

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	1 Opposed	0 Abstained	0 Rescued

RE: Skylight Productions/Fox Entertainment Event in Brookfield Place May 2 through May 20, 2022

WHEREAS: On May 4, 2022, Skylight Productions came before the BPC Committee to present a request for a permit taking up outdoor space on both the North and South sides of the Mercantile Exchange Building, 300 Vesey Street, 3rd Floor, on behalf of its client Fox Entertainment Upfront; and

WHEREAS: The purpose of this Fox Entertainment Upfront event is to showcase upcoming Fox Entertainment programming to their advertising partners; and

WHEREAS: Skylight Productions' initial Permit Application encompassed 20 days. After feedback at the May 4 BPC Committee Meeting, Skylight revised the Permit Application, limiting use of the outdoor space to Tuesday, May 10, 2022 to Wednesday, May 18, 2022; and

WHEREAS: Skylight Productions' permit also asked for parking spaces and again, after feedback from the BPC Committee, revised the parking spaces request and location; and

WHEREAS: Skylight Productions' permit called for the taking of public sidewalk space for tents and 2 to 3 generators, taking up sidewalk space on the south side of the Irish Hunger Memorial and looping around the East Side of 300 Vesey Street, as well as one 20-foot tent and the generators on the south side of the building, roughly in the location where the "House that will go by no color than its own" had been; and

WHEREAS: Skylight Productions agreed to have guards directing pedestrian traffic to and from the Ferry Terminal around the tented areas; and

WHEREAS: Skylight Productions promised to minimize disruption to the community; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 supports this event, provided that these requests are honored by Skylight Media and their client; and

BE IT
FURTHER
RESOLVED

THAT: CB 1 requires that Skylight Media return to the Battery Park City Committee for a post-mortem of the event to receive community feedback with the expectation that they will incorporate that feedback into the planning of all future events.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: S9031A – Legislation for Battery Park City Resident Majority on Battery Park City Authority Board

WHEREAS: On December 21, 2021, Community Board 1 (CB1) passed a resolution calling for the Legislature to enact legislation to create a Battery Park City (BPC) resident majority on the Battery Park City Authority (BPCA) Board of Directors; and

WHEREAS: On May 4, 2022, Senator Brian Kavanaugh introduced S9031, titled “An Act to amend the public authorities law, in relation to the appointment of members of the Battery Park City Authority,” which would make the following changes in the law governing appointment of members of the BPCA Board: (1) increase the number of BPCA Board members from seven to nine; (2) require for Board member appointments after the effective date of the legislation be residents of BPC until at least five members of the Board are BPC residents, thus ensuring that BPC residents will make a majority of the Board members; and

WHEREAS: On May 10, 2022, S9031 was voted out of the Senate Corporations Committee so that it can move to the full Senate for a vote; and

WHEREAS: On May 11, 2022, the bill, now S9031A, was amended on the NY Senate floor to include a “primary residence” requirement for any BPC residents; and

WHEREAS: Assembly Member Deborah Glick has committed to introduce comparable legislation in the Assembly; and

WHEREAS: On March 16, 2022, Assembly Member Yuh-Line Niou introduced similar legislation having the goal of creating a majority BPC resident representation on the BPCA Board; and

WHEREAS: CB1 believes that S9031A would result in a significant improvement to the structure of the BPCA Board, including by (1) increasing the number of Directors to 9, which would allow for a greater range of subject matter expertise and public service experience amongst board members and (2) increasing resident representation, which should add on-the-ground knowledge of the conditions and

expectations of the 16,000 residents who call BPC their home and give residents a greater say in the governance of their community; and

WHEREAS: CB1 commends Senator Kavanagh and Assembly Members Glick and Niou for their efforts to make the BPCA Board more representative of Battery Park City's residential community; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 requests that the Senate and Assembly consider amendments to S9031A, which are consistent with the December CB1 Resolution, including: Assuring income diversity among the BPCA Board members, by requiring that at least one "primary BPC resident" appointee be from a household with income less than 165% Area Median Income, as defined by the United States Department of Housing and Urban Development; and that the New York State legislators and New York City Councilmembers representing Battery Park City be consulted on all appointments to the Board; and

BE IT
FURTHER
RESOLVED

THAT: CB1 calls on the Senate to pass S9031A, for the Assembly to pass comparable legislation, and for Governor Kathy Hochul to sign the legislation into law, preferably before the current legislative session concludes; and

BE IT
FURTHER
RESOLVED

THAT: CB1 calls upon Governor Hochul to electively create a residential majority, as defined herein, on the BPCA Board as seats become available until S9031A is passed and signed into law.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Request for Independent Community Environmental Monitor for Manhattan Detention Complex/Borough Based Jail Project

WHEREAS: Manhattan Community Board 1 (CB1) has a long record of strongly opposing the demolition of the existing Manhattan Detention Complex (MDC) and the construction of a new and larger jail at 124 -125 White Street (aka 100 Centre Street), part of the City’s Borough Based Jail (BBJ) plan. In May 2019, during review of the BBJ ULURP application, CB1 and Manhattan Community Board 3 (CB3) adopted resolutions strongly opposing the demolition of the existing MDC and the construction of a new jail at the site. Since 2019, CB1 has adopted numerous resolutions about the jail. In January 2022, CB1 adopted a resolution urging Mayor Eric Adams to pause the BBJ plan, until all alternatives could be reviewed and understood. CB1 has also strongly opposed what they believe is the unnecessary demolition of the existing MDC, and the construction of a new interim sally port (resolutions attached); and

WHEREAS: The Neighborhood Advisory Council (NAC) for the Manhattan BBJ project has been raising concerns about the demolition since 2018. The immediate and consequential environmental risks associated with this project must be closely monitored and mitigated, particularly given the acute vulnerability of the aged and youth who live, work, recreate and are schooled at the adjacent home of the elderly, day care center and the two city parks, Columbus Park and Collect Pond; and

WHEREAS: Additionally, the current health concerns associated with the enormous impacts of COVID must be addressed; and

WHEREAS: The Final Environmental Impact Statement (FEIS) (CEQR # 18DOC001Y), published in August 2019, identifies numerous environmental hazards at the site including:

- 1) Asbestos (abatement and removal projects regulated by NYS Department of Labor; and asbestos transit and disposal regulated by NYSDEC Division of Materials Management)

2) A Petroleum Underground Storage Tank (UST) regulated by NYS Department of Environmental Conservation (NYSDEC) under their Petroleum Bulk Storage (PBS) program. The removal of the PBS system is regulated by NYSDEC as is any cleanup associated with a release. (UST removal contractors operating within NYC must be licensed by NYC Fire Department); and

WHEREAS: There have been several important reports which CB1 is submitting as part of this resolution concerning the deleterious effects of the environmental impacts of the construction on the health of the community including : “The Impact of Long-term Construction on the Health of Older Adults in New York City’s Chinatown” by the NYU Center for the Study of Asian American Health; “Analysis of Effects of Projected Demolition and Construction of New Jail Facility at 124-125 White Street” by the Walker St. Block Association; “Negative Impacts of Major Construction in Senior communities and Buildings of NY’s BBJs” by Chinatown Core Block Association; and

WHEREAS: CB1 has submitted Freedom of Information Law (FOIL) requests for, and not yet received, critical documents concerning the environmental hazards on the site, including the Health and Safety Plan (HASP) and Community Air Monitoring Program (CAMP), and the results of all the environmental probes conducted to date and requested documentation of asbestos and lead investigations; and

WHEREAS: CB1 has also asked for, and not received, documentation on the Life Cycle data on the demolition and construction of the proposed project with relation to how the project reflects the City’s commitment to its sustainability goals; and

WHEREAS: On May 5, 2022, Councilmember Marte, Assemblymember Niou, Manhattan Borough President Levine, Senator Kavanaugh and Congressman Nadler submitted a letter to NYSDEC Commissioner Basil Seggos urging for an Independent Community Monitor of the Manhattan BBJ project. The letter notes that among the many environmental impacts, there are particularly grave concerns with regard to air pollution, and the residual environmental damage of the World Trade Center destruction which was not accounted for in the BBJ FEIS; now

THEREFORE
BE IT
RESOLVED

THAT: Should the Manhattan Borough Based Jails project continue despite robust community opposition, it is critical the community be provided with an independent community environmental monitor to review the environmental impacts and oversee the remediation during all phases of the proposed work, both during the demolition of the existing MDC and the construction of a new jail; and

BE IT
FURTHER
RESOLVED
THAT:

CB1 commends our elected officials from the Federal, State, and Municipal delegations for putting pen to paper and calling for an independent community monitor for the dismantling and construction of the MDC. CB1 is in complete support of the May 2022 letter to NYSDEC from our elected officials which states:

In order to protect the health and safety of the immediate community surrounding the jail site, we demand the retention of an independent environmental monitor to oversee the environmental impacts of demolition and construction on the immediate community, including the following:

- 1. Air quality, noise, vibration, dust control, and required remediation are all regularly monitored with data directly reported to the independent monitor;*
- 2. Known asbestos in the existing structures is extracted from the site following the appropriate protocols;*
- 3. Analysis of completed boring tests of subsurface conditions is conducted by the independent monitor with findings reported to the community;*
- 4. Analysis of found gasoline contaminants is conducted by the independent monitor with findings reported to the community and necessary remedial actions put in place; and*
- 5. Monthly reports by the independent monitor are made public and delivered to the offices of Manhattan Community Board 1 and all local elected officials.*

BE IT
FURTHER
RESOLVED
THAT:

Given the environmental impacts on the site, CB1 urges the City of New York should provide a Remedial Action Work Plan (RAWP), overseen by NYSDEC and the NYS Department of Health (DOH), as to how the impacts will be remediated going forward during the proposed demolition and construction; and

BE IT
FURTHER
RESOLVED
THAT:

The community has asked that Community Air Monitoring Program (CAMP) monitors are placed 90' in each direction (north, south, east and west) from 124-125 White Street, including having monitors set up in both Columbus and Collect Pond Park; and

BE IT
FURTHER
RESOLVED

THAT: CB1 urges that the site environmental mitigation plan also include:

- 1) Real-time air quality monitoring made available with reports provided to the community monthly (not quarterly as has been noted by the NYC Department of Design and Construction).
- 2) Air handler and make up air with HEPA filtration protection sized appropriately for the adjacent buildings, including the Chung Pak Center
- 3). Noise mitigation plans are provided with decibel thresholds noted and phasing for work to limit high peak decibels during morning and evening hours; and

BE IT
FURTHER
RESOLVED

THAT: CB1 also calls for Councilmember Marte to fight for line item funding for an independent community monitor during the ongoing city budget process as Mayor Adams' support for the continuation of the BBJ plan requires his acknowledgement of the ambient dangers this will pose and the Mayor and Council's collective responsibility to raise the bar for city projects such as these; and

BE IT
FURTHER
RESOLVED

THAT: Finally, CB1 urges the formation of an environmental MDC Working Group to meet a minimum of monthly where all stakeholders involved in the project are to be present, including representatives from NYSDEC, NYCDEP, NYSDOH and the selected demolition and construction contractors, to review environmental monitoring data, the progress of remediation on the site, and to address the community's questions and concerns.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	1 Abstained	0 Recused

RE: 107 South Street, application exterior changes adding a fire escape at the rear and window modifications

WHEREAS: On July 9, 2020, CB-1 recommended the Landmarks Preservation Commission approve the renovations and enlargements to 107 South Street and work with staff to design a more modest building façade signage package; and

WHEREAS: Exterior signage should only be used as accessory signage to the building tenant; and

WHEREAS: The modifications necessary to develop a mixed-use building such as an additional door and the ground floor storefront are acceptable; now

THEREFORE
BE IT
RESOLVED

THAT: CB-1 recommends the Landmarks Preservation Commission approve the modifications to 107 South Street proposal and work with staff to on more modest signage above the ground floor.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

- RE: Preparing for Hybrid Meetings Under the Updated Open Meetings Law and Allowance for Virtual Meetings
- WHEREAS: New York State Open Meeting Law Chapter 56 of the Laws of 2022 amended Section 103(c) and adds Section 103-a of Public Officers Law (“the Open Meetings Law”, which will be effective June 9, 2022 and will sunset July, 2024); and
- WHEREAS: The in-person attendance requirements will not apply during a declared disaster emergency by the state or the city if the board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the board to hold an in person meeting provided the board passes a resolution finding that the disaster in question impedes its ability, and
- WHEREAS: Governor Hochul’s Executive Order 11.6 of 5/16/2022 extends the state of emergency to June 14, 2022 as the dangerous conditions related to the COVID-19 Pandemic have not yet abated; and
- WHEREAS: The City of New York put COVID-19-related emergency declaration in place at the end of March 2020 and issues a one-month extension at every month; and
- WHEREAS: The current BA.2 Coronavirus wave is still on the rise and CB 1 expects that the Mayor’s executive order will be extended again at the end of May 2022; and
- WHEREAS: CB 1 has held a public hearing on May 24, 2022 regarding the amended Open Meeting procedures; now

THEREFORE
BE IT
RESOLVED
THAT:

Manhattan Community Board 1 will institute Open Meeting amended procedures provided by New York State Open Meeting Law Chapter 56 of the Laws of 2022 as set forth in this resolution to permit modified hybrid meetings. ¹

1. Procedures will apply to committees and task forces as well as the full board
2. Meetings will be held with some members attending remotely, but a quorum of the board members will be present at one or more specific in-person locations. These in-person locations will provide for attendance by the public.
3. The circumstances or specific circumstances or conditions under which members will be permitted to participate from remote locations are as follows:
 - a. Circumstances should qualify as “extraordinary”
 - b. Unexpected disability, illness, caregiving responsibilities, unexpected work travel, and weather conditions that prevent safe travel conditions for those with accessibility needs will permit a member to attend remotely.
 - c. Medical condition creating vulnerability to COVID verified with a note from a doctor.
 4. Meeting procedures for remote attendance requires the following criteria: When a member attends virtually, the name and specific reasons for virtual attendance must be noted in the board minutes or audibly stated for the meeting recording when a note taker is not present.
 - a. Any members participating virtually cannot be counted toward quorum.
 - b. Any participating member appearing virtually must at all times be able to be “heard, seen and identified.” In other words, they must be continually visible on video with identification.
 - c. The public will be able to attend remotely and participate in the public session as those members of the public attending in person.
 - d. Meetings where members are participating virtually will utilize “...technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA) as amended, and corresponding guidelines.”
 - e. Notices of meetings where there will be virtual participation by board members set forth that fact, and in addition to listing the physical location(s) where the public can attend, provide information as to how the public can participate virtually. The notice should also state where members of the public can locate documents relevant to the matters to be considered at the meeting.

¹ This resolution builds on the work of Manhattan community boards 6, 4, 11, and 3.

- f. Minutes of meetings where there was virtual participation must be posted within the time set forth in Sec. 106 of the POL, (two weeks) and that a transcript of the meeting be available on request. In addition to regular attendance information, the minutes must identify which members of the board participated virtually and set forth the reason justifying such attendance; and

BE IT
FURTHER
RESOLVED

THAT: The dangerous conditions that underlie Governor Hochul’s Executive Order 11.6 of 5/16/2022 require Manhattan Community Board 1 to continue to meet remotely to protect the health the public and that of its members until the order expires on June 14th, 2022; and

BE IT
FURTHER
RESOLVED

THAT: If the Mayor extends the COVID-19-related state of emergency at the end of May 2022, then CB 1 will direct the staff to continue running remote meetings throughout the duration of the new executive order that continues emergency conditions from the previous orders; and

BE IT
FURTHER
RESOLVED

THAT: This board finds that where the State or local government issues a finding of state of emergency that such condition giving rise to that declaration would impair and affect the board from holding fully in-person meetings.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	3 Opposed	1 Abstained	0 Recused

RE: CB 1 Support for State Senator Kavanagh and Assemblymember Yuh-Line Niou to Introduce and Pass Legislation Exempting 123 Greenwich/89 Trinity Place from the 200 Foot Rule of New York State Alcoholic Beverage Control Law

WHEREAS: Representatives of “The Ned” membership club and food hall concept requested the support of Manhattan Community Board 1 (CB 1) as a requirement from local New York State legislators to carry special legislation exempting the premises at 123 Greenwich/89 Trinity Place from the 200 Foot rule, which would otherwise prohibit the establishment from operating an entrance to a State Liquor Authority (SLA) licensed premises near a building that is dedicated entirely to a religious institution or school; and

WHEREAS: In the past, residents from the “Greenwich South” neighborhood previously reported heightened concerns over the use of the Greenwich Street side of this building as post 9/11 street closures would create negative traffic outcomes when clientele arrived in private automobiles and for-hire vehicles if that entrance were used and requested that the Trinity Place side be used instead; and

WHEREAS: Representatives of the establishment stated that they had established talks with Trinity Church to work through concerns and opportunities ahead of their SLA liquor license application in the months ahead; and

WHEREAS: A representative of Trinity Church confirmed that talks had begun; and

WHEREAS: This establishment will be considered a “Large Venue” by CB 1 and will be expected to provide all of the required materials and studies well ahead of their meeting with the Licensing & Permits Committee; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 supports the request from 123 Greenwich/89 Trinity Place for relief from the 200 Foot Rule of New York State Alcoholic Beverage Control Law and the required legislation to be introduced in Albany.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	2 Opposed	1 Abstained	0 Recused

RE: CB 1 Support for State Senator Kavanagh and Assemblymember Yuh-Line Niou to Introduce and Pass Legislation Exempting 111-115 Broadway from the 200 Foot Rule of New York State Alcoholic Beverage Control Law

WHEREAS: A representatives of the owners of 111-115 Broadway requested the support of Manhattan Community Board 1 (CB 1) as a requirement from local New York State legislators to carry special legislation exempting the premises from the 200 Foot rule, which would otherwise prohibit the establishment from operating an entrance to a State Liquor Authority (SLA) licensed premises near a building that is dedicated entirely to a religious institution or school; and

WHEREAS: The building owners are considering siting one or two “high end” restaurants with entrances on Trinity Place, which would require them to eventually return to CB 1’s Licensing Committee to make a standard request for support for some sort of liquor license; and

WHEREAS: The representative made contact with the principals of all the school in the 200 Foot zone to request letters of support; and

WHEREAS: The New York City Department of Education, as a matter of policy, does not provide letters of support or “no objection” for establishments seeking a license from the SLA; and

WHEREAS: The outreach was independently verified by CB 1; now

THEREFORE
BE IT
RESOLVED

THAT: CB 1 supports the request from 111-115 Broadway for relief from the 200 Foot Rule of New York State Alcoholic Beverage Control Law and the required legislation to be introduced in Albany.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	3 Abstained	0 Recused

RE: New York State Senate Legislation S9032A Regarding Affordability in Battery Park City

WHEREAS: State Senator Brian Kavanaugh introduced bill S9032A in the New York State Senate to address a number of affordability issues²; and

WHEREAS: At present residents of Battery Park City are not currently eligible for Senior Citizen Rent Increase Exemption (SCRIE), Disability Rent Increase Exemption (DRIE), Senior Citizen Homeowner Exemption (SCHE), Disabled Homeowners Exemption (DHE); and

WHEREAS: Battery Park City owners and renters who are below 150% of Area Median Income (AMI) do not have any protections against increases in ground lease that are paid directly to the Authority or bundled together with other charges as part of rent; and

WHEREAS: The master ground lease that the Battery Park City Authority (BPCA) has with the City of New York will currently expire in 2069, which creates a negative upward limit to individual property ownership that complicates getting financing from lending institutions and reduces the attractiveness of residential units on the property market; and

WHEREAS: Bill S9032A will make all Battery Park Residents eligible for SCRIE, DRIE, SCHE, and DHE; and

WHEREAS: Part C of Bill S9032A will allow renters and homeowners who have an income below the 150% of AMI bracket to seek a refund of ground rents and the portion of their apartment rent that relates to increases of the ground rent above a base ground rent that will be frozen by this legislation for the purposes of limiting cost increases for families in the greatest need of affordability protections; and

WHEREAS: Bill S9032A will extend the BPCA's master ground lease with the City of New York to 2119, which may allow for individual buildings more flexibility in negotiating their individual ground leases with the BPCA; and

THEREFORE
BE IT
RESOLVED

² <https://www.nysenate.gov/legislation/bills/2021/s9032/amendment/a>

THAT: Community Board 1 (CB 1) supports this bill and urges the State Senate and Assembly to pass this bill and for Governor Hochul to sign it into law with the exception of Part C, which the board wishes to further evaluate among other measures.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Bylaws Cleanup with Regards to the Timing of the First Roll Call Vote

WHEREAS: Manhattan Community Board 1 officially tabulates attendance at the beginning of the monthly full board meeting by conducting a roll call vote during the first resolution; and

WHEREAS: The first vote during the monthly full board meeting is for approval of the adoption of the minutes, which is not taken as a roll call; now

THEREFORE

BE IT

RESOLVED

THAT: In section IV.F.4 of the bylaws the words “the first resolution after” shall be removed so that the subsection reads as follows: “A roll call vote shall be taken on the minutes and on the last resolution of the meeting.”

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Amendment of Manhattan Community Board 1 By-Laws to Permit Election of Officers by Other Than Paper Ballot in Light of New Hybrid Allowances in Open Meetings Law

WHEREAS: New York Governor Kathy Hochul signed into law changes of the Open Meetings Law to permit Community Board members to participate in meetings and vote remotely under certain pre-defined extraordinary circumstances beginning in June 2022; and

WHEREAS: The By-Laws of Manhattan Community Board 1 require an “Election of Officers” to occur in June, and several Members are expected to be nominated for various offices; and

WHEREAS: With regard to the “Election of Officers,” Section III.A.5.b of the By-Laws of Manhattan Community Board 1 provides: “Voting shall be by written paper ballot, which shall have inscribed on it the Board member's name and be signed by the Board member.”; and

WHEREAS: Manhattan Community Board 1 now wishes to amend its By-Laws to suspend the “written paper ballot” requirement in order to utilize an appropriate and secure electronic voting platform and procedure set forth below in this Resolution; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board hereby amends its By-Laws, as amended November 21, 2019, by deleting the first sentence of Section III.A.5.b of the By-Laws and replacing it with the following:

“Voting shall be by secure electronic means, in the form of a secure online platform as reviewed and approved by the Nominating Committee or Executive Committee.”

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Manhattan Detention Complex – Interim Sally Port Public Design Commission Application

WHEREAS: A Public Design Commission (PDC) application is back before Manhattan Community Board 1 (CB1) for an interim sally port, to be in place for a period of seven years, at the Manhattan Criminal Courthouse building at 100 Centre Street in connection with the city-wide Borough Based Jails (BBJ) plan; and

WHEREAS: In December 2021, CB1 adopted a resolution on the original interim sally port proposal and application, urging PDC to delay acting on this application until the applicants returned to CB1 with a full presentation including details on design, vehicular use, and impacts from demolition, and CB1 opposed the application if it proceeded as originally presented¹; and

WHEREAS: The applicants delayed the PDC interim sally port application based on this feedback and they returned to CB1 in February 2022 to present additional information. In February 2022, CB1 adopted a resolution strongly opposing the proposal for the interim sally port on the basis that CB1 was not convinced the existing building or the sally port needs to be demolished, that more information and analysis is needed to assess alternatives, and that CB1 needed to better understand why this is the best course of action both in terms of the sally port and the larger plan; and

WHEREAS: At a hearing before the PDC on April 11, 2022, the PDC voted to table and effectively remand the PDC interim sally port application to CB1, so that the applicant could present additional information. Commissioners of the PDC specifically asked the applicants to address: (1) the necessity of an interim sally port from the perspective of existing conditions at the site and slated demolition of the current Manhattan Detention Center (MDC) complex; (2) new details and

¹ CB1 also adopted a January 2022 resolution on the broader BBJ plan, urging a pause and additional review of the plan. Given recent news reports concerning efforts to step up a federal monitor’s oversight of the current conditions at Rikers Island—and the concomitant question of whether that oversight could affect any aspects of the BBJ plan—CB1 continues to have serious concerns about the necessity and viability of the overall BBJ plan.

renderings for public art along the exterior façade walls of the interim sally port building, and; (3) additional details concerning windows on the exterior façade walls; and

WHEREAS: The applicants returned to CB1 in May 2022 to present the additional information requested as required by the Commissioners of the PDC; and

WHEREAS: At a May 9, 2022 meeting of CB1's Land Use, Zoning, and Economic Development (LZE) Committee, the applicants described the existing conditions of the current detention sally port and how those existing conditions, which would not change during dismantling and construction, create "serious safety issues" necessitating the dismantling of the current sally port and construction of a new interim sally port. According to the applicants, the existing sally port structure sits atop portions of a cellar and subcellar level of the south tower of the existing MDC complex, which is to be completely dismantled. The applicants' position is that the existing sally port cannot be used, and must be demolished, because it would be structurally unstable given that the two levels underpinning the structure are to be demolished as part of the MDC dismantling plan. In addition, even if that structural integrity issue could somehow be resolved, the applicants represent that continuing to use the existing sally port would constitute unsafe construction practices by allowing non-construction persons, including NYC Department of Correction staff and detainees, to traverse what amounts to an active construction site; and

WHEREAS: The interim sally port structure would display reproductions of two existing MDC art works, the "Immigration on the Lower East Side" mural by Richard Haas and the "Pavement Design (Upright)" by Kit-Yin Snyder. The reproduction of the Richard Haas piece would be displayed along the Centre Street façade of the temporary sally port structure, while a reproduction of the Kit-Yin Snyder piece would be displayed along the south-facing wall, along the pedestrian entrance to 100 Centre Street. The applicants represented that both artists have been consulted about the applicants' plans and have approved, with certain details (coloring, for example) to be worked out with the artists; and

WHEREAS: The applicants also described and provided renderings for windows which would be incorporated within some of the panels of the reproduced Richard Haas "Immigration on the Lower East Side" artwork. The windows would be bullet- and blast-proof, with the tint color to be worked out with the artist. The applicants represented that the Richard Haas piece as it exists on the MDC building has windows on five of the panels, and the design containing windows within the panels of the reproduced temporary piece was reached in consultation with Mr. Haas and specifically at his preference; and

WHEREAS: CB1 appreciates the applicants returning (again) to present more information on their application. CB1 especially appreciates the applicants' response to CB1's prior requests by incorporating more public art into the design, as well as the

applicants' outreach and work with two of the original artists whose works currently grace the existing structure of the MDC; and

WHEREAS: CB1 provides this supplemental resolution, directed to the interim sally port plan as it currently exists and as to the additional information and designs supplied at the May 9, 2022 LZE Committee meeting. CB1 specifically incorporates herein its December 2021 and February 2022 resolutions on this application (copies of which are attached for reference), as CB1 continues to believe its stated concerns have not been fully addressed; and

WHEREAS: CB1 and community members continue to express that the presentation and materials provided for review in connection with this PDC application are inadequate, mainly because the applicants continue to evade CB1's questions and requests for *any* analysis of alternative proposals presented to or considered by the applicants; and

WHEREAS: At one point in their presentation to CB1 in May 2022, the applicants represented that CB1 would be required to file a Freedom of Information Law (FOIL) request for any costing information and alternative proposals considered by or submitted to the applicants. CB1's LZE Committee members objected to that obfuscation and urged the applicants to reconsider their position, particularly given that CB1 is a New York City Charter established public entity governed by the same laws of openness and public duty as New York City agencies like the applicants. In other words, just like any sister agency of the New York City government would not be forced to FOIL information from another City agency, CB1 should not be forced to obtain information from a public City agency only by use of the Public Officers Law's FOIL provisions; and

WHEREAS: As to the artwork information and renderings provided, CB1 members and members of the public expressed their gratitude for the applicants' responsiveness to the community's pleas for more public art and for the applicants' work with the original artists. But with due deference and respect to the artists' reported acquiescence to the interim plans, it remains a concern of CB1 whether any quantity or quality of artwork is adequate for what CB1 believes, in the absence of *any* alternatives for consideration, is an ill-conceived boondoggle in the first place; and

WHEREAS: CB1 understands the PDC has slated this application for review and vote again at its May 16, 2022 meeting; now

THEREFORE
BE IT
RESOLVED

THAT: Consistent with CB1's December 2021 and February 2022 resolutions on the original and updated plans for the interim sally port, and the January 2022 resolution on the broader BBJ plan urging a pause and additional review of the

plan, CB1 continues to strongly oppose the current proposal for the interim sally port. CB1's opposition is based on the concerns outlined in this and its prior resolutions. Among other things, despite having asked multiple times, CB1 has not been provided information from the applicants as to the procurement or consideration of *any* alternatives *whatsoever* to substantiate the necessity of the planned interim sally port; and

BE IT
FURTHER
RESOLVED

THAT: While CB1 appreciates the applicants incorporating more public art in response to CB1's prior comments, CB1 believes the proposed public art is inadequate and not a solution to what CB1 and the public described in prior resolutions (referring to the interim sally port design as a whole) as "horribly ugly," an "insult," and an "ugly wart" on the handsome courthouse building; and

BE IT
FURTHER
RESOLVED

THAT: As to that portion of the applicants' plan related to the design and placement of windows on interim sally port structure, while CB1 maintains that the entire interim sally port is seemingly unnecessary and inadequate, CB1 defers to the stated desires of the Mr. Haas in utilizing windows within the artwork (which, notably, was represented to CB1 by the applicants but not the artist); and

BE IT
FURTHER
RESOLVED

THAT: If the PDC is inclined to approve the interim sally port PDC application, CB1 requests that the PDC secure written, binding commitments from the applicants that: (1) the current artwork being removed from the soon-to-be demolished MDC structure be stored safely and, to the extent not reincorporated into the newly built BBJ structure, should be reinstalled in the immediately adjacent neighborhood within the next three years, and; (2) to ensure the interim sally port structure remains only temporarily, the applicants commit to a date certain—no later than the current 2027 expected substantial completion date of the Manhattan BBJ building—when the interim sally port shall be permanently dismantled and demolished.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Appointment of Landmark Preservation Commissioners

WHEREAS: New York City’s (NYC) Landmarks Preservation Commission (LPC) is responsible for protecting NYC’s architecturally, historically and culturally significant buildings by granting them landmark or historic district status and regulating them after designation; and

WHEREAS: The Commission was created in 1965 through groundbreaking legislation signed by the late Mayor Robert F. Wagner in response to the losses of historically significant buildings in New York City, most notably, Pennsylvania Station; and

WHEREAS: The agency is composed of a panel of 11 commissioners who are appointed by the Mayor and supported by a staff of approximately 80 preservationists, researchers, architects, historians, attorneys, archaeologists, and administrative employees; and

WHEREAS: There are more than 37,600 landmark properties in New York City, most of which are located in 152 historic districts and historic district extensions in all five boroughs. The total number of protected sites also includes 1,445 individual landmarks, 121 interior landmarks, and 11 scenic landmarks; and

WHEREAS: Manhattan Community District 1 (MCD1), the oldest part of NYC is proud and protective of its many historic and landmarked buildings and neighborhoods;¹ and

WHEREAS: MCB1’s Landmarks Committee is concerned that the LPC’s decisions, including their approval of the oversized building for 250 Water Street, might be attributed to the commission members’ position insecurity and/or the long-term nature of many of their tenures; and

WHEREAS: Sasha Sealey of the Commission has recently confirmed that all of the current Commissioners are serving with expired terms, which clarifies that all of them could be replaced at any time; and

¹ <https://nyc LPC.maps.arcgis.com/apps/webappviewer/index.html?id=93a88691cace4067828b1eede432022b>

WHEREAS: It is important that the Commissioners are independent from the real estate industry including developers and have the security, independence and expertise to protect NYC's architecturally, historically, and culturally significant buildings, sites and districts as intended by the law;² and

WHEREAS: At least four of the 11 Commissioners have served more than 12 consecutive years; and

WHEREAS: Increasing the number of Commissioners could make help bring more diversity of expertise and thought as well as the racial, cultural and borough representation on the Commission; things that could benefit the process; and

WHEREAS: MCB1 is very concerned about the commission members' possible position insecurity and that the long-term nature of many of their tenures affects their decisions and the protections intended by the law; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 (MCB1) implores our mayor, the Honorable Eric Adams

- To appoint Commissioners to permanently fill all of the positions where the current Commissioner has an expired term,
- To affirm his support for any Commissioners with unexpired terms to show his confidence in members that were appointed by other mayors, and
- To increase the number of Commissioners, and
- Term limit Commissioners, including re-appointees, to no more than eight consecutive years to ensure new energy and thought; and

BE IT

FURTHER

RESOLVED

THAT: MCB1 urges our local City Councilmember, the Honorable Christopher Marte, to encourage Mayor Adams to act on our requested changes to the Landmark Commission.

² Title 25, Chapter 3 of the New York City Administrative Code

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	7 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused

TABLED

RE: CB 1 to oppose considering the main entrance of 123 Greenwich/89 Trinity Place Trinity Place

WHEREAS: Representatives of “The Ned” membership club and food hall concept requested the support of Manhattan Community Board 1 (CB 1) as a requirement from local New York State legislators to carry special legislation exempting the premises at 123 Greenwich/89 Trinity Place from the 200 Foot rule, which would otherwise prohibit the establishment from operating an entrance to a State Liquor Authority (SLA) licensed premises near a building that is dedicated entirely to a religious institution or school; and

WHEREAS: Irrespective of the entrance, as of right now the Licensing Committee felt that there was not enough information to support any would like the applicant to come back with more information, including their traffic study, to discuss with the committee and be held under review; and

WHEREAS: Representatives of the establishment stated that they had established talks with Trinity Church to work through concerns and opportunities ahead of their SLA liquor license application in the months ahead; and

WHEREAS: A representative of Trinity Church was not present at the meeting to confirm this information, thus the committee chose to oppose granting a 200-foot waiver at this time; and

THEREFORE
BE IT
RESOLVED

THAT: CB 1 doesn’t support the request from 123 Greenwich/89 Trinity Place for relief from the 200 Foot Rule of New York State Alcoholic Beverage Control Law and the required legislation to be introduced in Albany.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	1 Abstained	2 Recused

RE: 125 Carter Road, application for liquor license for Grupo Gitano LLC & Grupo Gitano NYC LLC

WHEREAS: The applicants, Grupo Gitano LLC & Grupo Gitano NYC LLC, are applying for an on-premise liquor license; and

WHEREAS: The hours of operation, food service and bar service will be 11:00 AM – 12:00 AM seven days a week, though there will be special events which will serve alcohol until 1:30 AM; and

WHEREAS: The hours of delivery for goods and services are 7:00 AM – 10:00 AM, or as required by the Governors Island Trust; and

WHEREAS: The total area of the restaurant is 27,000 square feet with a maximum allowed occupancy of 590 people; and

WHEREAS: There will be no outside promoters, there will be security personnel as needed; and

WHEREAS: There will be music provided through DJs, recordings, and live, though it is checked to be at a background level, and as per the CB1 definition, this means neighbors in the Financial District will not be disturbed by music or noise, additionally the music will be distributed through 22 speakers varying in 6-8” in size with four cardioid subwoofers, and five amplifiers, with a sound report reporting that no music can be heard on Manhattan from its location; and

WHEREAS: The applicant will not apply for a sidewalk café license until at least a year after beginning operation; and

WHEREAS: The application has stated there are not place of worships within 200 feet of this establishment but there are three or more establishments with an on-premises liquor license, and

WHEREAS: The applicant has and notarized a stipulations sheet; now

THEREFORE
BE IT
RESOLVED

THAT: The Committee does not have any issue with this establishment; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license for Grupo Gitano LLC & Grupo Gitano NYC LLC located at 125 Carter Road, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	2 Recused

RE: 515 Wheeler Avenue, application for liquor license for M. Fox

WHEREAS: The applicant, M. Fox, is applying for an on-premise liquor license; and

WHEREAS: The hours of operation, food service and bar service will be from 12 PM – 7 PM seven days a week; and

WHEREAS: The hours of delivery for goods and services are from 8 AM – 11:59 AM; and

WHEREAS: The total area of the restaurant is 8,000 square feet with a maximum allowed occupancy of 50 people; and

WHEREAS: There will be no outside promoters or security personnel; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license until a year after beginning operation; and

WHEREAS: There will be recorded, but no live music, and no DJ or any other type of music but will have TV screens with two different speakers connected to an ipad for the music; and

WHEREAS: The application has stated there are not place of worships within 200 feet of this establishment but there are three or more establishments with an on-premises liquor license, and

WHEREAS: The applicant has and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: The Committee does not have any issue with this establishment; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license for M. Fox at 515 Wheeler Ave., **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 288 West Street, application for a wine, beer, and cider license for BKLYN CLAY LLC

WHEREAS: The applicant, BKLYN CLAY LLC, is applying for a wine, beer, and cider license; and

WHEREAS: The hours of operation, food service and bar service will be 9 AM – 9 PM six days a week, and 10 AM - 9 PM on Sundays; and

WHEREAS: The hours of delivery for goods and services are 9 AM – 9 PM; and

WHEREAS: The total area of the restaurant is 3,600 square feet with a maximum allowed occupancy of 75 people; and

WHEREAS: There will be no outside promoters or security personnel; and

WHEREAS: There will be no recorded, live, DJ or any type of music but will have eight TV screen with no sound; and

WHEREAS: The applicant will not apply for a sidewalk café license until at least a year after beginning operation; and

WHEREAS: The applicant has stated that they will mitigate double parking of any sort; and

WHEREAS: The application has stated there are not place of worships within 200 feet of this establishment but there are three or more establishments with an on-premises liquor license, and

WHEREAS: The applicant has and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: The Committee does not have any issue with this establishment; and

BE IT
FURTHER
RESOLVED
THAT:

CB1 opposes the granting of their on-premise liquor license for BKLYN CLAY LLC located at 288 West Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 100 Greenwich St., application for liquor license for Concord Panorama Greenwich LLC, d/b/a Fairfield INN & Suites New York Downtown Manhattan/World Trade Center Area

WHEREAS: The applicant, Concord Panorama Greenwich LLC, is applying for an on-premise wine, beer and cider license; and

WHEREAS: The hours of operation, food service will be 6:30 AM – 1:00 AM six days a week, and bar service will be 12:00 PM - 1:00 AM six days a week, though on Sunday both food and bar services last from 10:00 AM - 1:00 AM; and

WHEREAS: The hours of delivery for goods and services are 10 AM – 3 PM Monday to Saturday; and

WHEREAS: The total area of the restaurant is 2,135 square feet with a maximum allowed occupancy of 118 people; and

WHEREAS: There will be no outside promoters or security personnel; and

WHEREAS: There will be recorded, live, and DJ music available at background levels provided through 1 TV, and 12 ceiling speakers' sound; and

WHEREAS: The applicant will apply for a sidewalk café license after beginning operation; and

WHEREAS: The application has stated there are not place of worships within 200 feet of this establishment but there are three or more establishments with an on-premises liquor license, and

WHEREAS: The applicant has stated that they will move outdoor tables inside by 10 pm every night; and

WHEREAS: The applicant has and notarized a stipulations sheet; now

THEREFORE
BE IT
RESOLVED

THAT: The Committee does not have any issue with this establishment; and

BE IT
FURTHER
RESOLVED
THAT:

CB1 opposes the granting of their on-premise liquor license for Concord
Panorama Greenwich LLC, d/b/a Fairfield INN & Suites New York Downtown
Manhattan/World Trade Center Area located at 100 Greenwich St., **unless** the
applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 120 Cedar Street, application for liquor license for Dek Foods, Inc. d/b/a Mughlai Indian Cuisine

WHEREAS: The applicant, Dek Foods, Inc., is applying for an on-premise Wine, beer and Cider license; and

WHEREAS: The hours of operation, food service and bar service will be 11:00 AM – 11:00 PM Sunday through Thursday, and the food service and bar service will be 11:00 AM – 12:00 AM Friday and Saturday; and

WHEREAS: The hours of delivery for goods and services are to be determined through they have stated they will be in the morning before opening, and that they will be coordinating garbage pick-up with nearby restaurants; and

WHEREAS: The total area of the restaurant is 750 square feet with a maximum allowed occupancy of 74 people; and

WHEREAS: There will be no outside promoters or security personnel; and

WHEREAS: There will be recorded music, but there won't be any live, DJ or any type of music but will have an IPOD connected to a speaker for music; and

WHEREAS: The applicant will not apply for a sidewalk café license until at least a year after beginning operation; and

WHEREAS: The application has stated there are not place of worships within 200 feet of this establishment but there are three or more establishments with an on-premises liquor license, and

WHEREAS: The applicant has and notarized a stipulations sheet; now

THEREFORE
BE IT
RESOLVED

THAT: The Committee does not have any issue with this establishment; and

BE IT
FURTHER
RESOLVED
THAT:

CB1 opposes the granting of their on-premise liquor license for Dek Foods, Inc. d/b/a Mughlai Indian Cuisine located at 120 Cedar Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	44 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 25 Broad Street, application for liquor license for La Grande Boucherie Wall Street LLC d/b/a La Grande Boucherie

WHEREAS: The applicant, La Grande Boucherie Wall Street LLC, is applying for an on-premise liquor license; and

WHEREAS: The hours of operation, food service and bar service will be 8:00 AM – 2:00 AM Friday to Saturday, and 10:00 AM – 1:00 AM on Sunday and 8:00 AM – 1:00 AM Monday to Thursday; and

WHEREAS: The hours of delivery for goods and services are 6:00 AM – 12:00 PM; and

WHEREAS: The total area of the restaurant is 1,400 square feet with a maximum allowed occupancy of 74 people; and

WHEREAS: There will be no outside promoters or security personnel; and

WHEREAS: There will be recorded music, but no live, DJ or any other type of music; and

WHEREAS: The applicant will not apply for a sidewalk café license until at least a year after beginning operation; and

WHEREAS: The application has stated there are not place of worships within 200 feet of this establishment but there are three or more establishments with an on-premises liquor license, and

WHEREAS: The applicant has and notarized a stipulations sheet; now

THEREFORE
BE IT
RESOLVED

THAT: The Committee does not have any issue with this establishment; and

BE IT
FURTHER
RESOLVED
THAT:

CB1 opposes the granting of their on-premise liquor license for La Grande Boucherie Wall Street LLC d/b/a La Grande Boucherie located at 25 Broad Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: NEW BUSINESS/LANDMARKS & PRESERVATION

BOARD VOTE: 26 In Favor 12 Opposed 4 Abstained 0 Recused

RE: 60 Wall Street, request for an updated Harmonious Relationship Report between the landmarked building at 55 Wall Street and the exterior renovations proposed to the base of the non-landmarked building at 60 Wall Street

WHEREAS: The findings of Special permit #C850321ZSM were to create a “Harmonious Relationship” between a covered pedestrian space at 55 Wall Street and the landmark building at 55 Wall Street; and

WHEREAS: The proposal fails to harmonize with the classical design of Colonnade Row or any other 18th or 19th century styles and does little to elevate the standing of 55 Wall Street or 60 Wall Street. All occurring along the very-historical landmark Wall Street corridor, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1, Manhattan recommends that the Landmarks Preservation Commission reject the proposal because it is not harmonious, nor does it improve on the findings of the special permit or improve upon the design characteristics outlined in the 1980’s Landmarks Report.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: QUALITY OF LIFE & DELIVERY SERVICES

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Need for More Public Toilet Access

WHEREAS: The paucity of public toilets, especially ones that are open 24 hours/day and 365 days/year, is a long-standing and well-documented complaint in New York City (NYC);^{1, 2} and

WHEREAS: The availability of public toilets is necessary to allow people to manage a basic human need, to promote public health, to combat public urination and defecation and to advance menstrual justice; and

WHEREAS: Bathroom access is essential for all, but for those who experience urgency or increased frequency such as pregnant women, small children and people with gastrointestinal or urogenital problems, etc. a lack of access to public toilets interferes with their ability to spend time and participate within the public realm - a basic civil right; and

WHEREAS: In 2019 the NYC Comptroller's Office reported that Park Department bathrooms provide only 16 bathrooms for every 100,000 residents, which ranked NYC an embarrassing 93rd among the country's 100 largest cities;³ and

WHEREAS: Only 31 percent of NYC Parks bathrooms are ADA accessible, 11 percent were not open year-round and 73 percent did not have changing stations for infants and toddlers⁴ - making these populations the most affected by the shortage of public bathrooms in NYC parks; and

¹ Elston A, "No Place to Go: NYC's public restrooms are scarce and dirty, posing a health and public safety quandary", *Crain's*, February 2022, https://www.craigslist.com/special-features/no-place-go-public-bathrooms-nyc?utm_source=editorial-promotion-&utm_medium=email&utm_ca%E2%80%A6

² Carmel J, "No Place to Go When You Need to Go? These New Yorkers have Ideas", *The New York Times*, July 3, 2021; <https://www.nytimes.com/2021/07/02/nyregion/nyc-bathrooms.html>

³ NYC Comptroller Office, *Discomfort Stations: The Conditions and Availability of NYC Parks Bathrooms*; [https://comptroller.nyc.gov/wp-content/uploads/documents/Discomfort Stations The Conditions and Availability of NYC Parks Bathrooms.pdf](https://comptroller.nyc.gov/wp-content/uploads/documents/Discomfort%20Stations%20The%20Conditions%20and%20Availability%20of%20NYC%20Parks%20Bathrooms.pdf), June 2019

⁴ NYC Comptroller Office, *Discomfort Stations: The Conditions and Availability of NYC Parks Bathrooms*; <https://comptroller.nyc.gov/wp->

WHEREAS: Manhattan Community District 1 (MCD 1) is home to the majority of government offices that are under the jurisdiction of the City of New York. These buildings should contain bathrooms that are ADA accessible and are presumably under a mandate to allow public use. However, the presence of public toilets is not clearly identified outside the buildings and the security services that control building access at times reject requests from public members to enter to use such bathrooms; and

WHEREAS: The Department of Homeless Services operates 5 Drop-in Centers that provide hot meals, showers, laundry facilities, and other social services for about 3,600 people who are unsheltered homeless, but this is not enough to address the broader need for 24 hour/day bathroom access for those who are unsheltered; and

WHEREAS: The recent Got2goNYC Tik Tok account that provides codes for bathrooms in NYC retail stores has garnered 1 million likes and 90,000 followers, which shows a need for more public access to retail bathrooms; and

WHEREAS: The MTA's New York City Transit, operated by New York State, only has public bathrooms in 78 of their 472 subway stations, which equates to only 146 bathrooms for 5.7 million subway riders - or one toilet per 39,000 people - even if they weren't all closed due to the pandemic with no plans to reopen them; and

WHEREAS: Neither the NYC Building Code nor the NYC Zoning Resolution include any requirements for public bathrooms in our public spaces, making toilets and changing facilities unavailable where they are greatly needed; and

WHEREAS: Only 14 of the 550 privately-owned public spaces (POPS) in NYC currently provide public bathrooms, a missed opportunity; and

WHEREAS: Dr. Wansoo, the creator of nyrestroom.com⁵ and professor at Rutgers University, aimed to cure one of Manhattan's oldest problems—the difficulty of finding a public restroom. More toilets are needed, but so is a way to find them; and

WHEREAS: Safety, cleanliness, maintenance and even operational status vary widely even amongst the public bathrooms that rate an acceptable level in all areas. Too many of the scarce bathrooms are avoided by the public due to a lack of care; and

WHEREAS: NYC received 20 Automated Public Toilets (APT's) in 2006 as part of the street furniture deal that will expire in 2026. They are self-cleaning, but that requires downtime between users and they have parts that require replacements to be purchased and shipped from Europe. The APT in Greeley Park is reported to be out of order 20% of the time

[content/uploads/documents/Discomfort Stations The Conditions and Availability of NYC Parks Bathrooms.pdf](#), June 2019

⁵ <http://m3.mappler.net/nyrestroom/>

WHEREAS: On April 28th, Manhattan Borough President Mark Levine and Council Member Rita Joseph introduced legislation (Int 258-2022) that would require a report on suitable locations in each zip code for installing public bathrooms; and

WHEREAS: Increasing the number of public toilets is essential, but too often toilets are difficult to find, are often in deep disrepair, lack changing tables and accessible toilets, are unclean and are viewed as being unsafe - all significant problems; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 (MCB1) calls on our local city councilmember, the Honorable Christopher Marte, to support Int 258-2022 and other local laws that would improve access to safe, clean, accessible, and free public bathrooms; and

BE IT

FURTHER

RESOLVED

THAT: The Mayor's Office is implored to

- support Int 258-2022 and other local laws that would improve free public bathroom access,
- find ways to make bathrooms in city-owned buildings more accessible to the public,
- create and maintain a city website and/or app that can be used to locate public toilets throughout the city and
- support the creation of city signage that would identify public toilets; and

BE IT

FURTHER

RESOLVED

THAT: The city ensures that toilets at the Governors Island Ferry terminals in Manhattan Community District 1 (MCD1) are safe, clean and accessible 24 hours/day, 365 days/year as the ferry service to/from Governors Island is extended to 24 hours/day⁶; and

BE IT

FURTHER

RESOLVED

THAT: MCB1 urges DOT to fulfill their proposed plans to install a stand-alone public toilet facility on the 1 Centre Street Plaza area, near the food kiosks, to serve residents, visitors, workers, and the unhoused.

⁶ Simko R, "Plans for Governors Island's Climate Center Advance", *The Broadsheet*, April 22, 2022. <https://www.ebroadsheet.com/19360-2/>

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: QUALITY OF LIFE & DELIVERY SERVICES

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Call to rebuild the cobblestone streets of Tribeca

WHEREAS: In 2009, the City of New York honored a request from Manhattan Community Board 1 (CB 1) to rebuild the following streets:

- Greenwich Street from Canal Street to Hubert Street
- Hubert Street from Greenwich Street to Hudson Street
- N. Moore Street from Greenwich Street to Hudson Street
- Harrison Street from Greenwich Street to West Street
- Jay Street from Greenwich Street to Hudson Street; and
- Leonard Street from Hudson to Varick Street
- Varick Street from Canal Street to Laight Street; and

WHEREAS: It almost immediately became apparent that the cobblestone work on these streets was poor as they almost immediately began to deteriorate in unacceptable ways including loose blocks, disintegrating mortar, and emerging depressions; and

WHEREAS: Other cobblestone roadways, such as Beach Street, also generated complaints even though they were not necessarily rebuilt during the same time period; and

WHEREAS: The top priority of the Federal Highway Administration’s (FHWA) Road Safety Audits (RSA) considers all potential road users and accounts for the capabilities and limitations to minimize unintended consequences;⁷ and

WHEREAS: Manhattan Commissioner Pincar acknowledged that local residents could actively contribute to better cobblestone surface condition and lifespan outcomes by noting the vehicle and DOT permit of any contractor or utility employee working on the road surface so that the DOT can identify and hold the contractor responsible for making any needed corrections to bring the area up to standards; monitoring the final job for imperfections of changes before a DOT inspector is scheduled to do a site inspection; and enforcement of the necessary road use restrictions to allow a proper 2-3 week curing period of cobblestone mortar after installation or reinstallation; and

⁷ <https://highways.dot.gov/public-roads/septoct-2009/road-safety-audits-pedestrian-facilities>, accessed March 2022

WHEREAS: CB 1 has repeated its call for safety interventions and reconstruction of the above named streets through its budget priorities and resolutions for a decade from 2012 to the present; now

THEREFORE
BE IT
RESOLVED

THAT: The Cobblestone Streets of Tribeca need to be rebuilt as part of one or more capital projects as their current state is objectively dangerous whereby simple pedestrian use has already led to multiple examples of severe injury and one case leading to the death of a local resident from the simple act of walking on the cobbled roadway in its present state; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 believes that the safety conditions present a clear and pressing need to DOT to direct its internal cobblestone repair unit to assess, stabilize and repair the worst sections of these streets as soon as possible; and

BE IT
FURTHER
RESOLVED

THAT: Cobblestone streets are exclusionary as commonly designed, but those problems have been exacerbated by construction errors and faulty repairs that do not readily permit the safe use of canes, walkers, mobility scooters, wheelchairs, strollers, bicycles without the threat of tripping, equipment failure and excessive wear and tear; and

BE IT
FURTHER
RESOLVED

THAT: Such difficulties are inconsistent with the principles of universal access and inclusion that grow from earlier victories with the Americans with Disabilities Act of 1990 (ADA) and subsequent advances in federal, state and local law; and

BE IT
FURTHER
RESOLVED

THAT: Sunken sections of cobblestone roadway may indicate that there are problematic subsurface condition and merit the inspection and replacement of critical water and sewer infrastructure to not only prevent the eventual degradation of a resurfaced street, but also to protect other subsurface utilities such as electricity, gas, steam, copper, and internet; and

BE IT
FURTHER
RESOLVED

THAT: Manhattan Community Board 1 calls upon its lone Councilmember, Chris Marte and Manhattan Borough President, Mark Levine to include capital funds to rebuild these streets once and for all.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2022

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Support to fully fund the Streets Master Plan

WHEREAS: In 2019 City Council passed local law 195¹ requiring the Department of Transportation (DOT) to issue and implement a transportation master plan every five years that prioritizes the safety of all street users, more pedestrian space, the use of mass transit, and access for individuals with disabilities; and

WHEREAS: The law requires the first master Streets Plan (2021-2026) to include 150 miles of protected bus lanes, 250 miles of protected bike lanes, to upgrade thousands of bus stops, to create 1 million square feet of pedestrian space, and to invest in thousands of intersection improvements; and

WHEREAS: This past year was the deadliest on NYC streets since Vision Zero began in 2013. Crashes killed a total of 273 pedestrians, cyclists and vehicle passengers; a 33 percent increase over 2018, the safest year in NYC's recent history.² Improved street safety is urgently needed; and

WHEREAS: Bicycle usage continues to increase at record levels and would grow faster with infrastructure that would make it safer, especially for less experienced riders, elders and children. Bicycle use is essential if New York State (NYS) is to meet the goals of its 2019 Climate Leadership and Community Protection Act; and

WHEREAS: The DOT released its first NYC Streets Plan³ in December 2021 with the stated values of (1) providing safe, efficient, and environmentally responsible movement of pedestrians, goods, and vehicular traffic on the streets, highways, bridges, and waterways of the City's transportation network and (2) improving traffic mobility and reducing congestion throughout the City not be compromised as safety is improved; and

¹<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3954291&GUID=D37BA0B0-9AB6-434B-A82E-E49A7895A1A4&>

²<https://www.transalt.org/writing/last-year-was-the-deadliest-under-vision-zero-heres-how-mayor-adams-can-save-lives-in-2022>

³<https://www1.nyc.gov/html/dot/downloads/pdf/nyc-streets-plan.pdf>

WHEREAS: The Adams Administration has committed to fortifying 50% of the plastic-protected bike lanes¹⁴ and redesigning 1,000 intersections to reduce speed and protect pedestrians.¹⁵ These promises need to be kept; and

WHEREAS: Release of the first Street Plan in 2021 as a blueprint for safety and Mayor Adam’s public statements about some safety initiatives are important steps, but full funding and implementation are needed; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 (MCB1) strongly urges Mayor Adams and our local Councilmember, Christopher Marte to fully fund the Streets Plan during this and future fiscal years; and

BE IT

FURTHER

RESOLVED

THAT: MCB1 implores the NYC Department of Transportation to implement their Streets Master Plan, to strive to meet or exceed LL 195’s benchmarks and to fund our requested projects¹⁶ in Manhattan Community District 1 including but not limited to:

- Granting access to and development of the space under and around the Brooklyn Bridge (Manhattan),
- Improving pedestrian safety, priority and space in the Financial District,
- Converting John Street to a shared street between William and Pearl Streets
- Upgrading Park Row,
- Making safety improvements along Canal Street,
- Upgrading the triangle bordered by Canal, Centre and Walker Streets to improve this Gateway to Chinatown,
- Installing jersey barrier protection for Centre Street and Lafayette Street bike lanes

¹⁴ Dugan K, “Concrete goals: Incoming DOT Commish Rodriguez promises to make half of plastic-protected NYC bike lanes ‘sturdier’”, *AMNY*, December 21, 2021; <https://www.amny.com/transit/dot-promises-plastic-protected-nyc-bike-lanes-sturdier/>

¹⁵ Nessen S, “Mayor Adams Pledges to Make Streets Safer With Better Design — And Police Enforcement”, *Gothamist*, January 19, 2022; <https://gothamist.com/news/mayor-adams-pledges-to-make-streets-safer-with-better-design-and-police-enforcement>

¹⁶ <https://www1.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/21-10-26.pdf>, FY 2023 DOT budget requests, pp 6-11