

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	1 Abstained	0 Recused

RE: BPCA Board Appointments of Local Residents

WHEREAS: The Battery Park City Authority (BPCA) is a NYS public benefit corporation charged with the development and management of 92 acres of commercial, residential, retail and park space in lower Manhattan, and

WHEREAS: BPCA has a seven (7) person Board of Directors and is governed by the New York State Public Authorities Law and regulations, and

WHEREAS: Only one (1) resident of Battery Park City now serves on the BPCA Board of Directors, and

WHEREAS: BPCA currently has two (2) open seats on its Board, and

WHEREAS: When the current construction on the last undeveloped land in the neighborhood, Sites 23/24, is complete, the development phase of the BPCA will come to a close, and

WHEREAS: The transition from development to management and sustainability will require a new focus for BPCA's resources, skills and perspective, and

WHEREAS: This new mission focus will require greater community input and involvement than that provided by the current situation with only one BPCA Board member who resides in Battery Park City, and

WHEREAS: Battery Park City and Lower Manhattan residents have proven to be effective advocates on major community issues and committed to addressing quality of life issues that face our community, and

WHEREAS: Battery Park City is home to a diverse group of residents, including many talented individuals who have the abilities, experience and perspective that would qualify them to serve effectively as BPCA Board members, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 requests that the Governor appoint at least two (2) additional BPCA Board members, in consultation with CB1, who are residents of Battery Park City with a track record of community involvement and with other appropriate qualifications, and that the number of Board members who are residents of Battery Park City be maintained at three (3) going forward.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Proposal for newsstand in front of 75 Barclay Street

WHEREAS: Mr. Patel Himanshu (“the Applicant”) has applied to the Department of Consumer Affairs for a newsstand at 75 Barclay Street, and

WHEREAS: The applicant currently operates a newsstand near the corner of Park Place and Church Street, and

WHEREAS: The applicant intends to replace his current newsstand with one at the new location, and

WHEREAS: The proposed location is on a fairly wide sidewalk on a block with no other fixed structures and there are no other newsstands within one block, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 would not object to a newsstand at the proposed location on the condition that the Applicant’s existing newsstand is permanently removed before the new one is installed.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 77 Pearl Street, application for restaurant wine and beer license for Pizza Pizza of NYC Corp.

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

WHEREAS: The establishment will have background music from an ipod with ipod speakers, and

WHEREAS: The restaurant will have a total square footage of approximately 250 feet, and

WHEREAS: The applicant has stated that the establishment will 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 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 restaurant wine and beer license application for Pizza Pizza of NYC Corp., d/b/a Pizza Pizza at 77 Pearl Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application by Community Board #1-M (Mardi Gras Festivals Productions; promoter)

WHEREAS: The applicant has applied for a street activity permit on Friday, July 9, 2010, Broad Street between Water Street and South Street, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Community Board #1-M. Closure of street during the hours of 8 AM to 7 PM; event will take place during the hours of 10 AM – 6 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	9 In Favor	1 Opposed	1 Abstained	0 Recused
PUBLIC MEMBERS:	0 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application by Community Board #1-M (Mardi Gras Festivals Productions; promoter)

WHEREAS: The applicant has applied for a street activity permit on Friday, August 6, 2010, Broad Street between Water Street and Beaver Street, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Community Board #1-M. Closure of street during the hours of 8 AM to 7 PM; event will take place during the hours of 10 AM – 6 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application by the Pearl Street Park Association (Mardi Gras Festivals Productions; promoter)

WHEREAS: The applicant has applied for a street activity permit on Sunday, July 4, 2010, Water Street between Fulton Street and Broad Street, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by the Pearl Street Association. Closure of street during the hours of 8 AM to 10 PM; event will take place during the hours of 10 AM – 9 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: Street permit application by Community Board #1 (Mardi Gras Festivals Productions; promoter)

WHEREAS: The applicant has applied for a street activity permit on Friday, October 15, 2010, Broad Street between South Street and Water Street, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Community Board #1-M. Closure of street during the hours of 8 AM to 7 PM; event will take place during the hours of 10 AM – 6 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: PLANNING AND COMMUNITY INFRASTRUCTURE

COMMITTEE VOTE:	12	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC VOTE:	1	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	36	In Favor	0	Opposed	0	Abstained	0	Recused

RE: ULURP and Charter Revision

WHEREAS: On March 3, 2010, Mayor Bloomberg announced the formation of a Charter Revision Commission, and

WHEREAS: Among the roles of Community Boards specified in the current NYC Charter is to evaluate and make recommendations with respect to Uniform Land Use Review Procedure (ULURP) applications, and

WHEREAS: Community Boards provide a vital role in assessing and addressing the impact and appropriateness of development projects in the local community, and Community Boards are uniquely situated to bring a community perspective to such developments, often having knowledge of local conditions and needs that is difficult for centralized city agencies to acquire, and

WHEREAS: No standards currently exist to guide the Community Board ULURP evaluation and recommendation process, with the result that the ULURP process is subject to unpredictability, which can sometimes delay legitimate development, while at other times permit inappropriate development to move forward, or alternatively permit development with inappropriate mitigation measures, and

WHEREAS: The specification of standards to guide the Community Board ULURP evaluation and recommendation process would enhance the ULURP process, provide predictability to developers of ULURP projects and transform the current ad hoc ULURP process into a more systematic and efficient land use review process, now

THEREFORE
BE IT
RESOLVED
THAT:

CB#1 urges the Charter Revision Commission to consider the inclusion of standards to guide the Community Board ULURP evaluation and recommendation process in a revised NYC Charter, and

BE IT
FURTHER
RESOLVED
THAT:

CB#1 suggests that the following be considered for inclusion in such standards, and that approval of a ULURP application is based on the extent that, and manner in which, the issues identified below are addressed:

1. Whether the proposed project places significant demands on local infrastructure (including schools, parks, hospitals, libraries, police, fire and community services); and if so, the manner and extent to which those demands would be addressed or mitigated;
2. Whether the proposed project makes a positive contribution to community infrastructure;
3. Whether proposed project impacts (positively or negatively) affordable housing in the community;
4. Whether the proposed project contributes to community environmental sustainability, by for example, reducing the urban heat island effect, relying on efficient use of clean energy sources, minimizing water usage, minimizing waste water, waste heat and other emissions; whether the proposed project is LEED-certified; whether the proposed project encourages residents, visitors and workers to use sustainable transportation modes;
5. Whether the proposed project provides open space for public use;
6. Whether the proposed project assists in the creation of an active streetscape;
7. Whether the proposed project design and building materials relate appropriately to surrounding buildings and neighborhood context, and whether the project is consistent with and/or enhances the neighborhood's character;
8. Whether construction will cause significant disruptions (for example, after-hour or weekend work permits, closure of sidewalks or traffic lanes, changes to bus stops or parking regulations, significant noise from drilling or dewatering, need for pest control, etc.), and, if so, how these disruptions will be managed and mitigated.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Designating Portion of Canal Street under NYC Department of Transportation “Safe Routes to Transit” program

WHEREAS: Canal Street is a major MTA-NYC Transit hub, which provides an indirect or direct link (via: #6, J, M, Z, N, Q, W, R, A, C, E, and #1 subways) to every metropolitan transit line and includes some of the few handicap access elevators to the subway, at the #6 train, both north and southbound stations, at Lafayette Street; and

WHEREAS: Canal Street is the only major thoroughfare in Manhattan lacking any cross-town public transportation, and walking is the predominant mode to reach destinations along this corridor, therefore necessitating safe, convenient and easy to navigate routes for pedestrian passage to access the subway; and

WHEREAS: Canal Street is a major vehicular traffic corridor including commercial truck routes, and the Port Authority has lifted the ban on eastbound truck traffic through the Holland Tunnel, thereby adding additional commercial vehicular traffic to this already congested street and making it even more difficult than it is already for pedestrians to cross and reach subway entrances; and

WHEREAS: Canal Street is a vibrant and popular commercial and retail corridor, with a proliferation of both legal and illegal vending activities including food carts, oversized sidewalk displays, vending tables, suitcase peddlers, and vending touts luring customers to vans and other sites to purchase counterfeit goods, all contributing to overly crowded sidewalks and general mayhem, forcing pedestrians off the sidewalk into the street and obstructing and endangering pedestrian access to the subway; and

WHEREAS: The NYC Department of Transportation (DOT) has examined accident histories across the city and has identified an area that encompasses a large portion of Canal Street as having both a high density of senior citizens and a high number of pedestrian accidents and injuries and has included it as a focus area in its Safe Street for Seniors Program, therefore DOT is aware of and has identified areas of Canal Street as hazardous for pedestrians; and

WHEREAS: DOT has created the Safe Routes to Transit Program whose goal is to “improve pedestrian and motor vehicle movement around subway entrances and bus stops to make accessing mass transit easier and more convenient,” to “encourage more walking and transit use, less traffic and cleaner air”; and

WHEREAS: The Safe Routes to Transit program includes a Subway/Sidewalk Interface (SSI) portion which recognizes that “safe and convenient access to subway stations is essential to the mobility of New Yorkers,” and the Canal Street corridor where the sidewalk interfaces with the subway entrances for the #6, J, M, Z, N, Q, R, and W trains (both along the sidewalk and at the corners) is exceedingly congested, endangering pedestrians and barring their passage; and

WHEREAS: Community Board 2 has already adopted a similar resolution in support of adding the Canal Street corridor to its Safe Routes to Transit Program; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 strongly recommends that DOT add the Canal Street corridor from Bowery to Varick Street to its Safe Routes to Transit Program, specifically, the Subway/Sidewalk Interface (SSI) part of the program, with particular focus on access to the #6 train station at Lafayette St., including the handicap access elevators, and access to the J, M, Z, and N, Q, R and W train stations along and abutting Canal Street between Mercer and Lafayette Streets, and that DOT, in consultation with Community Boards, come up with a solution.

COMMUNITY BOARD #1 – MANHATTAN
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DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
PUBLIC MEMBERS: 2 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: TABLED

RE: Enforcement of Licensed Sightseeing Guide Requirements

WHEREAS: Tour guide buses and walking tours in Lower Manhattan have become increasingly prevalent in recent years, and

WHEREAS: With the expected completion of the World Trade Center memorial and museum, tour bus activity downtown will contribute to traffic congestion and pedestrian street activity, and

WHEREAS: According to the New York City Administrative Code, a person conducting business as a tour guide must have a Sightseeing Guide license to guide or direct people to any place or point of public interest, and

WHEREAS: The Department of Consumer Affairs (DCA) is responsible for licensing, testing, and enforcement, and

WHEREAS: It is unlawful for any person to act as a guide without a license, and

WHEREAS: Out-of-city companies conducting paid tours within New York City must employ a tour guide licensed by the DCA, and

WHEREAS: The DCA testing requirements for licensed tour guides is a consumer protection law so that guides can conduct tours knowledgably and safely, and

WHEREAS: Tour buses from out-of-city often are not aware of or do not follow the rules regarding parking, standing, and idling, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 urges the that NYC Department of Consumer Affairs immediately begin to enforce existing laws requiring only licensed Sightseeing Guides be used by all tour operators.

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DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC VOTE:	1	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	36	In Favor	0	Opposed	0	Abstained	0	Recused

RE: Street permit application by the South Street Seaport General Growth Properties

WHEREAS: The applicant has applied for a street activity permit on Saturday, June 26, 2010, South Street between Beekman Street and Burling Slip, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted Community Board #1-M. Closure of street during the hours of 8 AM to 7 PM; event will take place during the hours of noon – 5 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC VOTE:	1	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	36	In Favor	0	Opposed	0	Abstained	0	Recused

RE: Application by Community Board #1 (Mardi Gras Festivals Productions; promoter) to the NYC Department of Parks and Recreation for permits for five one-day fairs on the Broadway sidewalk immediately to the west of City Hall Park, with one fair each month from May through September 2010

WHEREAS: The applicant held similar fairs for CB#1 on the same sidewalk adjacent to City Hall Park on August 14 and November 6 of 2009 and no problems or complaints associated with them were brought to the attention of the CB1 office, and

WHEREAS: These fairs raise funds that are greatly needed by CB#1 at a time when the proposed budget for community boards for FY 2010 and 2011 include very drastic cuts, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed application for a permit for one fair each month at the above location from May through September of 2010, subject to the following condition:

1. Clean-up will be coordinated with the appropriate City Agencies.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC VOTE:	1	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	36	In Favor	0	Opposed	0	Abstained	0	Recused

RE: Application by Community Board #1 (Mardi Gras Festivals Productions; promoter) to the NYC Department of Parks and Recreation for permit for a holiday market on the Broadway sidewalk immediately to the west of City Hall Park in December, 2010 to benefit Community Board #1

WHEREAS: The applicant held one-day fairs for CB#1 on the same sidewalk adjacent to City Hall Park on August 14 and November 6 of 2009 and no problems or complaints associated with them were brought to the attention of the CB1 office, and

WHEREAS: A holiday fair would be a major source of funds for CB#1 at a time when the proposed budget for community boards for FY 2010 and 2011 include very drastic cuts, and

WHEREAS: Mardi Gras Festivals Productions, which would promote the fair, showed renderings of how booths could be designed so that they would be attractive and suitable for the location, and

WHEREAS: Mardi Gras Festival Productions has agreed to make booths available at the fair to local businesses upon request, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 does not oppose the proposed application for a permit for a holiday market of approximately three weeks at the above location in December, 2010 to benefit Community Board #1, subject to the following condition:

1. Clean-up will be coordinated with the appropriate City Agencies.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC VOTE:	1	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	36	In Favor	0	Opposed	0	Abstained	0	Recused

RE: 125 Fulton Street, application for beer license for NF Group LCC d/b/a/
Bread Factory Cafe

WHEREAS: The applicant, NF Group LCC d/b/a/ Bread Factory is applying for a wine
and beer license, and

WHEREAS: The establishment is a restaurant, and

WHEREAS: The total square footage of the restaurant is 1213 sq. ft, and the number of
tables is 28 with 71 seats, and there is no bar, and

WHEREAS: The establishment proposes to be open from noon to midnight seven days
a week, and

WHEREAS: There will be recorded background music only 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 for Bread Factory at
125 Fulton Street 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC VOTE:	1	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	36	In Favor	0	Opposed	0	Abstained	0	Recused

RE: South Street Seaport, Pier 17, application for Kiosk-Summer Beer license for space 4506 for Salmaan Enterprises, Inc. d/b/a Seaport Beer

WHEREAS: The applicant, Salmaan Enterprises, Inc. d/b/a Seaport Beer is applying for a Kiosk summer beer license, and

WHEREAS: The establishment is a kiosk, and

WHEREAS: The kiosk is located on South Street Seaport pier 17, and

WHEREAS: There are no tables or chairs, and

WHEREAS: The establishment proposes to be open from 10:00 am to 10:00 pm Monday through Saturday and from 1:00 pm to 10:00 pm on Sunday, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 does not oppose the grant of a Kiosk summer beer license for Salmaan Enterprises, Inc. d/b/a Seaport Beer at South Street Seaport Pier 17 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC VOTE:	1	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	36	In Favor	0	Opposed	0	Abstained	0	Recused

RE: South Street Seaport, Pier 17, application for Kiosk-Summer Beer license for space 4506A for Salmaan Enterprises, Inc. d/b/a Seaport Beer

WHEREAS: The applicant, Salmaan Enterprises, Inc. d/b/a Seaport Beer is applying for a Kiosk summer beer license, and

WHEREAS: The establishment is a kiosk, and

WHEREAS: The kiosk is located on South Street Seaport pier 17, and

WHEREAS: There are no tables or chairs, and

WHEREAS: The establishment proposes to be open from 10:00 am to 10:00 pm Monday through Saturday and from 1:00 pm to 10:00 pm on Sunday, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 does not oppose the grant of a Kiosk summer beer license for Salmaan Enterprises, Inc. d/b/a Seaport Beer at South Street Seaport Pier 17 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC VOTE:	1	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	36	In Favor	0	Opposed	0	Abstained	0	Recused

RE: South Street Seaport, Pier 17, application for Kiosk-Summer Beer license for space 4506B for Salmaan Enterprises, Inc. d/b/a Seaport Beer

WHEREAS: The applicant, Salmaan Enterprises, Inc. d/b/a Seaport Beer is applying for a Kiosk summer beer license, and

WHEREAS: The establishment is a kiosk, and

WHEREAS: The kiosk is located on South Street Seaport pier 17, and

WHEREAS: There are no tables or chairs, and

WHEREAS: The establishment proposes to be open from 10:00 am to 10:00 pm Monday through Saturday and from 1:00 pm to 10:00 pm on Sunday, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the grant of a Kiosk summer beer license for Salmaan Enterprises, Inc. d/b/a Seaport Beer at South Street Seaport Pier 17 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC VOTE:	3	In Favor	1	Opposed	0	Abstained	0	Recused
BOARD VOTE:	38	In Favor	0	Opposed	0	Abstained	0	Recused

RE: 130 Duane Street, application for to upgrade hotel wine license to hotel liquor license for Hersha Hospitality Management, L. P. d/b/a Duane Street Hotel

WHEREAS: Hersha Hospitality Management, L. P. d/b/a Duane Street Hotel is applying to upgrade its hotel wine license to a hotel liquor license, and

WHEREAS: The establishment is a hotel with restaurant, and

WHEREAS: The total square footage of the restaurant is 1,182 sq. ft, and the number of tables is 18 with 36 seats, and the bar is 121 sq. ft. with no tables and 4 stools, and

WHEREAS: The establishment proposes to be open from 6:00 am to midnight seven days a week with bar service hours from 8:00 am to midnight Monday through Saturday and from noon to midnight on Sunday, and

WHEREAS: The applicant stated that they will never seek to have the hours extended beyond midnight, and

WHEREAS: The applicant stated that private parties will be limited to day use and evening social events will also end by midnight, and

WHEREAS: The applicant stated that the maximum capacity for any private party and/or social events will not exceed 40 persons, and

WHEREAS: There will be recorded background music only, and

WHEREAS: The applicant is not applying for a sidewalk café license at the present time, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 does not oppose the upgrade of a hotel wine license to hotel liquor license for Hersha Hospitality Management, L. P. d/b/a Duane Street Hotel subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC VOTE:	4	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	38	In Favor	0	Opposed	0	Abstained	0	Recused

RE: 106 Duane Street, application for eating place beer license for Beignet Inc.

WHEREAS: The applicant, Beignet, Inc. is applying for an eating place beer only license, and

WHEREAS: The establishment is a grocery/deli with restaurant, and

WHEREAS: The total square footage of the grocery/deli is 2,500 sq. ft, and the number of tables is 8 with 28 seats and there are no bar stools, and

WHEREAS: The establishment proposes to be open from 6:00 am to 9:00 pm on weekdays and 7:00 am to 7:00 pm on Saturday and 8:00 am to 8:00 pm on Sunday, 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 application for an eating place beer only license for Beignet, Inc. at 106 Duane Street 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	5	In Favor	0	Opposed	1	Abstained	0	Recused
PUBLIC VOTE:	2	In Favor	0	Opposed	2	Abstained	0	Recused
BOARD VOTE:	37	In Favor	0	Opposed	1	Abstained	0	Recused

RE: Street permit application by Cercle Rouge

WHEREAS: The applicant has applied for a street activity permit on Wednesday, July 14, 2010, West Broadway between Beach Street and White Street, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted Community Board #1-M. Closure of street during the hours of 8 AM to 8 PM; event will take place during the hours of 11 AM – 8 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	5	In Favor	0	Opposed	1	Abstained	0	Recused
PUBLIC VOTE:	2	In Favor	0	Opposed	2	Abstained	0	Recused
BOARD VOTE:	38	In Favor	0	Opposed	0	Abstained	0	Recused

RE: Street permit application by the The CityKids Foundation

WHEREAS: The applicant has applied for a street activity permit on Sunday, May 2, 2010, Leonard Street between West Broadway and Church Street, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted Community Board #1-M. Closure of street during the hours of 6 AM to 11 PM; event will take place during the hours of 8 AM – 8 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: MARCH 23, 2010

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE:	6	In Favor	0	Opposed	0	Abstained	0	Recused
PUBLIC VOTE:	3	In Favor	0	Opposed	0	Abstained	0	Recused
BOARD VOTE:	34	In Favor	0	Opposed	0	Abstained	1	Recused

RE: Ending the Impasse at the World Trade Center Site

WHEREAS: It has been 8 1/2 years since the tragic events of September 11, 2001; and

WHEREAS: A promise was made to rebuild the entire World Trade Center (WTC) site, and to include the public elements of the site – Frank Gehry was selected in 2004 to design the Performing Arts Center (PAC), and the National September 11 Memorial & Museum, and retail redevelopment planned for the WTC site would be completed by 2010; and

WHEREAS: In an October 2005 resolution, CB#1 expressed concern about the slow pace of redevelopment at the WTC site, with a projected build-out date of 2015, since it adversely affects the quality of life of residents and workers in Lower Manhattan; in addition, CB#1 stated that “to the extent elements of the Master Plan will not be completed immediately for any reason, interim uses for portions of the WTC site to be developed at later stages should be seriously considered, such as open space;” and

WHEREAS: Of the public elements at the WTC site, to date only the National September 11 Memorial & Museum is on track; and

WHEREAS: The global retail development and management company Westfield Group continues to be ready to spend up to \$1.3 billion to build six-story retail “podiums” housing 500,000 square feet; and

WHEREAS: As long as the WTC remains a construction zone, the site will be a drain on the local economy and will undermine the viability of those elements at the site that become completed; and

WHEREAS: In contrast, resumption of development activity at the WTC site consistent with the Master Plan will not only generate jobs during construction, but will provide an engine for permanent additional jobs upon the completion of the project; and

- WHEREAS: In August 2009, Silverstein Properties, Inc. (SPI) commenced arbitration against the Port Authority of New York and New Jersey (PANYNJ) seeking resolution of certain of the disputes between SPI and the PANYNJ, and in January 2010, the arbitration panel issued a decision denying some of SPI's claims, granting relief on one of its claims, and leaving unresolved many of the claims between the parties; in this decision, the arbitration panel further ordered the parties to attempt to reach an agreement on the unresolved issues by March 12, 2010; and
- WHEREAS: SPI made a proposal to the PANYNJ in February 2010 pursuant to the arbitrator's request that the parties negotiate; and
- WHEREAS: The PANYNJ has made a reasonable counter offer to SPI, proposing to finance Tower 4 and Tower 3 if certain market-reality-check tests are satisfied; without offering an assessment of the reasonableness of the details of the PANYNJ proposal, CB#1 comments that the concept of including market-reality-check tests as a condition to PANYNJ financing of Tower 3 is a reasonable concept; and
- WHEREAS: Although CB#1 is not in a position to assess the reasonableness of the respective bargaining positions of SPI and PANYNJ, CB#1 notes that each of these parties now contemplate some level of public financing (through the PANYNJ) for each of Towers 3 and 4, and that SPI would raise a significant amount of private capital; CB#1 further notes that the gap between the parties appears to be one that can and should be closed through good faith negotiations; and
- WHEREAS: SPI and PANYNJ have nonetheless failed to reach agreement on the outstanding issues by the March 12, 2010 deadline imposed by the arbitration panel; and
- WHEREAS: CB#1 is concerned that any further delay due to legal actions and arbitrations between SPI and the PANYNJ concerning WTC Towers 2, 3, and 4 could further delay the building of the PAC, retail, and office space and the return of street life; CB#1 is particularly concerned that the failure to reach agreement by the March 12, 2010 arbitration deadline raises the prospect of significant additional delays, which CB#1 finds to be totally unacceptable; and
- WHEREAS: Far too much time has already passed as the public has waited for the 2002, 2006 and 2009-2010 negotiations, law suits, and arbitrations to be concluded and it is now time to get construction back on track at the WTC site; and
- WHEREAS: The WTC site is not a private site, but rather a public site for the benefit of the City, the State, and the Nation; now

THEREFORE
BE IT
RESOLVED

THAT: CB#1 reiterates the need that the WTC site be restored to support the promised PAC, retail, office space, and street life, and strongly urges SPI and PANYNJ to negotiate in good faith to close the gap between the two parties' positions, and that they set a deadline of March 31, 2010 for reaching an agreement to move forward with the development of the WTC site consistent with the Master Plan; and

THEREFORE
BET IT
FURTHER
RESOLVED

THAT: The agreement between SPI and PANYNJ should at a minimum provide for the construction of Towers 3 and 4; and, to the extent that the agreement does not contemplate the near-term construction of Tower 2, the parties' agreement should provide for an interim finishing of the Tower 2 site into public space that enhances the local streetscape, such as an interim park, greenmarket, or outdoor performance space.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	1 Abstained	1 Recused

RE: Termination of NYC Department of Youth and Community Development funding for IS 289 afterschool programs

WHEREAS: The IS 289 after-school program has received a notice that its three year contract is being ended early because of City Funding cuts to NYC Department of Youth and Community Development, and

WHEREAS: If this funding cut goes though, our neighborhood will receive nothing of the DYCD's \$300 million budget, and

WHEREAS: The February 22nd letter to Manhattan Youth stated that "No fault of Contractor is imputed by this termination." The move by the City agency was part of a cost-reduction plan to help close New York City's budget deficit in Fiscal Year 2011, and

WHEREAS: The DYCD decision is unusual because instead of reducing funding by modest degrees citywide to all programs, they have selected individual sites to terminate completely. Of the 510 after-school programs operated under OST contracts, DYCD will close 33 programs this year, and

WHEREAS: The sites that were eliminated were from areas of higher income zip codes. This method leaves out hard working parents who need childcare. In addition, the method used by DYCD is particularly faulty because: 1) the zip code used for the elimination (10282) is only where some of the children live; and 2) the use of zip codes is too wide as areas such as zip code 10013 includes Chinatown, a lower income area, and

WHEREAS: Sites were identified for elimination based on the zip codes in which they are located, rather than on grounds of program merit, number of children served, or where the enrolled children live. I.S. 289 is a Title One school with 40% of its students receiving free lunch, and

WHEREAS: The \$120,000 annual Out-of-School Time (OST) contract funds the school's sports teams (basketball, soccer, volleyball, wrestling, baseball, softball and track & field), theater productions, art classes, creative writing workshops, the Lego robotics team, recreational activities, and the daily homework help study lab, serving 200 students each year. The program's overall actual cost is close to \$195,000 a year, and Manhattan Youth has been making up the shortfall through its Family Fund as well as some parent and PTA support. The program is

currently open from 2:50 to 6:00 pm every day school is in session throughout the year, and

WHEREAS: There were other options available to DYCD to comply with Mayor Bloomberg's 2011 budget reduction. If every OST program received a reduction of 8.5%, no sites would have to be closed. In the current economic climate, most agencies and providers expected that budgets would be cut and belts would need to be tightened. What nobody expected is that a city agency would place itself in the position of deciding which children deserve services and which do not depending on where they go to school. *When the Department of Education announced its budget cuts this year, every school received a 5% reduction. The department did not look at the map and decide to close schools in neighborhoods where they assumed parents could pay for private education. But that is, in essence, what DYCD has done,* and

WHEREAS: Latch Key children are of growing concern in our community. While parents struggle to pay rents and support a family there are few options for comprehensive child care, and

WHEREAS: Program monitors of DYCD and others have stated that Manhattan Youth is one of the best programs in the entire city, and

WHEREAS: The program is serving 200 students each year, the program employs over 20 staff members, including a number of teachers at I.S. 289 who depend upon the extra hours at the after-school program to supplement their DOE income. The City's move to cut the funding for this program will have a very noticeable impact on the students, families, teachers and other members of the downtown school community, and

WHEREAS: Losing the after-school program will deprive middle school students of experiences that professionals describe as "the most positively meaningful and self-defining of their early adolescence," and

WHEREAS: This pattern of cuts is similar to the Youth Development Delinquency Prevention (YDDP) Program cuts of a few years ago, which eliminated all funding to Community Board One. In the 1990's past allocations as much as \$120,000 were given to the community board to choose a recipient. Now, with this recent cut to I.S. 289 there is no city funding to CB 1, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board One calls on DYCD not to overlook the children of our community and the children who travel to our schools, and calls for the restoration of the contract for the I.S. 289 afterschool program and all OST programs.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2010

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

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

RE: School Overcrowding

WHEREAS: The Department of Education has indicated that children zoned for P.S. 89 will have the option to attend P.S. 276 if they are not able to attend P.S. 89 due to overcrowding, and

WHEREAS: It is appropriate for the Department of Education to make this accommodation to children who are unable to attend their first choice school due to overcrowding, and

WHEREAS: It is also important for the Department of Education to ensure that P.S. 276 and other new schools are not overcrowded, and

WHEREAS: It is likely that students zoned for other schools in CB#1 will also be waitlisted due to overcrowding, now

THEREFORE
BE IT
RESOLVED

THAT: CB#1 requests that the DOE give students in CB #1 zoned for PS234, PS 276, PS397, or PS 89 the pre-lottery option to indicate a school in CB#1 that they would like to attend, should there be space, in the event they are waitlisted due to overcrowding in fall 2010 at their zoned school.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: March 23, 2010

NEW BUSINESS

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

RE: Proposed Budget Cuts to Community Boards

WHEREAS: Community Board One received a letter on March 23, 2010 from the Office of Management and Budget informing us of that a contingency Program to Eliminate the Gap (PEG) has been implemented by the City as the result of projected cuts in State aid for 2011; and

WHEREAS: This contingency PEG further reduces community board budgets by \$917,000 (\$15,542 per community board) to a revised 2011 baseline of \$144,895; and

WHEREAS: Boards had already been targeted for additional reductions of \$9,867 in Fiscal Year 2010 and \$17,272 in Fiscal Year 2011; and

WHEREAS: CB1 is already functioning with a budget that provides the minimum resources needed to carry out our responsibilities; and

WHEREAS: The PEG proposed on March 23 on top of the reductions of 4% and 8% already proposed for FY 2010 and FY 2011 would be devastating to CB1 and would leave us unable to carry out all of our vital responsibilities to the Lower Manhattan community that is our constituency; and

WHEREAS: Reductions to Community Board budgets in past years have not been restored, nor was our budget increased as were those of other City agencies in years when the City experienced a surplus; and

WHEREAS: For a very small investment in terms of the entire City budget and with a very small staff, Community Boards fulfill a myriad of responsibilities and bring to City government the energy and talent of 50 dedicated and committed volunteer board members; and

WHEREAS: In addition to carrying out the responsibilities assigned to all community boards, CB1 in particular is overwhelmed by impacts from numerous redevelopment projects underway throughout our district, which will reach peak levels in coming years; and

WHEREAS: Lower Manhattan has the fastest growing residential population in New York City, and CB1 works in tandem with government agencies to ensure that the infrastructure and quality of life in the area is sufficient to meet the needs of a rapidly growing community; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 urges the Office of Management and Budget and the City administration to recognize that, in light of the important functions that we carry out with such an already limited budget, the budgets of Community Boards should be spared any cuts in FY 2010 and FY 2011.