

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

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:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Alternate sites for proposed Seaport development

WHEREAS: In 2012, Community Board 1 (CB1) participated in the Uniform Land Use Review Process (ULURP) for a proposal to re-construct Pier 17, involving several public meetings and an official public hearing including CB1’s Planning, Seaport/Civic Center, Landmarks and former Waterfront Committees as well as the full board; and

WHEREAS: The Howard Hughes Corporation (HHC) has been given the option by the City of New York to develop additional properties in the South Street Seaport area, including the Tin Building, the New Market Building and areas adjacent to them; and

WHEREAS: On November 19, 2013, the Howard Hughes Corporation presented their preliminary plans for these sites to the Seaport/Civic Center Committee, including the following features:

- Dismantling the Tin Building and demolishing the New Market Building in order to reconstruct the platforms underneath them
- Reconstructing the Tin Building with an additional floor, pushed back 30 feet east from the original placement to allow for elevation to meet FEMA standards and a more easily accessible East River Esplanade walkway/bikeway
- Demolishing the Link Building and Pier 17’s “back of house” structure
- Constructing a marina north of the New Market site
- Constructing a new mixed-use 600 foot tower in place of the New Market Building; and

WHEREAS: In October 2008, Community Board 1 adopted a resolution in response to a feasibility study of a major redevelopment of Pier 17 by General Growth Properties (GGP), including a proposed 495 foot tower hotel and residential building, of which 390 feet were as-of right. The resolution states, “Regarding the impact of the project on the area and the historic district the Community Board is pleased with the overall design but laments that even without variances there is an opportunity for an as-of-right 390-foot high building so close to the South Street Seaport Historic District;” and

WHEREAS: Following the November 2013 presentation by the Howard Hughes Corporation on their preliminary plans including the Tin Building, the New Market Building and areas adjacent to them, CB1 adopted a resolution reiterating its opposition to a tower in place of the New Market Building, particularly a tower of 600 feet, whose height would be out of context with the low-rise character of the area,

block views of the waterfront, and would conflict with the iconic presence of the Brooklyn Bridge; and

WHEREAS: In February 24, 2014, the South Street Seaport Working Group (SWG) was formed to engage in a candid, community-driven dialogue that focused on the future development of the South Street Seaport Historic District and its immediate vicinity; and

WHEREAS: The SWG was formed by Manhattan Community Board 1, Councilmember Margaret Chin, Borough President Gale Brewer, State Assemblyman Sheldon Silver, State Senator Daniel Squadron and Congressman Jerrold Nadler following concerns raised by Community Board 1, local residents and others regarding the proposal by HHC for redevelopment of the Seaport; and

WHEREAS: The NYC Economic Development Corporation, NYC Department of City Planning and the NYC Department of Cultural Affairs also participated to provide technical support as needed to the SWG; and

WHEREAS: Over a ten week period, members of the SWG worked to define a set of shared guidelines to provide recommendations to inform cohesive developments in the South Street Seaport Historic District and its immediate vicinity; and

WHEREAS: Guideline 6, "Building Heights & Views," included the following clause: "Alternatives to the proposed 50-story tower should be sought and any building on the New Market site should be contextual with the buildings within the South Street Seaport Historic District;" now

THEREFORE

BE IT

RESOLVED

THAT: CB1 is diametrically opposed to a tower on the New Market site and supports the research into alternative sites for development, within the CB1 district and outside of any historic districts; and

BE IT

FURTHER

RESOLVED

THAT: This action may require the transfer of air development rights or other actions.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: NEW BUSINESS

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

RE: The Peck Slip School Classroom Space

WHEREAS: CB1 passed a resolution in June 2014 (attached) asking DOE to consider turning the two conference rooms in Tweed Courthouse (where the Peck Slip School is located) into classroom space; and

WHEREAS: DOE added height and baffling to the existing six inch dividers in the two subdivided classrooms; and

WHEREAS: CB1 acknowledges the efforts of the principal and teachers working together to improve the learning environment; and

WHEREAS: Attached to this resolution is a letter to DOE written by the parents of children attending the Peck Slip School; and

WHEREAS: The letter states that the parents are not satisfied with the outcome and believe that the use of the adjacent rooms as classrooms is the best solution; and

WHEREAS: CB1 agrees with the parents and our local elected officials (Speaker Silver, Borough President Brewer, Senator Squadron, and Councilmember Chin) asking DOE to explore all available spaces in the building that will be suitable for a classroom; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 urges DOE to consider turning the two conference rooms into classrooms so we can provide the best learning environment for our children.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JUNE 24, 2014

COMMITTEE OF ORIGIN: YOUTH AND EDUCATION

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Increasing student seat capacity at Tweed Courthouse

WHEREAS: Downtown schools continue to experience severe overcrowding such that 150 children were waitlisted for their zoned school kindergarten seats last year; and

WHEREAS: The six classrooms in the basement of Tweed Courthouse were used by PS397 and PS276 in past years to incubate classes while awaiting permanent site availability; and

WHEREAS: Four of the six larger classrooms were subdivided during some of the time as more space was needed; and

WHEREAS: Due to the landmark designation of the building the dividers were only six feet high so as not to violate the integrity of the ceiling; and

WHEREAS: The present PS 343 occupant has been instructed to open double the number of kindergarten classes for autumn of 2014, making it necessary to once again divide these six classrooms; and

WHEREAS: Principals of both PS397 and 276 indicated that the previous dividers did not provide proper soundproofing for classes in the divided rooms to proceed as effectively as wished; and

WHEREAS: The same situation would exist for students and staff this autumn; and

WHEREAS: PS 343 will exit the space to its permanent site in fall, 2015, making the space available for a Pre-K Center; and

WHEREAS: The DOE has made a concerted effort to provide Pre-K seats for our community; and

WHEREAS: The Tweed classrooms properly divided and soundproofed would provide a much needed Pre-K Center in fall, 2015; and

WHEREAS: The Chancellor's Conference Room, Room 105 is adjacent to the classrooms; and

WHEREAS: Room 105 could also be divided and properly soundproofed, making a full 14 additional rooms available for the Pre-K Center and possibly incubation space for a new school; now

THEREFORE
BE IT
RESOLVED

THAT: CB 1 requests that the Chancellor relocate the Conference Room making that much needed space available for students and instructors.

November 19, 2014
Dear Chancellor Farina:

We are very grateful that the Department of Education has responded to the concerns of the Peck Slip School Parents regarding the shared classrooms at The Tweed Courthouse by improving the partitions to create solid walls with baffling affixed to the top of those walls.

We have had some time to evaluate the improvements and although we appreciate the effort to improve the conditions, we still firmly believe there is no substitute for having a dedicated classroom.

We appeal to you to please reconsider and do what's in the best interest of the children by releasing Room 105 and returning it to a classroom as it was meant to be for the following reasons:

1. The room was originally designed to be a classroom, not a conference room.
2. It is contiguous to our other classrooms.
3. It would greatly reduce adult traffic in our space. (We acknowledge you have set up safeguards for this, but ultimately will not solve the problem.)
4. We would only use the room until 3pm each day for the remainder of the school year.

Regarding the room referred to as the Chancellor's Conference Room which is deemed unusable as a classroom by some, could be used for other purposes. We have every confidence that our staff with your support could find a productive use for that room (such as for service providers) that would greatly benefit staff and students at the school.

While we look forward to our new building on Peck Slip next year, we still have three quarters of the school year in front of us and the room space is key to providing the best possible situation for our children for the remainder of our time at Tweed.

Best regards,
David Schwartz and Kerry McAleer
Co-Presidents of the Peck Slip School PTA

cc: Deputy Chancellor Kathleen Grimm, Council Member Margaret Chin, Senator Daniel Squadron, Assembly Speaker Sheldon Silver, Paul Goldstein, Mariano Guzman, Manhattan Borough President Gale A. Brewer, CB1 Chair Catherine McVay Hughes, CB1 Youth & Education Co-chair Paul Hovitz, CB1 Youth & Education Chair Tricia Joyce, Peck Slip School Principal Maggie Siena

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 56 Warren Street, application for replacement of bluestone pavers

WHEREAS: The building falls within the Tribeca South Historic District Extension the Community Board worked so hard to have designated, and

WHEREAS: The application is to restore existing granite pavers as well as replace poor quality concrete pavers with new granite pavers to match, and

WHEREAS: The existing vaults will be fully repaired and sealed, and

WHEREAS: Since the vaults are new and sealed there will be no need for expansion and water joints on the pavers, and

WHEREAS: The applicant intends to match the existing 8” granite pavers with new in-kind 3” granite pavers, and

WHEREAS: The applicant researched the existing granite samples at Columbia University Historic Preservation Sample Library finding them to have been sourced from Morgan’s Bay granite from Hancock, Maine, and

WHEREAS: A very close match from a working granite quarry was found in Barre, Vermont, and

WHEREAS: The Committee commended the applicant for the thoroughness of their application and research to match the original granite pavers, now

THEREFORE
BE IT
RESOLVED

THAT: CB 1 recommends the Landmark Preservation Commission approve the application and suggests that LPC note the research methods for other applications.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: LANDMARKS

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

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

RE: 60 Collister Street/157 Hudson Street, application for approval to add a new glass and metal penthouse to an existing 19th century 4-story building with a previously approved New York City Landmarks Preservation Commission 2-story addition

WHEREAS: This application is for a penthouse addition to a previously approved 2-story addition to 60 Collister Street, and

WHEREAS: The original 19th Century building is a 4-story masonry building and a contributing building to the Tribeca Historic District, and

WHEREAS: In 2009, 2 non-visible stories were added to the original 4-story building, and

WHEREAS: In 2009, Community Board 2 and The New York City Landmarks Preservation Commission and the developer agreed at that time to limit the 2009 addition to 2 stories only, and

WHEREAS: A new building owner has proposed a new penthouse in addition to previously limited two stories, now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 recommends that the Landmarks Preservation Commission disapprove the proposed penthouse.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: LANDMARKS

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

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

RE: 1 White Street, application for storefront renovation, handicapped access ramp
and bulkhead and rooftop garden

WHEREAS: The applicant's presentation lacked historical photos, the rooftop mock-up was
incomplete, and he agreed to return in December with these items, now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 requests that the Landmarks Preservation Commission lay over this matter
until its December public hearing.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	27 In Favor	0 Opposed	2 Abstained	0 Recused

RE: Cal. No. 238 - 14 - BZ
98-100 Franklin Street, application by DDG 100 Franklin LLC, pursuant to section 72-21 of the Zoning Resolution to the Board of Standards and Appeals for a bulk variance to modify the lot coverage regulations, the height and setback regulations, the minimum width of open area along a side lot line regulations, the permitted obstruction regulations and the street wall location regulations of the Zoning Resolution in connection with the construction of two mixed residential and retail buildings on a single zoning lot

WHEREAS: The current block resulted from the southern extension of Avenue of the Americas in 1930 which cuts diagonally across the street grid creating two triangular-shaped areas along the block front which have been vacant and converted into a parking lot in 1948, and

WHEREAS: This application is necessary because of difficulties in complying with the applicable zoning regulations. The site is both small at only 4,129 square feet and is uniquely shaped with two roughly triangular portions, each of which must be developed with a standalone building with separate building systems, and

WHEREAS: The site has a high percentage of perimeter area and street frontage relative to its lot area, and is further encumbered by the Eighth Avenue subway tunnel running along its entire Avenue of the Americas frontage which conditions result in a development with excessive construction costs, duplicative building systems and undesirable apartment and retail layouts, and

WHEREAS: The unique physical conditions of the site would result in inefficient and undesirable floor plates and reduced residential sales and retail rental values and an economically inefficient relationship between the number and size of the cores (elevator, stairs and shaftways) and usable area, and

WHEREAS: The requested variances for lot coverage, height and setback, open area along a side lot line and street wall regulations, would generate sufficient income to amortize construction costs and provide a reasonable profit, and

WHEREAS: The proposed development would be a more efficient building and allow more usable area to be serviced by the relatively fixed amount of core on each floor than would a complying development with no variances, and

WHEREAS: The proposed development was the subject of a Certificate of Appropriateness by the Landmarks Preservation Commission, after review by CB 1 and the Landmarks Preservation Commission found that the construction of two new buildings on this lot will restore the continuity of the street walls and anchor the end of the block fronting three streets, thereby strengthening the streetscape around this prominent site and that the height and overall volume of the buildings are consistent with that of historic buildings found in this historic district and that the plane of the Franklin Street facade will align with the facades of the adjacent properties, thereby reinforcing the street wall, and

WHEREAS: The Applicant discussed its submission of an application to the NYC Department of Transportation to sponsor and create a public plaza in the triangle located in front of 100 Franklin Street, and plans to work with the local community on the planning and implementation, and has reached out to and received support from most of the surrounding businesses, and

WHEREAS: A significant number of members of the public attended the community board committee meeting and were in opposition to the variance application and questioned whether the applicant meets the threshold requirements for a variance; whether the applicant has not created a 'self-imposed hardship' which should not be a burden to the community as the applicant should have known the conditions of the property prior to its purchase; whether the irregular shape of the lot is in fact unique in comparison to similar lots in Tribeca where buildings were constructed as-of-right; and they stated that most buildings in Tribeca with the comparable lot area are between 3 and 5 stories high, and that the bulk and lack of setbacks are not consistent with the contextual zoning within the district and to have a subway under the site is not unique to other lots in Tribeca, and

WHEREAS: The community board and the residents feel that it would be financially viable for the owner/applicant to construct a building on the lot as-of-right and would not be opposed to such development provided it would be subject to landmark committee review, now

THEREFORE
BE IT
RESOLVED

THAT: CB 1 recommends that the Board of Standards and Appeals deny the requested variances to DDG 100 Franklin LLC, pursuant to section 72-21 of the Zoning Resolution, for a bulk variance to modify the lot coverage regulations, the height and setback regulations, the minimum width of open area along a side lot line regulations, the permitted obstruction regulations and the street wall location regulations of the Zoning Resolution in connection with the construction of two mixed residential and retail buildings on a single zoning lot.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 9 In Favor 1 Opposed 0 Abstained 0 Recused
BOARD VOTE: 17 In Favor 9 Opposed 0 Abstained 1 Recused

RE: ULURP # 140296 ECM
 DCA No. 990-2014-ASWC
 11 Sixth Avenue

WHEREAS: The applicant, Eleven Food and Beverage, Inc., has applied for an enclosed sidewalk café license for 6 tables and 26 seats; and

WHEREAS: The applicant has provided a Compliance Checklist and a Proposed Plan, Elevations, Section and Site Plan; and

WHEREAS: The applicant has proposed that the enclosure would have triple-pane windows and non-removable glass; and

WHEREAS: It is a policy guideline of the Tribeca Committee to not grant unenclosed sidewalk cafes until an establishment has been operating for a reasonable period of time (one outdoor dining season), and has demonstrated that it is neighborly and will not cause any unaddressed quality of life impacts; and

WHEREAS: An establishment with an owner with a history of neighborly conduct who is in good standing with the community can be reconsidered for an unenclosed sidewalk cafe on a case by case basis; and

WHEREAS: The policy guidelines apply to this current application because an 'enclosed' sidewalk café for all intents and proposes would be a permanent structure that would increase the square footage of the building beyond the property lot line, potentially causing a significant negative impact on the streetscape as a whole;
now

THEREFORE
BE IT
RESOLVED

THAT: CB 1 disapproves the enclosed sidewalk café license for 11 Sixth Avenue with the understanding that applicant may reapply one year after the beginning of operations to request reconsideration

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	0 Opposed	0 Abstained	0 Recused

RE: The Washington Market School Block Party Street Activity Permit application

WHEREAS: The Washington Market School Block Party has applied for a street activity permit for Saturday, May 9, 2015, on Duane Street between Church Street and West Broadway, 9:00 a.m. to 4:00 a.m.; now

THEREFORE
BE IT
RESOLVED

THAT: CB 1 does not oppose the application submitted by The Washington Market School Block Party for a street activity permit for Saturday, May 9, 2015 subject to the following conditions:

1. The New York City Department of Transportation 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: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	1 Opposed	1 Abstained	1 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	27 In Favor	0 Opposed	1 Abstained	0 Recused

RE: 67 Murray Street, application for a liquor license for Kinjo Inc. d/b/a Gunbae

WHEREAS: The applicant, Kinjo Inc. d/b/a Gunbae (“The Applicant”) is applying for a restaurant liquor license; and

WHEREAS: In October 2014 Community Board 1 passed a resolution opposing this application for reasons detailed in the resolution passed on October 28, 2014; and

WHEREAS: The applicant has returned to the board to request reconsideration of a revised proposal that attempts to satisfy the objections detailed in the resolution passed on October 28; and

WHEREAS: The applicant will stop serving alcoholic beverages at 12 a.m. Sunday through Thursday and 1 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is 4,000 square feet; and

WHEREAS: There is a maximum allowed occupancy of both floors of 180 people; and

WHEREAS: Karaoke will be featured on the basement level and there will not be a dance floor or DJ on that level; 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: Residents of nearby buildings on this residential side street attended the first two Tribeca Committee (the Committee) meetings where this proposed establishment was discussed to request more detailed sound-proofing information and final plans for the space; and

WHEREAS: Residents of both 67 Murray Street and neighboring buildings have experienced serious noise issues from previous establishments in this space; and

WHEREAS: The Applicants appeared at three meetings of the Committee, and said at the first meeting that they would abide by CB1’s definition of background music as music heard neither by neighbors or outside the establishment; and

WHEREAS: The Applicant submitted prior to the most recent Committee meeting the following:

- Confirmation that CERAMI has been retained through construction process for ongoing evaluation and sound measurement
- Revised questionnaire to reflect the hours of operation proposed by the board and to confirm construction of 4 karaoke rooms
- Updated plans evaluated and approved by a DOB Investigator for 4 rooms and 2 forms of egress, one through the main entrance and the other through the lobby of 67 Murray
- Elevator clause from the fully executed lease confirming that Kinjo has the limited right to use the elevator for ADA compliance only; and

WHEREAS: The applicant has now submitted documentation that it has satisfied all requests by CBI; 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: CB 1 *opposes* the granting of a liquor license to Kinjo Inc. d/b/a Gunbae at 67 Murray Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 313 Church Street, application for renewal of restaurant liquor license for Church Street Tavern

WHEREAS: The applicant, Church Street Tavern is applying for renewal of a restaurant liquor license; and

WHEREAS: Neighboring residents appeared at the meeting (the Meeting) where this application was discussed to complain about the applicant's use of the residential lobby and that at one point a tenant had to show ID to security; and

WHEREAS: Two ECB violations were issued in October for occupancy of the basement "contrary to that allowed by Certificate of Occupancy" and for operation of place of assembly without a current Certificate of Occupancy (ECB Violation Numbers: 35153115P and 35153113L); and

WHEREAS: CB1 is concerned about these impacts to the tenants; and

WHEREAS: The owner of the establishment attended the Meeting and stated that he would sign a stipulations sheet stating that he would take the following two steps:

- engage a company to install sound-proofing to reduce impacts of sound to building residents and neighbors
- not use the same lobby as the residents except as an emergency egress even if the building owner undertakes the work to create a separate entry/egress; and

WHEREAS: The owner declined to sign stipulations that stated that there would be background music only, although that was included on the original questionnaire submitted to CB1 for this establishment in 2012 and reflected in the CB1 resolution passed on April 24, 2012 regarding the application by 313 Restaurant LLC for 313 Church Street; and

WHEREAS: On the original questionnaire, the owner checked that this would be a restaurant, and did not check tavern/cocktail lounge, and did not check that it would have a DJ; and

WHEREAS: The 2012 CB1 approval and 4 am closing time were based on the establishment being a full scale restaurant featuring the "Iron Chef," Morimoto; and

WHEREAS: CB1 is concerned based on reports by the neighbors about bouncers, crowds, and loud music heard throughout the building and based on articles in the press describing a new nightclub/speakeasy in the basement, separate from the restaurant on the ground floor, that the method of operation has changed without notification to CB1 or the SLA; now

THEREFORE
BE IT
RESOLVED

THAT: CB 1 *opposes* the granting of a renewal of the liquor license to Church Street Tavern as the method of operation has changed; and

THEREFORE
BE IT
RESOLVED

THAT: The establishment submit stipulations to CB1 stating that it will comply with all aspects of the Method of Operations reflected in the questionnaire submitted by the applicant in April, 2012 to CB1 and the resolution passed at that time by CB1, including that there would be background music only; and

BE IT
FURTHER
RESOLVED

THAT: The owner submit stipulations to CB 1 stating that the following two steps will be taken:

- engage a company to install sound-proofing to reduce impacts of sound to building residents and neighbors
- not use the same lobby as the residents except as an emergency egress even if the building owner undertakes the work to create a separate entry/egress; and

BE IT
FURTHER
RESOLVED

THAT: Pending the review of a new OP license application, CB1 urges the SLA to grant a SAPA temporary license during this time period so the establishment may continue to operate; and

BE IT
FURTHER
RESOLVED

THAT: CB1 urges the SLA to not grant the renewal and require the applicant to submit an application for a new OP license that reflects the new method of operation.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	27 In Favor	0 Opposed	0 Abstained	2 Recused

RE: 68-74 Trinity Place/103-109 Greenwich Street, application pursuant to section 72-21 of the Zoning Resolution for a Board of Standards and Appeals variance to facilitate the development of a Parish House and Residential Tower

WHEREAS: The Rector, Church-Wardens and Vestrymen of Trinity Church have applied to waive the rear yard requirements of Zoning Resolution Section 33-26 in connection with the development of new community facility space,

WHEREAS: The applicant seeks to construct a new building with improved functionality for its church programs to replace existing substandard program spaces dispersed throughout two existing buildings on the applicant's property which occupy the full footprint of the property, and

WHEREAS: The property contains a "through lot" between Trinity Place and Greenwich Street which does not require the provision of a rear yard, and

WHEREAS: The property also contains two irregularly-shaped interior lot portions, for which the Zoning Resolution would require the provision of rear yards with a depth of 20 feet, and

WHEREAS: The provision of such yards would substantially restrict the configuration and dimensions of the floor plates for the Parish House, displacing program space and requiring the costly construction of an additional floor, and

WHEREAS: Due to the irregularity of the property, the programmatic needs of the Applicant as a religious institution cannot be satisfied by development in compliance with the applicable rear yard requirements of the Zoning Resolution, and

WHEREAS: The Existing Buildings are a 6-story building at 68 Trinity Place / 103-107 Greenwich Street, and a 25-story building at 74 Trinity Place / 109 Greenwich Street, and

WHEREAS: The proposed Parish House will be 8 stories with a residential tower above to be developed by a third-party that would also construct the core and shell of the residential development which would subsidize the construction of the Parish

House, and is anticipated to be approximately 36 stories, and a mechanical floor and an amenities; and

WHEREAS: If this project was built as-of-right with no variance it would be approximately 48 stories and with the variance it would be approximately 46 stories, and

WHEREAS: The proposed design for the new Parish House includes a transparent façade that will allow for unobstructed views of Trinity Church and St. Paul's Chapel, and which, together with the bridge linking these buildings to the Parish House, will allow for increased connectivity between their uses, and

WHEREAS: The applicant has demonstrated that the unique physical conditions of the lot create hardship and that there is no reasonable alternative solution and that the development will not alter the essential character of the district, now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 recommends that the Board of Standards and Appeals grant a variance to The Rector, Church-Wardens and Vestrymen of Trinity Church to waive the rear yard requirements of Zoning Resolution Section 33-26 to facilitate the development of a Parish House and residential tower at 68-74 Trinity Place/103 109 Greenwich Street, and

BE IT

FURTHER

RESOLVED

THAT: CB 1 requests the development of exceptional and green/sustainable design. The expected LEED Certification level is LEED Platinum as well as Energy Star rating.

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COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	27 In Favor	2 Opposed	1 Abstained	0 Recused

RE: 55 Broadway, City Planning Commission renewal application (N 140310 CMM) for a previously approved (C 090069 ZSM) Section 97-71 (c) special permit to allow the elimination of mandatory and elective public amenities and other improvements built pursuant to the regulations of the former Special Greenwich Street Development District without a corresponding reduction in floor area of an existing 31-story commercial building

WHEREAS: 55 Broadway Associates L.L.C. (“the Applicant”) has submitted an application (N 140310 CMM) to the City Planning Commission (CPC) requesting the first three-year renewal of the previously approved special permit (C 090069 ZSM) to allow modifications to existing public amenity spaces (collectively, the “Public Access Area”) at street level, to upgrade the Public Access Area and enlarge and consolidate ground-floor retail space; and

WHEREAS: The original special permit (C 090069 ZSM) became effective on March 18, 2010 and pursuant to sections 74-99 and 11-42 of the Zoning Resolution, lapsed on March 18, 2014; and

WHEREAS: Such renewal may be granted by CPC pursuant to Section 11-43 of the Zoning Resolution if it finds that “the facts upon which the special permits were granted have not substantially changed”; and

WHEREAS: On November 24, 2009, Community Board 1 passed a resolution in support of the original special permit application (C 090069 ZSM); and

WHEREAS: On April 1, 2014, Broadway Associates LLC acquired the property located at 55 Broadway; and

WHEREAS: The existing building was developed in 1982 pursuant to the regulations of the former Special Greenwich Street Development District, and utilized provisions available under the Zoning Resolution to increase the maximum permitted floor area of the building from 15 FAR to 18 FAR and to increase the maximum allowable tower lot coverage from 40% to 55%, in exchange for which certain publicly-accessible open areas and amenities were constructed; and

WHEREAS: The applicant proposes to consolidate the existing multiple retail spaces, which range from approximately 300 to 6,400 square feet, into a single retail space of approximately 11,200 square feet, to bring the recessed retail frontage closer to both the street and to the building frontage above, and to create a retail entrance at the Broadway street frontage; and

WHEREAS: The enlargement and consolidation of the existing retail spaces would be more likely to appeal to large retailers, such as a clothing store, shoe store, electronics store or large restaurant, and bringing the retail space closer to the Broadway street line would make the retail space more visible and allow for a series of show windows along the northern column line of the building, brightening the adjacent Public Access Area; and

WHEREAS: Along with the enlargement of the ground-floor retail space, the applicant proposes a substantial redesign and upgrade to the existing Public Access Area, including the Urban Plaza portion of the Public Access Area; and

WHEREAS: The applicant intends to construct the conditions set forth in the previously approved special permit (C 090069 ZSM), and no other modification is requested under this application; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 supports this application (N 140310 CMM) to renew the original special permit (C 090069 ZSM) for its first three year period with the following conditions:

1. The developer provides clear evidence that sufficient funding is in place to complete the proposed renovations so that the area does not become another of the numerous stalled construction sites that exist in Lower Manhattan with unsightly scaffolding, fenced-off areas and other eye-sores.
2. The developer provides a plan to improve the appearance of the plaza immediately, before construction begins for renovations proposed by the developer. This plan should be shared with CB1 and include timetables for all necessary repairs, installation of new plantings and a schedule of improved maintenance of the plaza and of the escalator leading to the second floor.
3. The developer provides a plan to ensure that the plaza remains attractive during the construction period when the plaza renovations are being made. This plan should include details about maintenance of improved plantings, adequate lighting, maintenance of the escalator and pedestrian access; and

BE IT

FURTHER

RESOLVED

THAT: CB 1 requests the development of exceptional and green/sustainable design. The expected LEED Certification level is LEED Platinum as well as Energy Star rating.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 30 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 26 Murray Street, for Emma 57 LLC, d/b/a Famous Famiglia Pizza

WHEREAS: The applicant, Emma 57 LLC, d/b/a Famous Famiglia Pizza applied for a restaurant beer and wine license for 26 Murray Street; and

WHEREAS: The square footage of the establishment is 600 with 13 tables and 35 seats; and

WHEREAS: There will be recorded background music; and

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

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

WHEREAS: The operation hours are 11 a.m. – 2 a. m. seven days a week; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 *opposes* the granting of beer and wine license for Emma 57 LLC, d/b/a Famous Famiglia Pizza *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 30 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 4 South Street Space #203, H.E. MGMT at Staten Island Ferry Inc.

WHEREAS: The applicant, H.E. MGMT at Staten Island Ferry Inc. applied for a restaurant liquor license for 4 South Street Space #203; and

WHEREAS: The square footage of the establishment is 2,639 with 14 tables and 71 seats; and

WHEREAS: There will be recorded background music; and

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

WHEREAS: The applicant has stated 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 stated that there are no establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The operation hours are 10 a.m. – 4 a. m. seven days a week; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 *opposes* the granting of liquor license for H.E. MGMT at Staten Island Ferry Inc. *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: PLANNING

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Newsstand license #5515-2014-ANWS at proposed location: S/W/C Dey Street & Broadway

WHEREAS: The original application that came to CB1 from the NYC Department of Consumer Affairs (NYC DCA) for newsstand license #5515-2014-ANWS was for the southeast corner (S/E/C) of Dey Street and Broadway. Please note there is no Dey Street east of Broadway. However, at a jog in the street there is a John Street. Please note that there is frequently confusion on which corner a newsstand applicant is applying for a newsstand; and

WHEREAS: There has been a newsstand at John Street and Broadway (S/E/C) for decades; and

WHEREAS: The pictures and map attached to the application showed that the newsstand is intended for the west side corner of Dey Street and Broadway which is different than the accompanying caption; and

WHEREAS: Community Board 1 (CB1) unanimously passed a resolution opposing the application for newsstand license #5515-2014-ANWS at the northwest corner (N/W/C) of Dey Street and Broadway due to the inappropriateness of the location on May 27, 2014; and

WHEREAS: CB1 received notification from the NYC DCA via a November 7, 2014 fax that the newsstand with Application Number: 5515-2014-ANWS and "Proposed Location: S/W/C Dey Street & Broadway" stating that: "NEWSSTAND PASSED DEPARTMENT OF TRANSPORTATION INSPECTION"; and

WHEREAS: CB1 was never informed of the proposed location and never received an application for a newsstand with Application Number: 5515-2014-ANWS and "Proposed Location: S/W/C Dey Street & Broadway". The November 7, 2014 fax was the first that CB1's office was ever informed that the S/W/C Dey Street & Broadway was considered by NYC DCA; and

WHEREAS: Since there already is one newsstand at the Broadway and John/Dey Street "intersection", there is no need for an additional newsstand; and

WHEREAS: The Fulton Center opened on Monday, November 10, 2014 after significant financial investment and over a decade of construction; and

WHEREAS: The Fulton Center Dey Street Headhouse serves the function of a major entrance/exit for many subway commuters, especially the crowded southbound 4/5; and

WHEREAS: One of the key components of the Fulton Center is the Dey Street Headhouse which compliments the "Grand Central" structure across the street. Installing a newsstand at the S/W/C Dey Street & Broadway would destroy the intended effect, making pedestrian wayfinding more difficult and wasting the MTA's investment in an aesthetically distinct façade for the facility; and

WHEREAS: The S/W/C Dey Street & Broadway corner experiences intense pedestrian and vehicular traffic and another newsstand would clog an already congested area, especially at peak commuting time; and

WHEREAS: Further clogging of the pedestrian sidewalk at this complex intersection would drive more pedestrians into the street, creating an unsafe situation likely to lead to pedestrian injuries and death; and

WHEREAS: Nearby tourist destinations including the World Trade Center, the 9/11 Memorial and Museum, and the department store Century 21 would be made harder to find by newly arriving tourists unfamiliar with the area and its unique street configuration; and

WHEREAS: The major Department of Design and Construction (DDC) Broadway Reconstruction Project which reduces Broadway to one southbound lane is currently underway in the immediate area and it will continue for the next several years; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 urges that NYC Department of Transportation withdraw their approval for approved location at S/W/C Dey Street & Broadway; and

BE IT

FURTHER

RESOLVED

THAT: CB1 urges NYC DCA reject this license application at all four corners of Broadway and John/Dey Streets; and

BE IT

FURTHER

RESOLVED

THAT: CB1 requests that NYC DCA notify CB1 of any changes in applications prior to submitting for NYC DOT inspection; and

BE IT

FURTHER

RESOLVED

THAT: CB1 urges that the Public Design Commission (PDC) does not approve this applicant at any of the four corners of Broadway and John/Dey Streets.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: PLANNING

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: West Thames Pedestrian Bridge

WHEREAS: For several years, the Battery Park City Committee has reviewed plans for a bridge to be built in southern Battery Park City (BPC) crossing West Street (east-west). It was in June 2009, that CB1 approved a resolution for the design of the bridge at that time; and

WHEREAS: The original master plan called for this bridge to serve lower Manhattan but it was not until September 11th with the loss of both bridges crossing West Street that it became an important project to replace the temporary bridge on Rector Street and to service the hundreds of apartments and new school (PS/IS 276) that have developed since 9/11; and

WHEREAS: In 2013 when funding for the bridge was in place, primarily secured by a grant from the Lower Manhattan Development Corporation (LMDC), a preliminary design of this bridge was presented to the Battery Park City committee for review in December 2013; and

WHEREAS: The designers WXY Architects and Urban Design, engineers Weidlinger Associates along with the Economic Development Corporation (EDC) and the Mayor's office presented the new design and current project plan for our review since they have received approval from the Public Design Commission (PDC); and

WHEREAS: This new design builds on what we approved previously and has improvements we had asked for such as:

- Covered roof for both stairs and the bridge itself
- Improved decking and stairs for better traction
- Larger (9 person), outdoor elevators at both ends of the bridge (no ramps)
- Covered and enclosed mechanicals for the elevators
- Improved lighting on the bridge and stairs and lighting the bridge itself
- More comfortable 7x11 treads on each stairway
- Most construction done off-site to minimize impact on community; and

WHEREAS: This bridge will land on the southwest side of West Thames Street in BPC and diagonally cross West Street landing just north of JP Ward Street on the new plaza to be built by 50 West Street. The bridge will be owned by the City of New York, managed by the New York City Department of Transportation, and maintenance of elevators and other items will be done by Battery Park City Parks Conservancy (BPC); and

WHEREAS: The EDC has committed to have a construction manager early on this project who will ensure compliance to all plans, budgets and timeframes. This manager will also facilitate community relations; and

WHEREAS: In December 2013 Community Board 1 passed a resolution (attached) approving the design and construction of the new West Thames Bridge with the following conditions:

- The elevators installed are rated to be outdoors and operate without interruptions during inclement weather, such as Superstorm Sandy
- Emergency communication is in place for users of the bridge along with security cameras; and

WHEREAS: The December 2013 resolution also required that a regular reporting process be put in place during the construction, and that any changes to the plan before construction be reviewed by CB1 before any changes be implemented; and

WHEREAS: The PDC had problems with the stairway canopies when presented to them earlier this year in May and requested that they be removed; and

WHEREAS: Removal of the stairway canopies would save \$1,000,000 from the budget, of which \$300,000 would be used for a snow melt system for the stairs as an alternative to covering them entirely; and

WHEREAS: The Battery Park City Authority (BPCA) favors the use of a snow melt system rather than stairway canopies on the grounds that the maintenance costs will be lower without the need for shoveling snow or maintaining the canopy structures; and

WHEREAS: Previous discussions regarding the West Thames Street Bridge has prioritized covering the walkway itself; the current temporary structure does not have covering on either stairway, and that has never been problematic in the community; now

THEREFORE
IT BE
RESOLVED

THAT: CB1 supports the request of the PDC to remove the stairway canopies and requests that the east side landing is not delayed by any constructions at 50 West Street; and

BE IT
FURTHER
RESOLVED

THAT: CB1 approves of the use of a snowmelt system for the stairs in lieu of the canopies if the change saves taxpayers a net of \$700,000, and ensures the project moves forward and is completed quickly.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2013

COMMITTEE OF ORIGIN: BATTERY PARK CITY

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

RE: West Thames Pedestrian Bridge

WHEREAS: For several years, the Battery Park City Committee has reviewed plans for a bridge to be built in southern Battery Park City (BPC) crossing West Street (east-west). It was in June, 2009, that CB#1 approved a resolution for the design of the bridge at that time; and

WHEREAS: Funding for the bridge is now in place, primarily secured by a grant from the Lower Manhattan Development Corporation (LMDC), and a preliminary design of this bridge was presented to our committee for our review, and

WHEREAS: The original master plan called for this bridge to serve lower Manhattan but it was not until September 11th with the loss of both bridges crossing West Street that it became an important project to replace the temporary bridge on Rector Street and to service the hundreds of apartments and new school (PS/IS 276) that have developed since 9/11; and

WHEREAS: The designers WXY Architects and Urban Design, engineers Weidlinger Associates along with the Economic Development Corporation and the Mayor's office presented the new design and current project plan for our review since they have received approval from the Public Design Commission; and

WHEREAS: This new design builds on what we approved previously and has improvements we had asked for such as:

- Covered roof for both stairs and the bridge itself
- Improved decking and stairs for better traction
- Larger (9 person), outdoor elevators at both ends of the bridge (no ramps)
- Covered and enclosed mechanicals for the elevators
- Improved lighting on the bridge and stairs and lighting the bridge itself
- More comfortable 7x11 treads on each stairway
- Most construction done off-site to minimize impact on community; and

WHEREAS: This bridge will land on the southwest side of West Thames Street in BPC and diagonally cross West Street landing just north of JP Ward Street on the new plaza to be built by 50 West Street. The bridge will be owned by the City of New York, managed by the New York City Department of Transportation, and maintenance of elevators and other items will be done by Battery Park City Parks Conservancy; and

WHEREAS: The Economic Development Corporation has committed to have a construction manager early on this project who will ensure compliance to all plans, budgets and timeframes. This manager will also facilitate community relations; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 approves the design and construction of the new West Thames Bridge with the following conditions:

- The elevators installed are rated to be outdoors and operate without interruptions during inclement weather, such as Superstorm Sandy
- Emergency communications is in place for users of the bridge along with security cameras, and

BE IT

FURTHER

RESOLVED

THAT: CB 1 requires that a regular reporting process be put in place during the construction, and that any changes to the plan before construction be reviewed by CB 1 before any changes be implemented.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 20, 2014

COMMITTEE OF ORIGIN: PLANNING

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Hydrofracking

WHEREAS: Community Board 1 unanimously passed a resolution on November 22, 2011 on the Revised Draft Supplemental Generic Environmental Impact Statement On The Oil, Gas And Solution Mining Regulatory Program (“RDSGEIS”) urging New York State Department of Environmental Conservation (NYSDEC) to select the “no action alternative” described in Section 9.1. and in the event that NYSDEC does not select the “no action alternative,” CB#1 requests that the RDSGEIS be withdrawn and revised to address numerous points; and

WHEREAS: Since the preparation of the RDSGEIS, the regions where hydrofracking is proposed to occur experienced the unprecedented weather events such as Hurricanes Irene and Lee and Superstorm Sandy, none of which are addressed in the RDSGEIS; and

WHEREAS: The DEC’s review cannot be completed without a separate Department of Health analysis, which was started in September 2012; and

WHEREAS: Since that time three years ago, Governor Cuomo reportedly said that the NYS Department of Health (DOH) review should be completed by the end of the year; and

WHEREAS: CB 1 also passed a resolution in April 2010 expressing our concerns; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 urges that the outdated RDSGEIS be withdrawn and an updated RDSGEIS be prepared, because the pending proceedings are based on information that is five years old and cannot safeguard New Yorkers from Marcellus Shale hydrofracking; and

BE IT

FURTHER

RESOLVED

THAT: CB 1 urges all our elected officials to make sure that the New York's shale hydrofracking moratorium must be continued until a comprehensive shale hydrofracking "Public Health Impact Study" is conducted openly and transparently with full public participation.