

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEES OF ORIGIN: WATERFRONT, FINANCIAL DISTRICT AND  
SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 34 In Favor 0 Opposed 1 Abstained 0 Recused

RE: **East River Waterfront Plan**

WHEREAS: Community Board #1 has long supported the restoration and revitalization of the East River Waterfront which today consists largely of dilapidated piers and parking lots blocking access to the waterfront and offers little in the way of open space or attractions, and

WHEREAS: In 2002, CB #1 and the Alliance for Downtown NY put forward a comprehensive Concept Plan for the East River Waterfront by Skidmore, Owings and Merrill which proposed the creation of a variety of open spaces for specific recreational uses as well as new destinations to draw people to this under-utilized waterfront, and

WHEREAS: A restored and well-planned East River Waterfront is essential if Lower Manhattan is to successfully compete with other great cities and attract new businesses and residents to our community, and

WHEREAS: CB #1 has listed the East River Waterfront as the top priority that we wish to see funded with remaining CDBG funds, and

WHEREAS: The City of New York has brought forth a short-term and long-term plan to restore the East River Waterfront for Community Board review and comments, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 is gratified that the City of NY is taking steps to rebuild the East River Waterfront and wishes very much to collaborate with the City on these plans, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 strongly urges that the limited resources likely to be available for this project be utilized for our most pressing needs: the creation of far more open space and additional destinations including cultural and retail venues so as to attract residents, workers and visitors to this important waterfront, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 is supportive of elements of the City's waterfront plan including the restoration of Pier 15 (with the inclusion of community recreation space), a new park on Peck Slip, and the esplanade beneath the FDR Drive provided that the retailers are carefully selected to serve the needs of residents and workers rather than tourists, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 specifically recommends that several of the following improvements cited in our 2002 Concept Plan for the East River Waterfront also be implemented as part of the Phase I foundation improvements:

- Utilization of half the FDR Drive as an Upper Esplanade
- A Community Building featuring a swimming pool, boat house, indoor recreation, bike and boat rentals
- A Public Indoor Market similar to Pike Place Market in Seattle
- A significant Cultural Destination/Building possibly utilizing the Battery Maritime Building
- A fleet of Floating Barges to be outfitted with a public facility such as a swimming pool, skating rink, performance stage, and a green park
- A small Marina to accommodate day-trippers, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 considers the proposal to improve pedestrian connections at the Battery Maritime Building and create open space there a lower priority which should not divert monies from other more urgent East River Waterfront improvements, and which should be undertaken only after additional open spaces and destinations are incorporated into the plan, and

BE IT  
FURTHER  
RESOLVED

THAT: While we admire the creativity of the long-term, Phase II proposal to create new open space atop the water with revenue generated from residential towers above the FDR Drive, CB #1 opposes these new high-rise buildings and considers it highly unlikely that such a plan would ever obtain the permits and approvals needed to create the additional parkland that it promises.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **408-410 Broadway, new storefront infill**

WHEREAS: This is a through-block building fronting on Broadway and Cortlandt Alley, and

WHEREAS: The doors will be lowered to street level for handicapped accessibility, and

WHEREAS: The exterior roll down gates will be removed and replaced with interior open-mesh gates, and

WHEREAS: The exterior columns will now be exposed in front of the glass storefronts, and

WHEREAS: The lighting will be surface mounted under the cast iron, painted gray, and

WHEREAS: The applicant is proposing to remove the fire escape on Cortlandt Alley and replace the windows and install a new door, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves the plan recommending that the shutters are restored, brick (not stucco) be used as infill on the Cortlandt Alley side, with balanced or appropriate matching door (including a hatch), be installed on the north end of the Cortlandt Alley side with no exterior roll down gates.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 7 In Favor 1 Opposed 0 Abstained 0 Recused

BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **377-383 Greenwich Street, application to amend the approved design of a new hotel building**

WHEREAS: CB# 1 has reviewed a number of proposals for this site, the last of which was only recently approved by LPC, and

WHEREAS: The new application is for a Group 5 Transient hotel the design of which the Committee felt is a great improvement on all previous proposals with two important exceptions, and

WHEREAS: The Committee commended the architect and owners for the strong and simple use of brick, metal ornamentation, the use of multi-pane metal and angled windows and the careful attention to detail and craftsmanship, and

WHEREAS: The Committee felt the use of the skylight detail was appropriate on the North Moore facade because of the height of the adjoining building, but was not on the Greenwich Street façade for the same reason, and

WHEREAS: The Committee was concerned about the addition of one story to result in a six-story hotel – adding 12’ to the overall height of the building (to 96’ from 84’) and adding 8,500 sq.ft. to the bulk, which will require a BSA variance, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends that the Landmarks Preservation Commission approve the application contingent upon the LPC resolving aforementioned mentioned concerns.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEES OF ORIGIN: SEAPORT/CIVIC CENTER AND  
YOUTH & EDUCATION

COMMITTEE VOTE: 14 In Favor    1 Opposed    0 Abstained    0 Recused  
BOARD VOTE:        38 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                **250 Water Street site for new school**

WHEREAS: In 2003, after years of effort on the part of CB #1, local residents, community organizations and local elected officials, the City Council approved a rezoning of the historic district of the Seaport from C6-4 to C6-2A, with a building height limitation of 120 feet, and

WHEREAS: CB #1 has long recognized the Lower Manhattan community's need for a new school or schools for the grades K-8, as reflected, among other places, in our resolutions dated July 29, 2003 and October 21, 2003, and

WHEREAS: CB #1 opposed development plans for Sites 5B and 5C in Tribeca as out of character with the surrounding neighborhood and as incompatible with the existing community infrastructure, including schools, that would be called on to support the developmental projects as originally proposed, and

WHEREAS: As a result of negotiations with the Bloomberg Administration addressing CB #1's and the community's concerns regarding planned development of Sites 5B and 5C, CB #1 secured the agreement of the Department of Education to build a new K-8 school on the east side of our district as one means of addressing our Site 5B and 5C concerns, and

WHEREAS: CB #1 is aware that 250 Water Street, a site within the rezoned Seaport historic district, is under consideration as a possible site for the promised K-8 school, and

WHEREAS: CB #1 is concerned that the City and/or developer of 250 Water Street may seek a waiver of the 120 foot height restriction now in place for 250 Water Street to permit construction of a school on that site, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 states its categorical objection to any waiver of the 120 foot height restriction applicable to 250 Water Street, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 urges that the Department of Education consider alternative sites for the new K-8 school on the east side of this district, particularly the NYU Downtown Hospital parking lot site which recently lost Pace University as a planned tenant of the building.

04res.nov16

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **26 Cortlandt Street, BSA application by Century 21 Department store for a floor area variance to permit an existing mezzanine to be expanded by 4583 s.f.**

WHEREAS: Century 21 Department Store has applied to the BSA for a floor area variance to permit an existing mezzanine at its store on Cortlandt Street to be expanded by 4,583 square feet, and

WHEREAS: The project involves the three contiguous buildings either owned or leased by Century 21 at 26 Cortlandt Street (the former East River Savings Bank), 22 Cortlandt Street and 10-12 Cortlandt Street, and

WHEREAS: The existing mezzanine at the 26 Cortland Street location will be expanded by 4,583 sq. ft. and in exchange the same amount of square footage would be retired from that allowable at 10-12 Cortlandt Street which has 72,542 square feet available, and

WHEREAS: Century 21 is a tremendously important component of the Downtown business community attracting thousands of residents, workers and visitors into the area every day, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 supports the BSA application for the expansion of the mezzanine for Century 21 at the 26 Cortlandt Street location.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **Proposed newsstand on the east side of Broadway between John and  
Fulton Streets**

WHEREAS: A new newsstand has been proposed for the east side of Broadway  
between Fulton and John Streets, and

WHEREAS: This location is directly in front of what will be the new Fulton Street  
Transit Hub, due to begin construction in Spring of 2005, and

WHEREAS: The existing buildings at this location are slated for demolition to make  
way for the new transit hub and the installation of this newsstand would be  
an impediment to the demolition and construction of the new station, and

WHEREAS: This location has a very high level of foot traffic and the addition of this  
newsstand would further add to the already congested conditions, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 rejects this application for a newsstand on the east side of  
Broadway between Fulton Street and John Street.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEES OF ORIGIN: FINANCIAL DISTRICT, SEAPORT/CIVIC CENTER  
AND TRIBECA

COMMITTEE VOTE: 23 In Favor 0 Opposed 0 Abstained 0 Recused  
PUBLIC MEMBERS: 2 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **Proposed subway station booth closures**

WHEREAS: The MTA NYC Transit has proposed the closure of 164 subway station booths in NYC, including 21 booths in 16 stations in CB #1 and

WHEREAS: These closures are one of the measures put forth by the MTA to close their estimated \$2.8 billion deficit in their 2005 operating budget, and

WHEREAS: Many people are concerned about their safety in the subways, particularly in these times of heightened terrorist threat, and the personnel in these booths provide additional safety and security to the riders, and

WHEREAS: The busy subway stations in Lower Manhattan slated for these cutbacks should always have adequate personnel in them to address any and all emergencies, as well as address other customer services, and

WHEREAS: Clearly, the MTA has not adequately looked into additional administrative reductions or other less onerous cuts to address any deficit they may face, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 opposes the MTA NYC Transit proposal to close 21 subway station booths in Lower Manhattan, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 opposes any closure of access or egress to any subway station.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 9 In Favor 1 Opposed 2 Abstained 0 Recused  
PUBLIC MEMBERS: 2 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **45 Lispenard Street, special permit application to allow residential conversion of portions of the ground floor mezzanine and the cellar**

WHEREAS: The owners of 45 Lispenard Street have applied to the City Planning Commission for a Special Permit to convert the ground floor, ground floor mezzanine and cellar to loft dwelling use in a nine story loft building occupied on the upper floors by loft dwelling use, and

WHEREAS: The premises are located in an M1-5 Zoning District within which residential uses are not permitted as-of-right, and

WHEREAS: In 1976 the upper floors of the premises were converted to Artist-In-Residence use permitted at the time under the Zoning Resolution and in 1993 the building was renovated and the building was officially shown to be occupied by Use Group 6 stores on the first floor and loft dwellings on the second through ninth floors as set forth on the Certificate of Occupancy, and

WHEREAS: The current proposal is to convert the ground floor space with accessory cellar space into two loft dwellings and the conversion will not harm the commercial and manufacturing character of the surrounding area or have an adverse effect in the building, now

THEREFORE  
BE IT  
RESOLVED

THAT: The Community Board does not oppose the City Planning Commission granting of a Special Permit for the conversion of the ground floor and cellar to live/work loft dwelling use for 45 Lispenard Street, and

BE IT  
FURTHER  
RESOLVED

THAT: The Community Board is concerned with the procedure which allowed some floors to be used as residential before the change of use occurred.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 12 In Favor   0 Opposed   0 Abstained   0 Recused

PUBLIC MEMBERS:   2 In Favor   0 Opposed   0 Abstained   0 Recused

BOARD VOTE:        38 In Favor   0 Opposed   0 Abstained   0 Recused

RE:                **53-55 Beach Street, application to amend a previous variance that allowed the operation of a school on the first floor and cellar to retain the school use on the first floor but shift it from the cellar to the second floor**

WHEREAS: The owners of 53-55 Beach Street have applied to the Board of Standards and Appeals to amend the previously granted variance, approved by CB #1, allowing the operation of a school in portions of the cellar and first floor, and

WHEREAS: The current application is to re-locate the cellar use to the second floor, and

WHEREAS: The Montessori School has now been operating for one year and has been very successful and a benefit to the increasingly residential community, and

WHEREAS: The proposed expansion would allow the current enrollment of 60 students to be increased to approximately 90 students and, as with almost all of the current enrollment, it is anticipated that the additional students would live within the area and walk to the facility and would not increase vehicular traffic, now

THEREFORE  
BE IT  
RESOLVED

THAT: The Community Board approves the Board of Standards and Appeals application to grant a variance to allow the expansion from the cellar to the second floor for the Montessori School at 53-55 Beach Street.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEE OF ORIGIN: TRIBECA LICENSING TASK FORCE

COMMITTEE VOTE: 11 In Favor 0 Opposed 1 Abstained 0 Recused  
PUBLIC MEMBERS: 2 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 36 In Favor 0 Opposed 1 Abstained 1 Recused

RE: **130 West Broadway, restaurant wine license for Bouley Duane Street, LLC**

WHEREAS: The applicant proposes to operate a restaurant in space located on the first and second floors of the four story building located at 130 West Broadway for a maximum of 50 people, with 11 tables and 30 seats, and which will include a service bar only, and

WHEREAS: The proposed maximum hours of operation will be 8 AM until 11 PM Sunday – Thursday and 8 AM until 11:30 PM Friday and Saturday, and

WHEREAS: The applicant will have quiet background music only as appropriate for an establishment located in a residential neighborhood and will install soundproofing and other insulating materials to ensure that sounds from the establishment will not disturb residents in adjacent buildings, and

WHEREAS: The applicant has represented that the kitchen to be installed in the establishment will be properly vented and that all other reasonable steps will be taken to ensure that residents in adjacent buildings are not bothered by cooking smells, and

WHEREAS: The applicant has represented that it will be seeking a sidewalk café license in the future but will not be seeking a cabaret license, and

WHEREAS: The applicant has agreed to cooperate with the residents of adjacent buildings to ensure that it is operated in a reasonable manner taking into consideration its location in a residential neighborhood, and

WHEREAS: The applicant has agreed to provide copies of plans in advance of construction and to take all necessary steps to provide adequate sound proofing, ventilation and other similar measures, and

WHEREAS: The applicant acknowledged that the building does not have a certificate of occupancy for the intended use and that one will have to be obtained as a condition to operating, and

WHEREAS: The applicant has agreed to include these conditions in its SLA application, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the application for a new liquor license for Bouley Duane Street, LLC at 130 West Broadway for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

04res.nov16

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEE OF ORIGIN: TRIBECA LICENSING TASK FORCE

COMMITTEE VOTE: 11 In Favor 0 Opposed 1 Abstained 0 Recused

PUBLIC MEMBERS: 2 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 37 In Favor 0 Opposed 0 Abstained 1 Recused

RE: **329 Greenwich Street, liquor license application for Tribeca Food Corp.**

WHEREAS: The applicant proposes to operate a restaurant in space located on the ground floors of a residential building located at 329 Greenwich Street for a maximum of 72 people, with 50-60 seats, which will include a bar only with 10-20 seats, and

WHEREAS: The proposed maximum hours of operation were considered excessive and the applicant agreed to limits it hours of operation to noon until 11:30 PM Sunday – Thursday and noon until midnight Friday and Saturday, and

WHEREAS: The applicant will have quiet background music only as appropriate for an establishment located on the ground floor of a residential building and will install soundproofing and other insulating materials to ensure that sounds from the establishment will not disturb residents in the building, and

WHEREAS: The applicant has represented that the kitchen to be installed in the establishment will be properly vented and that all other reasonable steps will be taken to ensure that residents in the building are not bothered by cooking smells, and

WHEREAS: The applicant has represented that it will not be seeking a sidewalk café license at this time and will not be seeking a cabaret license, and

WHEREAS: The applicant has agreed to cooperate with the residents to ensure that it is operated in a reasonable manner taking into consideration its location in a building in a residential neighborhood, and

WHEREAS: The applicant acknowledged that the existing certificate of occupancy limits occupancy for the intended use to 74 people and agreed not to exceed such number, and

WHEREAS: The applicant has agreed to add these conditions to the SLA application, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the application for a new liquor license for Tribeca Food Corp. at 329 Greenwich Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

04res.nov16

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **145 Hudson Street, application to legalize the existing penthouse**

WHEREAS: Community Board #1 appreciates the context in which the Landmarks Preservation Commission brought this issue to us, and

WHEREAS: It is our understanding that, when this application was approved in 1996, representations were made by the architect, that the penthouse would not be visible from the street, and

WHEREAS: This same architect has been responsible for what are perceived as misrepresentations to Community Board #1 and the Landmarks Preservation Commission concerning a number of other approved designs whose actual construction differed from what was represented originally, not least in the area around the building in question, and

WHEREAS: The building in question's architectural construction has been taken over subsequently by another design firm, using documents already approved by the L.P.C., and

WHEREAS: Indeed, the penthouse addition at 145 Hudson Street is quite visible from the street, and

WHEREAS: It is our understanding that no violations have been issued to 145 Hudson Street by the L.P.C., so, if our understanding is correct, there is no legalization issue to adjudicate currently, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 cannot make a recommendation on this matter without further clarification by the Landmarks Preservation Commission.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: NOVEMBER 16, 2004

COMMITTEE OF ORIGIN: TRIBECA LICENSING TASK FORCE

COMMITTEE VOTE: 13 In Favor 1 Opposed 0 Abstained 0 Recused  
PUBLIC MEMBERS: 2 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 36 In Favor 0 Opposed 1 Abstained 1 Recused

RE: **83-85 Worth Street, cabaret license for 83 Worth Street Restaurant Inc. D/B/A Nikki Sam**

WHEREAS: The applicant currently operates a restaurant in space located on the ground floor of a building located at 83-85 Worth Street Broadway for a maximum of 740 people, with 54 tables and 162 seats, which will include a bar with 15 seats, and proposes to operate a cabaret and Karaoke bar on the same premises on Friday and Saturday nights, and

WHEREAS: The proposed maximum hours of operation are 8 AM until 10 PM Sunday – Thursday and 8 AM until 2 AM Friday and Saturday, and

WHEREAS: Residents of neighboring buildings attended the meeting of the Task Force and objected to the granting of the proposed cabaret license, testifying that the previous owner had operated a cabaret on the premises for many years and that community complaints about noise and nuisance had been largely ignored because the previous operator had a cabaret license, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 recommends that this application be rejected based on the record of community opposition to the granting of a cabaret license and the operator's failure to present a detailed plan to address complaints about noise and nuisance.