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Eugene Yoo, *First Vice Chair*
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Antony Wong, *Treasurer*
Emma Smith, *Secretary*
Mark Diller, *District Manager*
Brian Pape, *Assistant Secretary*

Community Board No. 2, Manhattan

3 Washington Square Village
NEW YORK, NY 10012-1899

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

June 20, 2025

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 June 18, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

1. *344 Bowery – (NoHo Historic District) Application is to install an art mural on the north façade of the building

Whereas:

- A. The project was represented as an “homage” to Jean-Michel Basquiat whose studio was in a building nearby and there is misrepresentation on the title page in the application that it is above Basquiat’s former workshop when there is no evidence that Basquiat had any actual connection with this building, whose owner was approached by New Zealand artist Owen Dippie, who initiated the project; and
- B. The original photographer of the source image was not identified in the application and the applicant represented that no rights to that image have been sought or secured and that the project plans to proceed without the permission of the photographer as an “adaptation” of a work of art; and
- C. A photorealistic image of Basquiat is to be painted on the north wall of the building overlooking a parking lot on Bowery in acrylic spray on top of oil-based paint, with no assurance as to the compatibility of these two materials; and
- D. The applicant represented that there will be no maintenance to the painting and that it is designed to “fade away” and patinate over time with nothing other than verbal assurances that it would have an acceptable appearance during this “fading” period and
- E. There is great concern, given the placement of the painting, that it is vulnerable to being disfigured with graffiti; a concern that is amplified by the lack of a maintenance program; and

F. Considered as a “work of art”, there is no requirement that it respect a number of regulations including size and placement for painted wall signs in the district however it is a giant, oft of scale mural covering most of the portion of the wall adjacent to the parking lot to the top of the building and does not fit well into the streetscape; and

G. There were vague responses to queries concerning the plans for execution of the project and it was represented that it is being self-funded by the artist whose website includes a shop that sells photographic reproductions of each of his similar projects elsewhere, which puts this project in a novel area that would seem to be more of an individual commercial enterprise than a public art installation; and

H. As a painting based on a photograph image of Basquiat, it conveys no feeling of the spirit of Basquiat’s work and the average passerby may only see it as a picture of an unidentified man; and

I. A member of the public expressed various concerns about the practical aspects of the project; and

K. This proposed appropriation of Jean-Michel Basquiat’s likeness reads more like branding than as a recognition of the cultural legacy of this major artist’s work, the body of which is deeply connected to a particular time and place. The themes of Basquiat’s work, including issues of race, identity, social inequality and power structures, are overlooked in a work that reads like a Calvin Klein ad. The rich imagery and neo-expressionist street art aspect of Basquiat’s work, demonstrated in the precedent examples in the application, are ignored in the current proposal, yet it is these very aspects that connect the work to the unique cultural history of this district and therefore there is considerable concern that the project is ill-suited to the neighborhood and does not fulfill its stated purpose of being an homage to Basquiat.

Therefore, be it resolved that CB2, Man. recommends:

A. Denial of using an out of scale photorealistic image of Basquiat in that, rather than celebrating the impact of the artist’s work and its historically significant connection to the district, appropriates the artists likeness, creating an unfortunate reminder of the commercial exploitation of the artist, who famously expressed concern about being seen as an art world mascot during his tragically short life; and

B. Denial of the execution of the work in that plans for installation seem inadequate, particularly with respect to copyright concerns and additionally there is no maintenance plan to ensure that that the painting will, as stated in the application, patinate “like a Renaissance painting and age like fine wine”, particularly when the incompatibility of the wall’s oil based paint with the acrylic material of the proposed mural suggest otherwise.

C. Denial of the painting as not serving its stated purpose as an “homage” to Basquiat and not reflecting the cultural significance of Basquiat’s work within the context of the historic district but rather serving individual self-interest.

Vote: Passed, with 37 Board members in favor, and 1 abstention (R. Kessler).

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Dear Chair Carroll:

At its Full Board meeting on June 18, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

2. ***81 Spring St.**– (SoHo Historic District) Application is to install a flagpole and banner and to paint the exterior.

Whereas:

A. The metal infill of the facade and underside of the canopies is to be repainted black, a commonly used color for similar buildings in the neighborhood, with 2 discrete accent colors; and

B. A black and white flag (2' x6') replicating the existing one on the Spring Street faced flag is proposed for the Crosby Street side and to be anchored into the second second floor window; and

C. Crosby Street, unlike Spring Street is a “side street” and on this side of the street there are no flags in the block and there are sidewalk trees, presenting a less busy situation; and

D. There were a considerable number of written comments as well as one member of the public who spoke, all of whom expressed opposition to the addition of a flag on Crosby Street as unsuited to the smaller, quieter street; now

Therefore be it resolved that CB2, Man. recommends:

A. **Approval** of the proposed paint changes for the metal infill and the underside of the canopy; and

B. Denial of the installation of a flag on Crosby Street where there is no precedent on this side of the street for flags in the block and the business is well identified by the flag on Spring Street and the considerable show window frontage on both streets.

Vote: Unanimous, with 38 Board members in favor.

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Dear Chair Carroll:

At its Full Board meeting on June 18, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

3. *225 W. 4th St. – (Greenwich Village Historic District) Application to legalize an illuminated neon non-advertising accessory business wall sign installed without LPC permits.

Whereas:

A. In a prior application in connection with the opening of the business the application specified that *Signs above the entry door and on the 4th street side are painted red script* and the CB2 recommendation was: *Approval of the off-white color for the building and the two painted signs* and the Commission approved this signage; and

B. At the Landmarks Committee in connection with the application there was specific discussion about the signs and there was assurance that there would not be illuminated signs anywhere on the building; and

C. The Committee routinely recommends denial of neon signs as not suited to the historic character of district unless they are existing historic signs from before designation or there is ample evidence of the existence of historic neon signs before designation; and

D. The neon script sign was installed without there being a hearing before the Landmarks Committee or approval by the Landmarks Commission; now

Therefore, be it resolved that CB2, Man. recommends denial of the neon sign as unsuitable to the building or the district and that it be removed and replaced with a painted sign in the design previously approved for elsewhere on the building.

Vote: Unanimous, with 38 Board members in favor.

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Dear Chair Carroll:

At its Full Board meeting on June 18, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

4. *43 Bleeker St. – (NoHo East Historic District) Application is to install new storefronts and entries, entrance marquees, accessibility ramps, and construct a non-occupiable rooftop addition for elevators, stairs and mechanical equipment.

Whereas:

- A. The building is intact with its historic elements apart from the ground floor infill; and
- B. Masonry restoration will be carried out and is being considered by the Commission staff; and
- C. Non- historic interventions will be removed from the bays and doorways and new infill in painted aluminum that lacks historic configuration and proportion partially due to the proposed ramps, is proposed and the wrought iron grills below the windows will be restored and replicated where missing; and
- D. Historic photographs show clearly the historic infill with a configuration typical to building of this kind which can serve as a model for the new infill; and
- E. Two marquees with excessive aluminum internally lit signs are aggressively modern and these, or marquees of any sort, are not typical of the style nor suited to the building; and
- G. There is an existing flagpole to remain and the tenant for the premises will make a separate application for any flag or other signage; and

H. There is a large diamond plate ADA ramp that, though conforming to the distance required for clearance to the curb and a subway entrance, intrudes unacceptably into the busy pedestrian area and requires moving of a standpipe for which permission has not been secured from the New York Fire Department and a smaller ramp is immediately before the subway entrance; and

I. Assorted rooftop mechanical equipment and bulkheads will be removed and two new elevator bulkheads and equipment with screening will be consolidated into one area and, though visible from assorted points of view, is not different from existing rooftops in similar buildings in the district; and

J. The existing historic cornice will be restored; and

K. There was public comment especially in opposition to the intrusive ramp; now

Therefore be it resolved that CB2, Man. recommends:

A. **Denial** of the infill unless it closely references the proportions and design of the historic photographs especially with respect to configuration and proportion and uses the grade level as the reference point; and

B. **Approval** of the restoration and replacement of grill work beneath the windows; and

C. **Denial** of the marquees as unsuitable to the historic building; and

D. **Denial** of the intrusive ramps and that a method for ADA entrances be devised that occupies less sidewalk space; and

E. Approval of the rooftop equipment and elevator bulkheads.

Vote: Unanimous, with 38 Board members in favor.

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Dear Chair Carroll:

At its Full Board meeting on June 18, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

5. ***40 Fifth Avenue** – (Greenwich Village Historic District) Application is to raise the parapet at the upper-level penthouse terrace, rebuild the parapet, replace terracotta unit with new cast stone, and reset the existing ornamental corner units.

Whereas:

- A. The application is to reconfigure the balustrade of the penthouse terrace to conform to existing regulations and to preserve the historic elements and design of the balustrade and accessory elements; and
- B. The modifications are small, raising the balustrade the height of the of the banister three courses of brick using support design from the taller balustrade one floor below, and the change will be imperceptible from the street; and
- C. There are thin metal rods between the balustrade supports made necessary by code requirements and the applicant agreed to ensure that the color would be as inconspicuous as possible, now

Therefore be it resolved that CB2, Man. recommends **approval** of this carefully designed, sensitive application.

Vote: Unanimous, with 38 Board members in favor.

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Dear Chair Carroll:

At its Full Board meeting on June 18, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. *94 Bank St. – Application is to Excavate the rear yard, the demolish the rear facade, construct horizontal and vertical extensions, and renovation of the front facade.

Note: This application was heard in March 2025, and a resolution was approved by the Board. In advance of appearing before the Landmarks Commission, the applicant made certain changes and has returned to present the revised application. This resolution is the March resolution modified to include the changes presented at the June meeting.

Whereas:

- A. The house will be converted from a multi-family house to the historic use as a single-family house; and
- B. The front facade was proposed to be restored with 6 over 6 non-historic aluminum windows; and
- C. The applicant agreed in discussions with the Committee to modify the application to provide for historic design wooden windows; and
- D. The existing non-historic pink color is to be retained; and
- E. The color sample of the proposed white color for front facade woodwork is unacceptably bright where a softer, historic color would be appropriate; and
- F. The non-historic rear addition is to be demolished and there is no original rear facade remaining; and

- G. A proposed new rear extension, from the basement through the second floor, is in brick and varies between 9' and 12' deep owing to the irregular lot with a remaining 15' terrace extending to the rear lot line; and
- H. The proposal for full width windows throughout the rear facade except for the top floor results in a modern style design with no historic reference on the extension and the top floor has a modified historic spacing of two punched double-hung windows and a central door; and
- I. The rooftop addition is 9' 11" high in standing seam zinc with sloped roof front and a pitched window with screened mechanical equipment on its roof and is set back approximately 11' from the front facade; and
- J. The rooftop addition with the mechanical equipment on its roof results in a total height of about 12' and, being set back only approximately 11' from the parapet, is considerably more than minimally visible and is therefore out of conformity with the standard for the neighborhood of "not more than minimally visible" and the visibility is increased by the front facade of the addition being on the plane of the house rather than the plane of the front facade which is at a sharp angle to the house owing to the irregular lot; and
- K. An extension of the basement into the garden area requires 9' excavation and an 18' length of underpinning at the rear and extends to the lot line bordered by varying height gardens at the sides; now

Therefore be it resolved that CB2, Man. recommends:

- A. **Approval** of the front facade work provided that the windows are of a historic wooden design as agreed by the applicant and that the paint is a historic, soft white; and
- B. **Approval** of the demolition of the non-historic rear extension; and
- C. **Denial** of the rooftop construction unless the height is reduced by moving the mechanical equipment to a non-visible location.
- D. **Denial** of the rear extension unless it is in line with the extension of the adjacent house to the west in order to preserve the remaining doughnut area and that the upper floors above the parlor floor be in historic punched double hung design in the historic tripartite configuration; and
- E. **Approval** of the rear yard excavation and basement extension provided that all regulations are followed and customary care is taken with the underpinning and the security of the neighboring gardens to ensure the integrity of adjoining buildings and gardens.

Vote: Unanimous, with 38 Board members in favor.

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Dear Chair Carroll:

At its Full Board meeting on June 18, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

7. *460 W. Broadway – (SoHo-Cast Iron Historic District Extension) Application is to enlarge a one-story adjoining structure on the roof deck of existing duplex unit on the 6th floor.

Whereas:

- A. Two buildings have been combined to a single building and the addition is on the roof of one of the buildings adjacent to an existing rooftop addition of equal height on the other; and
- B. The addition is in metal with antique finish with full length modern windows on one side and smaller windows on the other sides and is not visible from any public thoroughfare; now

Therefore be it resolved that CB2, Man. recommends approval for the non-visible rooftop addition.

Vote: Unanimous, with 38 Board members in favor.

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

Sincerely,



Chenault Spence, Chair
Landmarks Committee
Community Board #2, Manhattan



Valerie De La Rosa, Chair
Community Board #2, Manhattan

VDLR/fa

cc: Hon. Daniel Goldman, U.S. Representative, 10th District
Hon. Brad Lander, NYC Comptroller
Hon. Mark Levine, Manhattan Borough President
Hon. Brian Kavanagh, NY State Senate, 27th District
Hon. Brad Hoylman-Sigal, NY State Senate, 47th District
Hon. Grace Lee, State Assembly, 65th District
Hon. Deborah J. Glick, NY State Assembly, 66th District
Hon. Carlina Rivera, NYC Council, 2nd District
Hon. Erik Bottcher, NYC Council, 3rd District
Hon. Christopher Marte, NYC Council, 1st District
Steven Thomson, Director of Community and Intergovernmental Affairs, LPC