

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: BATTERY PARK CITY

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

RE: Muscular Dystrophy Association

WHEREAS: Muscular Dystrophy Association has applied for a street activity permit for Sunday, June 23, 2013, on Vesey Street between West Street and North End Avenue 10:00 am to 4:00 pm, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the application submitted by the Muscular Dystrophy Association for a street activity permit for Sunday, June 23, 2013 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, and
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
3. Clean-up will be coordinated with the appropriate City Agencies, and
4. Bands and persons with megaphones are not situated along the route such that they disturb residents, and
5. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: BATTERY PARK CITY

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

RE: North Cove Marina, application for beer and wine license for Arabella

WHEREAS: The applicant, Manhattan Yacht Club Inc., is applying for a restaurant liquor license; and

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

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 opposes the granting of an alteration of a restaurant liquor license to Manhattan Yacht Club Inc. at North Cove Marina unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: EXECUTIVE

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

RE: LoMa Lights

WHEREAS: LoMa Lights (“The Project”) will include video projections onto South Street building facades and a multimedia installation in the water, between Piers 11 and 15; and

WHEREAS: The Board supports the ongoing work that NYCEDC, together with the consultant team that was selected to implement the project, is doing with the relevant City and State agencies to ensure that the equipment required to implement the project is safely deployed at the esplanade and the piers; and

WHEREAS: The Board appreciates NYCEDC’s outreach to date in connection with the LOMA Lights project and expects this outreach to continue going forward, as the project is implemented; and

WHEREAS: In the wake of the destruction caused by Hurricane Sandy in Lower Manhattan, LOMA Lights will transform the East River Waterfront Esplanade into a new, vibrant nighttime destination; and

WHEREAS: One of the missions of the Project is to draw people to Lower Manhattan to patronize the area’s retail businesses which are struggling due to the devastating impacts from Superstorm Sandy and widespread construction activity underway in the district; and

WHEREAS: CB1 has been told by EDC that the lighting would be energy-efficient and not impact bird flight paths; now

THEREFORE

BE IT

RESOLVED

THAT: The Board supports the LOMA Lights project that New York City Economic Development Corporation (“NYCEDC”) intends to launch this summer at the East River Waterfront Esplanade; and

BE IT

FURTHER

RESOLVED

THAT: CB1 supports every effort to implement the Project in time for its intended summer launch.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 8 In Favor 0 Opposed 2 Abstained 0 Recused
BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Communications Workers of America

WHEREAS: Several hundred members of the Communications Workers of America (CWA) attended the Community Board 1 (CB1) monthly meeting on March 27, 2013 to oppose a plan by Verizon to move 1,100 workers and CWA members out of the Verizon building (“The Building”) at 140 West Street and transfer them to a location in Brooklyn; and

WHEREAS: Several owners of small businesses located in the vicinity of the Building spoke at the CB1 meeting on March 27, 2013 and over two hundred people signed petitions to express concern about the potential net loss of many hundreds of workers on their businesses, many of which are already precarious due to other challenges such as the effect of the recent Superstorm Sandy and the major construction projects underway nearby; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 urges Verizon and all local businesses to not significantly reduce the number of workers in their Lower Manhattan buildings at a time when the local economy remains fragile due to the post-9/11 recovery still underway and the effect of the recent storm; and

BE IT
FURTHER
RESOLVED

THAT: While CB1 takes no position on labor management issues between CWA and Verizon, CB1 urges local elected officials to work with Verizon and the CWA towards a solution that would not involve a significant reduction of the number of workers at 140 West Street and to do the same with any other business contemplating a comparable reduction in the number of employees at a building in Lower Manhattan.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	2 Opposed	0 Abstained	0 Recused

RE: Proposed Newsstand Relocation in front of 55 Wall Street

WHEREAS: Community Board 1 (CB1) learned on March 26, 2013 that installation had begun on a newsstand (“The Newsstand”) directly in front of the entrance to the event space at Cipriani Wall Street at 55 Wall Street; and

WHEREAS: CB1 had not received prior notice about this relocation of a newsstand because Department of Consumer Affairs (DCA) regulations require notification and input from community boards for new newsstands but not those that are relocated; and

WHEREAS: The Newsstand would replace one located at the corner of Wall and William Streets which CB1 was told needed to be relocated because the site is too small for the newsstands currently being installed pursuant to the city’s contract for street furniture with Cemusa; and

WHEREAS: DCA regulations require that newsstands be relocated within 500 feet of the original location; and

WHEREAS: Several residents of 55 Wall Street and representatives of Cipriani contacted CB1 on March 26 and in the following days, as they became aware of this proposed relocation, to express strong opposition to it, because it would interfere with the ability of guests to enter and exit the many major events that take place in the ballroom, and would present a serious safety risk to people who would need to move around the newsstand to get to taxis and other vehicles; and

WHEREAS: A representative of Cipriani stated at the CB1 Financial District Committee meeting on April 3, 2013 that it would be possible to install a new model Cemusa newsstand of smaller dimensions at the original location and that this would comply with all NYC Department of Transportation (DOT) regulations; and

WHEREAS: Cipriani Wall Street hosts major events for many important charities including those that serve the Lower Manhattan community and there is an important public purpose in ensuring that the success of these events is not threatened; and

WHEREAS: CB1 has been told that the Newsstand operator does not want to move or have a larger newsstand and the Newsstand was recently modernized; and

WHEREAS: The newsstand on the southeast corner of Wall and William Streets and the one at the northwest corner of Wall Street in front of 40 Wall Street are less than two years old and the one on the southwest corner of Wall and William Streets is in poor condition; these three newsstands are all within approximately one block of the proposed Newsstand; and

WHEREAS: The newsstand would deface a major architectural landmark in Lower Manhattan;
now

THEREFORE

BE IT

RESOLVED

THAT: CB1 strongly urges DCA and DOT not to proceed with the relocation of the
Newsstand to a location in front of 55 Wall Street; and

BE IT

FURTHER

RESOLVED

THAT: CB1 urges DCA and DOT to install a smaller newsstand in the original location
on the corner of William and Wall Streets.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Relocation of Stairs

WHEREAS: One of the goals of the East River Waterfront Project (“ERW” or “Project”) is, particularly in the southern portion of the Project, to ease the flow of non-vehicular circulation; and

WHEREAS: Esplanade Package 2, which extends from the MTA fan plant north of the Battery Maritime Building (“BMB”) north to Wall Street, has accomplished this by constructing a pile-supported platform adjacent to the seawall, allowing for generous pedestrian circulation with landscaping and seating with a dedicated 10’ wide bike path. This work will be complete and open to the public in May of 2013; and

WHEREAS: South of the project limits exists the BMB and immediately north, the MTA fan plant. While the BMB is currently under construction and will not open until approximately 2015, the non-vehicular circulation in front of the fan plant is ill-defined, confusing and user-unfriendly; and

WHEREAS: To accommodate better circulation, NYCEDC proposes to reconstruct and re-orient the stairs at the fan plant and re-align the curb and sidewalk in front of the fan plant in order to accommodate pedestrian flow; and

WHEREAS: The materials will follow the design palette of the ERW Project (eventually these materials will also be used in front of the BMB) so that there will be continuity in design and in pedestrian movement beginning at the BMB and proceeding northerly until the South Street Seaport; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 approves this work as part of the East River Waterfront Project, including the proposed relocation of the MTA staircase and associated site work which will ease conflicts between and provide additional room for both pedestrian and bicycle traffic; and

BE IT
FURTHER
RESOLVED

THAT: Unless the final design changes the details/configuration substantially, this item does not need to be re-presented to CB1.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 90 John Street, application for restaurant liquor license for Stout NYC

WHEREAS: The applicant, Stout NYC, is applying for a restaurant liquor license for 90 John Street; and

WHEREAS: The proposed hours of operation of this establishment are 11:30 a.m. to 4 a.m. Tuesday through Sunday and until 1 a.m. on Monday; and

WHEREAS: The total area of the restaurant is approximately 4,149 square feet, with 35 tables and 140 seats; and

WHEREAS: There will be recorded background music; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant has stated that there are not buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has stated that there are three or more establishments with on-premises liquor licenses within 500' of this establishment; and

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

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant wine and beer license to Stout NYC for 90 John Street unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 15 William Street, application for restaurant liquor license for Open Kitchen

WHEREAS: The applicant, Open Kitchen, is applying for a restaurant liquor license for 15 William Street; and

WHEREAS: The proposed hours of operation of this establishment are 5 a.m. to 2 a.m. seven days a week; and

WHEREAS: The total area of the restaurant is approximately 5,000 square feet, with 16 tables and 32 seats; and

WHEREAS: There will be recorded background music; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant has stated that there are not buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has stated that there are three or more establishments with on-premises liquor licenses within 500' of this establishment; and

WHEREAS: Residents of the area expressed concern at the Financial District Committee meeting where this application was presented about benches where customers of the restaurant would sit after purchasing items including beer from the restaurant; and

WHEREAS: The applicant agreed to not allow customers to sit on the outdoor benches any time after 11 p.m.; and

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

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant wine and beer license to Stout NYC for Open Kitchen for 15 William Street *unless* the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Financial District Association

WHEREAS: The Financial District Association has applied for a street activity permit for Saturday, May 18, 2013 on Wall Street between Water and South Streets, 10:00 am to 4:00 p.m.; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the application submitted by Financial District Association for a street activity permit on Saturday, May 18, 2013 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, and
- 2) Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
- 3) Clean-up will be coordinated with the appropriate City Agencies, and
- 4) Bands and persons with megaphones are not situated along the route such that they disturb residents, and
- 5) Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Chabad of Wall Street

WHEREAS: Chabad of Wall Street has applied for a street activity permit for Monday, May 27, 2013 on Fulton Street between Water Street and Gold Street, 10:00 am to 7:00 p.m.; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the application submitted by Chabad of Wall Street for a street activity permit on Monday, May 27, 2013 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, and
- 2) Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
- 3) Clean-up will be coordinated with the appropriate City Agencies, and
- 4) Bands and persons with megaphones are not situated along the route such that they disturb residents, and
- 5) Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: 26 Cortland Street - BSA Cal. No. 331-04-BZ
Application for Amendment to Existing Board of Standards and Appeals Variance

WHEREAS: The applicant, Century 21 Department Store, seeks to amend a previously approved Board of Standards and Appeals variance to permit a glass-enclosed event space rooftop addition to an existing six story building, and

WHEREAS: On February 25, 2005, the Board of Standards and Appeals granted a variance to permit the existing partial second floor of the six story Bank Building to be expanded by 4,583 square feet, on condition that an equal amount of floor area be simultaneously retired from the applicant's property at 10-12 Cortlandt Street, and

WHEREAS: The Board of Standards and Appeals set forth a condition that a deed restriction was to be recorded against 10-12 Cortlandt Street, providing for the permanent and irrevocable retirement of the 4,583 square feet of floor area, and

WHEREAS: On November 20, 2012, the City Planning Commission approved a text amendment and certification to permit the waiver of accessory off-street loading berths required and the waiver of existing required accessory off-street loading berths to facilitate an improved goods movement system, and

WHEREAS: The applicant now seeks to amend the BSA variance granted in 2005 to allow additional floor area to be added to the Bank Building by an additional 3,279 sf to be "transferred" from 10-12 Cortlandt Street which would permit a rooftop addition above the Bank Building to be utilized as an event space by Century 21, and

WHEREAS: The additional floor area sought by this amendment would facilitate the construction of a rooftop addition to the Bank Building that would be consistent with other buildings in the area and will help to better serve the Lower Manhattan community by improving a valued local institution, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 recommends approval by the Board of Standards and Appeals of the proposed amendment a previously approved variance to permit a rooftop addition to the existing six story Bank building of Century 21 Department Store Building.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Support for the Battery Family Comfort station and District One Park Office

WHEREAS: The Battery is the largest public open space in Lower Manhattan, a vital resource to the area's work/live population, and

WHEREAS: CB1 has in the past recognized the Conservancy's efforts to revitalize The Battery as a great benefit to the neighborhood with its growing population of families with children, and has made the Conservancy's mission to rebuild The Battery a priority, and

WHEREAS: The Battery Conservancy has submitted a request for \$3,000,000 to the New York City Council for capital funding to reconstruct the Battery Family Comfort station and Park Office, and

WHEREAS: The Battery is becoming a major destination with its new family-friendly attractions in the southern end of the park, including Battery Urban Farm, SeaGlass Carousel, and the new Playspace, and

WHEREAS: Battery Urban Farm is educating annually thousands of young student farmers, teachers, and parents about growing and eating healthy food, placing increasing demands on its existing facilities, and

WHEREAS: SeaGlass and Playspace will draw even greater numbers of children, adults, and tourists to delight in the wonders of these adventurous attractions, and

WHEREAS: The current park office is old, dreary and inadequate for the 5 Park supervisory staff and 6 Battery Conservancy field operations staff and seasonal interns, and

WHEREAS: The addition of the new comfort station will serve this increasingly large group of families and other park users and provide much needed services in a high use area. The rehabilitation and expansion of the existing park structure will transform it into an inviting, clean, and beautiful facility, enhancing the experience for local residents, students and teachers, workers, and tourists when they visit The Battery. The new Park office will provide NYC Parks and The Battery Conservancy will modern, more efficient offices, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 hereby endorses the Conservancy's efforts and specifically its request for \$3,000,000 to the New York City Council to reconstruct the Battery Family Comfort station and District One Park Office.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 53-55 Park Place, application for a beer license for Ernst Klein 6th Ave. Foods Inc. d/b/a Amish Market

WHEREAS: The applicant, Ernst Klein 6th Ave. Foods Inc. d/b/a Amish Market, is applying for a restaurant beer license for 53-55 Park Place; and

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

WHEREAS: The restaurant has 20 tables and 40 seats; and

WHEREAS: There will be no music; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant has stated that there are not buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has stated that there are not three or more establishments with on-premises liquor licenses within 500' of this establishment; and

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

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant beer license to Ernst Klein 6th Ave. Foods Inc. d/b/a Amish Market unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: LANDMARKS

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

RE: Governors Island application for removal of brick path in the historic district

WHEREAS: The application is to remove the brick pathway on Colonel's Row, and

WHEREAS: The pathway is in very poor condition and is hazardous, and

WHEREAS: The wonderful avenue of London Plane trees planted in 1929 would be negatively impacted if a new path were to be installed, and

WHEREAS: In order to protect the trees the application is to grass over the pathway and mulch around the trees, and

WHEREAS: The upper brick pathway by the buildings is in much better condition and will be restored in kind, and

WHEREAS: The Committee noted the designation report made mention to the path, the open space and the wonderful avenue of trees as contributing to the sense of place – so it felt comfortable losing one brick pathway to create more open space and protect the trees, and

WHEREAS: The Committee requested that the bricks that were in good condition be saved for repairs to the upper pathway – which the applicant agreed to do, now

THEREFORE

BE IT

RESOLVED

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

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 12 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 34 In Favor 2 Opposed 0 Abstained 0 Recused

RE: 502, 504 and 506 Canal Street

WHEREAS: This application seeks to stabilize, rebuild, restore and convert the usages of these three enormously important and historic buildings, and

WHEREAS: At 502 Canal Street, which curves elegantly around the southwest corner of Greenwich Street, the entire façade has been removed due to complete neglect, and will now be restored, and

WHEREAS: The historic 6-over-6 windows on the upper two stories will be reinserted, with new cast stones for sills and lintels, and

WHEREAS: A large fixed pane of glass will be utilized on the first floor, and

WHEREAS: The middle windows, where 502 Canal Street turns the corner, will themselves be curved, an honest and elegant effort, and

WHEREAS: At 504 Canal Street, the fire escapes will be removed and the current, asphalt shingle roof will be replaced with a standing-seam gable roof, and

WHEREAS: The building will have a central door with 16-panel windows on either side, and

WHEREAS: At 506 Canal Street, all windows will be restored to 6-over-6, there will be two doors instead of one, and there will be a 16-panel fixed window on the first floor, and

WHEREAS: Where arched façade penetrations exist, the applicants intend to restore them, a worthy decision, since these arches in a federal-style context are of great significance, and

WHEREAS: It is regrettable that it took 20 years and a demolition by neglect lawsuit to come to this pass, and

WHEREAS: We would like the Landmarks Preservation Commission to consider the replacement of the large fixed-bay window on the ground floors with two bays if and where appropriate, now

THEREFORE

BE IT

RESOLVED

THAT: The Landmarks Committee of Community Board #1 recommends that the Landmarks Preservation Commission approve this application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	9 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 11 Fulton Street, application for liquor license alternation for Flea Productions

WHEREAS: The applicant, Flea Productions LLC, is applying for a liquor license; and

WHEREAS: The hours of operation of this establishment are 11:00 a.m. to 10:00 p.m. Sunday through Thursday and 10:00 a.m. to 11:00 p.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is 15,412 square feet, including a dining area of 7,450 square feet with 40 tables and 497 seats and a bar area of 1,645 square feet with 13 tables and 26 seats; and

WHEREAS: The applicant does not intend to apply for a cabaret license or a sidewalk café license; and

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

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

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

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 opposes the granting of an alteration of a restaurant liquor license to Flea Productions LLC at 11 Fulton Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

RE: Village Voice

WHEREAS: Village Voice has applied for a street activity permit for Saturday, June 29, 2013 on Beekman Street between Water Street and South Street, 1:00 pm to 8:00 p.m.; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the application submitted by Village Voice for a street activity permit on Saturday, June 29, 2013 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, and
- 2) Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
- 3) Clean-up will be coordinated with the appropriate City Agencies, and
- 4) Bands and persons with megaphones are not situated along the route such that they disturb residents, and
- 5) Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

RE: The Iron Horse NYC Inc./The Wounded Warrior Project

WHEREAS: The Iron Horse NYC Inc./The Wounded Warrior Project has applied for a street activity permit for Thursday, July 4, 2013 on Cliff Street between and Fulton Street and John Street, 12:00 pm to 8:00 p.m.; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the application submitted by The Iron Horse NYC Inc./The Wounded Warrior Project for a street activity permit on Thursday, July 4, 2013 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, and
- 2) Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
- 3) Clean-up will be coordinated with the appropriate City Agencies, and
- 4) Bands and persons with megaphones are not situated along the route such that they disturb residents, and
- 5) Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Meeting with Howard Hughes Corporation, Seaport Museum, New York City Economic Development Corporation (EDC) and Community Board 1

WHEREAS: The Museum of the City of New York has been managing the Seaport Museum since 2011. Its 18-month contract expired on April 5 but was renewed for three months, to expire July 5; and

WHEREAS: There has been under-communication and miscommunication between the Howard Hughes Corporation, the Seaport Museum and the New York City Economic Development Corporation; and

WHEREAS: The Howard Hughes Corporation states that they are constrained by the lease agreements they have with the City of New York as negotiated with EDC to rent Pier 17; and

WHEREAS: The Seaport Museum would like to see greater willingness from Howard Hughes Corporation to negotiate ways to work together to support museum activities; and

WHEREAS: The Howard Hughes Corporation will begin construction on Pier 17 in October 2013; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 requests that all parties involved in lease hold arrangements in the seaport (Howard Hughes Corporation, Seaport Museum, NYC Economic Development Corporation) meet together with Community Board 1 as soon as possible to discuss the future of the South Street Seaport Museum.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: TRIBECA

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

RE: Amendment of the Hudson River Park Act; Creating Sustainable Future Parks and Fields in Hudson River Park

WHEREAS: Hudson River Park (the “Park”), created by the Hudson River Park Act of 1998 (the “Act”), is five miles of parkland running up the Hudson River waterfront from the Battery to 59th Street; it is used and enjoyed by over 17 million visitors per year; and

WHEREAS: The Park is administered by the Hudson River Park Trust (the “Trust”); and

WHEREAS: The Park’s Tribeca section extends 1.5 miles from Canal Street to Chambers Street providing ten acres of open space and seven acres of recreational amenities; and

WHEREAS: The Park includes a pedestrian and bicycle strip between the Battery Park City Authority and Route 9A from Chambers to Battery Place; and

WHEREAS: The Tribeca section of the Park includes, or will upon completion include, many vital and unique amenities enhancing the physical health and quality of life for virtually all residents, including, among others, the following amenities:

A “Center Upland” area of lawns, gardens, ornamental plantings, bike paths, promenades, and passive use space running as far north as Laight Street;
The largest dog run anywhere within the full length of the Park;
A heavily used recreational complex on Pier 25 including a sports area used by many “drop-in” users as well as Downtown Little League, Downtown Soccer League, and the Downtown Football Giants under permit, as well as a playground, a skate park, as well as a miniature golf course, a trio of volleyball courts, and a popular snack bar run as a concession by Manhattan Youth;
A planned esturium on Pier 26 with adjacent landscaped seating area, as well as a boathouse/restaurant complex with occupancy planned for 2013-2014; and

WHEREAS: Completed areas of the Tribeca section of the Park have won multiple awards for innovative and sustainable design, including an inaugural award from the National Parks Service’s “Designing the Parks Awards” for Site Design by Mathews Nielsen and honors from the American Society of Landscape Architects; and

WHEREAS: Beyond the boundaries of Community Board One, downtown residents utilize the bike and jogging path, the tennis courts, the promenade and lawns, the waterfront views of the whole of the Park by the thousands every day; and

WHEREAS: The interdependency of neighborhood and open space is particularly clear in the case of the sports fields at Pier 40 in the Park, which are utilized by all the major school and youth groups of Board One and neighboring Community Boards, as well as adults on a programmed and free-use basis; and

WHEREAS: More parkland is desperately needed to serve a growing downtown population - "breaking even" (i.e., merely maintaining existing square footage of active recreation space) is, in effect, falling behind this trend of growing use and need; and

WHEREAS: The Act imposed strict limits on revenue-generating activities within the boundaries of the Park, designating certain zones (Pier 40 being one) as "park commercial" areas where certain commercial activities are permitted, with revenues flowing to the Trust to help defray the cost – approximately \$20 million per year and growing – of maintaining this immense expanse of open space; and

WHEREAS: In recent years, it has become clear that the fiscal needs of the Park have outstripped the revenue potential of the footprint of the Park, a shortfall that will sharply accelerate in coming years; and

WHEREAS: The fiscal shortfall will in time endanger even fundamental access to the most heavily used sections and amenities within the Park upon which downtowners depend; and

WHEREAS: Contributing to the fiscal troubles of the Park has been extensive storm damage inflicted on this exposed waterfront zone in the course of Hurricane Irene in 2011 and Hurricane Sandy in 2012 for which the Trust has yet to receive support or reimbursement from the Federal Emergency Management Agency ("FEMA"), now

THEREFORE

BE IT

RESOLVED

THAT: We cannot lose this precious Park, or risk a loss of access to any part of it; and

BE IT
FURTHER
RESOLVED

THAT: We call on the Trust to work toward the creation of a plan, mutually agreed upon by park users, residents and other impacted constituencies, to fully renovate Pier 40 and ensure its long-term survival; all economically viable options except housing and hotels should be considered; and

BE IT
FURTHER
RESOLVED

THAT: The field space at Pier 40 should be substantially expanded to reflect the needs of the burgeoning populations of families with children on Manhattan's Lower West Side and especially in Board One, with the new fields installed on the roofs of buildings only to the extent it is not practical to include them on the level of the rest of the Park; and

BE IT
FURTHER
RESOLVED

THAT: We call on all elected officials in Lower Manhattan to redouble past, commendable efforts to secure public funds to augment other fundraising efforts already underway; and

BE IT
FURTHER
RESOLVED

THAT: FEMA should without delay remit monies due and owing to the Trust for damage sustained during Hurricanes Irene and Sandy.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: TRIBECA

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

RE: 34 White Street, application for a renewal sidewalk café license for Petrarca

WHEREAS: The applicant, Bancone LLC, has applied for an unenclosed sidewalk café license for 10 tables and 30 seats; now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 approves the sidewalk café license for Petrarca at 34 White Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	2 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	0 Opposed	0 Abstained	0 Recused

RE: ULURP No. N130119ZAM
CEQR No. 77DCP093M
361 Broadway
Application for City Planning Commission Authorization to Modify Street Wall
Location Requirements of Zoning Resolution Section 35-24

WHEREAS: The applicant, 361 Broadway Associates, LLC, is seeking an authorization from the City Planning Commission pursuant to Section 35-24(e)(5) of the Zoning Resolution to modify the street wall location requirements of Zoning Resolution Section 35-24 in order to facilitate the vertical enlargement of the James White Building, a designated landmark building at 361 Broadway, and

WHEREAS: In order to facilitate the development of a proposed two-story addition above the building set back from the street line, an authorization from the City Planning Commission is required to waive the requirements of Section 35-24(b) (3) which requires that buildings in C6-4A districts provide a street wall on a wide street up to the base height of 125' and do not permit a setback below the base height of 125, and

WHEREAS: On May 22, 2012 Community Board 1 recommended to the Landmarks Preservation Commission that it approve, with conditions, the proposed alterations to 361 Broadway, and on June 5, 2012, the Landmarks Preservation Commission approved, with modifications, the proposal to create a new entrance, alter the rear courtyard, and construct the proposed two-story addition above the building, and

WHEREAS: The grant of a waiver from compliance with the required street wall location would not adversely affect existing buildings, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 recommends approval of the proposed authorization from the City Planning Commission pursuant to Section 35-24(e) (5) of the Zoning Resolution to modify the street wall location requirements of Zoning Resolution Section 35-24 in order to facilitate the vertical enlargement of the James White Building at 361 Broadway.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: TRIBECA

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

RE: 325 Broadway, application for beer and wine license for Siring Asian Grill

WHEREAS: The applicant, Siring LLC, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 7:00 a.m. to 1:00 a.m.; and

WHEREAS: The total area of the restaurant is 1,720 square feet, including a dining area of 740 square feet with 11 tables and 55 seats; and

WHEREAS: The applicant does not intend to apply for a cabaret license or a sidewalk café license; and

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

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

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

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of an alteration of a restaurant liquor license to Siring LLC at 325 Broadway unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: TRIBECA

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

RE: 124 Chambers, application for a restaurant liquor license for Ecco Restaurant

WHEREAS: The applicant, Ecco 124 Chambers LLC, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 11:45 a.m. to 11:00 p.m. Sunday through Friday and 5:00 p.m. to 11:00 p.m. Saturday; and

WHEREAS: The total area of the restaurant is 1,440 square feet, including a dining area of 784 square feet with 18 tables and 56 seats and a bar area of 420 square feet with 5 tables and 10 seats; and

WHEREAS: The applicant does not intend to apply for a cabaret license or a sidewalk café license; and

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

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

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

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of an alteration of a restaurant liquor license to Ecco 124 Chambers LLC at 124 Chambers unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	29 In Favor	9 Opposed	1 Abstained	0 Recused

RE: 113 Reade Street a.k.a. TBD W. Broadway, application for a restaurant liquor license for Cafeteria

WHEREAS: The applicant, 113 Reade Street LLC, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 7:00 a.m. to 2:00 a.m.; and

WHEREAS: The establishment will close the street entrance at 1:00 a.m.; the hotel entrance will remain open until 2:00 a.m.; and

WHEREAS: The total area of the restaurant is 5,400 square feet, including a dining area of 1,800 square feet with 139 tables and 56 seats and a bar area of 420 square feet with 5 tables and 10 seats; and

WHEREAS: The applicant met with concerned residents prior to the committee meeting to discuss stipulations; and

WHEREAS: The entrance of the restaurant will be on West Broadway and not Reade Street; and

WHEREAS: The applicant has offered to purchase and install citi-windows upon request for nearby Reade Street apartments with bedroom windows facing Reade; and

WHEREAS: The applicant will spearhead the formation of a local business organization to address security issues, including the hiring of a security guard on Thursday, Friday and Saturday nights; and

WHEREAS: The applicant has stipulated that windows on W. Broadway will close by 11:00 p.m. on Monday through Thursday and 12:00 a.m. on Friday and Saturday; and

WHEREAS: The applicant has stipulated that windows on Reade Street will close by 10:00 p.m. on Monday through Thursday and 11:00 p.m. on Friday and Saturday; and

WHEREAS: The applicant will immediately close Reade St. windows upon request by neighboring residents any time after 8:00 p.m.; and

WHEREAS: The applicant does intend to apply for a sidewalk café license; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant has stipulated that there will be no live music; and

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

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

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

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of an alteration of a restaurant liquor license to Cafeteria 113 Reade Street LLC at 113 Reade Street a.k.a. TBD W. Broadway unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 57 Murray Street, request for a stipulation alteration of their storefront windows

WHEREAS: The applicant, DelboysNYC Inc., has requested to open their storefront windows until 9:00 p.m.; and

WHEREAS: There is additional change the business operations; and

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the stipulation alteration for DelboysNYC Inc. at 57 Murray Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: TRIBECA

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

RE: 77 Hudson Street, request for a stipulation alteration of their operating hours

WHEREAS: The applicant, Zutto Squared LLC, has requested to extend their closing operating hours to 1:00 a.m. Monday through Thursday and 2:00 a.m. Friday and Saturday;
and

WHEREAS: There is additional change the business operations; and

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 *opposes* the stipulation alteration for Zutto Squared LLC at 77 Hudson Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: TRIBECA

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

RE: Application for newsstand at SWC West Broadway and Leonard Street

WHEREAS: The applicant has applied to the Department of Consumer Affairs for a newsstand license at the southeast corner of West Broadway and Leonard Street; and

WHEREAS: The proposed location is a wide street that is not a congested location; and

WHEREAS: There are no newsstands within a 7 block radius of the proposed newsstand

WHEREAS: This is a re-submission of an application that was considered and recommended for approval in October of 2012 and is re-submitted to correct a technical error in the original application, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 recommends approval of a newsstand at the Southwest Corner of West Broadway and Leonard Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: TRIBECA

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

RE: Application for newsstand at Chambers Street between Greenwich and West Streets

WHEREAS: The applicant has applied to the Department of Consumer Affairs for a newsstand license on Chambers Street between Greenwich and West Streets, and

WHEREAS: The proposed location is a wide street that is not a congested location; and

WHEREAS: There are no newsstands within the immediate vicinity, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 recommends approval of a newsstand on Chambers Street between Greenwich and West Streets.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	2 Opposed	0 Abstained	1 Recused
PUBLIC MEMBERS:	1 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	1 Recused

RE: 50 Varick, application for beer and wine license for Spring Studios

WHEREAS: The applicant, Spring Studios New York, LLC, is applying for a liquor license; and

WHEREAS: Spring Studios is a full service boutique advertising agency and arts/fashion production studio in London that is opening up a New York City branch in Tribeca; and

WHEREAS: CB1 oversaw two working-group meetings between the applicant and neighboring residents to discuss stipulations; additionally, the applicant met separately with numerous neighboring residents to discuss residential concerns and stipulations; and

WHEREAS: The total area of the establishment is 44,022 square feet, including a commissary area of 3,704 square feet and a roof terrace of 8,200 square feet; and

WHEREAS: The commissary will include a dining area with 20 tables of 100 seats and a bar area of 10 tables with 49 seats; the hours of operation of the commissary are 8:00 a.m. to 1:00 a.m. Sunday through Thursday and 8:00 a.m. to 2:00 a.m. Friday and Saturday; and

WHEREAS: The applicant has agreed to stipulations regarding the roof terrace, including but not limited to:

- Liquor will be served by server only – there will be no standing bar
- Roof terrace events will be closed and vacated by 10:00 p.m. Monday through Thursday and 11:00 p.m. Friday and Saturday.
- Liquor service on the roof terrace will terminate at 9:00 p.m. Monday through Thursday and 10:00 p.m. Friday and Saturday
- There will be no roof terrace events on Sunday evening
- There will be a maximum of 30 roof terrace evening events per year (defined as events with a cessation of service after 7).
- There will be a maximum occupancy of 300 for roof terrace evening events per year (defined as events with a cessation of service after 7).
- There will be no amplification or live music during roof terrace events; and

WHEREAS: The applicant has outlined the type of events and programs that will provide liquor service and stipulated on the events/programs by size and ending time (please refer to Stipulation Agreement); and

WHEREAS: The applicant has stipulated that all events will be sponsored by Spring Studios and that there will be no outside promoters; and

WHEREAS: The applicant has agreed to the following sound stipulations:

- Sound will be inaudible to neighbors and surrounding residential buildings
- Spring agrees to have limiters put on all spaces with sound systems located on the East side of any floor; and

WHEREAS: The applicant has agreed to meet with the board one month prior to any fashion week giving detailed information as to any large events/programs; and

WHEREAS: The applicant has agreed to develop a street cleaning program in conjunction with Chinatown Planning Council (CPC) with uniformed cleaning personnel; and

WHEREAS: The applicant has submitted a vehicle traffic management plan that includes traffic control, loading & unloading, and parking (please refer to Stipulation Agreement); and

WHEREAS: The applicant does not intend to apply for a cabaret license or a sidewalk café license; and

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

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has received support for their liquor license application from the following neighbors: Chinese-American Planning Council, American Thread, and several residents at 28 Laight Street; and

WHEREAS: The applicant plans to establish an internship program with the Chinese-American Planning Council and local educational and cultural institutions; and

WHEREAS: All stipulations not mentioned in the resolution but agreed upon by the applicant are included in the Stipulation Agreement; and

WHEREAS: The applicant has signed and notarized an agreement on the stipulations; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant liquor license to Spring Studios New York, LLC at 50 Varick Street unless the applicant complies with the limitations and conditions set forth above.

Stipulation Agreement

Spring Studios is a full service boutique advertising agency and arts/fashion production studio in London (<http://www.springstudios.com/>) that is opening up a New York City branch in Tribeca as the first move in an effort to expand their advertising operations into New York City. The space they have acquired is 50 Varick Street, a former Verizon building. The business provides comprehensive advertising services, as well as production spaces and services for the arts, advertising and fashion industries. Spring has made a \$30 million investment in building out the facility and has entered into a 25 year lease agreement.

Spring Studios will endeavor to model their business in New York on their successful London operation and by doing so will become a hub for the advertising, arts and fashion industry in New York City and a vibrant center of creative energy. Commercial arts and fashion are some of the highest value added industries in New York and Spring Studios will provide services for established brands while using its facilities as an incubator for new business ventures.

In addition to providing a diverse range of employment opportunities, including approximately 200 full-time positions, Spring Studios plans to provide educational and internship opportunities to enhance its integration into the New York arts community and to help ensure a sufficient supply of qualified staff. To foster collaboration and cooperation with the local education and cultural institutions that are essential to this effort, Spring must engage the local community, in an ongoing and honorable manner. Accordingly, Spring must work closely with Community Board One both during the licensing process and once the business is operating.

Spring has worked closely with their immediate neighbors and Community Board One in developing the following stipulations and has included stipulations that were requested or suggested by the American Thread Building's Condo Board, the Chinese-American planning Council (CPC), One York's penthouse owner and an association of neighbors representing the buildings across the footpath from Varick Street. Spring Studios hired independent sound and traffic engineers to analyze Spring's potential impact on the neighborhood's quality of life. In response to their findings a noise mitigation strategy and a vehicle traffic management plan that includes traffic control, loading and unloading and parking will be implemented by Spring in conjunction with Community Board One. (See attached)

In addition to the stipulations listed below, Spring Studios has met with Henry Street Settlement and the Chinese-American planning Council to come up with a local hiring plan and the Lower Manhattan Cultural Council, Tribeca Film Festival, Art Institute, SVA and Parsons to develop cultural and educational programming. Spring has also come up with a local sponsorship/commitment plan to sponsor local nonprofits and arts/new media education.

Programing

Below are the types of events/programs Spring intends to host:

- Art Viewings (always daytime events between 9am-6pm)
- Trunk Shows (always daytime events between 9am-6pm)
- Gallery Openings (typical timing 6pm-9pm)
- Fashion Showrooms (always daytime events between 9am-6pm)
- Runway Shows (always daytime events between 9am-6pm)

- Product Launches (regularly daytime events between 9am-6pm)
- Trade Shows (always daytime events between 9am-6pm)
- Fundraisers/benefits for public interest organizations/political causes (typical timing 6pm-9pm or 7pm-10pm)
- Screenings (timing is varied)
- Seated Dinners (predominately invite only, typical timing 7pm-10pm)
- Cocktail Receptions (predominately invite only, typical timing 6pm-9pm or 7pm-10pm)
- Seated luncheons (predominately invite only, typical timing 11:30am – 4pm)

Event/Program Stipulations

- Event/program stipulations will remain in effect for the duration of the liquor license (including renewals). Notwithstanding the foregoing, the Community Board or Spring Studios may seek to renegotiate the stipulations after 1 year from the date of opening.
- Applicant will address neighbor complaints in a timely manner and in coordination with Manhattan Community Board 1. The Community Board will have 24 hour access to Spring staff should any issues arise.
- The applicant will provide a 24 hour cell phone - emergency number to Neighbors, emergency services and local law enforcement precincts and fire departments.
- Spring will meet regularly with local law enforcement and emergency services to address public safety concerns and ensure sufficient coordination and communication.
- Applicant will retain a security consultant to implement a comprehensive security and safety plan.
- The applicant will sponsor, host and staff a regular Community Advisory Board meeting at least every six (6) months, with membership to be appointed by the Community Board.
- Applicant will develop a street cleaning program in conjunction with Chinatown Planning Council (CPC) with uniformed cleaning personnel similar to the Downtown Alliance (but possibly with green uniforms). The cleaning program will direct cleaning personnel to follow a route that includes the area surrounding the Holland Tunnel circle, St. John's Lane, Varick Street, Beach St and the pocket park on West Broadway and Albert Capsouto Park.
- Spring agrees to have no more than 15 events/programs with 600 to 800 attendees. Of these 15 events/programs 5 will end no later than 6pm, 6 will end no later than 10pm and the final 4 will end no later than 11pm. We anticipate that many of the events/programs slated to end at 6 will be luncheons that will end considerably earlier.
- Spring agrees to have no more than 36 events/programs between 400 to 600 attendees. Of these 36 events/programs 10 will end no later than 6pm, 10 will end no later than 9pm, 8 will end no later than 10pm, 6 will end no later than 11pm and 2 will end no later than 12am. We anticipate that many of the events/programs slated to end at 6 will be luncheons that will end considerably earlier.

- Spring agrees to have no more than 60 events/programs with 200 to 400 attendees. Of these 60 events/programs 20 will end no later than 6pm, 18 will end no later than 9pm, 15 will end no later than 10pm, 5 will end no later than 11pm and 2 will end no later than 12am. We anticipate that many of the events/programs slated to end at 6 will be luncheons that will end considerably earlier.
- Spring agrees to have no more than 180 events/programs with 200 or fewer attendees. Of these 180 events/programs 80 will end no later than 6pm, 55 will end no later than 9pm, 28 will end no later than 10pm, 12 will end no later than 11pm and 5 will end no later than 12am. We anticipate that many of the events/programs slated to end at 6 will be luncheons that will end considerably earlier.
- Window shades will be used at all times when photo shoots take place after sunset.
- All guests will enter through the Varick entrance for all events/programs all check in etc. will be in the lobby of the building and not on the sidewalk.
- Spring will be responsible for keeping an event/program log and reporting events/programs to the Community Board.
- All events will be sponsored by Spring and relate to its business purpose.
- Spring will request from the Department of Transportation a traffic signal modification to provide an increased pedestrian interval at the intersection of North Moore Street and Varick Street. In the interim, Spring will provide a pedestrian traffic manager (if permitted by the City) at the aforementioned intersection during events of 200 people or greater which have concentrated arrivals and/or departures.

Commissary Hours & Stipulations

- The commissary will act as a cafeteria and catering facility for the business. Its focus will be breakfast and lunch service, but will provide food any time it is in operation. Because the facility will be a hub of interaction between staff and clients we anticipate it will become a center of creative collaboration for Spring Studios. The goal is to provide a refined yet informal and comfortable environment for players in the art, film, fashion, production and creative worlds to interact and break bread together.
- The indoor commissary space located on the 6th floor, centrally located on the east side of the floor. It will be closed and vacated not later than 1 am on Sunday through Thursdays, and no later than 2 am on Friday and Saturday. Seating will be for approximately 130 seating, with 20 in the bar area.
- The commissary will be open to the public as a white table cloth reservation only restaurant.

Roof Terrace Stipulations

- All roof lighting required for the use of the roof as permitted, including but not limited to lighting required by code or applicable health and safety regulations, will be downward directed and designed to avoid shining lights in the neighbor's windows. There will be no spotlights or lighting directed up or out towards neighboring buildings in any direction.
- The roof terrace will not allow designated standing space for patrons to drink and/ or smoke at a standing bar. There will be no permanent restaurant seating.
- Liquor service will be by server only.
- Events on the roof terrace will end no later than 10:00 PM Monday through Thursday 11:00 PM Friday and Saturday. Liquor service will end one hour prior to scheduled event ending to ensure that the event's attendees are off the roof terrace by the scheduled ending time.
- The applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors.
- No items shall be placed in paths of egress or places of refuge required by the NYC fire and building regulations. Public access to common areas (for meter reading, maintenance etc.) must be maintained 24 hours/day.
- The applicant will also do everything in his/her power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations. Spring will retain a sound engineer, whose selection shall be subject to the Community Board's reasonable approval, to consult on and design appropriate sound mitigation.
- The applicant and his/her staff will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g., there will be no amplified or live music, as per the law, and windows and doors to areas that play amplified music shall be closed. Additionally, there will no amplified sound during rooftop terrace events).
- There will be a designated smoking area out of view of neighboring apartments and at a maximum possible distance from neighboring apartments. An engineer will be engaged to ensure that secondhand smoke does not disturb neighbors or Spring's other clients.
- From 7:00 PM until 11:00 PM the Roof Terrace events will have a maximum capacity of 300 people.
- There will be no more than 30 evening rooftop events (events with a cessation of service after 7) held over the course of the year at spring Studios. There will be no evening rooftop events on Sundays.
- Spring will provide notice to the Community Board in advance of any event using the Roof Terrace.

Fashion Week

- Spring agrees to meet with the board one month prior to any fashion week giving detailed information as to any large events/programs. Spring will explain to the board what steps are being taken to alleviate congestion and stress on the neighborhood.

General Sound Stipulations

- Sound will be inaudible to neighbors and surrounding residential buildings
- Spring agrees to have limiters put on all spaces with sound systems located on the East side of any floor.
- No cabaret license for the building will be sought.

Loading, Unloading & Collection

- Spring is asking all clients, vendors, suppliers, city collections etc. to make all pick ups and drops during regular business hours.
- All non-advertising programming related events shall be disassembled during regular business hours (e.g., rather than in the evening after an event).
- We will ask that any after hours deliveries and disassembling (defined as before 7am and after 7pm) go through the Varick entrance.

Stipulations (1), (2), (3), and (4) relate to the following residential area:

- (a) Vestry Street between Hudson and Varick Streets,
- (b) Varick Street between Vestry and Laight Streets (on the west side of the Holland Tunnel exit)
- (c) Laight Street between Varick and Hudson Streets and
- (d) Beach Street
- (e) North Moore Street between Varick and Hudson Streets

1. Spring Studio and its affiliates ("Spring") and their agents will not seek nor accept a temporary or permanent parking permit for the area referenced above for the purposes of facilitating events/programs held at Spring, including parking, idling, dropping off or picking by Spring, Spring's clients or Spring's vendors.

2. Spring will retain cleanup staff to remove debris or trash left behind following any event/program held at Spring from the sidewalks and streets in the residential areas surrounding Spring, including the area referenced above.

3. Spring will, for every event/program, notify Spring's clients, vendors, employees and other related parties, in writing prior to such event/program, that they and their drivers may not park, idle or congregate in the area referenced above.

4. Spring will, for every event/program, instruct its door and security staff to notify drivers of cars dropping off passengers at Spring that they may not double park or idle in the area referenced above. Spring will provide dedicated security staff to regularly monitor the area referenced above (i.e., physically entering the area at least once every 30 minutes) during and for

a reasonable period of time prior to and following Spring events/programs and to take reasonable and appropriate steps to (i) cause the dispersal of any idled or illegally parked cars (and drivers thereof) related to Spring events/program from such area and (ii) otherwise ensure that such area is not adversely impacted by Spring event/programs.

The above stipulations will be converted to a formalized writing that is recordable in the New York City Registrar's Office. If Spring and CB1 (or other neighborhood interests) agree that private rights of action will be provided in relation to the enforcement of any stipulations agreed to by Spring, such rights will apply to the above stipulations as well.

- Private right of action (stipulation enforcement mechanism):

Private rights of action are rarely used as SLA stipulations (to our knowledge this would be the first at Board One).

There are two reasons for this; one: A private right of action, i.e. right to sue, already exists. Two: the city and state are very responsive to complaints about holders of SLA licenses and the SLA would consider failure to adhere to stipulations fraud, potentially punishable by loss of said license.

In developing the stipulations for this license Spring undertook a comprehensive community outreach effort. This effort has been repeatedly commended by Spring's neighbors both in terms of Spring's effort to reach out and willingness to listen as well as Springs responsiveness to community suggestions and requests.

During this outreach process, in meetings with neighbors of 50 Varick and other residents of the neighborhood, it became very clear that interests may at times be in conflict.

Also, Spring must be protected from frivolous claims.

Accordingly, two important protections must exist for a stipulated enforcement mechanism to work.

1. Neighbors that may have differing interests must be protected. and 2. Spring must be protected from unfounded legal action. The following stipulation addresses those concerns while further ensuring that Spring will comply with the rubric of stipulations to which they have agreed.

Under this stipulation any one with an interest in the neighborhood can call a meeting of the Community Advisory Board (members to be appointed by Manhattan Community Board 1).

At that Community Advisory Board meeting the aggrieved neighbor would be able to ask for a private right of action.

Spring would then have the opportunity to respond to the concerns/allegations at which point the community advisory board would vote on whether the individual neighbor could move forward with the action.

If two thirds of the members of the community advisory board, not counting the votes of elected officials' Advisory Board representatives or Spring Studios, vote to allow the use of a private

right of action then the aggrieved claimant could move forward with the action to enforce the above stipulations (e.g a contract action).

The private right of action is in addition to any existing governmental enforcement mechanisms or other extant private rights, and is not intended to impair any other or existing rights or remedies.

Reference Chart: Event/Program times and size

	Daytime events	Evening Events				
Size	8am- 6pm	Ending by 9pm	Ending by 10pm	Ending by 11pm	Ending by 12am	Total
<200	80	55	28	12	5	180
200-400	20	18	15	5	2	60
400-600	10	10	8	6	2	36
600-800	5	0	6	4	0	15
all events/programs	115	83	57	27	9	291



March 10, 2013

Mr. David Hemphill
Spring New York
50 Varick Street
New York, New York

Dear David

After meeting with you and visiting Spring NY as well as reviewing the floor plans of the various entrances, studios and exits to the facility and the surrounding area, I have prepared the following preliminary traffic / security / safety access control plan.

Because of the façades location on a wide street, a properly implemented traffic plan can substantially mitigate additional noise and congestion caused by the various activities that are planned for Spring Studios. Additionally, security & the flow of people in the building must be considered a critical component of the programming / event planning process. The success of any event can in part be attributed to the detailed process of developing a professional, yet simple and effective plan that can be followed by staff and guests alike.

Among the goals of the security / safety plan will be; overall safety of guests and staff, the efficient movement of guests off public streets and into the facility in a safe manner, direction and control of guest vehicle arrival to mitigate traffic congestion, controlled and safe movement of guests within the facility and controlled and safe egress of guests exiting the facility.

Currently, the security / safety plan is in the preliminary phase and will be updated and finalized after current construction is completed and a complete and thorough site survey can be accomplished. To best revise, further develop and initiate the security / safety plan, viewing of the facility in its final form will present a better understanding of layout and flow that cannot be established fully by just a review of the floor plans and in process construction state.

The following is a brief overview of the security / safety plan which will, as indicated above. Upon completion of the construction phase I will again meet with you to review any changes to the facility and will then finalize and prepare the security / safety plan and begin training and implementation.

Special Event Security Team

Elite Investigations, LTD provides fully screened and highly trained personnel who are completely experienced in the field of special events security. All members of the Special Event

Security Team are registered with the New York State Division of Criminal Justice Services and have completed the following courses as mandated by New York State law, NYS 8 Hour Pre-Assignment, NYS 16 Hour OJT, and NYS 8 Hour Annual In-Service Training and additional not mandated site specific training.

All members of the Elite Investigations LTD Special Event Security Team possess FDNY Fire Guard Certification. Each Team member will receive additional site specific emergency response and evacuation training at Spring NY. The onsite training will be performed on an ongoing basis in order to insure that they are all completely familiar with the physical layout of the building and its emergency Fire Control and Suppression systems.

A core Team of staff will be developed and will be assigned to Spring NY and will be the primary Special Event Security Officers assigned to the facility on an ongoing basis. This will allow them the ability to be familiar with all aspects of the facilities operations and provide will provide them to be pro active and gain valuable experience and knowledge of the facility and adjoining areas to readily identify issues and resolve them efficiently.

Integration of Security / Safety Plan with Building Fire Safety Plan

As 50 Varick Street has multiple tenants and the operation and control of the Fire Safety Panel / System is in the control of the primary tenant, we will meet with and review the 50 Varick Master Fire Safety Plan with Building Management so that we may integrate emergency response with building Fire Safety Directors and Assist Directors. This final review will be conducted prior to completion of full building construction and finalizing the security / safety plan.

Spring NY Staff Training

Training will be provided to all members of the Spring NY staff and as well as onsite vendors to ensure that they are aware of and have the ability to assist with any emergency response or evacuation that may be necessary in compliance with the safety / security plan and Fire Evacuation plans..

Access Control – Varick Street Entrance

When the Varick Street entrance doors are utilized, guests will enter the lobby and will be directed to form an entrance line in the lobby area prior to being checked in via guest list.

A Bank Line configuration will be used to create the guest waiting line and maximize guest capacity in the lobby which will greatly minimize and for most events eliminate the need for guests to remain outside the entrance on Varick Street. This configuration will maximize the number of guests in the lobby and allow the orderly admission of all guests to the elevators leading to the studio where the event will be held and minimize the need for outside waiting areas.

A 10 (ten) foot wide egress path would be established and maintained in the lobby so any guests or staff exiting the facility will have a clearly defined and unobstructed egress path.

Access Control – Varick Street Entrance – Vehicle Traffic Control

As Varick Street is a primary southbound route as well as an exit for vehicle traffic from the Holland Tunnel, the importance of maintaining the continued flow of vehicle traffic is imperative.

Dependent on a review of the total expected attendance for an event a determination will be made as to the necessity for Traffic Control Security Officers staffing on Varick Street.

When it is determined that an event will create an increase in the number of guest vehicles (taxi, black car, limousine, etc.) in addition to providing traffic control officers Spring will alert the Taxi and Limousine Commission, the New York City Police Department and the New York City Department of Transportation to ensure that taxis and limousines that do not comply with efforts to minimize congestion and noise will incur enforcement actions from the applicable agency.

A minimum of two (2) Traffic Control Security Officers attired with reflective safety vests and equipped with illuminated traffic control wands, will be assigned to the location to provide direction to arriving and departing guest vehicles so they may pull to the curb to discharge and load which will greatly reduce any double parking that will impede vehicle traffic and cause unwanted noise and congestion.

The guest vehicle discharge / loading area will be visible to vehicles via the placement of reflective traffic cones and signage indicating the drop off / loading area.

Varick Street Guest Egress

Special Event Security Officers will be stationed on the sidewalks adjoining the entrance / exit doors prior to guests exiting the facility.

Their primary responsibility will be to assist in directing guests to the most efficient route to leave the area. Loitering will be discouraged and the directed assistance will aid in reducing any necessary crowding or noise that may be created by their presence.

Studio Floor Access Control and Egress

Special Event Security Officers will be stationed on each floor where an event is conducted to assist in directing guests to the designated elevator or stairway to exit the building safely and efficiently.

Staffing Levels – Special Event Security Officers

There will be a minimum staffing level of two (2) Special Event Security Officers and one (1) Special Event Security Supervisor in place for all events. Additional security staffing will be based on a seventy-five (75) guest to one (1) Special Event Security Officer ratio.

Additionally, staffing levels for each event will be adjusted by anticipated guest attendance amounts and various other factors unique to each event. After evaluating all such factors, security staffing levels will be determined.

NYPD Liaison and Communication

Elite Investigations LTD., Special Event Management and Spring NY Management will partner with the 1st Precinct Community Affairs Officers to keep them aware of events taking place at the facility. This will assist in maintaining the open lines of communication necessary to conduct an event and coordinate with other events that may be taking place in the community to avoid conflicts in schedules.

I am confident that that the final version of the security / safety plan they will be easily implemented and successful. All involved, Spring NY Management, Security, Building Management and event clients will maintain a pro active approach in to overall safety as well as identifying potential issues before they arise so they can be addressed while an event is in the planning stages.

Both I and the entire Elite Investigations LTD Special Event Division look forward to working with you and the staff of Spring NY.

If you have any further questions or require any additional information, please do not hesitate to contact me at 347.203.0883 or by email at cgarelick@eliteinvestigation.com .

Sincerely,



Chuck Garelick
Vice President, Special Event Services
Elite Investigations, LTD.

538 West 29th Street ♦ New York, New York 10001 ♦ (tel.) 212-629-3131 ♦ (fax) 212-594-2008

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 42 In Favor 0 Opposed 0 Abstained 0 Recused

RE: End School Budget Cuts and restore funding

WHEREAS: All CB#1 Schools have endured budget cuts for at least the last 3 fiscal years; and

WHEREAS: PS 89's cuts are indicative of the potentially dire results of these cuts; and

WHEREAS: PS 89's budget info for the last three fiscal years is as follows:

2009-10 \$4,224,221
2010-11 \$3,971,789
2011-12 \$3,911,873
2012-13 \$3,763,427; and

WHEREAS: PS 89's current budget is \$460,794 less than in 2009; and

WHEREAS: These cuts have directly affected professional development for teachers, supplies for the entire school and out of classroom staff (academic intervention, lunch and playground assistance, technology); and

WHEREAS: PS 89 is at risk of now losing the librarian and special subject classes--dance, art, music, science; and

WHEREAS: PS 234, PS 276, PS 397, PS 343, PS 150, IS 89 and all of our high schools have endured similar cuts; these cuts pose great obstacles to the high standard of education known for CB#1 schools in the past; and

WHEREAS: The increased population in Lower Manhattan has led to greater overcrowding, which will only be exacerbated by increased budget cuts; now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 asks our elected officials: Speaker Silver, Senator Squadron, Assemblyperson Glick, Councilmember Chin and Borough President Stringer to:

1. Oppose any further education cuts. Funding reductions mean greater class size, less classroom resources and enrichment subjects, like dance, music and art put at risk.
2. Restore funding cuts to public schools and preserve the public's trust in public education.
3. Work toward creative solutions that will support our public schools, our teachers and our kids.
4. Let NYC stand as a model for public education, one we can all be proud of, one that will produce the leaders of tomorrow.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 23, 2013

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

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

RE: Protection of student privacy

WHEREAS: New York State and NYC Department of Education have agreed to share confidential student and teacher data with a Gates-funded corporation called inBloom Inc; and

WHEREAS: This confidential data will include children’s personally identifiable information, including name, address, grades, test scores, disciplinary records, attendance, race, ethnicity, economic status, disabilities, health conditions and other highly sensitive information; and

WHEREAS: This information is to be stored in an electronic “data store” built by Wireless Generation, a subsidiary of Rupert Murdoch’s News Corporation, which has been found to have illegally violated privacy in Great Britain and in the US; and

WHEREAS: This information is to be placed on a data cloud managed by Amazon.com, and in a recent survey, 86% of technology professionals said they did not trust clouds to hold their organization’s more sensitive data; and

WHEREAS: inBloom Inc. has already stated that it “cannot guarantee the security of the information stored...or that the information will not be intercepted when it is being transmitted”; and

WHEREAS: inBloom Inc. intends to make this highly confidential data available to commercial vendors to help them develop and market their “learning products; and

WHEREAS: All this is happening without parental notification or consent; and

WHEREAS: Assemblymember O’Donnell has introduced a bill, A6059, that would require parental notification and consent before any confidential, personally identifiable student data is disclosed to third party vendors; and

THEREFORE
BE IT
RESOLVED

THAT: NYS Education Department & NYC DOE should immediately be obligated to:

1. Notify parents of these impending disclosures and provide them with the right to consent before their child’s information is shared.
2. Hold public hearings to explain the point of these disclosures, and hear the concerns of parents & privacy experts about how this plan risks children’s privacy, security and safety.

3. Pledge that the privacy rights of public school children and their families will be respected over the interests of the Gates Foundation, inBloom Inc., News Corp, or any other company or organization; and

BE IT
FURTHER
RESOLVED

THAT: All health, disability and personal information (including: name, sex, social security number, and age) by removed from the database; and

BE IT
FURTHER
RESOLVED

THAT: We urge our state and local elected representatives to support, co-sponsor and endorse A6059, so that our children's privacy is protected and parents are provided with full notification and the right to consent before any disclosures occurs.