

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2019

COMMITTEE OF ORIGIN: BATTERY PARK CITY

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

RE: Enhanced 311 noise and air pollution reporting for boat noise

WHEREAS: The residential community within Battery Park City is fully built, including The Riverhouse Residential Building with 244 residential units housing an estimated people located less than 400 feet from the Brookfield Pier; and

WHEREAS: The Battery Park Esplanade runs the entire length of Battery Park City along the Hudson River for pedestrians, bicyclists, skaters and scooters is adjacent to the Brookfield Pier; and

WHEREAS: Within Rockefeller Park, the Lily Pool, a natural spot with migratory birds is than 100 feet from the Pier and the Rockefeller Park Children’s playground is less than 300 feet from the Brookfield Pier; and

WHEREAS: Ferry Fleet, NY Water Taxi and Tour Boats currently operating at the Pier are comprised of boats that use fossil fuels, which contribute to commensurate declines in air and water quality in the immediate vicinity of the pier and possibly beyond; and

WHEREAS: Ferries operations are noisy with departure announcements, gunning engines, and departure sounds that residents complain diminish the quality of life of Battery Park City residents who live within a short distance from the pier; and

WHEREAS: The EDC has presented an expansive weekend ferry operation schedule outside of the regular operations of the PANYNJ ferry; and

WHEREAS: The residents of 2 River Terrace have provided indoor ferry noise readings, many of these residents spoke with CB1 and Port Authority and regularly file via 311, which is currently unable to differentiate between types of noises (engine, horn, music, announcements) nor boat types and their potential to contribute to poor air quality; and

WHEREAS: CB 1 is able to attribute at least 100 Boat Noise Service Requests to the Port Authority Pier alone; and

WHEREAS: 311 does not currently ask for specific information to identify those vessels that generate large amounts of noise and vibration in relation to other vessels such as name of craft, fleet owner, type of vessel, or any other sort of identifying mark that would allow the government to effectively respond; and

WHEREAS: Port Authority, owner of the Brookfield Pier affirmed that the 311 reports do not

provide the details needed for them to easily affirm specifics and thereby attempt to ameliorate the problems; and

WHEREAS: NY Waterways, the current operator of the Pier, has stated they would be willing to take the 311 reports that are near their location and try to align the complaints up to their internal information for routes and times but that leaves the onus on the service provider to investigate itself and offers no transparency or opportunity for public oversight; now

THEREFORE

BE IT

RESOLVED

THAT: NYC 311 and DOITT expand 311, to allow for and encourage the public to contribute specific observations around boat noise, including but not limited to: horns, engine, announcements & music, as well as air pollution and excessive vibration complaints; and

BE IT

FURTHER

RESOLVED

THAT: NYC 311 establish an additional information category within the complaint type that provides the option to note the company name, vessel name or vessel type.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2019

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	25 In Favor	0 Opposed	0 Abstained	1 Recused

RE: 250 Water Street – Brownfield Cleanup Program Remedial Investigation Work Plan

WHEREAS: 250 Seaport District, LLC (Howard Hughes Corporation) and Langan engineers have submitted a draft Remedial Investigation Work Plan (RI Work Plan) to New York State Department of Environmental Conservation (NYSDEC) under New York State’s Brownfield Cleanup Program. The investigation will define the nature and extent of contamination in soil, groundwater, soil vapor, and any other parts of the environment that may be affected. The investigation will be performed by 250 Seaport District, LLC and Langan engineers with oversight by NYSDEC and the New York State Department of Health (NYSDOH); and

WHEREAS: The RI work plan has been publicly circulated and is open for comment. In response to requests from the community, elected officials and Community Board 1 (CB1), NYSDEC has extended the comment period twice. The deadline for public comment is now January 16, 2019; and

WHEREAS: Previous investigations have detected volatile and semi-volatile organic compounds (VOCs and SVOCs), metals (including lead and elemental mercury), and polychlorinated biphenyls (PCBs) in soil and/or groundwater on site. Key components of the RI work plan, including measures to protect the public from exposure during investigation activities, include:

- Baseline community air monitoring for VOCs, particulates and mercury vapor to obtain data that will help ensure the protection of public health after the investigation begins;
- Implementation of a Community Air Monitoring Plan (CAMP) to ensure that the public living and working near the site, as well as employees or visitors to the site, are protected from exposure to site contaminants;
- Implementation of a site-specific Health and Safety Plan (HASP) that includes a description of the health and safety procedures to be followed during the site investigation;
- A geophysical survey to identify potential subsurface utilities and structures;
- Installation and sampling of soil vapor monitoring points across the site and along the site perimeter;
- Analysis of soil vapor samples for VOCs and mercury;
- Installation and sampling of at least 35 soil borings across the site, and at targeted off-site locations, to identify possible on-site and off-site sources of

contamination;

- Installation and sampling 8 groundwater wells to monitor possible impacts from areas of potential contamination;
- Analysis of soil and groundwater samples for VOCs, SVOC, metals, PCBs, pesticides, 1,4-dioxane and per- and polyfluoroalkylated substances (PFAS);
- Site-Specific Quality Assurance/Quality Control protocol; and
- Completion of a Data Usability Summary Report (DUSR) which presents the results of data validation; and

WHEREAS: Out of caution due to two schools in the vicinity of the site, the NYSDEC and NYSDOH are requiring that all intrusive work be performed during non-school hours. NYSDEC and NYSDOH will closely monitor activities at the site to ensure residents, visitors, students and faculty are not exposed to potential contamination at the site during the investigation; and

WHEREAS: NYSDEC will consider public comments, revise the plan as necessary, and approve the work plan. NYSDOH must concur with the plan. After the work plan is approved, the activities detailed in the work plan will be implemented; and

WHEREAS: When the investigation is completed, an RI report will be submitted to NYSDEC that summarizes the results and includes a health exposure assessment. NYSDEC and the NYSDOH will review the report, request any necessary revisions, and, if appropriate, approve the report. Prior to approval, a fact sheet describing the RI results will be made available to the public; and

WHEREAS: After the investigation, a cleanup plan, called a “Remedial Action Work Plan” will be developed. The cleanup plan will include an evaluation of the proposed site cleanup actions or recommend a “no action” or “no further action” alternative. The goal of the cleanup plan is to ensure the protection of public health and the environment. NYSDEC will present the proposed cleanup plan to the public for its review and comment during a 45-day comment period; and

WHEREAS: In September 2019, Howard Hughes Corporation and Langan (along with NYSDEC and NYSDOH representatives) attended CB1’s Environmental Protection Committee to present on the draft RI work plan and to take questions and comments; and

WHEREAS: Main areas of concern that emerged from discussion during this September meeting included: air monitoring and action levels, community input and public comment, community safety plan, contamination identification, contamination seepage out of the site area, event emergency and notification plan, historic artifacts, investigation process (threat site), light and noise, monitoring equipment, parking lot, recapping over boring holes, risk of flooding, work during hours of activity at the school (both during and after school), scope of investigation/depth of boring, spread of contamination, tenting, use of non-definitive language in the RI work plan document, and work implementation (Langan vs subcontractors). NYSDEC and NYSDOH representatives attended this meeting, and CB1 will provide a transcribed summary of that meeting along

with the audio recording as a supplement to this resolution to be taken under consideration as NYSDEC reviews and prepares comments on the draft RI work plan; and

WHEREAS: The Seaport Coalition (Children First, Save Our Seaport and the Southbridge Towers) has been interviewing independent environmental consultants to be retained for the duration of the Brownfield Cleanup Program process. They have selected Lawra Dodge of Excel Environmental Resources, a professional geologist with 36 years of experience in environmental consultation. Excel is currently preparing a proposal for consultation throughout the Brownfield Cleanup Program process. Howard Hughes Corporation has agreed to pay for the independent environmental consultant and this process is being coordinated through the Manhattan Borough President's Office; and

WHEREAS: The Seaport Coalition has submitted a document to CB1 containing the following comments on the RI work plan:

- The decision to designate the site a “significant threat” should not be based solely on data from the investigation, but primary consideration should be given to the proximity of “sensitive receptors” (children, pregnant women, elderly and immune impaired individuals within 30’ to 100’) surrounding the site.
- Investigation of building lots that contained mercury warehouses and factories that extend beyond the lot lines and onto Pearl Street must extend into Pearl Street to the end of the building lines. The draft RI work plan only investigates portions of the sidewalk.
- Mercury action levels should never exceed background around the perimeter of the site and the community should be notified immediately if the job site is shut down because action levels were exceeded.
- Double the number of air monitoring stations around the perimeter of the site and notify the community 24 hours in advance of perimeter work so appropriate precautions can be taken by the community.
- Double the number of mercury vapor and soil samples taken during the investigation and use more sensitive hand-held mercury detection monitors such as Lumex.
- Provide real time air-monitoring data in an on-line “data room” for easy access and review.
- Establish a “hot line” for community members to call with questions or comments.
- Develop a more robust and immediate emergency plan including police, fire, hospitals, HAZMAT teams and the NYC Department of Transportation (DOT) prior to any ground intrusive activities; and

WHEREAS: In addition, constituents have voiced that the applicant should be in touch with Con Edison and all other relevant utilities for purposes of notification and

coordination, and that care must be taken so that work does not disturb residents, businesses and the school (both during school hours and during after school programs); now

THEREFORE

BE IT

RESOLVED

THAT:

CB1 supports our constituents who have justifiable concerns regarding the upcoming RI work at 250 Water Street and its potential impacts. We urge NYSDEC and the NYSDOH to take these comments under careful consideration during review of the RI work plan, and to make necessary changes in order to accommodate these requests and mitigate potential negative impacts where possible.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2019

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	24 In Favor	0 Opposed	0 Abstained	1 Recused

- RE: Proposed Small Business Services/Economic Development Corporation concession agreement for demapped pedestrian streets in the Historic South Street Seaport district
- WHEREAS: The South Street Seaport is city-owned property, including Piers 15 and 16, the Tin Building, Pier 17, the New Market Building as well as swaths of upland property including Schermerhorn Block, Museum Block and Market Block; and
- WHEREAS: In 1983, the city de-mapped certain streets within the South Street Seaport including Fulton St from Water St to South St, Water St from Fulton St to Beekman St, and Front St from John St to Beekman St; and
- WHEREAS: At the time of the 1983 demapping, non-exclusive access easements were granted to the tenants, the South Street Seaport Museum and a predecessor of the Howard Hughes Corporation (HHC). Under the existing leases with HHC and the Seaport Museum, both must consent to any and all licenses granted by the City in the demapped streets; and
- WHEREAS: Of that city-owned property, HHC currently holds the Marketplace Lease which includes long-term leases for properties such as the Tin Building and Pier 17, portions of Schermerhorn Block, Museum Block and Market Block. HHC is responsible for surface area maintenance, repair and security of leased premises and Pier 16, adjacent portions of esplanade and demapped streets (“Joint Maintenance Area”); and
- WHEREAS: There is currently no concession agreement in place for events within the demapped streets. Any third-party who has been interested in holding an event in that area have gone through HHC; and
- WHEREAS: This proposal would allow the NYC Economic Development Corporation (EDC) and the City to collect revenues from activities in the street and streamline the approval processes to have a rolling RFP on EDC’s website that would allow anyone to submit event proposals; and
- WHEREAS: EDC seeks to activate the demapped streets with year-round revenue-generating and community activities while encouraging the participation of interested organizations; and
- WHEREAS: EDC has negotiated concession details with the NYC Department of Small Business Services (SBS) (which has jurisdiction over this land) *via* a proposed license agreement. The SBS-to-EDC license agreement will be for a one-year term with four, one-year renewal options (for a total maximum length of 5 years if renewed). EDC will release a rolling RFP on their website to source events, and any organization, individual or nonprofit can apply. EDC expressly represented to Community Board 1 (CB1) that, under the SBS-to-EDC license agreement, EDC must get consent from HHC and the Seaport Museum for any third-party event. EDC will also set up a restricted fund to direct concession revenues to fund non-capitally eligible improvements in the Historic South Street Seaport district, of which 5% of revenues will go to the City (to cover administration of the program) and 95% of the revenues will go into the restricted fund. EDC represented to CB1 that, under

the license agreement, relevant independent City agencies have audit authority to account for the appropriate treatment of the revenues; and

WHEREAS: A Request for Award meeting is set before the Franchise and Concession Review Committee (FCRC) for January 8th, 2020. If the FCRC approves the license agreement, then within 45 days EDC will receive a written Notice to Proceed from the office of New York City Comptroller Scott M. Stringer; and

WHEREAS: EDC is estimating a total of approximately \$80,000 in revenue annually. While law prohibits language in the agreement to specifically direct the revenue to a single recipient or nonprofit entity, EDC has represented to CB1 that the funds will be restricted so that they cannot be spent outside of the Historic South Street Seaport district and that, in coordination with the Manhattan Borough President's Office and CB1, the revenue will be used to contribute back to the character of the South Street Seaport, specifically for improving maritime history, boat maintenance, *etc.* EDC has confirmed that the license agreement prohibits the event revenue from going to HHC; and

WHEREAS: The cost for street events will be dependent on the applicant. There will be no cost for community, non-profit and other non-revenue-generating events. Private events such as sponsorships or brand activations will be charged at market rate per square foot. The purpose of this structure is to diversify events that take place in the street, to allow a broader group of organizations to use the space, and to extract revenue from private use; and

WHEREAS: "Temporary" events will be defined by EDC's permits or sub-licenses as being seven days or fewer. EDC expects over 90% of licensed events to be "temporary." Anything besides a "temporary" event will be considered a significant "sub-concession" and is required to undergo additional scrutiny/review; and

WHEREAS: While community board review and approval are not required for events, EDC has committed to working out an advance notification procedure. EDC has also confirmed that a provision can be added to the SBS-to-EDC license agreement to provide that, before EDC issues any sub-licenses or sub-concessions, EDC will negotiate and enter into a signed document or memorandum of understanding (MOU) with CB1 which outlines certain quality of life parameters and concerns, including but not limited to, hours of operation, sound, parking on surrounding streets, traffic mitigation, *etc.*); now

THEREFORE

BE IT

RESOLVED

THAT: CB1 has long been on-record in support of measures to preserve the historic nature and character of the Historic South Street Seaport district, and CB1 fully supports efforts to increase revenues for the South Street Seaport Museum which is in urgent need of operating funds.

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes this proposed SBS-to-EDC license agreement unless:

- 1) EDC enters into an MOU with CB1 as to certain quality of life parameters, including but not limited to, hours of operation, sound, parking on surrounding streets, traffic mitigation, *etc.*

- 2) SBS and EDC add a provision to or other amend the language of the license agreement to specify that revenue may not be spent outside of the Historic South Street Seaport district and that no less than 95% of the revenue must be used only to contribute to the “street of ships” culture of the Historic South Street Seaport district.
- 3) EDC works with CB1 to establish an advance notification procedure for any events taking place in the demapped streets
- 4) Language in the RFP for events in the demapped streets should refer to the area as the “Historic South Street Seaport” rather than the “Seaport District”

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2019

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	7 In Favor	5 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	22 In Favor	1 Opposed	1 Abstained	0 Recused

RE: 100 Pearl St (7 Hanover) application to the Department of City Planning for arcade infill

WHEREAS: 100 Pearl Street is a 26-story building with frontage on Water St, Hanover Square and Pearl St. The building features an approximately 7,500 square foot (sf) through-block arcade connecting Water St and Pearl St, and an adjacent approximately 5,300 sf arcade with frontage on Hanover Square and Water St. The through-block arcade is a single and double-height space. Six metal benches and two bicycle racks are located roughly in the center of the space, and two planters are located near the Water and Pearl St frontages. The building has a single lobby with one entrance on Water St and one on Hanover Sq. Entrances to the building’s loading berths and garage are located on Pearl St; and

WHEREAS: According to the applicant, the building’s ground floor presents a number of challenges including deep arcades that conceal existing retail and service establishments, which discourages potential customers, and obscured entrances to the building, which makes it less accessible to visitors. Retail spaces within the through-block arcade lack the necessary depth to support vibrant retail activities, and have resulted in substantial vacancies, the applicant submits. Utilization of the arcades is weather-dependent, limiting public use in poor weather conditions; and

WHEREAS: In 2016, the Water Street Upgrades Zoning Text Amendment created new mechanisms to allow enlargements within existing arcades in the Water Street Subdistrict; and

WHEREAS: In connection with a major capital project to modernize the building, the applicant seeks to utilize the mechanisms available under the 2016 Water Street Upgrades Zoning Text Amendment to improve the pedestrian experience and better activate the uses of the space by providing retail and service amenities and revitalizing the ground floor of the building; and

WHEREAS: The proposed enlargement is an approximately 7,003 sf horizontal enlargement located within the building’s existing arcade, through-block arcade, and certain ground-floor spaces. The ground floor of the building would be reconfigured to provide an approximately 6,298 sf enclosed public space (the “indoor public space”) that would overlap with the area of the existing through-block arcade; three separate office lobbies accessible through four street entrances, and; new retail establishments; and

WHEREAS: The through-block arcade would remain but would be reconfigured and enclosed as the indoor public space. The indoor public space would continue to comply with the height, width, and other features required of a through-block arcade and continue to provide a public passageway between Water and Pearl Streets. The through-block arcade would retain the current configuration of single and double-height spaces, and no new floor area is proposed at the second story; and

- WHEREAS: Transparent materials will be used for the street walls of the indoor public space (facing Water and Pearl Streets) intended to increase visibility from the street and make the indoor public space porous and welcoming to the public. This visibility from the street, combined with signage to direct pedestrians and an 18-ft high lattice canopy extending the length of the through-block arcade, are intended to assist in wayfinding and ensure the space will be well utilized; and
- WHEREAS: The indoor public space will be enclosed to allow for year-round public use. The north and south sides of the indoor public space would be lined with approximately ten food service establishments. 230 linear feet of moveable seating and benches, as well as tables, would be provided. An additional 32 publicly accessible chairs and 12 publicly accessible tables (which are required as a condition of providing cafes), would be provided; and
- WHEREAS: Greenery would be provided in planters, which would be integrated with benches, as well as vertical planting walls. Vertical plantings would be located on columns distributed throughout the indoor public space, at the entrance vestibules, and along a wall near the Pearl St entrance; and
- WHEREAS: Three kiosks and two cafes are proposed by the applicant. One kiosk would be permitted as-of-right; the additional two kiosks require approval. Two cafe areas, where waiter or table service is permitted, are proposed (counter-style seating). Additional public seating and tables required as a condition of cafe seating would be available to the public without restriction; and
- WHEREAS: Public restrooms within the building would be accessible from the indoor public space; and
- WHEREAS: The applicant is requesting approval for accessory signage to ensure that all small food service businesses are easily identifiable. The approval would allow one 2.25-sf, non-illuminated, double-sided accessory blade sign for each retail establishment with frontage within the indoor public space. Two non-illuminated signs of 7 sf would be permitted for each kiosk; and
- WHEREAS: The proposed enlargement would also infill most of the L-shaped arcade that extends along Water Street and Hanover Square and other ground floor spaces that did not generate a floor area bonus, including small recess areas on Pearl St. Within these spaces, the applicant plans to create three separate office lobbies with two entrances on Water St and one entrance on each of Hanover Square and Pearl St. Additionally, new retail spaces would be located at the corner of Water St and Hanover Square, and Hanover Square and Pearl St. Along Water St and Hanover Square, five recessed entryways and a landscaped inlet with an aggregate area of approximately 271 sf would remain as arcade; and
- WHEREAS: To improve the building's resiliency, mechanicals will be relocated from the basement to the second floor of the building in formerly rentable office space (*i.e.*, not within any public space). Additionally, the ground floor will be dry flood-proofed using a combination of marine glass, poured concrete and temporary flood control devices; and
- WHEREAS: The proposed actions are necessary to facilitate the proposed enlargement:
- Enlargement Certification: To establish that the 7,003-sf proposed enlargement meets zoning requirements, including the provision of the indoor public space.
- Area B Authorization: To permit the proposed enlargement within the approximately 964 sf area identified as "Area B" within the Water Street Subdistrict zoning.

Authorization to Facilitate Indoor Public Space: To modify the provisions of the zoning resolution with respect to:

- Level of the indoor public space - To account for the existing grade of the through-block arcade between Pearl St and Water St
- Signage - To allow for a signage program within the indoor public space that will facilitate a successful public space and retail environment
- Kiosks - To increase the number of kiosks from one to three

Cafe Certification: To allow cafe seating, which may have waiter/table service, within the indoor public space (counter-style seating); now

THEREFORE

BE IT

RESOLVED

THAT:

Manhattan Community Board 1 (CB1) does not oppose the proposed application for 100 Pearl St/7 Hanover Sq., pursuant to the following conditions:

Enlargement Certification: CB1 approves this action on the condition that any exterior work be performed only between the hours of 8AM - 6PM Monday - Friday, and that there is no weekend exterior work. In addition, the applicant must reach out to CB1 and neighbors with advance notification for any street or sidewalk closures. In addition, CB1 requests that the through-block indoor public space be open for passage 24/7.

Area B Authorization: CB1 approves and has no conditions for this action.

Authorization to Facilitate Indoor Public Space: CB1 approves this action on the condition that the two additional kiosks are eliminated.

Cafe Certification: CB1 approves and has no conditions for this action.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	30 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 102 North End Avenue, application for liquor license for Anea LLC d/b/a TBD

WHEREAS: The applicant, Anea LLC, is applying for an on-premise liquor license; and

WHEREAS: The establishment is a modern Greek restaurant; and

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

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

WHEREAS: The establishment is a 6,900 square foot restaurant with a public assembly capacity of 234, and a 2,225 square foot dining area with 46 tables and 146 seats, and a 1,099 square foot bar area with 6 tables and 43 seats, and a 2,525 square foot kitchen area, and one interior patron stand-up bar that's 22 x 9 near the entrance of the restaurant, and two service bars, and no food counters; and

WHEREAS: The hours of operation will be from 11AM to 2AM Friday and Saturday, and 11Am to 1AM Sunday through Thursday, and will provide full food service until one hour before closing; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJs, no scheduled performances, no cover-fee events, promoted events, and no dancing; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant will have delivery of supplies, goods and services loaded at the interior of the building at 7AM; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license until at least a year after beginning operation; and

WHEREAS: The applicant will close windows by 10PM Sunday through Thursday, and 11PM Friday and Saturday; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to Anea LLC d/b/a TBD at 102 North End Avenue unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	1 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	1 Abstained	0 Rescued
BOARD VOTE:	25 In Favor	2 Opposed	3 Abstained	0 Rescued

RE: 15 Park Row, application for liquor license for CWJR Winery, LLC d/b/a J&R Music Lounge by City Winery

WHEREAS: The applicant, CWJR Winery, LLC, is applying for an on-premise liquor license; and

WHEREAS: The establishment is a full-service restaurant with a winery; and

WHEREAS: The applicant has represented that there are buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

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

WHEREAS: The establishment is a 9,447 square foot restaurant with a public assembly capacity of 335, and a 3,735 square foot dining area with 48 tables and 182 seats, and a 370 square foot bar area with no tables and 14 seats, and a 870 square foot kitchen area, and one stand-up bar and a service bar included in the stand-up bar located in the southeast corner of establishment that's L-shaped and approximately 35 feet long, and no food counters; and

WHEREAS: The hours of operation, food service, and bar service will be 11AM to midnight Monday through Sunday; and

WHEREAS: The applicant has represented that there will be recorded background music, live music such as jazz music and music that provides easy listening, no DJs, scheduled performances, cover-fee events that will sell tickets, promoted events, and no dancing; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant has ensured that live performances will be soundproofed and not be heard outside of the premises; and

WHEREAS: The applicant will have delivery of supplies, goods and services after 7AM; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license until at least a year after beginning operation; and

WHEREAS: The applicant has ensured that music will be played in the basement level; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant has agreed to notify the Board when their SAPO permit is licensed for load-in and load-out activity; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to CWJR Winery, LLC d/b/a J&R Music Lounge by City Winery at 15 Park Row unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	30 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 11 Fulton Street, application for transfer of liquor license from iPic Gold Class Entertainment, LLC to iPic Theaters, LLC d/b/a iPic Theaters and The Tuck Room

WHEREAS: The applicant, iPic Theaters, LLC, is applying for an on-premise liquor license; and

WHEREAS: The establishment is a full-service restaurant; and

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

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

WHEREAS: The establishment is a 46,145 square foot restaurant with a public assembly capacity of 746 for all levels of the premises, and a 2,841 square foot dining area with 30 tables and 143 seats, and a 450 square foot bar area with no tables and 25 seats, and a 1,583 square foot kitchen area, with two stand-up bars, one that is circular and 26'6"x15'3" in length and located on the second floor, and the second that is straight, located on the ground floor, and 20'2" in length, and one straight 12' service bar located on the outdoor area, and food counters where food will be served at the stand-up bars; and

WHEREAS: The hours of operation will be from 10AM to 2AM Sunday through Saturday; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJs, no scheduled performances, no cover-fee events, promoted events, and no dancing; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license until at least a year after beginning operation; and

WHEREAS: The applicant has agreed to open outdoor seating area at 11AM and close at 1AM, seven days a week; and

WHEREAS: The applicant has agreed to make sure that outdoor seating includes eight tables within 721 square feet; and

WHEREAS: The applicant has ensured that there is only a change of LLC, with no other changes to previous stipulations; and

WHEREAS: The applicant will not have French doors or windows; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to iPic Theaters, LLC d/b/a iPic Theaters and The Tuck Room at 11 Fulton Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	30 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 124 Chambers Street, application for The Grey Dog Tribeca, Inc. d/b/a The Grey Dog

WHEREAS: The applicant, The Grey Dog Tribeca, Inc, is applying for an on-premise liquor license; and

WHEREAS: The establishment is an all-day American restaurant with no outdoor space; and

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

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

WHEREAS: The establishment is a 4,800 square foot restaurant, with 1,800 square feet on the ground floor for retail, 1,500 square on the cellar floor for storage and restrooms, and 1,500 square feet on the sub-cellar floor for storage, with a public assembly capacity of 74 for the ground floor, and a 1,550 square foot dining area with 24 tables included at the food counters and 70 seats included at the food counters, and a 250 square foot kitchen area, and no bar area as there is neither a traditional stand-up bar nor bar stools, and one 24'4 food counter that's used as a point of sale and as a straight bar located on the center/right side of the premises, and there are also food counters for eating throughout the premises; and

WHEREAS: The hours of operation will be from 7AM to 11:30PM Monday through Saturday, and 7:45AM to 9:45PM on Sunday, and the hours of liquor service will be from 10AM to 9:30PM on Sunday, and 8AM to 11:30PM Monday through Saturday; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJs, no scheduled performances, no cover-fee events, promoted events, and no dancing; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant will have delivery of supplies, goods and services loaded after 7AM; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license until at least a year after beginning operation; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant may in the future seek to install operable windows; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to The Grey Dog Tribeca, Inc. d/b/a The Grey Dog at 124 Chambers Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	1 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	30 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 175 Greenwich Street, application for Proper Hall 175 Greenwich LLC d/b/a Proper Hall

WHEREAS: The applicant, Proper Hall 175 Greenwich LLC, is applying for an on-premise liquor license; and

WHEREAS: The establishment is a restaurant with arcade games, serving American-style food; and

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

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

WHEREAS: The establishment is a 4,515 square foot restaurant with a public assembly capacity of 180, and a 1,100 square foot dining area with 15 tables and 60 seats, with 41 of them at the counters, and a 1,000 square foot bar area with no tables and 40 seats, and a 700 square foot kitchen area, and three stand-up bars; the first stand-up bar is circular, 90 feet, and at the center of the premises, the second stand-up bar is a self-tap beer service that's 30 feet located by the wall, on the left side of the premises, and the third bar is a to-go counter, rectangular, 15 feet, and on the right side of the premises, and there are no service bars or food counters, and approximately 1,700 square feet of the establishment is being used for storage, walk-ins, bathrooms, etc.; and

WHEREAS: The hours of operation will be from 11AM to 2AM Sunday through Saturday; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, TVs and monitors, non-musical entertainment in the form of arcade games, no DJs, no scheduled performances, no cover-fee events, promoted events, and no dancing; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license until at least a year after beginning operation; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant has agreed that there will be three points of sale: the self-service beer bar, the island bar, and the sit-down bar; and

WHEREAS: The applicant has agreed to only sell pre-packaged beer for to-go for sale; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to Proper Hall 175 Greenwich LLC d/b/a Proper Hall at 175 Greenwich Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2019

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMITS

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

RE: Edgar-Greenwich-Trinity Pl Traffic Plan

WHEREAS: A new 476-seat elementary school (grade K-5) is currently expected to open September 2022 at 42 Trinity Place. Housed in a mixed-use high rise, the building will also house 7,000 square feet of commercial space on Greenwich St and a 90-unit residence at 77 Greenwich Street; and

WHEREAS: The 42-story multi-use building that houses the school is bound by Greenwich Street (east), Trinity Place (west) and Edgar Street (south) with the school's entry located on the NW corner of Edgar Street and Trinity Place; and

WHEREAS: Safe locations (1) for bus stops where students can be dropped-off/picked-up, (2) where students can wait outside with families (approximately 900 people) before and after school and (3) where students and teachers can gather during school-hour evacuation drills and play times still need to be identified before the school opens; and

WHEREAS: The New York City Department of Transportation (DOT) proposes to close the west-bound lanes of Edgar Street, which will reduce the traffic and increase the pedestrian sidewalk space on Edgar Street just outside the entry to 42 Trinity Place; and

WHEREAS: The east bound lanes of Edgar Street cannot be closed because they are used by the Metropolitan Transportation Authority (MTA) bus service coming from the Hugh L Carey Tunnel and are important to allow residents and delivery trucks from 77 Greenwich, as well as vehicles exiting the LAZ Battery Parking Garage to leave the area without crowding Greenwich Street; and

WHEREAS: Presently the Hugh L Carey Tunnel is closed from 6:00-10:00 AM daily which greatly reduces traffic in the east bound lanes of Edgar Street that then turn north onto Trinity Place before school when children are arriving; and

WHEREAS: NYC Parks and Recreation broke ground in August 2019 to enlarge Elizabeth Berger Park by permanently closing the Hugh L Carey Slip and combining Edgar and Trinity Plazas on Greenwich St/Trinity Place; and

WHEREAS: Numerous Staten Island buses exit the Hugh L Carey Tunnel, turn right from Greenwich Street to travel east on Edgar Street and then left to travel north on Trinity Place, which creates traffic all around the school's entry, including the path that students would walk to Elizabeth Berger Park and potentially to their

bus stop, which concerns school safety advocates; and

WHEREAS: The school will have space inside to house bicycles in order to encourage staff members to commute by bicycle; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 (CB1) supports the plan presented by DOT (1) to close the west-bound lanes of Edgar Street so that the pedestrian space just south of the school is enlarged, (2) to keep the east-bound lanes of Edgar Street open and (3) to place a traffic light at the Edgar-Greenwich intersection; and

BE IT

FURTHER

RESOLVED

THAT: DOT is asked to identify safe bicycle routes that school staff could use to commute to and from 42 Trinity Place by bicycle; and

BE IT

FURTHER

RESOLVED

THAT: CB1 urges DOT, the New York City Department of Education, the school principal and other agencies to identify safe locations for bus stops, gathering spots, a play area, etc. well in advance of the school's opening; and

BE IT

FURHTER

RESOLVED

THAT: CB1 does not want Elizabeth Berger Park to become a *de facto* school yard versus a New York City park meant for everyone. However, the New York City Parks Department is urged to make it available for use during school evacuations; and

BE IT

FURTHER

RESOLVED

THAT: CB1 requests DOT to return and present an update on the project before and six months after the school opens so that the traffic plan and other student needs for streetscape space can be reviewed and modifications can be identified if needed;

BE IT

FURTHER

RESOLVED

THAT: CB1 urges the NYPD develop a safety plan that includes the number and location of school crossing guards that will be needed to adequately protect students when they arrive at and depart the school; and

BE IT

FURTHER

RESOLVED

THAT: CB1 urges MTA Bridges and Tunnels to permanently close the spur of the Hugh

L Carey Tunnel to Greenwich Street from 6:00-10:00 AM on all school days.