

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: BPC COMMUNITY CENTER
AND BALLFIELDS TASK FORCES

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

RE: Revision of the Memorandum of Understanding regarding public recreation and community facilities

BE IT
RESOLVED

THAT: Community Board #1 recommends the following revisions (see attached) be made to the existing Memorandum of Understanding regarding public recreation and community facilities.

MEMORANDUM OF UNDERSTANDING

MEMORANDUM OF UNDERSTANDING by and between the Battery Park City Authority, d/b/a/ Hugh L. Carey Battery Park City Authority (“Authority”), Community Board 1 of the City of New York (“CB1”), the New York State Assembly Members for the 64th and 66th Assembly Districts, the New York State Senator for the 25th Senate District, the Council Member for Council District 1 of the City of New York, the Battery Park City Parks Conservancy (“BPCPC”) and Asphalt Green, a New York not-for-profit corporation (“Asphalt Green”), dated as of January 26, 2010.

WHEREAS, certain parties to this agreement entered into a prior Memorandum of Understanding dated February 13, 2001, which Memorandum of Understanding is attached as an exhibit hereto (the “2001 Memorandum of Understanding”); and

WHEREAS, this Memorandum of Understanding is intended to supersede the above-referenced 2001 Memorandum of Understanding; and

WHEREAS, the Authority has proposed the construction of public recreation and community facilities on Sites 23 and 24 in Battery Park City, consisting of permanent ballfields (the “Ballfields”) (construction of which was completed in 2003) and an indoor community center (the “BPC Community Center”) to occupy the lower levels of a residential building at Sites 23 and 24 in Battery Park City (collectively the “Site 23/24 Facilities”); and

WHEREAS, the Authority recently named Asphalt Green, the proprietor of a community sports facility on the Upper East Side, as the future designated operator of the BPC Community Center; and

WHEREAS, the Lower Manhattan community has traditionally favored, and aspired to, a diverse mix of recreational programming for youth, seniors and adults (including differently-abled members of these groups), and including active and passive recreation, culture, education, and the arts; and

WHEREAS, the parties intend that the Battery Park City Community Center will include facilities and programming for educational, theater and cultural uses, which will be implemented and administered with community input; and

WHEREAS, in order for the Battery Park City Community Center to thrive, programs must be offered on an inclusive basis, with a strong ongoing commitment to financial aid where it is needed; and

WHEREAS, existing community organizations, such as Manhattan Youth, Downtown Day Camp, the Downtown Community Center, Downtown Soccer League, and Downtown Little League, among others, which offer youth and adult programming on an affordable basis with financial aid available for every family requesting it, have been, and will continue to be, indispensable providers of inclusive community programs; and

WHEREAS, it is essential that Asphalt Green's stewardship of the Battery Park City Community Center complement and strengthen the existing range of local affordable programming alternatives; and

WHEREAS, continuing community involvement in the design and implementation of Battery Park City Community Center programming is of paramount importance both to the success of Asphalt Green at that site and to the community's desire to promote diverse, inclusive recreational, cultural, educational and social programs; and

WHEREAS, CB1, elected local officials and other representatives of the community have requested the Authority to establish a committee as a means for the community to advise the Authority and BPCPC with respect to the design of the Site 23/24 Facilities; and

WHEREAS, CB1, elected local officials and other representatives of the community have requested that such committee also advise the Authority, BPCPC and Asphalt Green with respect to the use and operation of the Site 23/24 Facilities and other open spaces and community facilities in Battery Park City, including the program operated by the Authority in Stuyvesant High School (collectively, the "Community Facilities"); and

WHEREAS, the Authority, BPCPC and Asphalt Green desire to work cooperatively with community representatives with respect to the Community Facilities.

NOW, THEREFORE, the parties hereby agree as follows:

1. Purpose of the Committee

A committee (the "Committee") shall be created to represent the community in, providing advice to the Authority, BPCPC and Asphalt Green with respect to the design of the Site 23/24 Facilities and the use and operation of the Community Facilities.

2. Members of the Committee

The Committee shall consist of the 13 voting and 9 non-voting members indicated in this Section, subject to their acceptance. The Chair of the Committee shall be the Chair or the designee of the Chair of CB1 (and such Chair or designee shall be a voting member of the Committee). The Chair of the Battery Park City Committee of CB1 and the Chair of the Youth & Education Committee of CB1 shall also be voting members. The Chair of CB1 shall appoint 5 additional voting members to the Committee, who shall be selected with the intention of providing representation of various interested groups (including representation of the full age ranges to be served) and different neighborhoods in the downtown community. In addition, the following elected officials or their designated representatives shall be voting members of the Committee: Council Member for Council District 1, State Senator for New York Senate District 25, Assembly Member for New York Assembly District 64, Assembly Member for New York Assembly District 66 and the Manhattan Borough President. The President of the Authority and the President of BPCPC or their designated representatives shall be non-voting members. In addition, the following officials or their designated representatives shall be non-voting members of the Committee: the President and CEO of the Hudson River Park Trust, the principal of Stuyvesant High School, the principal of PS 89 and the principal of IS 89, the principal of PS/IS

276, the Director of Manhattan Youth, the President of Asphalt Green. The Chair of the Committee shall have general responsibility for the conduct of the affairs of the Committee.

3. Meetings

Meetings shall be called by the Chair of the Committee at least quarterly and more frequently as the Chair deems necessary or desirable to accomplish the purposes of the Committee.

4. Notices, Minutes and Resolutions of the Committee

Notice of meetings shall be delivered to the members of the Committee and shall specify the time and place of the meeting. Copies of minutes (if taken) or resolutions of the Committee shall be provided to the members of the Committee.

5. Manner of Voting

A quorum shall be a majority of the voting members of the Committee. All recommendations to the Authority, BPCPC and Asphalt Green shall be made by resolution adopted by the Committee by a majority vote of those members present and voting.

6. Site 23/24 Facilities Design and Construction

- a) The Authority shall hold design progress meetings with the Committee regarding the Site 23/24 Facilities until construction is complete.
- b) The Authority shall work cooperatively with the Committee to minimize the impact on the Ballfields during construction of the adjacent BPC Community Center.

7. Use and Operation of Community Facilities

- a) All parties mutually understand the need and intention to allow local community groups substantial use of the Community Facilities.
- b) All parties mutually understand the need and intention that the BPC Community Center complement, and not undermine, other existing community facilities, including without limitation the Downtown Community Center operated by Manhattan Youth.
- c) All parties mutually understand the need and intention that Asphalt Green (or any other operator of the BPC Community Center) shall not base its business model on any expectation that it might have access to the Ballfields, as the Ballfields are substantially committed to use by community groups such as Downtown Little League, Downtown Soccer League and Manhattan Youth.
- d) The Authority and BPCPC shall work cooperatively with the Committee to determine a schedule for the Ballfields that allows for reasonable and appropriate

use by these locally based community groups for particular facilities. The Committee shall advise the Authority and BPCPC in establishing which locally based community groups may obtain priority use of the Ballfields. The parties hereby acknowledge that the Ballfields are intended for the enjoyment of the residents of Battery Park City, Community Board I and the general public.

- e) The Authority and Asphalt Green shall work cooperatively with the Committee to determine a schedule for the BPC Community Center that allows for reasonable and appropriate use by these locally based community groups for particular facilities. The Committee shall advise the Authority and Asphalt Green in establishing which locally based community groups may obtain priority use of the BPC Community Center. The parties hereby acknowledge that the BPC Community Center is intended for the enjoyment of the residents of Battery Park City, Community Board I and the general public.
- f) With respect to Ballfields to be made available for use by locally based community groups, the Authority and BPCPC shall work with the Committee to establish procedures for the granting of permits or other use agreements for such facilities. The Authority will consult with the Committee regarding the Authority's terms, conditions, rules and regulations with respect to such permits or use agreements.
- g) With respect to BPC Community Center to be made available for use by locally based community groups, the Authority and Asphalt Green shall work with the Committee to establish procedures for the granting of permits or other use agreements for such facilities. The Authority will consult with the Committee regarding the Authority's terms, conditions, rules and regulations with respect to such permits or use agreements.
- h) Asphalt Green will make their indoor spaces and facilities in the BPC Community Center available without charge or at a reduced not-for-profit rate to local groups on a reasonable basis in consultation with the Committee, which shall take account of the nature of the group and use as well as historic practice (which may include storage space).
- i) Asphalt Green may not contract with any corporate or for-profit entity to run youth sports programs without prior consultation with the Committee. Nor will Asphalt Green run programs that duplicate clinics and offerings that Manhattan Youth, Downtown Soccer League, and Downtown Little League already offer to local families without prior consultation with the Committee.
- j) No Authority revenue will be used to subsidize operations of the BPC Community Center that might compete with the Downtown Community Center unless the Authority provides comparable subsidies to the Downtown Community Center. All Authority grants, donations for community endeavors, if any, will be given to schools and non-profits that have a history of serving and will continue to serve

BPC families and school children. Any such grants must be issued by a competitive RFP and the funds be tied to community amenities.

- k) The Authority and BPCPC will work with the Committee to establish a lighting schedule for the late afternoon and early evening hours during the operating season for the Ballfields. The lighting schedule shall consider the needs of sports activities on the fields, seasonal natural light conditions and impacts to residences adjacent to the Ballfields.
- l) Storage space and a concession stand area shall be available to the Downtown Little League and the Downtown Soccer League in accordance with the design plans previously submitted to the Leagues and to Community Board 1.

8. Future Permitting of Ballfields Space

- a) It is the expectation of all parties that the permit periods of Manhattan Youth, Downtown Soccer League, and Downtown Little League (or successor entities that might be recommended by the Committee) will remain unchanged, except insofar as permit periods are contemplated to expand when the Battery Park City Ballfields are converted to an all-weather surface and the available playing time will accordingly expand.
- b) Asphalt Green will not seek or receive permits for field space at the Ballfields during the established seasonal periods of existing community programming which have been offered through Manhattan Youth, Downtown Soccer League, and Downtown Little League. These seasonal periods are: (i) March 1 through July 1 and September 1 through the Monday before Thanksgiving, from 3-8 PM on all weekdays and 8 AM-8 PM on weekends; (ii) from July 1 through August 1, from 5-8 PM, one evening of use at the fields per weekday will be reserved for Downtown Little League Summer and Tournament Baseball; (iii) from approximately June 30 until August 25 from 8 AM to 5 PM. Note: the current established closing time of the Ballfields is 8 PM; if a later closing time is established, it is the expectation of all parties that use by the above-listed established community providers would run through that later closing time.
- c) Permits for use of the Ballfields will continue to be issued directly to users through BPCA and/or BPCPC.

9. Ballfields Subcommittee

The Committee may establish a subcommittee charged with addressing issues specific to the Ballfields, which subcommittee may have delegated authority of the Committee to address such issues. The subcommittee shall include representatives of Manhattan Youth, Downtown Soccer League, and Downtown Little League.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: EXECUTIVE

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

RE: Proposal to Relocate Trial to an Alternative Location

WHEREAS: The New York Police Department (NYPD) recently announced that they estimate the trial of Khalid Sheikh Mohammed to cost over \$200 million a year in security for what is likely to be a multi-year trial, and

WHEREAS: The Federal Courthouse is situated in the middle of what is the fourth largest commercial business district in the country and a dense residential neighborhood, and

WHEREAS: The lower Manhattan community has already endured the arduous and painful task of rebuilding its neighborhood in the aftermath of September 11th as well as environmental hazards, street closures, the shuttering of businesses and security checkpoints, and

WHEREAS: Holding the trial downtown would force the community to endure additional psychological and financial hardship, and

WHEREAS: The trials are likely to require extremely burdensome security measures for months and even years, to expose Lower Manhattan to greater than usual terror threats, and to have a severe adverse effect on the ability of Lower Manhattan residents, workers, and local business people to live and conduct business in a secure community with adequate quality of life, and

WHEREAS: The magnitude of the estimated costs of security to protect the surrounding neighborhood around the federal courthouse suggests that the site in and of itself may not be safe, and

WHEREAS: It is preposterous to propose spending close to hundreds of millions of dollars on a trial in the midst of an economic recession, particularly given that the September 11th attacks already wreaked over \$83 billion a year in damage on New York City according to estimates by the New York City Partnership, and

WHEREAS: In an article published January 20th, 2010, the New York Daily News cited a speech by NYPD Commissioner Raymond Kelly, which indicated that security will include “a double-layer of security...[with] a ‘soft’ perimeter...established from Bowery to Broadway, and from Franklin St. to Canal St...manned by cops

on foot, horseback, and patrol cars [and a] harder perimeter, which will include bomb squad cops and police snipers...set up in the blocks adjacent to the 500 Pearl St. courthouse” as well as “2,000 barriers and checkpoints that will restrict pedestrians and traffic...[and] unannounced vehicle stops”, and

WHEREAS: There exist numerous possible alternatives for a federal criminal trial within the Southern District of New York, which should be studied to determine if they are feasible, including but not limited to Governors Island, Stewart Air National Guard Base in Newburgh, the U.S. Military Academy at West Point, and the Bureau of Prisons jail complex at FCI Otisville, and

WHEREAS: A feasibility study of the sites should be conducted to examine safety, security, cost, and impact on the community of these and any other sites proposed, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 urges the Office of Attorney General Eric Holder, the U.S. Attorney’s Office for the Southern District of New York, the U.S. Federal Marshals, and NYPD to conduct an immediate assessment of appropriate alternatives within the Southern judicial district including but not limited to Governors Island, Stewart Air National Guard Base in Newburgh, the U.S. Military Academy at West Point, and the Federal jail complex at FCI Otisville, and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 requests a meeting between the Community Board 1 Chair, Julie Menin, and a representative from the Office of Attorney General Eric Holder to discuss this issue.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 7 Dey Street, application for wine and beer license for JY Food Corp., d/b/a Arome – Resolution

WHEREAS: The proposed hours of operation are 6 a.m. to 10 p.m. seven days a week, and

WHEREAS: The establishment will have background music from a small fm radio, and

WHEREAS: The restaurant will have a total square footage of 3,500, and

WHEREAS: The applicant has stated that the establishment will not seek a cabaret license, and

WHEREAS: The applicant has stated that the establishment will not seek a sidewalk café license, and

WHEREAS: The applicant has stated that there are no buildings used primarily as schools, churches or synagogues or other places of worship within 200 feet of this establishment, and

WHEREAS: The applicant has stated that there are no other establishments with some type of liquor license within 500 feet of this location, now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan CB #1 does not oppose this wine and beer license application for JY Food Corp., d/b/a Arome, at 7 Dey Street

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application by Ahead Realty, LLC on Thursday, April 1st to Tuesday, November 30, 2010

WHEREAS: The applicant has applied for a street activity permit for Thursday, April 1st to Tuesday, November 30, 2010, for an event on Stone Street between Hanover Square and Broad Street, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Ahead Realty, LLC on Thursday, April 1st to Tuesday, November 30, 2010. Closure of street during the hours of 10 AM to 11 PM; event will take place during the hours of 11 AM – 11 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application by Ahead Realty, LLC on Saturday, March 13, 2010

WHEREAS: The applicant has applied for a street activity permit for Saturday, March 13, 2010, for an event on Stone Street between Hanover Square and Broad Street, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Ahead Realty, LLC on Saturday, March 13, 2010. Closure of street during the hours of 9 AM to 11 PM; event will take place during the hours of 10 AM – 11 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Street permit application by Ahead Realty, LLC on Wednesday, March 17, 2010

WHEREAS: The applicant has applied for a street activity permit for Wednesday, March 17, 2010, for an event on Stone Street between Hanover Square and Broad Street, and

WHEREAS: This St. Patrick's Day event has drawn crowds in previous years that have occasionally departed from Stone Street and visited nearby streets and parks where they have disturbed residents, and

WHEREAS, Community Board One believes that additional police presence and uniformed private security would help control the large crowds that are drawn to Stone Street for this event, and

WHEREAS, The applicant has offered to increase the number of private security guards at the event, outfit them in uniforms, provide a contact number where local residents can reach them, and make available a two-way radio ("walky-talky") to the lobby of nearby 3 Hanover Square throughout the course of the event so that any concerns can be immediately raised and responded to, and

WHEREAS, The applicant has also offered to put up signage on Stone Street to encourage people at the event to be respectful of the surrounding residential community when exiting the event, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Ahead Realty, LLC on Wednesday, March 17, 2010. Closure of street during the hours of 9 AM to 11:30 PM; event will take place during the hours of noon – 11 PM, subject to the following conditions:

1. The applicant implements the following measures outlined at the CB1 Financial District Committee meeting on January 26, 2010:
 - a. Deploy an increased number of private security guards at the event, outfitted in uniforms,

- b. Provide a contact number where local residents can reach a security coordinator, and make available a two-way radio (“walky-talky”) to the lobby of nearby 3 Hanover Square throughout the course of the event so that any concerns can be immediately raised and responded to
 - c. Post signage on Stone Street to encourage people at the event to be respectful of the surrounding residential community when exiting the event
2. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
3. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Street permit application by Ahead Realty, LLC on Saturday, May 22, 2010

WHEREAS: The applicant has applied for a street activity permit for Saturday, May 22, 2010, for an event on Stone Street between Hanover Square and Broad Street, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Ahead Realty, LLC on Saturday, May 22, 2010. Closure of street during the hours of 10 AM to 11 PM; event will take place during the hours of noon – 10 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application by Ahead Realty, LLC on Sunday, July 4, 2010

WHEREAS: The applicant has applied for a street activity permit for Sunday, July 4, 2010, 2010, for an event on Stone Street between Hanover Square and Broad Street, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Ahead Realty, LLC on Sunday, July 4, 2010. Closure of street during the hours of 10 AM to 11 PM; event will take place during the hours of noon – 11 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application by Ahead Realty, LLC on Saturday, September 25, 2010

WHEREAS: The applicant has applied for a street activity permit for Saturday, September 25, 2010, for an event on Stone Street between Hanover Square and Broad Street; Hanover Square between Pearl Street and William Street; Pearl Street between Hanover Square and Broad Street, and

WHEREAS, There have been complaints about noise and sanitation conditions at this event in the past, and

WHEREAS, The applicant has agreed to end outdoor music at 7 p.m. and improve garbage collection after the event, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Ahead Realty, LLC on Saturday, September 25, 2010. Closure of street during the hours of 9 AM to 10 PM; event will take place during the hours of 11 AM – 10 PM, subject to the following conditions:

1. The applicant ends outdoor music at 7 p.m. and improves garbage collection after the event
2. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
3. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Street permit application by Ahead Realty, LLC on Saturday, October 2, 2010

WHEREAS: The applicant has applied for a street activity permit for Saturday, October 2, 2010, 2010, for an event on Stone Street between Hanover Square and Broad Street, and

WHEREAS, The applicant has agreed that there will be no outdoor music except for a brief afternoon performance by an Oompah band, and

WHEREAS, The applicant has agreed to improve sanitation conditions at the event and to provide an increased number of uniformed private security guards, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Ahead Realty, LLC on Saturday, October 2, 2010. Closure of street during the hours of 10 AM to 11 PM; event will take place during the hours of 11 AM – 11 PM, subject to the following conditions:

1. There is no outdoor music except for a brief afternoon performance by an Oompah band, garbage collection is improved and the applicant provides an increased number of uniformed private security guards
2. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
3. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 35 Walker Street, application for removal of fire escape, installation of handicap access ramp and roof stair access and elevator bulkhead

WHEREAS: The application is to amend a previously approved application by the Landmarks Committee and LPC in 2004, and

WHEREAS: An historic photograph shows the original façade of the 1808 building without the addition of the fire escape that was added in the 1930's, and

WHEREAS: The front wall will be strengthened by removing the wooden structure and replacing with concrete masonry, and

WHEREAS: The new roof stair and future planned elevator bulkhead will add 10' 6" to the building and will be only slightly visible from long distances, and

WHEREAS: The Committee was pleased the bulkhead would be of stucco painted the same color as the adjacent building to reduce visibility, and

WHEREAS: The Committee noted the standard ADA ramp structure but asked the applicant to ensure the amended use of the building meant it needed to be ADA compliant, and

WHEREAS: The Committee found all the changes to be acceptable subject to seeing the historic photographic evidence about the fire escape and confirmation on the ADA compliance, now

THEREFORE
BE IT
RESOLVED

THAT: CB#1 recommends the Landmark Preservation Commission approve the application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 6 Varick Street, application for replacement windows

WHEREAS: The application is to replace 160 aluminum windows with new aluminum windows, and

WHEREAS: The current windows were not fitted well in this large and ornate building, and

WHEREAS: The new windows will better fit the profile of the fenestrations matching the historic design and profile, and

WHEREAS: The new windows will be mainly 2-over-2 casements of clear glass with the dark green painted frames, and

WHEREAS: The Committee felt the proposal would be an enhancement to the building, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 recommends the Landmark Preservation Commission approve the application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 160 Franklin Street, application for replacement of storefront

WHEREAS: The application is to remove an non-original storefront with a new storefront that matches the storefront next door, and

WHEREAS: The original 3 cast iron columns will be retained with new wood and clear glass inserts, and

WHEREAS: The design with transoms and large glass panes is very similar to a building next door that the LC and LPC approved in the past five years, and

WHEREAS: The application did not include the treatment of signage or lights for the residential entrance, and

WHEREAS: The Committee requested that the applicant address the signage and light issues before presenting to LPC by using historically appropriate fittings, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 recommends the Landmark Preservation Commission approve the application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	0 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 146 Franklin Street, application for balcony and replacement windows at rear of building

WHEREAS: The application is to add a balcony to two windows on the fifth floor of the rear of the building, and

WHEREAS: The design and dimension of the balcony will match the fire escape on the front of the building, and

WHEREAS: The balcony is visible because of the one-storey building on North Moore Street, and

WHEREAS: The entire rear of the building will have new six-over-six clear glass painted frame windows, and

WHEREAS: The Committee was careful to note that the approval of the balcony would not set a precedent, and

WHEREAS: The Committee noted that the approval of the fourth floor owners had been received, and

WHEREAS: The Committee noted the restrictions to the use of the balcony included, no gathering, no grilling, no laundry hanging, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 recommends the Landmark Preservation Commission approve the application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	10 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC MEMBER VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 33 Peck Slip, application for change in method of operation from liquor license to hotel liquor license for VOX USA INC, d/b/a Vox Caviar Bar/Best Western Seaport Inn

WHEREAS: The establishment is a hotel with a café/bar and the proprietor seeks to provide room service to patrons, and

WHEREAS: The café/bar is 400 square feet with 4 tables and 25 seats, and

WHEREAS: The café/bar is open from 9:00 am to 2:00 am and the proprietor proposes to provide room service from 9:00 am to 4 am, and

WHEREAS: There will be recorded background music only, and

WHEREAS: The applicant is seeking a sidewalk café license and will return to CB#1 for approval, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the grant of a liquor license at 33 Peck Slip for Vox Caviar Bar/Best Western Seaport Inn subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 200 Church Street, application for beer license for Alif Deli & Salad Bar, Inc

WHEREAS: Alif Deli & Salad Bar, Inc. is applying for a beer license, and

WHEREAS: The establishment is a grocery/deli, and

WHEREAS: The total square footage of the restaurant is 200 sq. ft, and the number of tables is 3 with 6 seats, and there is no bar, and

WHEREAS: The establishment proposes to be open from 6:00 am to 9:00 pm on weekdays and weekends, and

WHEREAS: There will be no music, and

WHEREAS: The applicant will not apply for a sidewalk café license, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the grant of a liquor license at 200 Church Street for Alif Delie & Salad Bar, Inc. subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 281 Church Street, application for liquor license by Pebo Viola LLC, d/b/a Il Matto Ristorante

WHEREAS: Pebo Viola LLC is applying for an on-premise liquor license, and

WHEREAS: The establishment is a restaurant, and

WHEREAS: The total square footage of the restaurant is 1300 sq. ft, and the number of tables is 12 with 50 seats, and the bar is 300 sq. ft. with 2 tables and 5 seats, and

WHEREAS: The establishment proposes to be open from 5:00 pm to 11:00 pm on weekdays and 12:00 pm to midnight on weekends, and

WHEREAS: There will be recorded background music only, and

WHEREAS: The applicant will apply for a sidewalk café license and return to CB#1 for approval, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the grant of a liquor license at 281 Church Street for Pebo Viola LLC, d/b/a Il Matto Ristorante subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	1 Opposed	1 Abstained	0 Recused
BOARD VOTE:	39 In Favor	2 Opposed	0 Abstained	0 Recused

RE: 41 Murray Street, application for liquor license for Brendyl, Inc.

WHEREAS: Brendyl, Inc. is applying for an on-premise liquor license, and

WHEREAS: The establishment is a tavern/restaurant, and

WHEREAS: The total square footage of the restaurant is 1300 sq. ft, and the number of tables is 14 with 50 seats, and the bar is 396 sq. ft. with 16 bar stools, and

WHEREAS: The establishment proposes to be open from noon to midnight on Sundays and 11:00 am to 2:00 am Monday to Saturday, and

WHEREAS: There will be recorded background music only, and

WHEREAS: The applicant will not apply for a sidewalk and

WHEREAS: The applicant is seeking to transfer the prior occupant, Eamonn's Irish Pub & Restaurants license with the same method of operations, and

WHEREAS: The applicant described steps taken to control underage drinking since complaints were filed in the past, which include not serving drinks to males under 25 years of age and females under 23 years if age, and there have been no complaints since, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the grant of a liquor license at 41 Murray Street for Brendyl, Inc. subject to compliance by the applicant with the limitations and conditions set forth above

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 125 Chambers Street, application for transfer of wine and beer license from 95 West Broadway for Cosmopolitan Café

WHEREAS: Cosmopolitan Cafe is applying for transfer of its wine and beer license from 96 West Broadway to 124 Chambers Street, and

WHEREAS: The establishment is a restaurant, and

WHEREAS: The total square footage of the restaurant is 975 sq. ft, and the number of tables is 10 with 28 seats, and there is no bar, and

WHEREAS: The establishment proposes to be open from 7:00 am to 10:00 pm on weekdays and weekends, and,

WHEREAS: There will be recorded background music only, and

WHEREAS: The applicant will not apply for a sidewalk, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the transfer of a wine and beer license from 95 West Broadway to 125 Chambers for Cosmopolitan Cafe, Inc subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 100 Lafayette Street, application for alteration of liquor license for 100 Lafayette Street Ltd.

WHEREAS: 100 Lafayette Street Ltd., d/b/a Santo's Party House is applying for an amendment to its on premise liquor license to reflect the "as built" location of its interior bars, and

WHEREAS: The establishment is a nightclub, and

WHEREAS: The total square footage of the establishment is 8,000 square feet 8000 sq. ft, and its public assembly capacity is 570, and

WHEREAS: The establishment is open from 7:00 pm to 4:00 am on weekdays and weekends, and

WHEREAS: The establishment has a cabaret license and uses live and recorded music, outside promoters, independent DJ's and security personnel, and

WHEREAS: The applicant does not seek a sidewalk café license, and

WHEREAS: Although CB#1 has voted in opposition to the grant of a liquor license for this establishment in the past, there have been no complaints about its operation, other than the need for better soundproofing, and

WHEREAS: The proprietors stated that they will seek better soundproofing, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 does not oppose the grant of a an alteration to the liquor license at 100 Lafayette Street for Santo's Party House subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	1 Opposed	1 Abstained	0 Recused
BOARD VOTE:	37 In Favor	2 Opposed	1 Abstained	0 Recused

RE: 78 Reade Street, Mocca Lounge, liquor license renewal

WHEREAS: Mocca Lounge at 78 Reade Street will seek renewal of its liquor license in February 2010, and

WHEREAS: There have been complaints from neighbors of loud, late night music from the premise, and

WHEREAS: The CB# 1 resolution, dated July 29, 2003 when the liquor license was granted by the SLA, called for background music only and a closing time of midnight on weekdays and 1:00 am on weekends, and

WHEREAS: The applicant, at the time the liquor license was granted indicated that there would be no outside promoters or Independent DJs, and

WHEREAS: The establishment is not operating in accordance with the agreed upon the method of operation by having live music, outside DJs and closing at 4:00 am, and

WHEREAS: The proprietor stated that he would work with the neighbors to resolve noise issues, and

WHEREAS: The proprietor stated that he would operate in compliance with the original method of operation, including without limitation closing at 1:00 am, and will return in one year to seek extension of the time to 2:00 am, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 will not oppose renewal of the liquor license at 78 Reade Street Mocca Lounge subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 136 West Broadway, application for renewal of unenclosed sidewalk cafe for Edward's

WHEREAS: The applicant has applied for an renewal of unenclosed sidewalk cafe license for 6 tables and 12 seats, and

WHEREAS: The applicant has agreed to operate the sidewalk café no later than midnight on weekdays and 1:00 am on weekends, and

WHEREAS: The applicant agrees to maintain 8 feet of sidewalk clearance, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 approves the application for renewal of an unenclosed sidewalk café license for Edwards at 136 West Broadway, for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: WATERFRONT

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Governor's Island Progress

WHEREAS: An estimated 275,000 people visited Governors Island last summer and there were many great exhibitions and activities, and

WHEREAS: Summer camps and little leagues use the wonderful facilities on the island, and

WHEREAS: Funding for Governors Island was in question last year until right before the start of the summer, and

WHEREAS: It is difficult to plan activities, do appropriate outreach to community members and organize programs on Governors Island without a secure funding stream, and

WHEREAS: City of New York has offered to make a continuing commitment to the island in exchange for governance and to provide capital funds, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board One applauds the City's efforts and its desire to make a long-range commitment to this wonderful developing resource, and

BE IT
FURTHER
RESOLVED

THAT: Whatever the final outcome with respect to governance, Community Board One requests that the following be accomplished:

- The city keep improving Governor's Island with services for New Yorkers and not retreat from its current expansion,
- NYC make a commitment to developing services in a timely manner
- NYC maintain and expand the use of ball fields and indoor recreation space such as basketball and art programs,
- The City, if it takes over, maintain an agreement to use the Uniform Land Use Review Procedure for all development,
- The City make a commitment to keeping and expanding the ferry service, and finally,
- The public land on the island be mapped as public park land, and

BE IT
FURTHER
RESOLVED
THAT:

Community Board One believes the City's request for governance deserves serious consideration provided that it includes local stakeholders in the governing process. Along with an appropriate commitment to funding Governor's Island, CB 1 recommends the State and City come up with a governance plan that allows NYC to have governance of and operate Governor's Island. While CB 1 does not have a strict definitive governance plan to propose, we request that the following stakeholders be included - the Governor, the Mayor, the Speaker of the State Assembly and the State Senators of affected districts, the Manhattan Borough President, the Brooklyn Borough President, and representatives from Manhattan Community Board 1 and Brooklyn Community Boards 2 and 6.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: WATERFRONT

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	1 Recused

RE: East River Waterfront Esplanade & Piers Project – Package 2

WHEREAS: The presentation showed preliminary design of Package 2 of the proposed East River Waterfront Esplanade & Piers Project, and

WHEREAS: The presentation was made by representatives of the New York City Economic Development Corporation, SHoP Architects, and Ken Smith Landscape Architects, and

WHEREAS: CB #1 is supportive of the proposed esplanade design, specifically the proposed paver and paving pattern, the concrete base and wood-topped seating, large planters with concrete seat walls, the integrated lighting in the railing, as well as the lean-in and lean-out railing, many of which were previously approved by CB 1 on December 29, 2009, as part of Package 1, and

WHEREAS: At this meeting, CB #1 affirmed support for these elements as well as their application in this section of the project, and

WHEREAS: This section completes a key segment of the Manhattan Greenway, and improves the area south of Old Slip by installing a Class A bikeway which is separated from the pedestrian walkway by buffer elements to provide safety for cyclists for pedestrians, and

WHEREAS: CB #1 acknowledges the importance of a buffer between the bikeway and the waterfront walkway, and

WHEREAS: There is concern about visibility and safety related to the proposed screen wall element in the southern walkway and adjacent to the parking lot; in particular, the height of the screen wall may obstruct views to the water from bikeway and may also reduce public safety by providing places to hide or impairing the ability of pedestrians to move freely, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 applauds the design elements presented to CB #1 for the East River Waterfront Esplanade & Piers Project – Package 2 and recommends that the Public Design Commission approve this application for Preliminary Design Approval, and

BE IT
FURTHER
RESOLVED

THAT: CB#1 further recommends that the proposed screen wall be reduced by 3 feet to 42 inches.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JANUARY 26, 2010

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Dangerous Street Crossings for School Children

WHEREAS: The Department of Education (DOE) is currently considering two different proposals for school district rezoning in school district two, and

WHEREAS: Both of the options would expose hundreds of children to dangerous street crossings daily, and

WHEREAS: Community Board #1 has previously complained about the safety concerns associated with crossing West Street, and

WHEREAS: Community Board #1 has repeatedly called for a pedestrian bridge across West Street at West Thames Street for school children attending the newly built P.S. 276, and

WHEREAS: The elevators and escalators of the Vesey Street Bridge are frequently out of service and plans to reopen the at-grade crossing at Vesey Street have not yet been presented, and

WHEREAS: Community Board #1 understands the importance of access through Gate 4 (Vesey & Route 9A) in order to complete WTC 1 in a timely manner, and we therefore request that proper maintenance be in place to ensure that the elevators and escalators are working at both ends of the Vesey Street Bridge, and

WHEREAS: Thousands of parents have complained to Community Board #1 via email, petition, and at the Rezoning Taskforce and Youth and Education Committee Meeting on January 19, 2010 about the dangers associated with students having to cross West Street, Park Row, and Broadway, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 calls on the Department of Education, Department of Transportation and Office of the Mayor to resolve all safety issues associated with the crossing of West Street, Broadway, and Park Row before choosing any temporary or permanent rezoning option that would force students to be exposed to these risks.