

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 21 South End Avenue, application for restaurant liquor license for Ningbo Café

WHEREAS: Ningbo Café is applying for a catering liquor license for 21 South End Avenue; and

WHEREAS: The applicant has requested closing food and bar service hours of 11a.m. to 10 p.m. weekdays and 11 a.m. to midnight weekends; and

WHEREAS: The total area of the restaurant is 3,000 square feet with a public assembly capacity of 74; and

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

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

WHEREAS: The applicant has 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 not three or more establishments with on-premises liquor licenses within 500 feet of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 opposes the grant of a liquor license at 21 South End Avenue for Ningbo Café unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:       7 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:           33 In Favor   0 Opposed   1 Abstained   0 Recused

RE:                   68-74 Trinity Place/103-109 Greenwich Street, BSA 259-14-BZ  
Application to waive the rear yard requirements of Zoning Resolution Section 33-26

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

WHEREAS: The applicant seeks to construct a new building with improved functionality for its church programs to replace substandard program spaces that had been dispersed throughout two separate buildings on the property that were recently demolished; and

WHEREAS: The property is predominantly a “through lot” between Trinity Place and Greenwich Street, which does not require the provision of any rear yard. However, the northern and southern edges of the property contain 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: Such yards would substantially restrict the configuration and dimensions of the floor plates for the Parish Center, displacing program space and preventing Trinity from meeting its needs as a religious institution; and

WHEREAS: In November 2014, Community Board 1 (CB1) adopted a resolution recommending that the BSA approve the application to waive the rear yard requirements; and

WHEREAS: Since then, the applicant held a series of community charrettes and has revised its plans for the building. The new and current proposal is a shorter building (440 feet vs. the original 571 feet), and will be commercial office space rather than the previously proposed residential; and

WHEREAS: Plans for the use of the base of the building, which will house the Parish Center and Trinity office space, have not changed. Since the original proposal, there have been changes to the layouts to accommodate program areas requested in the community charrettes; and

WHEREAS: The applicant has represented that they plan to obtain Leadership in Energy and Environmental Design (LEED) certification for the building; now

THEREFORE

BE IT

RESOLVED

THAT:

CB1 is pleased that the applicant has conducted extensive community outreach and incorporated community feedback into the proposal for the new building, and recommends that the BSA approve the application to waive the rear yard requirements of Zoning Resolution Section 33-26 for 68-74 Trinity Place.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:           8 In Favor   2 Opposed   0 Abstained   0 Recused  
BOARD VOTE:               33 In Favor   0 Opposed   1 Abstained   0 Recused

RE:                   23 Park Place, application for unenclosed sidewalk cafe license for Murray Place Inc. d/b/a Barleycorn

WHEREAS: Murray Place Inc. has applied for an unenclosed sidewalk café license for 6 tables and 12 seats; and

WHEREAS: In June 2016, Community Board 1 adopted a resolution recommending that the State Liquor Authority approve the application submitted by Murray Place Inc. to adjust their license to accommodate a sidewalk cafe; now

THEREFORE

BE IT

RESOLVED

THAT:               CB1 does not oppose the granting of a sidewalk cafe license for Murray Place Inc. d/b/a Barleycorn

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 33 In Favor 0 Opposed 1 Abstained 0 Recused

RE: 4 World Trade Center- Upper Level, application for wine, beer & cider license for NuNu Chocolates NY02, LLC

WHEREAS: The applicant, NuNu Chocolates NY02, LLC, is applying for a wine, beer & cider license; and

WHEREAS: The committee and applicant have agreed to the bar service hours of 7:00AM – 11:00PM Monday – Thursday, 9:00AM – 12:00AM Friday and Saturday and 10:00AM – 11:00PM on Sunday; and

WHEREAS: The establishment will be a chocolate café with a total area of 455 square feet with a dining area of 300 square feet with 6 tables and 12 chairs, and a kitchen area of 155 square feet; and

WHEREAS: The applicant does not intend to apply for a cabaret license, and does not 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: This application is for wine, beer & cider and is therefore not subject to the 500ft rule; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 opposes the granting of a wine, beer & cider license to NuNu Chocolates NY02, LLC unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 33 In Favor 0 Opposed 1 Abstained 0 Recused

RE: 123 Washington Street, application for restaurant liquor license for The English Oyster Bar and Chophouse

WHEREAS: The applicant, The English Oyster Bar and Chophouse, is applying for a restaurant liquor license; and

WHEREAS: The committee and applicant have agreed to the bar service hours of 11:00AM – 2:00AM all week; and

WHEREAS: The establishment will be a total area of 6,000 square feet. It will have a dining area on the second floor of 2,200 square feet with 30 tables, 107 seats; a bar area on the first floor of 2,200 square feet with 19 tables, 50 seats; and a kitchen area of 1,600 square feet. The establishment will contain 2 stand-up bars; one on the first floor with 20 stools and one on the second floor with 10 stools; and

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

WHEREAS: The existing hotel patio will remain; 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: CB 1 opposes the granting of a restaurant liquor license to The English Oyster Bar and Chophouse unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 33 In Favor 0 Opposed 1 Abstained 0 Recused

RE: 21 Rector Street, application for restaurant liquor license for 21 Rector LLC d/b/a Jerry Liberatas

WHEREAS: The applicant, 21 Rector LLC, is applying for a restaurant liquor license; and

WHEREAS: The committee and applicant have agreed to the bar service hours of 11:00AM – 3:00AM all week; and

WHEREAS: The establishment will be a total of 6,000 square feet with a dining area of 3,617 square feet with 47 tables and 223 seats; a bar area of 403 square feet with 17 seats and a kitchen area of 1,607 square feet; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB 1 opposes the granting of a restaurant liquor license to 21 Rector LLC d/b/a Jerry Liberatas unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 32 In Favor 0 Opposed 2 Abstained 0 Recused

RE: Amendment of Helicopter Concession Agreement – Downtown Manhattan  
Heliport, Pier 6

WHEREAS: The NYC Economic Development Corporation (NYC EDC) owns and leases Pier 6 to the Downtown Manhattan Heliport operator and estimates that prior to the January 2016 concession agreement, there were 50,000 takeoffs and 50,000 landings for a total of 100,000 operations per year. Residents had seen up to eight helicopters landing and taking off simultaneously in the restricted small area of Pier 6, making it one of the most heavily congested heliports in the country; and

WHEREAS: Community Board 1 (CB1) has long been concerned about the safety and quality of life (environmental) issues from helicopters landing and taking off from the Downtown Manhattan Heliport at Pier 6 in our densely populated district which has some of the tallest buildings in the country; and

WHEREAS: CB1 is on the record by the passing of five resolutions: “Downtown Manhattan Heliport tour flights (July 2011), “Tourist Helicopter Flights from the Downtown Manhattan Heliport” (October 2009), “Downtown Manhattan Heliport at Pier 6 and elsewhere in CB1” (June 2015), “Int. No. 858 & Int. No. 859” (November 2015), and “Helicopter tourism in Lower Manhattan” (February 2016) and has testified often on this subject and had numerous meetings with various agencies and elected officials over the years; and

WHEREAS: In January 2016, an agreement was reached between NYC EDC and the Helicopter Tourism and Jobs Council regarding the helicopter tourism industry; and

WHEREAS: Under the agreement, tour operators were to reduce the number of flights to and from the Downtown Manhattan Heliport at Pier 6 in Lower Manhattan by 50% by January 2017, resulting in the elimination of nearly 30,000 flights per year; and

WHEREAS: In addition, operators agreed to end all flights on Sundays and prohibit flights over Governor’s Island and the agreement included air and noise quality monitoring; and

WHEREAS: Operators were required to provide monthly reporting to the NYC Council on the number of flights conducted, and if they were determined to have violated key terms of the agreement, the City has authority to mandate further reduction in operations; and

WHEREAS: The January 2016 concession agreement is being amended to extend the expiration date through April 30, 2021; and

WHEREAS: The amended concession agreement will also (i) reduce the maximum number of tourist flights allowed, (ii) require the cessation of tourist flights over land, (iii) require air quality monitoring and (iv) require Operator to actively research additional mitigation of noise emissions and implement any such technology as it becomes commercially feasible; and

WHEREAS: Helicopter traffic has lessened and conditions have improved since the initial concession agreement, most notably in relation to the moratorium on Sunday flights. However, the helicopter traffic is still by no means unobtrusive; now

THEREFORE

BE IT  
RESOLVED

THAT: CB1 commends the City for reaching this agreement with the Helicopter Tourism and Jobs Council, which is an important step in addressing the chronic quality of life issues related to the helicopter tourism industry; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 highlights the importance that the monitoring of the number of flights and of air and noise quality are being conducted by an independent third party, and requests that an air quality monitoring station be placed at the Downtown Manhattan Heliport. We also request that the City Council provide us with reports containing flight count and air quality information; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 further requests that the moratorium be expanded to include major holidays that do not fall on Sunday.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEES OF ORIGIN: FINANCIAL DISTRICT  
LANDMARKS  
PLANNING

COMMITTEES VOTE: 15 In Favor 0 Opposed 0 Abstained 1 Recused  
BOARD VOTE: TABLED

RE: 28 Liberty/One Chase Plaza Deed Restriction Modification

WHEREAS: Fosun Property Holdings appeared before a joint meeting of Financial District, Landmarks and Planning Committee members to present on a proposed modification of the deed restriction affecting the property, to conform it to the approval that has been granted by the Landmarks Preservation Commission; and

WHEREAS: The approved plans include restorative measures to the plaza, along with three glass pavilions that penetrate the height limit contained in a deed by which the City conveyed title to a portion of the property to Chase Manhattan Bank; and

WHEREAS: The building was built prior to the 1961 Zoning Resolution and before the Landmarks Preservation Commission was established. The plaza is private property and not a Privately Owned Public Space (POPS). However, the plaza was intended to remain an open space and restrictions were written into the deed to ensure this intention; and

WHEREAS: The deed restricts any building, structure or improvement above a plane of 6 feet above the highest level of the grade of the highest sidewalk; and

WHEREAS: The applicant has represented that these pavilions will provide increased handicapped accessibility, safety, security and protection from the elements for persons accessing the retail spaces within the lower levels of the building; and

WHEREAS: Fosun is seeking CB1 review of the deed restriction modification in the spirit of recent changes by the City administration to the process by which the City deed restrictions may be modified. These changes are not yet fully worked out, but it is clear that they will involve Community Boards more directly in the review process; and

WHEREAS: The three pavilions are planned as follows:

- South Entrance: 1,276 SF, 16'-2", total glass frontage 43 linear feet
- North Entrance: 1,822 SF, 17'-2", total glass frontage 46 linear feet
- Cedar Street Entrance: 417 SF, 11', total glass frontage 18 linear feet; and

WHEREAS: Fosun is proposing that the deed restriction be modified to allow the three glass pavilions to be built. The rest of the deed restrictions will remain in place, including the 6' height limit for the rest of the plaza; and

WHEREAS: The Cedar Street pavilion would obstruct the view corridor through the plaza and block the currently unobstructed view of the Jean Dubuffet sculpture; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 does not oppose modifying the deed restriction to allow construction of the glass pavilions, provided that:

- The Cedar Street pavilion is eliminated from the plan in order to allow the Cedar Street view corridor to remain intact and unobstructed, and
- The rest of the deed restrictions remain in place, including the 6' height limit for the rest of the plaza.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:        4 In Favor    0 Opposed    0 Abstained    0 Recused  
BOARD VOTE:            37 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                    405 Broadway, application for renewal of approval of Master Plan

WHEREAS: The application is to renew an existing Master Plan for a painted advertising sign,  
and

WHEREAS: The sign is on the secondary façade of the building and meets LPC's previous  
approvals with regards to size and placement, and

WHEREAS: The Master Plan renewal is for 10 years, and

WHEREAS: The applicant has other sites in CB2 and CB3, both of which have approved  
renewal requests, now

THEREFORE  
BE IT  
RESOLVED

THAT:                CB1 recommends that the Landmark Preservation Commission approve the  
application.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: LANDMARKS

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

RE:            An application for two new street-to-subway station elevators within the Street Plan of New Amsterdam and Colonial New York Historic District

WHEREAS:    The applicant confirmed that an environmental impact study has not been conducted to measure the effects of (2) 10 foot square and 13 foot high glass structures located on diagonal corners at the intersection of Broad Street and Exchange Place, and

WHEREAS:    These proposed locations are right in the heart of the second most visited tourist destination in New York City, and

WHEREAS:    The proposed elevators would provide ADA access to the J & Z train lines, and

WHEREAS:    The proposed location is not more than 1,800 feet from an existing pair of ADA accessible elevators that service the A, C, J & Z train lines, and

WHEREAS:    Any 13 foot tall structures anywhere along Broad Street would destroy the historic long-time view corridors, and

WHEREAS:    The purpose of this application is to achieve approval of a partner special permit application that will grant the zoning lot located at 45 Broad Street additional development rights (70,000 square feet), and

WHEREAS:    The proposed designs for the two ADA accessible subway station elevators are in keeping with MTA standards, which remains a very low standard within historic districts, and

WHEREAS:    The proposed sidewalk modifications would still leave only 10 feet between the nearest storefront and the site and work materials are consistent with the surrounding street design standards, now

THEREFORE  
BE IT  
RESOLVED

THAT:        CB1 recommends that the Landmarks Preservation Commission deny any application to install any 13 foot tall structures within the Street Plan of New Amsterdam and Colonial New York Historic District.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: LANDMARKS

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

RE:            An application for a convenience ramp along the entire Hudson Street ground floor façade at 90 Hudson Street

WHEREAS:   There is no historical evidence that a ramp or loading dock of any kind ever existed on either the Hudson or Leonard Street building facades, and

WHEREAS:   The proposed ADA-compliant convenience ramp and three sets of stairs run from the northwest corner of the building to the southern-most corner (approximately 116 feet) and almost six feet past the building line, and

WHEREAS:   The proposed ramp portion would provide ADA access from the sidewalk up to six ground floor commercial units, and

WHEREAS:   The proposed ramp and stairs are inappropriate for 90 Hudson Street due to their size, covering of the building's original water table and the depth in which they encroach onto the existing surrounding granite sidewalk, now

THEREFORE

BE IT

RESOLVED

THAT:        CB 1 recommends that the Landmarks Commission deny any application for a convenience ramp that overtakes any entire building façade.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: PLANNING

COMMITTEE VOTE:           7 In Favor   3 Opposed   1 Abstained   0 Recused

BOARD VOTE:               27 In Favor   4 Opposed   5 Abstained   0 Recused

RE:                   Relocation of World Trade Center Sphere to Liberty Park

WHEREAS: The “Sphere on the Plaza,” also known as the “Koenig Sphere,” was originally located on the Austin J. Tobin Plaza at the WTC Site. The Sphere is approximately 25 feet high, weighing 25 tons; and

WHEREAS: Under an arrangement with The City of New York, the Sphere was installed at Battery Park in Lower Manhattan and formally dedicated as a temporary memorial on September 11, 2002. The Sphere is currently located near Pier A in The Battery; and

WHEREAS: In May 2016, as work on Liberty Park atop the Vehicular Security Center at the World Trade Center site was nearing completion, the community learned that the Port Authority of New York & New Jersey may be considering relocation of the Sphere to a place somewhere in Liberty Park; and

WHEREAS: Some community members expressed concern about relocating the Sphere inside Liberty Park, taking the position that the Sphere should be relocated instead to the World Trade Center site somewhere closest to its original location, which would be on the 9/11 Memorial plaza; and

WHEREAS: Other community members have stated their opposition to moving the Sphere to Liberty Park, in part because Liberty Park is something the Port Authority indicated all along to Community Board 1 (CB1) was to be a neighborhood amenity, and they believe the park should be available for the residential community and office workers in the area to enjoy, as free as possible from the bustle of the 9/11 Memorial site and the somber reminders of the tragedy endured there; and

WHEREAS: At the official opening and dedication of Liberty Park on June 29, 2016, some speakers noted that the Port Authority is still considering relocation of the Sphere to Liberty Park; and

WHEREAS: CB1 understands that the Board of Commissioners of the Port Authority plan to formally consider the issue and possibly vote on relocating the Sphere to Liberty Park at a scheduled board meeting on July 21, 2016; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 is opposed to the placement of the Sphere in Liberty Park.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Comptroller Scott Stringer’s sunscreen proposal

WHEREAS: Skin cancer claims the lives of 10,000 Americans and costs the nation more than \$8 billion annually to treat this disease, which ranks among the most preventable forms of cancers, and

WHEREAS: New York City absorbs up over 230 days of partial or complete sunshine each year and the average UV index rating in our City hovers between 6 and 7, which, according to the National Weather Service, denotes “high risk of harm from unprotected sun exposure”, and

WHEREAS: The risk of contracting melanoma, the most serious type of skin cancer, doubles if you have just five sunburns over the course of your lifetime, and as few as 20 unguarded minutes in the sun can cause irreparable, lifelong damage to the skin, and

WHEREAS: The regular and appropriate use of sunscreen can cut rates of skin cancer in half, and

WHEREAS: Comptroller Scott Stringer has proposed that the City help protect its residents, including residents of CB1, by implementing a program to provide free sunscreen at each of New York’s parks, playgrounds, pools, and beaches, and

WHEREAS: The program could be implemented at virtually no cost to taxpayers and has been demonstrated to work in other cities, including Miami Beach and Boston, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 supports Comptroller Stringer’s call for a free sunscreen program in New York City, which could safeguard the public health and protect children and adults from skin cancer; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 requests that if Comptroller Stringer's initiative is implemented, the sunscreen that is used should be fragrance-free with no animal product testing and should meet the criteria in the Environmental Working Group Guide to Sunscreens; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 recommends that an educational component be included in the initiative that is especially geared to teaching young people about the dangers of exposure to the sun.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

RE: Minor modifications to previously approved Pier 17 ULURP

WHEREAS: In January 2016, CB1 reviewed an application to the Landmarks Preservation Commission submitted by Howard Hughes Corporation for changes to their original plan for the Tin Building, including: dismantling, raising above the 100 year FEMA flood plain and rebuilding without the previously approved 1-story addition; materials; signage; removal of non-contributing refrigeration sheds; flooring materials; addition of two goods delivery doors; demolition of the Link building; and

WHEREAS: HHC presented to Community Board 1's Seaport/Civic Center Committee meeting on July 19, 2016 regarding a minor modification to the previously approved Pier 17 ULURP; and

WHEREAS: Modification of the 2013 special permits to enlarge the zoning lot and modify the site plan subject to the special permits is required, including:

- Waterfront height and setback special permit: shift in Pier 17 building
- Large-scale signage special permit: Pier 17 Building west façade and Tin Building signage
- Large-scale waterfront yard special permit: no change in yards

WHEREAS: A Waterfront Authorization will be needed for design of waterfront public access areas, to approve new design on the Tin Building site and the former Link Building site; and

WHEREAS: A Waterfront Certification will also be needed to approve the design for the waterfront public access areas, as modified by the new Authorization; and

WHEREAS: The modified plan includes a reconstructed Tin Building, set back from the FDR and raised out of the flood plain; an access drive and hardscape alterations wrapping the Tin Building; lighting; and changes to the Pier 17 Western façade; and

WHEREAS: HHC has represented that the access road will only be used by service vehicles, and not by any taxis or personal vehicles; and

WHEREAS: HHC presented the minor modifications to CB1 prior to their application being certified by the Department of City Planning. The application is to be certified by City Planning on Monday, July 25, 2016, one day before CB1's full board meeting; and

WHEREAS: CB1 has major concerns about the safety of pedestrians in regards to the access road; how traffic will flow in and out with potential to overburden Beekman Street, and implications for the recently approved Play Street on Peck Slip and nearby school. HHC has not presented CB1 with plans to mitigate increased traffic; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 does not oppose the modifications to the previously approved Pier 17 ULURP, provided that the application received by CB1 after it is certified by City Planning is consistent with what was presented to the Seaport/Civic Center Committee on Tuesday, July 19, 2016.

COMMUNITY BOARD #1 –MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 2016-4220-BZ  
105-107 Chambers Street, application for a Board of Standards and Appeals special permit to legalize a physical culture establishment

WHEREAS: Tribeca Health and Fitness has filed an application with the Board of Standards and Appeals under section 73-36 and 73-03 of the New York City Zoning Resolution for a special permit to legalize the operation of an existing Physical Culture Establishment located at 105-107 Chambers Street, and

WHEREAS: The Physical Culture Establishment is located in a five story building with a cellar and a sub-cellar in a landmarked, mixed use building and it occupies 8,827 square feet in the sub-cellar; 8,840 square feet in the cellar; and 391 square feet on the first floor for the lobby, and

WHEREAS: The Physical Culture Establishment operates seven days per week from the hours of 5 AM – 11 PM on Monday through Friday and 7 AM – 8 PM on Saturday and Sunday; there are ten full time trainers and instructors and six additional staff members. Daily visits average between two hundred and two hundred and fifty members, and

WHEREAS: Since April 8, 2003 a Physical Culture Establishment has operated at this location under a special permit granted by the BSA; in 2008 the current applicant adopted the lease, altered the space, and started operating Tribeca Health and Fitness unaware of their obligation to file for a new special permit, and

WHEREAS: The applicant now seeks to legalize the Physical Culture Establishment that has been operating for approximately six years, and

WHEREAS: The Physical Culture Establishment is primarily located in the cellar and sub-cellar, where there is no vibration or noise impact on the residential uses on floors two through four and there have not been any complaints, and

WHEREAS: The Physical Culture Establishment would not have a negative impact on the surrounding area, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 recommends that the BSA grant a special permit to allow a Physical Culture Establishment at 105-107 Chambers Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	0 In Favor	2 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 113 Reade Street, application for liquor license for Serafina Tribeca Restaurant LLC

WHEREAS: The applicant, Serafina Tribeca Restaurant LLC, has applied for a liquor license for 113 Reade Street; and

WHEREAS: The proposed hours of bar service for this establishment are 11:30 a.m. until midnight weekdays and 11:30 a.m. to 1 a.m. weekends; and

WHEREAS: Windows will be closed no later than 10 p.m. daily at this establishment; and

WHEREAS: The total area of the restaurant will be 4,996 square feet with 178 seats; 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 applicants told the Tribeca Committee that they will comply with Community Board 1 guidelines for Tribeca sidewalk cafe applicants by waiting until the establishment has been open for one year before returning to CB1 to request approval for a sidewalk café; 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: Concerns were expressed at the Tribeca Committee meeting at which this application was presented about the number of other establishments with liquor licenses on this side street and the need to avoid oversaturation; 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 for Serafina Tribeca Restaurant LLC for a liquor license for 113 Reade Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC MEMBERS:	0 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	7 In Favor	24 Opposed	4 Abstained	0 Recused

RE: Street activity permit application by Avenues for Justice for Friday, September 16, 2016

WHEREAS: Avenues for Justice has applied for a street activity permit for Warren Street between Broadway and Church Street for Friday, September 16, 2016, 8 am-7pm; and

WHEREAS: The applicant agreed at the Tribeca Committee meeting at which this application was presented that there will be no activity before 8 a.m. and shutdown will be completed by 7 p.m.; and

WHEREAS: The applicant also agreed that there will be no amplified sound during the event; and

WHEREAS: The Committee was more receptive to this event because the applicant said it will be a new type of “pop-up” event that will be an improvement over the usual type of street fair, with more appealing vendors and improved presentation; and

WHEREAS: The Committee regards this event as a one-time trial of a new type of street fair and is concerned that Warren Street is already used for other street fairs and there is potential for overuse of the street; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB 1 *does not oppose* the application submitted by Avenues for Justice for a street activity permit for September 16, 2016, subject to the following conditions:

1. There will be no activity before 8 a.m. and shutdown will be completed by 7 p.m., and
2. The NYC Department of Transportation reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway, and
3. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
4. Clean-up will be coordinated with the appropriate City Agencies.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: TRIBECA

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

RE: 251 Church Street, application to the SLA to include a sidewalk café for Two Hands Tribeca

WHEREAS: The applicant, Two Hands Tribeca, has applied to include a sidewalk cafe in their liquor license for 251 Church Street; and

WHEREAS: There will be no other changes to their method of operations; and

WHEREAS: In April 2016, Community Board 1 (CB1) unanimously opposed the application by this establishment for a sidewalk cafe license; and

WHEREAS: CB1 opposed the application for a sidewalk cafe license for reasons explained in the resolution of April 2016, including the following:

- The applicants did not post notices as required by CB1's guidelines for sidewalk cafe applicants (the Guidelines) despite requests from CB1, and therefore neighbors were not aware of the application and did not have an opportunity to provide input to CB1;
- The CB1 Tribeca Committee asked that the applicant provide the Committee with a correct floor plan and elevation of the street front and sidewalk cafe at 251 Church Street; and
- The Committee asked the applicant to locate a reduced number of tables and chairs against the facade of the building allowing for adequate walking space in this area of the sidewalk which has heavy foot traffic; and
- The applicants did not comply with these requests or with the requirement in the Guidelines for establishments to be in operation for one year prior to applying for a sidewalk café; and

WHEREAS: The sidewalk cafe was approved without changes at the City Council after the staff member at the City Council who had previously notified CB1 when sidewalk cafe applications came before the City Council left and CB1 did not have an opportunity to raise its objections prior to approval; and

WHEREAS: When the Committee pointed out the potential safety issue of having tables 3-0" in front of the entrance to the restaurant and neighboring building, one of the owners responded that one "could jump over the tables to get out"; and

WHEREAS: The applicant returned to the Committee in July, 2016 requesting a liquor license for the sidewalk cafe, and the applicant stated the sidewalk cafe had been

approved by the DCA with the original submitted table and chair configuration despite the Committee's objection; and

WHEREAS: The applicants' attorney felt it necessary to apologize to the Committee for the statements made by the applicant to the Committee, stating that he "had never seen this sort of behavior before"; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 *opposes* the granting of a license to include a sidewalk cafe in the liquor license for 251 Church Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 241 West Broadway, application for liquor license for White Walker LLC

WHEREAS: The applicant, White Walker LLC, has applied for a liquor license for 241 West Broadway; and

WHEREAS: The proposed hours of bar service for this establishment are noon until 1 a.m. weekdays and noon to 2 a.m. weekends; and

WHEREAS: The applicant agreed to close doors and windows no later than 10 p.m. every night; and

WHEREAS: The total area of the restaurant will be 3,100 to 3,300 square feet with a public assembly capacity of 112; 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 concern about possible noise from outdoor diners will be taken into consideration when they return with their application after they have been in operation for one year; 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: There is a mosque within 200' but the applicant's attorney explained that the SLA has investigated this situation and determined that the mosque is not an exclusive use of its building and therefore is not subject to the 200' rule, and that a civil judge reached the same conclusion; and

WHEREAS: The applicant has represented that there are 21 other 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 for White Walker LLC for a liquor license for 241 West Broadway *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 26, 2016

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

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

RE:           Request by Portfolio School for Drop-Off Zone

WHEREAS: The Portfolio School has requested the creation by the New York City Department of Transportation of a Drop-Off zone in front of the School, and

WHEREAS: The Portfolio School is a K-12 school and occupies 2,000 square feet located at 27 N. Moore Street between Hudson Street and Varick Street, and

WHEREAS: The Portfolio School has a September enrollment of 10–15 students which is anticipated to grow to 26 to 30 students, and

WHEREAS: The hours requested for drop-off are 7:30 to 9:15 am, 3:00 to 4:00 pm and 5:30 to 6:30 pm, and

WHEREAS: It is not anticipated that the Drop-Off Zone will adversely impact the flow of traffic, now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 supports the request by the Portfolio School for a Drop-Off Zone to be located in front of 27 N. Moore Street from 7:30 to 9:15 am, 3:00 to 4:00 pm and 5:30 to 6:30pm so long as the School is in operation at this location.