

Susan Kent, *Chair*
Valerie De La Rosa, *First Vice Chair*
Eugene Yoo, *Second Vice Chair*



Antony Wong, *Treasurer*
Amy Brenna, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

Community Board No. 2, Manhattan

3 Washington Square Village
NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@manhattancb2.org

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

July 21, 2023

Sarah Carroll, Chair
NYC Landmarks Preservation Commission
One Centre St., 9th Floor North
New York, New York 10007

Dear Chair Carroll:

At its Full Board meeting on July 20, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

FIRST LANDMARKS MEETING

1. *38-42 Commerce St. (Cherry Lane Theatre) – Application is to install new entry infill, signage and to repave certain areas

Whereas:

- A. The property is comprised of two adjoining buildings (a historic brewery and an apartment building) used as a theater and a restaurant; and
- B. The box office/entry infill in the restaurant building will be replaced with a small double hung window, a recessed painted metal and glass entry door 9' from the facade with a sidelight, small transom light, a curved wall within the recess and a small sign on the side wall; and
- C. The theatre doors, other street doors, and both existing and new window sash and frame are to be painted black or dark grey to recall the original condition as depicted in a photograph; and
- D. Modern sign boxes on either side of the theatre entrance are to be replaced by simple wooden signboards in keeping with the building; and
- E. There is a recessed roll down open link security gate for the restaurant entrance; and
- F. Two large modern sign boxes flanking the theatre entrance will be replaced with simple wood frames and glass; and

H. The banner sign above the restaurant entrance is not original and detracts from the historic character of the building, and there is a distressed historic painted sign on the stone lintel over that entrance; and

I. A section of the sidewalk in front of the buildings will be replaced with bluestone pavers which will extend into the entrance recess and through the door into the restaurant lobby and into the theatre vestibule; and

J. The proposed can light fixtures are boldly modern and not appropriate to the historic building's façade; now

Therefore be it resolved that CB2, Man. recommends:

A. **Approval** of the entry and box office design, historic style signs, historic paint colors, the sidewalk and entry paving; and

B. **Denial** of the intrusive banner sign above the entrance as detracting from the historic character of the building and that measures be taken to conserve the painted sign on the lintel over the entryway; and

C. **Denial** of the modern light fixtures and recommends that the existing fixtures be retained or replaced with historically correct fixtures.

Vote: Unanimous, with 36 Board members in favor.

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Dear Chair Carroll:

At its Full Board meeting on July 20, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. *829 Greenwich St. – Application is to alter the façades, insert a lot line window, and construct a small rooftop addition and rooftop solar panel canopy, serving to shade a rooftop deck.

Whereas:

- A. The existing condition is a front curtain wall, largely covered by a steel plate, and a similar rear curtain wall and a greenhouse structure on the roof; and
- B. There is significant water damage to the curtain walls and the building which have caused considerable deterioration; and
- C. The front steel plate is to be pierced by a random assortment of variously divided windows, some with rounded corners, arbitrarily placed both in the steel plate and side portions of the façade; and
- D. The rear wall is of horizontally aligned windows in punched openings on a stucco façade, and is not visible except for a small, enclosed area at the rear yard; and
- E. A small lot window is added to the top floor toward the rear of the building; and
- F. The ground floor entrance and garage entrance are to be moved forward to provide only a small recess for security; and
- F. The proposed rooftop solar canopy with thin supports covering a deck area, is less visible than the existing greenhouse and a small highly visible rectangular greenhouse is proposed at the southeast corner of the roof; and

G. The canopy and the greenhouse framing are dark, giving a heavy appearance adjacent to the sky and would be more attractive in a lighter color; and

H. The applicant has included high-performance equipment and windows, increased insulation and energy-conserving details, with roof solar-collector panels, following Passive House guidelines.

Therefore be it resolved that CB2, Man. recommends:

A. **Approval** of the rear façade curtain wall, the lot line window, and the alterations to the entry and the garage door placement; and

B. **Denial** of the front façade windows as eccentric and not in keeping with the building and having no reference to either the historic neighborhood or the adjacent industrial district; and

C. **Approval** of the canopy design provided that the supports are given a more substantial appearance and that it is lighter in color; and

D. **Approval** of a greenhouse provided that it is lighter in color and less assertive as a highly visible element; and

E. The applicant is commended for including high-performance equipment and windows, increased insulation and energy-conserving details, with roof solar-collector panels, following Passive House guidelines.

Vote: Unanimous, with 36 Board members in favor.

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Dear Chair Carroll:

At its Full Board meeting on July 20, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. *661-665 Broadway & 228-230 Mercer St.– Application is to replace north 665 Broadway storefront and add canopy, replace 228-232 Mercer St. storefronts, and add stairs at the 228 and 230 Mercer St. entrances.

Whereas:

- A. The three separate buildings were joined and operated as one building; and
- B. The Broadway building grade is considerably higher than Mercer Street, necessitating stairs or ramps for access from the Mercer Street side; and
- C. On the Broadway façade, decorative transom screens are to be removed and the transom over the entrance will have vertical louvers and the windows are reconfigured in a simpler form; and
- D. There is a canopy over the show window is recreated from a depiction in a historic photograph and is proposed to have LED downlighting; and
- E. At Mercer Street certain entry doors will be lowered to sidewalk level with interior lifts and two new cast iron stairs will be added; and
- F. Both entrances are to be fitted with ADA lifts and bulkheads are to be replaced with metal panels in keeping with the building; and
- G. Stone material will be used at Mercer Street façade to unite the appearance with the Broadway building; and

H. The stairs and transoms above in one bay have prismatic glass which is harmonious with the design of the building and common in the district; and

F. The cast iron throughout is to be restored and painted to match the existing color; and

G. Signage will be installed at various locations and is to be approved by LPC staff; and

H. A canopy in keeping with the building will be installed over the most prominent show window and it is proposed to have LED lights as are the two exterior stairs which are proposed to have LED lighting below each tread which is inappropriate to the building; now

Therefore be it resolved that CB2, Man. recommends:

A. **Approval** of the restoration, infill modifications, addition of two set of stairs on the Mercer Street side; and

B. **Approval** of the canopy provided that it does not have illumination below; and

C. **Denial** of the LED lighting along each tread at the two Mercer Street stairs

Vote: Unanimous, with 36 Board members in favor.

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Dear Chair Carroll:

At its Full Board meeting on July 20, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. *338 W. 12th St. – Application is to reduce the existing 4th floor, construct a new rooftop stair bulkhead and mechanicals, construct a one-story rear yard extension and to alter the rear façade, excavate and alter within the horse-walk.

(Laid Over to the August 17, 2023, CB2 Landmarks Meeting)

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Dear Chair Carroll:

At its Full Board meeting on July 20, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

SECOND LANDMARKS MEETING

5. *1 Bond St. – Application is to replace windows on the alley side of the building and install additional transom windows.

No presentation from the applicant was made and therefore there is no recommendation concerning the application.

Therefore, be it resolved that CB2. Man. recommends that the applicant appear before the Committee for a public hearing and a recommendation is made by the Board before the application is considered by the Commission.

Vote: Unanimous, with 36 Board members in favor.

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Dear Chair Carroll:

At its Full Board meeting on July 20, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. *36 Perry St. - Application is to fully renovate and vertically and horizontally enlarge an existing 4-story townhouse and convert from multi-family to single-family occupancy.

Whereas:

- A. The house is one in row of similar, intact buildings, some of which have been modestly altered; and
- B. The proposal will restore the house from multiple apartments to the original single-family occupancy; and
- C. Restoration of the front façade, including replacing the front stairs and entrance, modeled on intact façades in the row, is being approved by Commission staff; and
- D. A dormer skylight, not original to the building, and a disused chimney are to be removed; and
- E. A modest zinc clad rooftop addition with French doors and the mechanical equipment are not visible from any public thoroughfare, there is a slightly visible required railing set back from the front façade, and the remaining chimney will be heightened to clear the rooftop addition; and
- F. Minor excavation in the cellar is well clear of the sides and front of the building; and
- G. The deteriorating rear wall will be demolished and a new two-story basement and first floor addition extends 14'1" deep into the garden, and the upper floors are a brick wall in the original plane with salvaged or matching brick, punched non-historic French doors and casement windows which are similar the French doors and to the windows on the lower stories; and

H. The rear addition has two story full height glass doors and windows with masonry side panels that are not equal in width and thereby creating an asymmetrical enframing that spoils any reference to the historic symmetrical style of the building; now

Therefore be it resolved that CB2, Man. recommends:

A. **Approval** of the rooftop addition, chimney alterations, mechanical equipment and railing; and

B. **Approval** of the modest cellar excavation; and

C. **Approval** of the rear façade upper floors casement windows and French doors which carry through the style of the lower floors; and

D. Denial of the asymmetrical rear lower floor enframing as destroying the symmetrical style of the building.

Vote: Unanimous, with 36 Board members in favor.

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Dear Chair Carroll:

At its Full Board meeting on July 20, 2023, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. *122 Waverly Pl. – Application is to install a gate at the entrance steps and to excavate the rear yard to extend the cellar.

Whereas:

- A. The applicant represented that the highly inappropriate tall areaway fence with spikes has been approved by the Commission staff while similar row houses in the district have fences of a more conventional height; and
- B. The proposed gate lacks any style and character and is not integrated into the structure but rather is attached to the front of the heavy masonry stair enclosure; and
- C. The rear yard is proposed to be fully excavated (approximately 25'x22') except for a planter (4'x22') at the rear lot line and rebuilt on several levels approximating the existing levels with the addition of a “spa pool” and Jacuzzi; and
- D. The excavation involves extensive invasion of party walls only in order to maximize the area of the underground rooms with intrusion of the cellar stairs (7'1”) and adjacent to a carriage house in the rear of the neighboring garden (approx. 17’) to the west and to a fence at the rear of the neighboring property to the east; and
- E. The excavation to the lot line in the garden, with its several levels and abutting the carriage house to the west, involves extensive engineering for both the underpinning of the carriage house, the wall of the house and fence to the east and for some system of retaining walls to ensure the stability of the neighboring gardens which are lower than the subject property garden; and

F. The presentation materials do not address the lot line excavations and the complications of the multi-level garden and do not accurately represent the condition of the adjoining properties, including that the carriage house exists; and

G. The application and the presentation were devoid of any reference to the underpinning and reinforcement necessary in the cellar and the garden and it was only when the question was raised by the chair that this was responded to; and

H. The presentation was incomplete in that extensive, intense questioning was required of the applicant which elicited only vague, evasive responses concerning the steps that had been taken to address the extensive engineering matters concerning preservation of the integrity of the property and the adjoining properties; and

I. The application was incomplete in that there was no documentation nor testimony from the applicant indicating that the engineering aspects of the extensive structural work required in connection with the excavation and rebuilding of the garden and the cellar stairs had been considered; and

J. It was not able to be determined from the drawings if any excavation beyond the stairs would be required in the cellar;

Therefore be it resolved that CB2, Man. recommends:

A. **That the Commission staff reconsider the approval** of the highly inappropriate tall, spiked fence at the areaway and, notwithstanding the tall fences in other, quite different buildings in the district, instead recommend a fence more in keeping with a historic design of the building and typical to the district; and

B. **Denial** of the stair gate for its total lack of character or historic reference and its awkward placement with no attempt to integrate it into the building; and

C. Denial of any consideration by the Commission of the application for the excavation and garden until the incomplete application is extensively revised, including accurate depictions of the conditions and of the proposed work and full engineering information explaining in detail the steps to be taken to ensure the ongoing integrity of the subject property and the neighboring properties and that this revised application is presented before a public hearing for recommendations by the Board to the Commission.

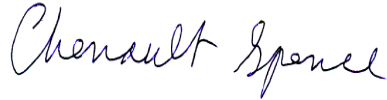
Vote: Unanimous, with 36 Board members in favor.

We respectfully request that your agency take action consistent with the positions expressed in the above.

Sincerely,



Susan Kent, Chair
Community Board #2, Manhattan



Chenault Spence, Chair
Landmarks & Public Aesthetics Committee
Community Board #2, Manhattan

SK/fa

- c: Hon. Dan Goldman, Congressman
Hon. Brad Hoylman, NY State Senator
Hon. Brian Kavanagh, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Grace Lee, Assembly Member
Hon. Brad Lander, NYC Comptroller
Hon. Mark Levine, Man. Borough President
Hon. Erik Bottcher, NYC Council Speaker
Hon. Christopher Marte, NYC Council Member
Hon. Carlina Rivera, NYC Council Member
Gregory Cala, Community & Intergovernmental Affairs Associate, LPC