixed Residential and Commercial Buildings, Zoning:C6-2; Zoning Map #: 12C , and

Whereas, there is a FULL VACATE still active on this building from December 2008, and,

Whereas, a new application for revocable consent was granted in August 2007, but a fire in the building affecting residential and commercial tenants has ceased use of this sidewalk café, and

WHEREAS, more than 12 community residents appeared before this Committee and 10 letters were received, and a petition containing 52 signatures was presented to the Committee, all in approval and none in opposition, at the last hearing, but as a result of the full vacate and the non-operation of this café, only one tenant's representative appeared citing that all other tenants had been displaced to temporary housing and did not receive notices of this hearing, and,

Whereas, this committee finds it highly unusual that a renewal application for a sidewalk café would be heard when the appending restaurant is not operating and several DOB requirements either for the building and/or the ground-floor restaurant have not been satisfied, and

WHEREAS, there were previously two platforms and a tree bench built at this location in 2007 which have since been removed,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **CONDITIONAL APPROVAL** of a RENEWAL application to operate an UNENCLOSED sidewalk café to **Cantaloupe, LLC, d/b/a Lovely Day, 196 Elizabeth St., Block:492; Lot:4; Police Precinct:5, with 2 tables & 5 seats, DCA# 1260966, due to the Full Vacate order for this location; and**

THEREFORE BE IT FURTHER RESOLVED that in the absence of any statute that would suspend this application - without prejudice for renewal, CB#2, Man. recommends a follow-up hearing either before this Committee or by City Council at such time that all building violations have been cured and a full review of this restaurant and its appending Sidewalk Café can occur with more accuracy.

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

6. NECF Inc., d/b/a Mr. Dennehy's, 63 Carmine St., located on Seventh Ave So, betw Leroy and Carmine, Block:582; Lot:41, Police Precinct:6, with 14 tables & 28 seats, DCA# 1188879

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant was present at this hearing; and,

Whereas, this lot has frontage of **25** feet and lot depth of 95 feet, with one building of five stories, built in 1900 (est), with 16 residential units of a total 17 units in an area of Mixed Residential and Commercial Buildings, Zoning:C6-2; Zoning Map #: 12A , and

WHEREAS, the restaurant is located between Bedford and 7th Ave. So. And the Sidewalk Café is located north of Carmine St. on 7th Ave. So., and

WHEREAS, on personal inspection the Committee Chair found tables, chairs and barriers to be in compliance, and

Whereas, there have been no complaints or incident,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL of the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **NECF, Inc., d/b/a Mr. Dennehy's, 63 Carmine St. - with 14 tables & 28 seats, DCA# 1188879;**

Vote: Unanimous, with 39 Board members in favor.

7. 133 Mulberry Street Restaurant, LLC, d/b/a SPQR, 133 Mulberry St., betw Grand and Hester Sts., Block:236; Lot:27; Police Precinct:5 with 14 tables & 28 seats, DCA# 1313474.

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, Mike Kelly was present at this hearing; and,

Whereas, this lot has frontage of **74.67** feet, with one building of six stories, built in 1920 (est), with 16 residential units of a total 19 units in an area of Mixed Residential and Commercial Buildings, Zoning:C6-2G; Zoning Map #: 12C; and

Whereas there was an assigned consent agreement regarding the operation of this sidewalk café between Corso Inc and 133 Mullberry Rest Inc April 2009, and,

Whereas, on personal inspection this committee noted a service cart, which the applicant removed immediately, and

Whereas, during the San Gennaro Feast pedestrian right of way on Mulberry St had been temporarily reduced to 5' and SPQR tables seemed still to be set at the temporary 5' mark, which had been painted on the sidewalk,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Corso Rest. Inc. d/b/a/ Sal Anthony's SPQR, 133-137 Mulberry St. between Grand and Hester Sts. Block:236; Lot:27; Police Precinct:5, with 14 tables & 28 (twenty-eight) seats, DCA# 1104216.**

Vote: Unanimous, with 39 Board members in favor.

8. Akram Restaurant Management, Inc., d/b/a Da Gennaro, 129 Mulberry St., at Hester St., Block:236; Lot:31; Police Precinct:5, with 13 tables & 26 seats, DCA# 1249523

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, Mike Kelly was present at this hearing; and,

Whereas, this lot has frontage of **25** feet and lot depth of 60 feet, with one building of five stories, built in 1900 (est), with 8 residential units of a total 9 units in an area of Mixed Residential and Commercial Buildings, Zoning:C6-2G; Zoning Map #: 12C , and

Whereas, the applicant has restored original sidewalk plan of 2007, lining up sidewalk table service with doors for table service, planters have been removed and all other café furnishings are within the sidewalk café area, and

]

Whereas, there are no unanswered complaints,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Akram Restaurant Management, Inc., d/b/a Da Gennaro, 129 Mulberry St., Block:236; Lot:31; Police Precinct:5, with 13 tables & 26 seats, DCA# 1249523.**

Vote: Unanimous, with 39 Board members in favor.

9. Kid Restaurant Corp. d/b/a Manatus Restaurant, 340 Bleecker St., betw West 10th & Christopher Sts., Block:619; Lot:26; Police Precinct:6, with 6 tables & 12 seats, DCA# 0885879

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant was present at this hearing; and,

Whereas, this lot has frontage of **90.5** feet, with one building of six stories, built in 1930, with 35 residential units of a total 38 units in an area of Multi-Family Elevator Buildings; Zoning:C1-6; Zoning Map #: 12A

WHEREAS, inspection showed that the sidewalk café is exactly as represented in the last application,

WHEREAS, the applicant agrees to more prominently display the DCA license for public viewing,

THEREFORE, BE IT RESOLVED, that CB#2, Man. Recommends APPROVAL, for the renewal Application for revocable consent to operate an Unenclosed sidewalk cafe for **KID Restaurant, Inc., 340 Bleecker St. Block:619; Lot:26; Police Precinct:6, with 6 tables & 12 seats, DCA# 0885879.**

Vote: Unanimous, with 39 Board members in favor.

10. Tortilla Flats Inc, 767 Washington St., at West 12th St., Block:640, Lot:40, Police Precinct:6, with 11 tables & 21 seats, DCA# 0805433.

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Andrew Secular, was present at this hearing; and,

Whereas, this lot has frontage of **20.08** feet and Lot Depth 70.17 with one building of three stories, built in 1905 (est), with 1 residential unit of a total 3 units in an area of Mixed Residential and Commercial Buildings; Zoning: C6-1; Zoning Map #: 8B.

Whereas, there was no community objection or complaint, and

Whereas, this committee noted the sidewalk café area was imposing on the pedestrian right-of-way by 6” and the applicant agreed to make employees aware of the application boundaries,

THEREFORE, BE IT RESOLVED, that CB#2, Man. Recommends APPROVAL, for the renewal Application for revocable consent to operate an Unenclosed sidewalk cafe for **Tortilla Flats Inc, 767 Washington St., Block:640, Lot:40, Police Precinct:6, with 11 tables & 21 seats, DCA# 0805433.**

Vote: Unanimous, with 39 Board members in favor.

11. French Roast, Inc., 78 W. 11th St., @ Sixth Ave., Block:574, Lot:7; Police Precinct:6, with 8 tables & 16 seats, DCA# 0907203

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant was present at this hearing; and,

Whereas, this lot has frontage of 34.5 and depth (along Sixth Ave) of 121 feet, with one building of six stories, built in 1920, with 21 residential units of a total 22 units in an area of Mixed Residential and Commercial Buildings Zoning: C1-6 Zoning Map #12C; and

Whereas, this establishment has operated at this location for a number of years without incident, and,

Whereas, the committee agreed to extend a layover to this application if the applicant who did not appear in September would appear on the October calendar,

THEREFORE BE IT RESOLVED that CB#2, Man. recommends APPROVAL for a RENEWAL of an unenclosed sidewalk café for French Roast, Inc., 78 W. 11th St., @ Sixth Ave., Block:574, Lot:7; Police Precinct:6 with 8 tables & 16 seats, DCA# 0907203.

Vote: Unanimous, with 39 Board members in favor.

12. J.P.G. d/b/a Philip Marie, 569 Hudson St., at West 11th St., Block:634, Lot:67, Police Precinct:6, with 9 tables & 18 seats, DCA# 1003313

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant was present at this hearing; and,

Whereas, this lot has frontage of **24.83** and depth of 78.25 feet, with one building of four stories, built in 1900 (est), with 16 residential units of a total 17 units in an area of Multi-Family Walk-up Buildings; Zoning: C1-6; Zoning Map #: 12A; and,

WHEREAS, there was no community complaint or opposition, and,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **J.P.G. LLC, d/b/a Philip Marie, 569 Hudson St. at Northwest corner of 11th St.** Block:634, Lot:67, Police Precinct:6, **with 9 tables & 12 seats, DCA# 1003313.**

Vote: Unanimous, with 39 Board members in favor.

13. Lunella Ristorante, Inc., 173 Mulberry St., betw Broome and Grand Sts., Block:471, Lot:16, Police Precinct:5, **with 4 tables & 8 seats, DCA# 1072629**

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, Mike Kelly, was present at this hearing; and,

Whereas, this lot has frontage of **24.92** and with one building of five stories, built in 1900 (est), with 8 residential units of a total 9 units in an area of Multi-Family Walk-up Buildings; Zoning: C6-2G; Zoning Map #: 12C; and,

Whereas, there was an additional service table in the sidewalk café area which the manager agreed to remove, and

Whereas, this Committee reminds the applicant that the sidewalk café must adhere to it's original plan,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Lunella Ristorante, Inc., 173 Mulberry St.,** Block:471, Lot:16, Police Precinct:5, **with 4 tables & 8 seats, DCA# 1072629,.**

Vote: Unanimous, with 39 Board members in favor.

14. Rajmar Holdings, Inc., 636 Hudson St., betw Horatio and Jane Sts., Block:626, Lot:27, Police Precinct:6, **with 4 tables & 8 seats, DCA# 1092103**

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Adriana Daci, was present at this hearing; and,

Whereas, this lot has frontage of **46.83** and with one building of six stories, built in 1910 (est), with 20 residential units of a total 23 units in an area of; Mixed Residential and Commercial Buildings; Zoning:C1-6, Zoning Map #: 8B and,

Whereas, upon this committee's inspection we observed 4 additional seats in the sidewalk café and have discussed this matter with both the manager and the applicant, and

Whereas, there have been no complaints regarding noise, which at the time of their last renewal, was an issue for mitigation, and the applicant has suitably satisfied that concern,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Rajmar Holdings, Inc., 636 Hudson St.,** Block:626, Lot:27, Police Precinct:6, **with 4 tables & 8 seats, DCA# 1092103**
CONDITIONAL upon, either:

- **The removal of the four additional chairs**
- **Or the revision of the current sidewalk plan to show 4 tables and 12 chairs.**
- **The option to be agreed by the applicant in a signed Change Order attached to this renewal application.**

Vote: Unanimous, with 39 Board members in favor.

15. La Mela Ristorante Italiano, Inc., 167-171 Mulberry St., betw Broome and Grand Sts., Block:471,Lots:19, 18,17, Police Precinct:5, with 9 tables & 19 seats, DCA# 1274929

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Anthony Costa, was present at this hearing; and,

Whereas, this application spans three lots, two of which have the unenclosed sidewalk café's covered in this application:

Owner:167 MULBERRY STREET, **Lot Frontage:**25.17'; **Lot Depth:**99.83; **Year Built:**1905(estimated); **Number of Buildings:**1; **Number of Floors:**5. **Residential Units:**10; **Total # of Units:**11; **Land Use:** Mixed Residential and Commercial Buildings; **Zoning:**C6-2G; **Zoning Map #:** 12C

169 Mulberry St: Owner: MANHATTAN TRANSFER L.: **Lot Frontage:**25'**Lot Depth:**99 **Year Built:**1914(estimated); **Number of Buildings:**1; **Number of Floors:**6. **Residential Units:** 20; **Total # of Units:**21

Owner:171 MULBERRY, LLC : **Lot Frontage:**25.17'; **Lot Depth:**101.5; **Year Built:**1900(estimated); **Number of Buildings:**1; **Number of Floors:**6, **Residential Units:**10 **Total # of Units:**11

Whereas, in March 2008 there was a new application because there is a new president and 100% stockholder of the corporation, Frank Catenaccio, but in all other aspects the sidewalk café and its method of operation remained the same, and,

Whereas, this applicant has corrected a number of illegal conditions previously affecting the sidewalk café permit when reviewed in March 2008, including platforms, enclosing structures and imposition on the pedestrian right of way,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL**, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **La Mela Ristorante Italiano, Inc., 167-171 Mulberry St.**, Block:471,Lots:19, 18,17, Police Precinct:5, with 9 tables & 19 seats, DCA# 1274929

Vote: Unanimous, with 39 Board members in favor.

16. Schatzi Corp. d/b/a Wallse, 342-344 West 11th St., at the corner of Washington St., Block:633, Lot:6; Police Precinct:6, with 8 tables & 16 seats, DCA# 1257073

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant was NOT present at this hearing; and,

Whereas, this lot has frontage of 81.75 feet and depth of 79.83 feet and with seven buildings of five stories, built in 1900 (est), with 41 residential units of a total 45 units in an area of Multi-Family Walk-Up Buildings; Zoning C1-6, Landmarked; Zoning Map# 12A and,

Whereas, the applicant has complied with the conditions of the New Application reviewed in July 2007, including those specified by the Co-Op Board for these properties, and

Whereas, there is currently a large planter placed at curbside on the Washington St. side, and

Whereas, there is a bench placed at curbside on the Washington St. side, and

Whereas, it is the custom of this committee to deny an application should the applicant NOT APPEAR at our hearing, but the committee is willing to layover this application to the November calendar if the applicant will appear at that time,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **DENIAL**, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Schatzi Corp. d/b/a Wallse, 342-344 West 11th St., at the corner of Washington St., Block:633, Lot:6; Police Precinct:6, with 8 tables & 16 seats, DCA# 1257073**, UNLESS the applicant agrees to appear before CB#@ Manhattan Sidewalks Committee in November 2009.

HELD OVER TO NOVEMBER

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

17. Le Basket, Inc., 683 Broadway, at East 3rd St. Block:535; Lot:7501; Police Precinct:6, with 10 tables & 31 seats, DCA# 1334388

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant was present at this hearing; and,

Whereas, this lot has frontage of **209** feet and depth of 200 feet and with one building of 12 stories, built in 1908, with 274 residential units of a total 275 units in an area of Mixed Residential and Commercial Buildings; Zoning C6-2; Landmarked, Zoning Map 12C and,

Whereas, there were no community members present, but Committee members have been apprised by the neighborhood that this sidewalk café is less regularly used for food consumption than it is for a hang-out, and

Whereas, this is a NEW application for a sidewalk café that has previously existed in this location but whose application has lapsed, and

Whereas, this sidewalk café is ill-kept with constant refuse and little supervision, and,

Whereas, the applicant has agreed to maintain the sidewalk café with defined employee supervision,

THEREFORE, BE IT RESOLVED, that CB#2, Man. recommends **APPROVAL**, for the **NEW** application for revocable consent to operate an Unenclosed sidewalk cafe for **Le Basket, Inc., 683 Broadway, at East 3rd St. Block:535; Lot:7501; Police Precinct:6, with 10 tables & 31 seats, DCA# 1334388**

Vote: Passed, with 33 Board members in favor and 6 in opposition (T. Bergman, C. Booth, I. Dutton, A. Hearn, B. Hoylman, L. Rakoff).

SLA LICENSING

1. Femme Fatale, Inc., d/b/a The Mott/Lucky's 11, 173 Mott St. (on the corner of Mott and Broome), NYC 10013

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for On Premise license in a mixed use building on Mott St. on the corner of Mott and Broome Streets for a 3,000 s.f. bar/restaurant with 36 tables with 141 seats, 1 bar with 4 seats, and a maximum legal capacity of 150 persons; and,

Whereas, the applicant stated the hours of operation are 6:00 p.m. – 2:00 a.m. Sunday - Saturday; there will not be a sidewalk café application and no backyard garden; music is background only; and,

Whereas, the applicant has already installed proper sound proofing in the establishment; and,

Whereas, the applicant has been before this committee twice and has agreed to the following stipulations:

1. The entire space will be a full service restaurant; there will be no lounge.
2. There will be only 1 bar.
3. There will be no live music or D.J.
4. They will exhaust all kitchen fumes from above rooftop.
5. They will submit a “Final” copy of plans to CB2.
6. There will be crowd control in front of the establishment.
7. They will submit new C of O.
8. All windows and doors will remain closed at all times.
9. Food will be served up to one hour before closing.

Whereas, the applicant has reached out to members of community prior to submitting this application; and,

Whereas, the applicant agrees to sign and notarize an agreement supporting the stipulations included in the 5th “Whereas” (attached), and

Whereas, the community has repeatedly explained that this area is over saturated with bars and restaurants; and,

Whereas, the community has shown many concerns regarding structural issues and egress issues for this building; and,

Whereas, the community has submitted copies of building violations; and,

Whereas, the community has submitted a petition of signatures in opposition of this license;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Femme Fatale, Inc., d/b/a The Mott/Lucky's 11, 173 Mott St.** unless the conditions agreed to by the applicant relating to the fifth “whereas” clause is incorporated into the “Method of Operation” on the SLA On Premise license; and,

BE IT FURTHER RESOLVED that CB#2, Man. recommends that the SLA verify that this establishment does not violate the 200 ft. rule (the prohibition of issuing an On Premise License to an establishment located within 200 feet of a school or place of worship) and calls on the SLA to review the 500 ft. ruling, and with particular attention to the number of current and pending liquor licenses with the 500-ft. area; and

BE IT FURTHER RESOLVED that CB#2, Man. recommends that the SLA verify that all Fire and Building codes are in order and the Public Assembly Permit is valid.

Vote: Unanimous, with 39 Board members in favor.

2. Matthew Isaacs and Justin McManus or Entity to be formed, 248 W. 14th St. (7th and 8th Avenues) NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on West 14th Street between 7th and 8th Avenues for a 1930 s.f. restaurant / bar with 23 table and 102 seats, 2 bars with 26 seats, and a maximum legal capacity of 196 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are Monday - Friday from 5pm to 4am and Saturday and Sunday from 12pm – 4am; there will not be a sidewalk café application and no backyard garden; music will be background, D.J. and Juke Box; and,

Whereas, the applicant has agreed to provide menu and food items up until 1 hour prior to closing and,

Whereas, the applicant agrees to no “Outside Promoters”, no open windows (including French door), no garden access, and no red ropes and will provide an interior holding area for guest; and,

Whereas, the applicant has agreed to waive any rights to a Cabaret License; and,

Whereas, the applicant presented 4 letters from the community in support of this application; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Matthew Isaacs and Justin McManus or Entity to be formed, 248 W. 14th St. (7th and 8th Avenues) NYC** unless those conditions agreed to by applicant relating to third through sixth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

THE ABOVE APPLICANT WAS SENT BACK TO THE COMMITTEE FOR NOVEMBER.

3. 1 West 3rd St. Restaurant Associates, 1 West 3rd St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for the transfer of an existing On Premise license in a mixed use building at 1 West 3rd Street between West 3rd and Broadway for a 1,720 s.f. restaurant / bar with 27 table and 94 seats, 1 bar with 13 seats, and a maximum legal capacity of 200 persons; and,

Whereas, the applicant stated the hours of operation are Monday – Thursday 4pm to 2am and Friday from 4pm to 4am and Saturday from 11am to 4am and Sunday from 11am to 2am; there is no sidewalk café and no backyard garden; music is juke box and background; and,

Whereas, the applicant has agreed to provide menu and food items up until 1 hour prior to closing and,

Whereas, the applicant has reached out to members of community prior to submitting this application; and,

Whereas, the applicant has submitted a petition with 39 signatures in support of the proposed establishment; and,

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

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends approval to the proposed transfer of an On Premise license for **1 West 3rd St. Restaurant Associates, 1 West 3rd St., NYC 10012.**

Vote: Unanimous, with 39 Board members in favor.

4. Chumley's 86, LLC, 86 Bedford St., NYC 10014

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a restaurant located in a 1,300 s.f. premise in a mixed use building on Bedford St. between Barrow and Grove Streets with 17 tables and 50 seats and with 1 bar and 5 seats; and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours are; Sunday through Wednesday from 11am to 1am and Thursday through Saturday from 11am to 2am; there will be no sidewalk café and no backyard garden; music is background and Juke Box only; and,

Whereas, the applicant has agreed to keep windows closed at all times; and,

Whereas, the applicant has agreed to provide menu and food items up until 1 hour prior to closing and,

Whereas, applicant agrees to maintain security in front of the establishment and a doorman inside; and,

Whereas, the applicant will provide an approved C of O on completion of the renovations; and,

Whereas, one person appeared in opposition from the community; and,

Whereas, the President of the Bedford-Barrow-Commerce Block Association submitted a letter in support of this applicant; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Chumley's 86, LLC, 86 Bedford St., NYC 10014** unless those conditions agreed to by applicant relating to the second through the fifth "whereas" clauses are incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

5. Pear Tree Café, Inc., 92 W. Houston St., NYC 10012

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license for a restaurant located in a mixed use building located on Houston between LaGuardia Plc. and Thompson St., with 20 tables and 58 seats and 1 bar with 10 seats a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours are; Monday through Sunday from 11am to 2am, there will be no sidewalk café and no backyard garden; music is background only no D.J. or any other form of music; and,

Whereas, the applicant agrees to maintain these hours of operation for one year and if there is no community opposition they may return to this committee to request a change in said hours of operation; and,

Whereas, the applicant has agreed to provide menu and food items up until 1 hour prior to closing and,

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

Whereas, five letters were submitted by the community in support of this applicant;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Pear Tree Café, Inc., 92 W. Houston St., NYC 10012**, unless those conditions agreed to by applicant relating to the third through the fifth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

THE ABOVE APPLICANT WAS SENT BACK TO COMMITTEE FOR NOVEMBER.

6. Corp. to be formed, 103 Greenwich Ave., NYC

Whereas, the applicant appeared before the committee; and,

Whereas, this application is for an On Premise license in a mixed use building on Greenwich Avenue on the corner of Greenwich and West 12th St. for a 2200 s.f. restaurant with 27 tables and 58 seats, 1 bar with 7 seats, and a maximum legal capacity of 74 persons; and,

Whereas, the applicant stated the hours of operation for the establishment are; Sunday through Wednesday from 11am to 1am and Thursday through Saturday from 11am to 3:30 am; there will currently not be a sidewalk café application and no backyard garden; music will be background only; and,

Whereas, the applicant has agreed to provide menu and food items up until 1 hour prior to closing and,

Whereas, the applicant agrees to maintain these hours of operation for one year and if there is no community opposition they may return to this committee to request a change in said hours of operation; and,

Whereas, the applicant will obtain a “Letter of No Objection” or valid “C of O” prior to opening the establishment; and,

Whereas, no one appeared in opposition from the community;

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the proposed On Premise license for **Corp. to be formed, 103 Greenwich Ave., NYC**, unless those conditions agreed to by applicant relating to fourth through sixth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 39 Board members in favor.

7. 235 Mulberry Street Rest., LLC, 235 Mulberry St.

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

Whereas, the applicant appeared before the committee; and,

Whereas, the applicant had illegal benches in front of the establishment; and,

Whereas, the community has multiple complaints regarding, sound proofing, vibrations throughout the building due to loud music; and,

Whereas, the community has requested that the industrial fan/exhaust be sound proofed; and,

Whereas, the community has requested that all windows and doors be kept shut; and,

Whereas, the applicant has agreed to try and correct all community request; and,

THEREFORE, BE IT RESOLVED that CB#2, Man. recommends denial to the renewal of the On Premise license of **235 Mulberry Street Rest., LLC, 235 Mulberry St.** unless those conditions agreed to by applicant are corrected.

Vote: Unanimous, with 39 Board members in favor.

8. Moomia, 157 Lafayette St., NYC

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

Whereas, the applicant appeared before the committee; and,

Whereas, the applicant appears to be in violation of their original approved SLA application regarding the allowance of dancing, and D.J. 'd music events; and,

Whereas, this applicant is in violation of their application that states they are restaurant when in fact they are actually a bar/lounge; and,

Whereas, the Department of Consumer Affairs has confirmed that the applicant is operating without a cabaret license; and

Whereas, the applicant states on their own website that they can offer "seating capacity of 300 guests" while the actual application states a maximum capacity of 175; and

Whereas, the community has submitted advertisement showing D.J.'d events and images from the applicant's own website showing dancing and bar-like activity; and,

Whereas, this applicant has had 78 – 311 calls regarding noise since 2006; and,

Whereas, the community has submitted a book with documents and images that clearly show multiple violations; and

THEREFORE, BE IT RESOLVED that CB#2, Man. strongly recommends denial of an On Premise liquor license to **Moomia, 157 Lafayette St., NYC** and requests that the SLA investigate these grievous violations.

Vote: Unanimous, with 39 Board members in favor.

SOCIAL SERVICES AND EDUCATION

Intro #1059 – Paid Sick Leave Act

Whereas the City Council has proposed legislation (Intro #1059 - The Paid Sick Time Act) that would require businesses in New York City to offer paid sick leave for their employees, and

Whereas according to this plan workers would accrue paid sick leave at a rate of one hour for each 30 hours worked, up to a total of 9 days per year for full time workers in large businesses (those with more than 10 employees), while small businesses (those with fewer than 10 employees) would provide up to 5 sick leave days per year. Accrual of days would commence with the start of employment, but cannot be used until the employee has worked for 90 days, and

Whereas this legislation would alleviate a great hardship that prevents workers from staying home and/or seeking medical attention when they are sick, as well as forcing parents to send their sick children to school, and lack of paid sick leave increases the risk of a pandemic which would hamper all work and education in New York City, and

Whereas it is in the best interest of public health to encourage sick workers and children to stay home and safeguard the health of their fellow workers, fellow students and the public, and

Whereas when sick people are unable to take time off from work to see their own doctors or to stay home early in their illness, they more often use a hospital Emergency Room, which raises the cost of health care for everyone,

Therefore Be It Resolved that CB#2, Man. recognizes the need for workers to care for their health and that of their dependents without loss of income or a job, and therefore supports the concept of paid sick leave as promoted by Intro #1059.

Vote: Passed, 38 Board members in favor and 2 abstentions (M. Derr, J. Paul).

ST. VINCENT’S HOSPITAL OMNIBUS

PRELIMINARY DESIGNS FOR THE ST. VINCENT’S TRIANGLE

WHEREAS, St. Vincent’s Hospital (the “Applicant”) attended a meeting of the St. Vincent’s Hospital Omnibus Committee on September 24, 2009 to discuss its preliminary designs for the Triangle (also known as St. Vincent’s Square), bounded by Greenwich Avenue, Seventh Avenue, and West 11th and West 12th Streets); and

WHEREAS, CB#2, Man. thanks the Applicant for attending the Placemaking Workshop on May 7, 2009 on the future of the Triangle, sponsored by CB#2, Man. and New York City Council Speaker Christine Quinn, Congressman Jerrold Nadler, Manhattan Borough President Scott Stringer, and Assembly member Deborah Glick, and facilitated by Project for Public Spaces, and for responding to CB 2’s July 2009 report on the workshop, “Rethinking the St. Vincent’s Triangle as a Place for the Community;” and

WHEREAS, the Applicant will be returning to CB#2, Man. with additional details about the design for the Triangle, which must be approved by the NYC Landmarks Preservation Commission and will be reviewed through the Uniform Land Review Procedure.

THEREFORE BE IT RESOLVED, that CB#2, Man. issues the following comments about the Applicant's preliminary design:

1. We approve of the following features of the proposed design:
 - Street level aspect (i.e., not elevated);
 - Ample seating areas (however, we wish to see design options for the benches to ensure they discourage anti-social behavior);
 - Openness of the pathways;
 - Use of mature trees rather than saplings;
 - Moveable furniture.

2. We request that the Applicant show us design options that incorporate the following elements:
 - A low-rise fence to address the security concerns of nearby neighbors;
 - Several options for the green wall concept at the northern end of the Triangle and details of such proposals;
 - Drawings and models that show the mechanicals on top of the new materials/handling building;
 - Adequate waste receptacles, including details of their design (we ask consideration be given to a closed-lid mechanism to help stop rats, such as at Union Square) and information about waste removal from the Triangle (can it be coordinated with the loading facility on the site?);
 - Consideration of a drinking fountain;
 - Detailed options for paving stones;
 - A detailed lighting plan.

Vote: Unanimous, with 39 Board members in favor.

TRAFFIC AND TRANSPORTATION

1. Resolution in support of re-routing the X6, X7 and X9 inter-borough express buses away from Spring St. bet. West and Hudson Sts.

Whereas each weekday, fifty-six X6, X7 and X9 express buses from Staten Island travel on Spring St. from West St. to 6th Ave. (Ave. of the Americas), as part of their trip to Midtown Manhattan, between 5:45 and 10:30 a.m., bringing an exceptionally high volume of traffic (approximately one bus every few minutes) and heightened traffic congestion to this area, along with heavy noise impacts from squealing brakes and revving engines, worsened air quality from exhaust fumes produced by frequent stops and starts, and danger to pedestrians, especially from tight formations of all three bus services at once, obscuring vision and blocking access in crossing local streets; and

Whereas Spring St. between West and Hudson Sts. is now a growing residential neighborhood, increasingly occupied by families with children and people of all ages who both live and constantly walk on this thoroughfare that is more and more a setting for community life, with concern for the community's health and well-being; and

Whereas this area is already overburdened with traffic from UPS and Federal Express trucks coming to and from their facilities there, Holland Tunnel vehicular overflow, and a DSNY garage and depot for City-wide agency vehicles that would be further exacerbated by a planned salt shed and multi-story garage complex housing 95 large vehicles and several small vehicles; and

Whereas City noise level studies in the area document a significantly high noise impact in those early morning hours (between 67 dBA and 75 dBA) that these buses only intensify; and

Whereas the area also suffers extremely poor air quality (exceeding the standard of 15 for annual mean PM2.5 concentration), and these buses add to that burden;

Therefore Be It Resolved that CB#2, Man. supports re-routing the X6, X7 and X9 inter-borough express buses away from Spring St. bet. West and Hudson Sts. to alternative routes, preferably with their service being split among three different routes to lessen their impact; and

Be It Further Resolved that CB#2, Man. requests that the MTA also consider establishing a bus terminus in Lower Manhattan for Staten Island express buses to drop off all passengers to travel further uptown by subway or local bus, removing express buses' impact; and

Be It Further Resolved that CB#2, Man. requests that the MTA also investigate establishing a central terminal in Staten Island where buses from different routes in that borough with passengers who are bound for Manhattan can terminate for transfer to a single express bus, thereby decreasing the number of buses necessary to traverse the same route in Manhattan; and

Be It Finally Resolved that CB#2, Man. urges that all inter-borough express buses, as well as all City buses, be changed to electric/non-polluting vehicles as soon as possible.

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

2. Request that the City conduct a comprehensive and accessible educational campaign clarifying rules, symbols and mutual behavior for drivers, bicyclists and pedestrians.

Whereas CB#2, Man. has encouraged and welcomed the installation of new bike lanes as well as the accompanying increased bicycle usage, and fully supports bicycling as an alternative mode of transportation that helps reduce congestion, lessen pollution and altogether create a more equitable balance of street space for pedestrians, bicyclists and drivers; and

Whereas CB#2, Man. has received such concerns about the new installations as bicyclists riding the wrong way on one-way lanes and not stopping at red lights, taxis and other motor vehicles stopping in bicycle lanes or opening their doors without looking for oncoming bicyclists, and pedestrians stepping into bicycle lanes from the sidewalk curb against the don't-walk signal without factoring in approaching bicyclists, which points to a lack of awareness of basic rules and common courtesy in this realm; and

Whereas there is confusion as to the meaning of certain bike lane symbols and street markings, such as sharrows, which indicate a bicyclist-motorist shared street, but are interpreted by some as crosswalk markings; and

Whereas the LOOK campaign, coordinated by the NYC Department of Transportation (DOT), has created print, video and web-based materials encouraging safe behavior on NYC streets, but this campaign has only been promoted on a limited scale; and

Whereas Transportation Alternatives' 2009 campaign "Biking Rules" represents a good example of a simple, concise, easy-to-understand educational approach, but it is beyond the means of this member-supported nonprofit to reach the millions of street users in New York City;

Therefore be it resolved that CB#2, Man. requests that the City budget for and conduct a comprehensive and accessible educational campaign clarifying rules, street markings and expected standards of respectful behavior for drivers, bicyclists and pedestrians that reaches a significant portion of the millions of street users in New York City; and

Be it further resolved that CB#2, Man. urges the City to use a wide range of traditional and non-traditional communication channels, such as print, television and radio advertising and public service announcements, Internet-based short videos, school curricula, constituent newsletters from elected officials, or enclosures within other government mailings such as vehicle registrations.

Vote: Unanimous with 39 Board members in favor.

3. Support of Additional Markings in Bike Lanes to Clarify their Direction and Increase their Visibility for Pedestrians

Whereas CB#2, Man. fully supports bicycling as an alternative mode of transportation, but seeks to minimize potential conflicts between street users; and

Whereas the bike-related street markings and signage that exist today are all intended to guide the interaction of cyclists with motorists, while little consideration has been given to the bicycle/pedestrian interface, which is of particular concern in the dense street environment of Manhattan; and

Whereas specific concerns that are often expressed to this Board include cyclists riding the wrong direction in one-way bike lanes, perhaps because they are unaware that there is a directional nature to most bike lanes; pedestrians stepping into or standing in bike lanes, particularly those adjacent to sidewalks, without considering bicycle traffic; and pedestrians standing in bicycle lanes while waiting for a "walk" signal or for motor vehicle traffic to clear, because there are no markings on the crosswalks to indicate an intersecting bike lane;

Therefore be it resolved that CB#2, Man. requests that the New York City Department of Transportation employ the following or similar marking strategies to minimize cyclist/pedestrian conflicts:

- Current bike lane symbols should be more widely accompanied by directional arrows, such as are currently found in very limited locations, to indicate to cyclists that the majority of bike lanes are intended for travel in a particular direction;
- For bike lanes that are adjacent to sidewalks, and especially for parking-protected bike lanes, more frequent bike symbols should be applied, as current spacing guidelines are based on visibility to motorists and not for the awareness of pedestrians;
- When a crosswalk intersects a bike lane, some marking such as in the attached figure should be developed and installed to indicate to otherwise-unaware pedestrians that extra attention should be given to bicycle traffic.

Be it further resolved that CB2 suggests that a pilot project with respect to advisory markings in crosswalks that intersect bike lanes (see above bullet) should be conducted at specific problematic locations, to include the northwest corner of Lafayette St. at 8th St., the southeast corner of Fifth Ave. at W. 14th St., the intersection of Bleeker and Christopher Sts., and along Grand St.

Vote: Unanimous with 39 Board members in favor.

4. Resolution requesting that recently installed dashed "skip-lines" on bike lanes at intersections revert back to solid lines on both sides of the lanes.

Whereas until summer 2009, bike lanes in New York City were marked with two solid white stripes on either side of the bike lane from one end of the block to the other, with minor exceptions such as adjacent to bus stops where a dashed "skip line" might be installed; and

Whereas very recently a change has been observed, whereby the solid stripe nearest the motor vehicle traffic is replaced by a skip line approaching an intersection where vehicles might be expected to turn across the bike lane at the cross street; and

Whereas feedback from the New York City Department of Transportation (DOT) indicates this change was made to make the city's bike lanes more conformant with guidance found in Chapter 9 of the Federal Highway Administration's Manual of Uniform Traffic Control Devices (MUTCD), though DOT has a history of adapting FHWA guidance for the unique challenges presented by the New York City street environment; and

Whereas this change has been observed to create a situation whereby the bike lane becomes a defacto turn lane, with backed-up vehicles waiting for pedestrians to clear the crosswalk, thereby blocking onward travel by cyclists, rendering the bike lane more of a hindrance to cyclists than if the lane weren't there at all; and

Whereas the general feeling has been expressed that this change in markings signals to drivers that it is acceptable to drive in bike lanes as suits convenience, jeopardizing the narrow safety zone afforded cyclists;

Therefore be it resolved that CB2 strongly requests that the New York City Department of Transportation revert to its prior practice of marking bike lanes in New York City with solid white stripes on either side through the entire block, with exceptions for such specific conditions as bus stops, using the agency's prerogative to deviate from the MUTCD guidance for special circumstances.

Vote: Unanimous with 39 Board members in favor.

ZONING AND HOUSING

1. 58 Washington Square South, New York University Center For Academic And Spiritual Life (Block 538, Lot 27) Board of Standards and Appeals Variance Application to allow the construction of a five story (plus mechanical penthouse) building. The Proposed Building would comply with the applicable floor area regulations but would require modification of the lot coverage and height and setback regulations of the Zoning Resolution. Mapped within an R7-2 zoning district with a partial C1-5 commercial overlay.

WHEREAS, CB#2, Man. finds that the "as of right" massing does not suit the programmatic requirements of the University and is not the best massing for the community, And,

WHEREAS, there will be improved efficiency in the new building by combining it functionally with the existing Kimmel Center, And,

WHEREAS, the site is a very important corner in Greenwich Village and the new building will be around for a very long time, And,

WHEREAS, Judson Church is one of the more important historic structures in the area and it is directly across the street from this site, And,

WHEREAS, CB#2, Man. was presented with only one proposed massing that is a simple large box that looks out of place next to Judson Church and Tower and does not relate well to the streetscape, And,

WHEREAS, While an argument can be made for the proposed monolithic form, the Board believes that there are other massing schemes that would be more in context with the neighborhood, provide a more interesting architectural form, and still meet the programmatic requirements of the University, And,

WHEREAS, A wider range of more creative massing could include options for alternative set backs on Thompson St. as well as Washington Square South that might help to break down the scale of the proposed monolith, And,

WHEREAS, the Kimmel Center has detracted from the West 3rd Street streetscape and the new façade of the Center for Academic and Spiritual Life does not contribute and the Thompson Street façade is uninteresting and bland, And,

THEREFORE BE IT RESOLVED, that CB#2, Man. requests that the Board of Standards and Appeals not approve this application at this time and that the Applicant return to the Community Board with alternative massing schemes so the community can have the opportunity to review other possible massing options that might be more compatible with the surrounding neighborhood, And,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. requests that both the Thompson Street and the West 3rd Street facades be reexamined and that the Community Board be presented with alternative options.

Vote: Unanimous, with 39 Board members in favor.

2. 88-90 Jane Street (Block 641, Lot 1001-1006) BSA CAL. NO.: 149-01-BZ Board of Standards and Appeals application to remove the condition included in BSA Resolution 149-01 BZ, June 18, 2002, which required that one (1) of the residential dwelling units authorized by the 2002 variance be restricted for a term of ten (10) years; to a "qualified senior citizen at a subsidized rate".

WHEREAS, the building, as originally built, was larger than a strictly residential building because it included a Community Use, And,

WHEREAS, the Board of Standards and Appeals in 2002 granted a variance to convert to residential the space occupied by the Community Use which resulted in substantial benefit to the owner with the only significant condition being the one that the owner is now seeking to remove, And,

WHEREAS, the Board of Standards and Appeals resolution from 2007 to extend the time to obtain a Certification of Occupancy notes that the term of ten years for a qualified senior citizen starts when the new Certification of Occupancy is obtained, meaning that the term still has eight years to run, And,

WHEREAS, The Community Board recognizes that the original agreement was not well considered as to how this restriction might be administered, however, it was agreed to and to remove the condition without an equitable alternative agreement certainly violates the spirit of the original agreement, And,

WHEREAS, CB#2, Man. first heard this application in June and laid it over at the applicants request so that the applicant could develop an alternative proposal., however, the Board has not been presented with an equitable alternative, And,

WHEREAS, The asking rent of \$4,000 per month does not seem to be a “subsidized rate” even for the West Village and continuing to ask this rent would prevent any senior citizen from occupying the apartment,

THEREFORE BE IT RESOLVED, that CB#2, Man. requests that the condition included in BSA Resolution 149-01 BZ, June 18, 2002, which required that one (1) of the residential dwelling units authorized by the 2002 variance be restricted for a term of ten (10) years; to a "qualified senior citizen at a subsidized rate" starting when the new Certification of Occupancy was obtained remain and that the applicant be required to fulfill this commitment to the community.

Vote: Passed, with 38 Board members in favor, and 1 in opposition (S. Ashkinazy).

3. 24-26 East 13th St. Board of Standards and Appeals Special Permit application pursuant to Section 73-36 of the Zoning Resolution, on behalf of New York Health and Racket Club to allow the expansion of a Physical Culture Establishment into the third floor of an existing building, for a term not to exceed 10 years.

WHEREAS, the surrounding area was posted and there was no community opposition to this application, And,

WHEREAS, there have been no complaints for this establishment, And,

WHEREAS, The usage is consistent and compatible with the other uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood,

THEREFORE BE IT RESOLVED, that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, And,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals Special Permit Application, pursuant to ZR §73-36, on behalf of New York Health and Racket Club, to allow the expansion of a Physical Culture Establishment into the third floor of an existing building, for a term not to exceed 10 years.

Vote: Unanimous, with 39 Board members in favor.

4. 503 Broadway (Block 484, Lot 17) BSA No. 163-99-BZ, Board of Standards and Appeals Special Permit application pursuant to Section 73-36 of the Zoning Resolution, on behalf of New York Sports Club for the renewal of a Special Permit which had been granted by the Board in June 2000 to allow a Physical Culture Establishment located on the 3rd floor of an existing building, in a M1-5B District, for a term not to exceed 10 years

WHEREAS, The surrounding area was posted and there was no community opposition to this application, And,

WHEREAS, there have been no complaints for this establishment, And,

WHEREAS, The proposed usage is consistent and compatible with the other uses in this building and in the surrounding buildings and has had no adverse impacts on the neighborhood,

THEREFORE BE IT RESOLVED, that CB#2, Man. is satisfied that the applicant has met the requirements for this special permit, And,

THEREFORE BE IT FURTHER RESOLVED, that CB#2, Man. supports this application for a Board of Standards and Appeals Special Permit Application, pursuant to ZR §73-36, on behalf of New York Sports Club for the renewal of a Special Permit to allow a Physical Culture Establishment located on the 3rd floor of an existing building, in a M1-5B District, for a term not to exceed 10 years

Vote: Unanimous, with 39 Board members in favor.

NEW BUSINESS

Respectfully submitted,

Susan Kent
Secretary
Community Board #2, Manhattan