

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: BATTERY PARK CITY

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

BOARD VOTE: 29 In Favor 0 Opposed 0 Abstained 1 Recused

RE: 259 Vesey Street, application for a sidewalk cafe license for El Vez

WHEREAS: The applicant, Havatequila Restaurant Partners LLC, is applying for a sidewalk cafe license for 19 tables and 38 seats; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves the sidewalk cafe license for Havatequila Restaurant Partners LLC at 259 Vesey Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:       8 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:           31 In Favor   0 Opposed   0 Abstained   0 Recused

RE:                55 Water Street, application for restaurant catering facility liquor license for Gjieta Nicaj d/b/a Masterpiece Caterers Corp.

WHEREAS: The applicant, Gjieta Nicaj d/b/a Masterpiece Caterers Corp., is applying for a restaurant catering facility liquor license for 55 Water Street; and

WHEREAS: The proposed hours of operation of this establishment are 12 p.m. to 10 p.m. seven days a week; and

WHEREAS: The square footage of the establishment is 25,000; and

WHEREAS: There will be recorded background music; and

WHEREAS: The applicant has stated that there are not buildings used exclusively 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

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant catering facility liquor license to Gjieta Nicaj d/b/a Masterpiece Caterers Corp. for 55 Water Street, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:       8 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:           31 In Favor   0 Opposed   0 Abstained   0 Recused

RE:                   Application for a Board of Standards and Appeals zoning variance to allow the construction of a 70-story residential building that does not comply with the setback requirement of Zoning Resolution section 91-32

WHEREAS: 22 Thames Street is located at the corner of Greenwich Street and Thames Street and is adjacent to the former headquarters of the American Stock Exchange, a designated New York City landmark, and

WHEREAS: The development site is in a C5-5 zoning district within the Special Lower Manhattan District and with the American Stock Exchange headquarters site constitutes a single zoning lot which is not under common ownership, and

WHEREAS: The applicant is proposing to construct a 70-story predominantly residential building which will contain up to 439 apartments and approximately 11,435 square feet of retail space that will use the excess floor area attributable to the adjacent landmark American Stock Exchange, and

WHEREAS: Zoning Resolution section 91-32 requires that the proposed building may be constructed at the street line up to a maximum height of 97.5 feet and must then set back a prescribed distance along both Greenwich and Thames Streets, and

WHEREAS: If the site of the proposed building was a separate zoning lot, the required setback distance along both streets would be 10 feet, but because the development site and the former American Stock Exchange building occupy a single zoning lot with a combined lot area of more than 35,000 square feet, the proposed building is required to set back 20 feet along both Greenwich and Thames Streets, and

WHEREAS: Because the development site is constrained by the adjacent landmark site, a building constructed on the development site with the required 20-foot setbacks would have tower floor plates of only about 5,300 square feet and residential floor plates would be inefficient and result in apartments with awkward layouts, and

WHEREAS: In order for a complying building to utilize all of the floor area available to the development site, it would have a height of 85 stories and an elevation of 1,048 feet and would not be economically viable, and

WHEREAS: The applicant is seeking a variance to construct a building which, above its base, sets back 10 feet along Greenwich Street and 13 feet along Thames Street whereby the proposed building will thereby satisfy the 10-foot setback

requirement that would apply if the development site was a stand-alone zoning lot, and

WHEREAS: Because of these larger floor plates, the proposed building will be significantly shorter than a complying building, reaching a height of only 70 stories and an elevation of 882 feet, which is 15 stories and 166 feet less than a complying building containing the same amount of floor area, and

WHEREAS: The proposed building will be more compatible with its surrounding context and is being designed with a lower base height in an attempt to relate to the height of the significant architectural features of the adjacent landmark American Stock Exchange building thereby creating a harmonious relationship between the two buildings, and

WHEREAS: Twenty percent of the apartments in the proposed building are anticipated to be affordable units which will be rented to households earning no more than 60 percent of the median income for New York City and the proposed building will provide approximately 11,000 square feet of retail space for persons who live and work in the area, and

WHEREAS: The Thames Street sidewalk that abuts the development site is currently only 3 feet, 5 inches wide. and a 10-foot wide covered walkway will be incorporated into the project site, which will provide a sidewalk with a total width of 13 feet, 5 inches to enhance the safety and convenience of building occupants and other pedestrians, and

WHEREAS: In response to questions from the Financial District Committee, the applicant stated that they will seek ways to provide appropriate storage for disposal of refuse and recyclables to prevent pile-ups for extended periods of time on the street, and

WHEREAS: In order to provide better flood protection, all of the proposed building's essential electrical equipment will be located on upper floors rather than in the cellar, where such equipment is typically located, and

WHEREAS: The variance of the applicable setback requirement that is being requested will not alter the essential character of the surrounding neighborhood or be detrimental to the public welfare, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 recommends that the Board of Standards and Appeals grant a variance for 22 Thames Street to allow construction of a 70-story residential building that does not comply with the setback requirement of New York City Zoning Resolution section 91-32.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 4 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 372 Broadway/6 Cortland Alley, application for penthouse addition

WHEREAS: Community Board #1, Manhattan voted to recommend approval of this applicant's entire previous scope of work on December 19, 2012, and

WHEREAS: The current revision is a result of a New York City Department of Buildings determination that the site must be regarded as two zoning lots instead of the previously-assumed single lot, therefore requiring major design changes, and

WHEREAS: Façade restoration, storefront infill and Cortland Alley design treatment notwithstanding, the new proposal calls for adding two penthouse floors and a mezzanine, the latter being a new floor partially recessed into the volume of the existing building envelope, and

WHEREAS: This assemblage would be ten feet closer to- , and much more visible from Broadway than the earlier scheme, and

WHEREAS: The actual new architecture would layer the three-level addition with glass panels running in different directions and with varying forms, and

WHEREAS: The new floors would be separated by Z-shaped spandrels or framing, and the materials include blue/gray glass and zinc, and

WHEREAS: While we recognize the hard work and detailed presentation that TRA Studio offered, and understand the difficult situation the Department of Buildings decision caused, the revised design is nevertheless overly "worked," and

WHEREAS: The new construction's enormous visibility from Broadway and Franklin Streets is unacceptable, now

THEREFORE  
BE IT  
RESOLVED

THAT: The Landmarks Committee of Community Board #, Manhattan recommends that the Landmarks Preservation Commission reject this application.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 4 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 86 Trinity Place aka 113-23 Greenwich Street, application for façade alteration, signage and addition of a loading dock

WHEREAS: The application is to convert the American Stock Exchange's two ground level facades into retail, a hotel entrance and a loading dock, and

WHEREAS: The preservation consultants reminded the Committee that the ground level facades were originally solid to provide for a trading floor with lighting coming from the second floor windows, and

WHEREAS: Both facades - limestone on Trinity Place, brick on Greenwich Street - would be cleaned, windows repaired or replaced as required, and

WHEREAS: The Trinity Place façade would have five new large openings cut into the limestone in-line with the large original windows above, the new windows will be painted steel with clear thermal glass, with internal signage, and

WHEREAS: The Trinity Place façade would have a sixth fenestration – of similar size to the retail openings to provide access to the planned hotel entrance – although this may be moved to the Greenwich façade – in which case it would be another retail window, and

WHEREAS: The hotel entrance would have a marquee metal awning with a signage band with rear lit lighting fixtures, and

WHEREAS: There were five proposed 4 1/2' by 2' blade signs by each window on the Trinity Place facade, and

WHEREAS: The Greenwich Street façade would have five new 14' 10" openings, with transom for signage, of painted steel with clear thermal glass, with internal signage, and

WHEREAS: An existing opening would be enlarged to provide a roll-down steel loading dock entrance, painted appropriately, and

WHEREAS: There were four proposed 4 ½' by 2' blade signs by each window on the Greenwich Street façade, and

WHEREAS: There would be no external lighting – other than the discreet lighting on the hotel marquee, and

WHEREAS: The Committee commended the applicant for their thorough presentation and sensitive design – they however did not feel the nine blade signs were appropriate and that they should be removed – which the applicant agreed to do, and

WHEREAS: The Committee felt there was a missed opportunity by not removing the two small, awkward louvers on the Greenwich Street façade and piecing in the brick openings - which the applicant agreed to you, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 recommends the Landmark Preservation Commission approve the application with the removal of the proposed nine blade signs and the infill of the two louvers on the Greenwich Street facade.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 90 Franklin Street (a.k.a. 271 Church Street)

WHEREAS: The application is for a window master plan for a large Art Deco building dating from 1930-31 by Cross and Cross, and

WHEREAS: The building is prominently situated on Church and Franklin Streets, and

WHEREAS: The building's original windows were dark green in a 3-over-3 configuration, and

WHEREAS: Since 2007 individual condominium owners have replaced more than 33% of the building's windows with metal 1-over-1 double hung windows, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB#1 recommends the Landmarks Preservation Commission approve the application for this master plan with a recommendation that any complete window replacement that may occur in the future restore the original 3-over-3 configuration and green color (Pittsburgh Paint Clover 403-7) in a new master plan.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:       9 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:           31 In Favor   1 Opposed   0 Abstained   0 Recused

RE:                   2 Park Place aka The Woolworth Building Tower, application for modification to facade, rooftops and storefront

WHEREAS: The Woolworth Building, designed by architect Cass Gilbert, was the tallest building in the world at the time of its completion in 1913, and is one of the most famous and recognizable skyscrapers in the nation, and

WHEREAS: The building's ornate terracotta facade and copper clad roofing and fenestration are a unique and distinctive architectural feature of both the neighborhood's skyline and its streetscape, and

WHEREAS: The modifications and additions proposed to the roofs of the north and south wings will restore missing crest work to match the original gothic design, will remove and relocate existing highly visible mechanical equipment, will add windows between seams of the copper roof in keeping with other similar designs contemplated by the architect, but will add volume that has significant visibility from the street, and

WHEREAS: Alterations proposed to windows and doors at the wing rooftops, tower and pinnacle are too intrusive and visible from the street, and

WHEREAS: The proposed replacement windows have been carefully researched and will be as close in detail and dimensions to the original windows as possible while meeting contemporary code requirements and in any case will be a great improvement to the existing non-original replacement windows, and

WHEREAS: The proposed new entrance on Park Place to the residential tower follows the design of original secondary entrances to the building and the proposed new residential lobby will be entirely contained within a non-landmarked portion of the building's interior, however, a proposed new entrance canopy is not appropriate to either the building's typology or architectural design, as all of the building's original entrances - both primary and secondary - are sheltered by virtue of being recessed into the facade and do not have canopies, and

WHEREAS: The Committee's site visit confirmed the highly visible two penthouses, which could be reduced by lowering the height of the additions by 5' and be within code, and

WHEREAS: The Committee commended the applicant for taking into account concerns the Committee had when the previous application was submitted, and

WHEREAS: The majority of the Committee felt the penthouses were too visible for this most important building, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 recommends that the Landmarks Preservation Commission reject this application unless the canopy is entirely removed, the windows in the pinnacle are left as originally designed and the penthouses are made significantly less visible.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 71 -73 Franklin Street, application for roof top addition and storefront alteration

WHEREAS: The application is to renovate this 1851 limestone and cast iron building in the Tribeca West Historic District, and

WHEREAS: The store front – with three new door entrances and three large retail bays will be made from wood and clear glass between restored cast iron columns typical of Tribeca warehouse restorations, and

WHEREAS: The diamond plate steps and glass infill will remain, and

WHEREAS: There is no present plan for exterior lighting or signage, and

WHEREAS: The original cornice above the store front is in poor condition and will be replaced in kind from a new fiberglass constructed cornice, and

WHEREAS: The non-original fire escape will be removed, and

WHEREAS: The façade will be cleaned and restored, new wooden two-over-two windows to match the original will be installed and all window AC units removed, and

WHEREAS: The two story roof addition adds 14' to the overall height of the building and is set back 15' from the front cornice, constructed from limestone and brick to match the existing, and

WHEREAS: The bulkhead will be made of zinc sheet metal, and

WHEREAS: The visibility studies showed minimally and acceptable visibility, and

WHEREAS: The Committee liked the proposal but suggested the corner parapet on Franklin Alley be removed – which the applicant agreed to do, and

WHEREAS: The Committee felt the skylights on the roof addition were too visible and recommended installing a solid cornice to cover them – which the applicant agreed to do, and

WHEREAS: The Committee also encouraged the applicant to use reclaimed bricks on the  
sidewall – 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: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: LANDMARKS

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

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 429 Greenwich Street, application for fence for rooftop cooling towers and replacement of existing roof top railing

WHEREAS: The application is to remove the existing wooden roof top fence with a 42” high non-reflective clear glass, that is secured to the roof with a bottom shoe, and

WHEREAS: The 13’ cooling tower will be enclosed with epoxy wood colored gray, and

WHEREAS: The Committee felt these modifications were improvements and appropriate, now

THEREFORE

BE IT

RESOLVED

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

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:       8 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:           32 In Favor   0 Opposed   0 Abstained   0 Recused

RE:                   443 Greenwich Street application for approval of rooftop addition, replacement of windows and storefront infill

WHEREAS: The application is to amend the previously approved LPC application as the building will now be entirely residential – by removing the portion that was planned to be hotel, and

WHEREAS: The entry into the court yard was amended by removing the bumper base plate, and

WHEREAS: All windows would now match the original 6-over-6 wooden painted windows, and

WHEREAS: The proposed canopy would now be constructed with clear glass, and

WHEREAS: The roof top addition which is not visible would reduce from the approved 12,000' to 9,600' as the mechanicals are now much simpler for the residential conversion, and

WHEREAS: A number of local residents attended the meeting and agreed with the Committee that this was an improvement over the previous plan, now

THEREFORE

BE IT

RESOLVED

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

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:           6 In Favor   0 Opposed   0 Abstained   1 Recused

BOARD VOTE:             31 In Favor   0 Opposed   0 Abstained   1 Recused

RE:                   Tribeca Trust Landmark Districts Expansion Proposal

WHEREAS: CB#1 has championed the protection of Tribeca's unique sense of place since the 1980's, and

WHEREAS: The original request of the Tribeca Community was for a wider and more inclusive historic district then were designated in 1991 and 1992 – a request supported by numerous architects and historians, and

WHEREAS: The modest extension to the Tribeca South Historic District was made after many years of hard work in 2009, and

WHEREAS: The Tribeca Trust has formed with renewed energy to expand the four existing districts to the original proposed single district boundary, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 strongly supports Tribeca Trust's proposal to expand the boundaries of Tribeca's historic districts. There is clear and intact sense of place in the areas proposed and we urge the Landmarks Preservation Commission to act decisively and approve this proposal.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: NEW BUSINESS

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Honoring Elizabeth Berger

WHEREAS: Elizabeth Berger served for six years as a Manhattan Community Board Member from April 1999 to April 2005. In September 2007 she was appointed President of the Alliance for Downtown New York, the Business Improvement District for Lower Manhattan. She was their first President who was also a downtown resident. She was also the President of the Downtown-Lower Manhattan Association; and

WHEREAS: Her passion for Lower Manhattan resulted in her dedication for our community from the rebuilding after September 11<sup>th</sup> to Superstorm Sandy recovery, renovating many parks and beautifying open spaces through events such as the annual Downtown Alliance Planting Days, which were created by Elizabeth Berger; and

WHEREAS: Elizabeth Berger made our neighborhood a better place to live and to work by also serving on the Board of Directors of The Trust of Governors Island, The Municipal Arts Society of New York City and The Battery Conservancy; and

WHEREAS: Under Elizabeth Berger's leadership, the Downtown Alliance was the first organization to offer grants to downtown small businesses that were hit hard by Superstorm Sandy – before the public sector was able to organize any assistance programs; and

WHEREAS: On August 5, 2013, Elizabeth Berger died from a long-term illness; and

WHEREAS: Elizabeth Berger was a true pioneer and a friend of Lower Manhattan. She has lived with her family downtown for 30 years and was a soccer mom. Elizabeth Berger loved Lower Manhattan; she loved the Downtown Alliance, but loved her family, and friends, the most. She will be greatly missed; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 joins with the Downtown Alliance to find a fitting and lovely tribute to honor not only her contribution at two critical turning points for Lower Manhattan, but also her consistent and relentless efforts to better our community; and

BE IT  
FURTHER  
RESOLVED  
THAT:

Community Board 1 respectfully requests the help of our elected officials, including the Borough President and the New York City Council, to work with the City and the relevant agencies to find a lasting and appropriate way to honor the legacy of Elizabeth Berger who positively contributed to the successful transformation of Lower Manhattan into a vibrant 24/7 community.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: NEW BUSINESS

BOARD VOTE: 31 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 101 Maiden Lane, application for wine and beer license for an entity in which Michael Sinensky is a Principal, d/b/a Tres Carnes

WHEREAS: The applicant, an entity in which Michael Sinensky is a Principal, is applying for a wine and beer license for 101 Maiden Lane; and

WHEREAS: The proposed hours of operation of this establishment are 11 a.m. to 9 p.m. seven days a week; and

WHEREAS: The square footage of the establishment is 1,500; and

WHEREAS: There will be recorded background music; and

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

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 opposes the granting of a liquor license to an entity in which Michael Sinensky is a Principal, d/b/a Tres Carnes, for 101 Maiden Lane, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: NEW BUSINESS

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Support of the Community Education Council District 2 resolution calling for withdrawal of the proposal to co-locate Success Academy Charter School – New York 1 with Murray Bergtraum High School

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 supports the attached resolution calling for the withdrawal of the proposal to co-locate Success Academy Charter School – New York 1 with Murray Bergtraum High School.

Community Education Council District 2  
333 Seventh Avenue  
New York, New York 10001  
Tel (212) 356-3915 Fax (212) 356-7506  
[www.cecd2.net](http://www.cecd2.net)

Shino Tanikawa, President  
Simon Miller, Vice President  
John Keller, Treasurer  
Tamara Rowe, Recording Secretary  
Claude Arpels

Beth Cirone  
T. Elzora Cleveland  
Eric Goldberg  
Jennifer Kops  
Sonni Mun

**RESOLUTION #72**

**CALLING FOR THE WITHDRAWAL OF THE PROPOSAL TO CO-LOCATE  
SUCCESS ACADEMY CHARTER SCHOOL – NEW YORK 1 WITH MURRAY  
BERGTRAUM HIGH SCHOOL**

Co-Sponsors: S. Tanikawa, B. Cirone, T.E. Cleveland, S. Mun and T. Rowe

**WHEREAS** Despite having opened three new zoned elementary schools in the last four years, Lower Manhattan continues to experience overcrowding, resulting in wait lists;

**WHEREAS** Speaker Silver has continued to convene the Task Force on School Overcrowding, where principals and parents reported on overcrowded conditions in the schools in Lower Manhattan;

**WHEREAS** parents and community members in Lower Manhattan have continued to make the case for the need to build another elementary school south of Canal Street;

**WHEREAS** the Department of Education has agreed to re-evaluate the population projection and the need for school seats in Lower Manhattan and the preliminary analysis shows the planning subdistrict south of 14<sup>th</sup> Street will require 1,000 additional elementary seats;

**WHEREAS** parents in Lower Manhattan have expressed their desire for a zoned neighborhood elementary school with the certainty of admission (i.e., no wait list) and they have not asked for more *choices* in elementary schools, particularly in the form of a charter school;

**WHEREAS** the Community Education Council District 2 (CECD2) has passed two resolutions against co-location of charter schools, one of them citing Success Academy Charter School specifically(see resolutions # 30 & 54);

**WHEREAS** the CECD2 has passed a resolution calling for a moratorium on charter school applications in District 2 (see resolution #58);

**WHEREAS** the CECD2 questions the merit of co-locating an elementary school with a high school, whose facilities needs are very different from those of elementary schools, and is concerned for the potential impact of the co-location on the high school students (potential loss of instructional space, the disruption associated with relocating rooms, etc.);

**WHEREAS** the CECD2 is also concerned about the safety of elementary school students sharing the building with high school students, particularly when anecdotal evidence indicates charter school administrations are often unwilling to work with the host public school administrations (e.g., the Success Academy Charter School Hell's Kitchen, whose administration has refused to attend advisory committee meetings to develop a safety plan);

**WHEREAS** the co-location proposal has been released before the charter application for Success Academy Charter New York 1 is approved (or rejected);

**WHEREAS** the Department of Education has released multiple co-location proposals all over the city seemingly in a rush to implement as many co-locations as possible before the end of the current administration and the CECD2 is uncertain about the thoroughness of the planning behind these proposals (rash planning last year led to the creation of Stephen T. Mather Building Arts & Craftsmanship High School in M520, whose facilities cannot accommodate the new school's curriculum needs, necessitating a building swap with the Urban Assembly School for Emergency Management, another new school);

**WHEREAS** clearly creating and siting new schools requires careful and thorough planning, which the Department of Education has not demonstrated on a consistent basis, and relocating schools, particularly start-up schools, is disruptive to the students and the faculty, creating unnecessary challenges;

**THEREFORE BE IT RESOLVED** that the Community Education Council District 2 urges the Department of Education to withdraw the proposal to co-locate Success Academy Charter School New York 1;

**THEREFORE BE IT FURTHER RESOLVED** that the CECD2 urges the Department of Education to conduct a thorough review all current co-location proposals thoroughly before releasing them publicly and moving

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Local law 1085-2013 to amend emergency plans for residential and commercial buildings

WHEREAS: Local law 1085-2013, introduced to the City Council Committee on Housing and Buildings, seeks to amend “the administrative code of the city of New York, in relation to emergency plans for residential and commercial buildings and the posting of emergency information in certain residential buildings”; now

WHEREAS: Local law 1085-2013 would require that the “commissioner shall develop guidelines for how residential and commercial property owners shall prepare for and communicate certain information to the tenants of such buildings in the event of a weather emergency or extended utility outage”:

Such guidelines shall include, but shall not be limited to:

1. Providing information on the property's flood zone and evacuation zone;
2. What, if any, protective measures will be provided or may be installed to protect against flooding, including sandbags, jersey barriers or other protections;
3. How window air conditioning units, patio furniture flower boxes, windows, doors and other loose items should be secured;
4. Whether equipment such as elevators and boilers should be shut down or moved above flood risks;
5. The options available to a property owner to rent equipment, such as pumps and generators after a weather event or extended utility outage;
6. The methods that property owners can use to communicate with tenants during and after a weather event or extended utility outage and identifying relevant building contacts for emergencies; and
7. Guidelines for tenants sheltering in place, including tenants aged sixty-two and older and tenants with disabilities; and

WHEREAS: Local law 1085-2013 would require the owner of a building to “post the following information in the common area of the ground floor of the dwelling on a sign of sufficient size to be seen”; and

WHEREAS: Proper emergency preparedness of our buildings is of paramount importance for CB1. Superstorm Sandy caused numerous hardships for our residents, workers and students; many people lacked information concerning the emergency preparedness and safety of their buildings, and in some instances, did not receive any communication for days after the storm from their building managers;and now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 supports the passage of local law 1085-2013 and encourages the City, the NYC Office of Emergency Management, and all local elected officials to continue to strengthen the emergency preparedness requirements of our residential and commercial buildings.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 21 Ann Street, application for a liquor license for Tre Monelli LLC dba Da Claudio

WHEREAS: The applicant, Linda Marini (entity to be formed), is applying for a liquor license; and

WHEREAS: The hours of operation of this establishment are 11:30 a.m. to 11:00 p.m. Sunday through Thursday and 5:00 p.m. to 11:00 p.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is 3,200 square feet, including a dining area of 1,000 square feet with 28 tables and 86 chairs and a bar area of 900 square feet with 2 tables and 35 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 exclusively 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 a liquor license to Linda Marini (entity to be formed) at 21 Ann Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 261 Water Street, application for an alteration of a liquor license for Mark Joseph Steakhouse

WHEREAS: The applicant, T Bone Inc, is applying for an alteration of a liquor license; and

WHEREAS: The hours of operation of this establishment are 11:30 a.m. to 12:00 a.m. Sunday through Thursday and 11:30 a.m. to 12:00 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is 3,000 square feet, including a dining area of 900 square feet with 36 tables and 62 chairs and a bar area of 450 square feet with 3 tables and 19 seats; and

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

WHEREAS: On June 22, 2010, Community Board 1 recommended approval of the sidewalk café for which this alteration is requested; and

WHEREAS: The applicant has represented that there are no buildings used exclusively 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 for a liquor license to T Bone Inc. at 261 Water Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEES OF ORIGIN: TRIBECA, PLANNING AND QUALITY OF LIFE

COMMITTEE VOTE*:	5 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	0 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	29 In Favor	4 Opposed	1 Abstained	0 Recused

\* Committee vote is a recommendation

RE: Proposed Bike Lanes in Tribeca for Church Street, Varick Street and West Broadway

WHEREAS: Department of Transportation (DOT) has proposed two bike lanes in Tribeca as part of their citywide bike lane initiative; and

WHEREAS: DOT has proposed a northbound bike lane starting at Warren Street and Church Street and proceeding north on Church Street and 6<sup>th</sup> Avenue; and

WHEREAS: DOT observed 544 cyclists riding on Church Street during a weekday between 8:00am to 7:00pm; and

WHEREAS: The Church St/Leonard St Citibike station had a total of 1,087 bike share trips the week of 8/25/2013 to 8/31/2013; and

WHEREAS: DOT has proposed a southbound bike lane proceeding south on Varick Street and West Broadway and terminating at Warren Street and West Broadway; and

WHEREAS: DOT observed 259 cyclists riding on Varick Street and 326 cyclists riding on West Broadway during a weekday between 8:00am to 7:00pm; and

WHEREAS: The 6th Ave/Canal St Citibike station had a total of 1,207 bike share trips and the Franklin St/ W. Broadway Citibike station had a total of 1,074 bike share trips the week of 8/25/2013 to 8/31/2013; and

WHEREAS: The proposed bike lanes will provide north/south access for the increased cyclists traveling within and through Tribeca; and

WHEREAS: DOT has proposed a granite strip to run along the one block of cobblestone on Varick Street between Canal Street and Laight Street; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 supports the implementation of the proposed DOT bike lanes and asks that DOT monitor the bike lanes for safety and traffic flow.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE\*: 6 In Favor 0 Opposed 0 Abstained 0 Recused

PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 34 In Favor 0 Opposed 0 Abstained 0 Recused

\* Committee vote is a recommendation

RE: 136 Church Street (a.k.a. 37 Warren Street), Board of Standards and Appeals application to permit a physical culture establishment

WHEREAS: Sheldon Lobel, P.C., on behalf of Ultrafit, LLC, has filed an application with the Board of Standards and Appeals for a special permit to allow a physical culture establishment at 136 Church Street; and

WHEREAS: This physical culture establishment will be a fitness studio operated on portions of the cellar and ground levels of the existing building; and

WHEREAS: The first floor space will have an exercise studio, a reception and retail sales area, office, storage room and restroom. The cellar level will contain men's and women's locker rooms and a laundry room; and

WHEREAS: The fitness center would provide a mix of cardiovascular and strength training exercises; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 has no objection to the granting of a special permit to allow a physical culture establishment at 136 Church Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: TRIBECA

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

\* Committee vote is a recommendation

RE: 355 Greenwich Street, application for a renewal of a sidewalk cafe license for The Harrison

WHEREAS: The applicant, Harrison Greenwich LLC, is applying for a renewal sidewalk cafe license for 15 tables and 30 seats; and

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 approves the sidewalk cafe license for Harrison Greenwich LLC at 355 Greenwich Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: TRIBECA

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

\* Committee vote is a recommendation

RE: 253 Church Street, application for a wine and beer license for Kori Tribeca

WHEREAS: The applicant, Cjfour Inc., is applying for a wine and beer; and

WHEREAS: The hours of operation of this establishment are 11:00 a.m. to 12:00 a.m. Sunday through Thursday and 9:00 a.m. to 10:00 p.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is 1,500 square feet, including a dining area with 15 tables and 30 seats and a bar area with 12 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 exclusively 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 a wine and beer license to Cjfour Inc. at 253 Church Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: TRIBECA

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

\* Committee vote is a recommendation

RE: 325 Broadway, application for a beer license for Arome Café

WHEREAS: The applicant, Broadway Arome Café LLC, is applying for a beer license; and

WHEREAS: The hours of operation of this establishment are 6:00 a.m. to 6:00 p.m.; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a beer license to Broadway Arome Café LLC at 325 Broadway *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: TRIBECA

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

\* Committee vote is a recommendation

RE: 75 Murray Street, application for a liquor license for Caviarteria

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

WHEREAS: The hours of operation of this establishment are 11:00 a.m. to 1:00 a.m. Sunday through Thursday and 11:00 a.m. to 2:00 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is 2,375 square feet, including a dining area of 1,290 square feet and a bar area of 800 square feet; and

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

WHEREAS: The applicant has agreed to have no DJ and only play background music; and

WHEREAS: The applicant has represented that there are no buildings used exclusively 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 a beer license to Caviarteria New York LLC at 75 Murray Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE*:	0 In Favor	6 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	0 Opposed	4 Abstained	0 Recused

\* Committee vote is a recommendation

RE: 200 Church Street, application for a liquor license for Tribeca's Kitchen

WHEREAS: The applicant, 200 Tribeca Restaurant LLC, is applying for a liquor license; and

WHEREAS: The hours of operation of this establishment are 6:00 a.m. to 1:00 a.m.; and

WHEREAS: The total area of the restaurant is 3,126 square feet, including a dining area of 1804 square feet with 40 tables and 148 seats and a bar area of 203 square feet; and

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

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

WHEREAS: The applicant has represented that there are no buildings used exclusively 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: Residents of 200 Church Street unanimously signed a petition against a liquor license citing noise concerns and presence of numerous children within the building; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a liquor license to 200 Tribeca Restaurant LLC at 200 Church Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE\*: 5 In Favor 0 Opposed 0 Abstained 0 Recused

PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 34 In Favor 0 Opposed 0 Abstained 0 Recused

\* Committee vote is a recommendation

RE: 35 Lispenard Street, application for a liquor license for TBD

WHEREAS: The applicant, George Forgios (entity to be formed), is applying for a liquor license; and

WHEREAS: The hours of operation of this establishment are 12:00 p.m. to 12:00 a.m. Sunday through Thursday and 12:00 p.m. to 1:00 a.m. Friday and Saturday; and

WHEREAS: The hours of operation on the rooftop will be from 12:00 p.m. to 9:00 p.m.; additionally there will be no music on the rooftop; and

WHEREAS: The total area of the restaurant is 1,375 square feet, including a dining area of 1925 square feet with 14 tables and 30 chairs and a rooftop area of 350 square feet with 6 tables and 22 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 exclusively 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 a beer license to George Forgios (entity to be formed) at 35 Lispenard Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE*:	4 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

\* Committee vote is a recommendation

RE: Proposal for newsstand license #1467691 in front of 101 Murray Street

WHEREAS: Akhil Patel (“the Applicant”) has applied to the Department of Consumer Affairs for a newsstand on the north side of Murray Street in front of 101 Murray Street; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB#1 approves a newsstand on the north side of Murray Street in front of 101 Murray Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 24, 2013

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	1 Opposed	0 Abstained	0 Recused

RE: School governance law and mayoral control

WHEREAS: The law that gives control over the city’s public schools to the Mayor of the City of New York is set to expire on June 30, 2015, and

WHEREAS: The future of this law will be decided by the New York State Legislature, and

WHEREAS: Our current system of school governance and its structure hinders public involvement in decision making; this structure lacks opportunities for public discussion about issues such as school closings, graduation rates, student transportation, school capacity and how to improve student performance and success, and

WHEREAS: The current structure does not ensure accountability and transparency to the public with checks and balances at all levels, and

WHEREAS: The central Board of Education was replaced with a Panel for Education Policy that is primarily composed of mayoral appointees, and

WHEREAS: The current structure also lacks a meaningful mechanism for all stakeholders, from parents and teachers to elected officials and community leaders, to be involved in and influence school affairs, and

WHEREAS: Diane Ravitch, Research Professor of Education, New York University, was also critical of our current system in testimony at a hearing of the New York State Assembly Committee on Education on February 6, 2009: “Never before in the history of New York City have the Mayor and the Chancellor exercised total, unlimited, unrestricted power over the daily life of the schools. No other school district in the United States is operated in this authoritarian fashion,” she said, and

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 recommends that the State Legislature include the following modifications to the law:

- The establishment of clear and detailed checks and balances
- The creation of an independent governing body, a majority of whose members are not appointed by the Mayor
- The Mayor will appoint the Chancellor after reaching consensus with this new a governing body
- This governing body will hold open/public meetings with sufficient lead time to review decisions before they are made final
- Local school boards composed of parent leaders will have sustained and systematic input into school policy decisions as called for in the legislation sponsored by State Senator Daniel Squadron and Assembly Member Jeffrey Dinowitz, supported by Borough President Scott Stringer and endorsed by the CB1 Youth Committee on April 21, 2009 at the Borough President's request
- The education system will engage a professional, independent auditing agency to evaluate compliance with the law as well as test scores and graduation rates, as independent scrutiny and evaluation are necessary for transparency and needed legitimacy
- The DOE will be subject to financial oversight by the City Council and Comptroller as are other City agencies.