

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	1 Abstained	0 Recused

RE: South Battery Park City Resiliency Plan (Pier A Plaza, Wagner Park, Museum of Jewish Heritage and the North Battery)

WHEREAS: Lower Manhattan is underserved with green space. Our parks are critically valuable resources that provide respite, biodiversity, shade and contribute to our cultural heritage; and

WHEREAS: The Battery Park City Authority (BPCA) describes the proposed project as follows: “The South Battery Park City Resiliency Project contemplates creation of a continuous flood barrier from the Museum of Jewish Heritage, through Wagner Park, across Pier A Plaza, and along the northern border of Historic Battery Park. With construction scheduled to begin in 2020 and end in 2022, Battery Park City is committed to constructing a perimeter storm and flood protection system on its southern boundary. This structure will decrease vulnerability from storm inundation and flooding;” and

WHEREAS: CB1 would like to thank the BPCA for their dedication and work in actively engaging with the community on their resiliency plans. The Authority’s efforts to update the community and engage with city agencies responsible for the Lower Manhattan Coastal Resiliency (LMCR) plans is laudable. CB1 is grateful to have the opportunity to express the issues they would like to see addressed during the ongoing design phases; and

WHEREAS: The BPCA has indicated the design work is 30% to 50% complete and there has been a conceptual review at the Public Design Commission (PDC); and

WHEREAS: CB1 has adopted three resolutions on Wagner Park (5/23/17) (9/26/17) (2/19/18). Some items have been addressed, others not. The outstanding issues include: 1) disregard of CB1’s urging to leave the pavilion and park intact; 2) need to make Pier A Plaza and the esplanade at Chambers Street and the West Side Highway a priority before Wagner Park; and 3) review of other alternatives that could allow for money, parks and natural habitats to be saved; and

WHEREAS: Wagner Park is an award-winning landscape with beautifully crafted materials including Roman bricks to match the restaurant, built-in benches framing the lawn, lighting that reinforces the elegance of the design; and

WHEREAS: As the Wagner Park’s existing pavilion is already at a considerable elevation, CB1 believes there is not a strong enough case for replacing it; CB1 is not yet entirely convinced that this is the highest and best use of resiliency funding; and

- WHEREAS: CB1 is committed to the belief that in losing any part of this beloved park and its pavilion, all work must be remade to the highest level of sustainability standards; and
- WHEREAS: CB1 requests that Passive House certification be used in addition to the ILFI Zero Carbon Certification standards to ensure a low energy high performance pavilion building; and
- WHEREAS: CB1 asks that the Department of Transportation (DOT) explore the alternative of raising the streets in the area to be used as passive flood protection for future resiliency projects rather than redesigning adjacent parks in order to reduce the risk from storm surge and sea level rise. BPCA has stated that this approach is beyond the scope of the South Battery Park City Resiliency project, and generally not feasible due to the impact on existing buildings along Battery Place; the impact on NYC Department of Environmental Protection (DEP) water infrastructure; risk of induced flooding to adjacent properties; and the consequence that parks on the river side of the wall would be wholly sacrificial and therefore subject to ongoing and increased damage and repairs, limiting public accessibility; and
- WHEREAS: CB1 believes that the design of the new pavilion is unresolved. The BPCA has agreed to provide more detailed plans and sections of alternate ways to enter the pavilion from street level. CB1 has asked for additional elevations and details of the ramp and entries to the new level of Wagner Park showing the missing handrails, indications of slopes and tree configurations; and
- WHEREAS: The BPCA has agreed to address CB1's concerns with regard to lack of adequate shade in the amphitheater area as well as a clearer understanding of ADA accessibility and circulation. The BPCA has also agreed to address the concern that there are not adequate benches with backs; and
- WHEREAS: CB1 has requested that the BPCA provide alternatives to the storage of soil and compost proposed for the south of the Museum of Jewish Heritage including using the space under the proposed berm and sloped ramps on the street side of the site; and
- WHEREAS: CB1 requests further information on the cost and benefits of the proposed water storage cisterns in Wagner park, as the water is relatively clean and can drain into the river; and
- WHEREAS: The BPCA agrees to review the path that leads from Wagner Park to Pier A Plaza which seems narrow and unresolved for full accessibility; and
- WHEREAS: CB1 has requested that there is a clear understanding of the relationship between adult recreation, child recreation and restaurant access in the park; and
- WHEREAS: CB1 requests that the BPCA provide more information about hours of operation for the park public spaces, pavilion and pavilion elevators; and
- WHEREAS: CB1 has requested clearer, scaled drawings including sections, elevations and perspectives to further aid understanding of the full project scope and details; and

WHEREAS: CB1 requests assurance of the consistency of design elevations between the various resiliency projects in lower Manhattan; and

WHEREAS: CB1's major concern is inland drainage and has asked BPCA for more information on the drainage of the areas behind the flood barrier; and

WHEREAS: CB1 is very concerned at the number of trees and plantings that will need to be removed to implement the proposed plan. BPCA has agreed to CB1's request that as many trees, plantings and building materials be recycled and reused to the fullest extent possible; and

WHEREAS: CB1 has concerns about the proposed changes being made to the north Battery Bike Path. The new proposal includes a 150' long wall, much of which is 11' high. The design of the berm forms a barrier in the park and involves straightening out the existing sinuous bike path, moving it closer to the comfort station and involves removal of approximately 20 trees. CB1 has requested to see alternative studies for design of this area that include a perimeter flood wall at the North end that would not intrude on the park, supporting NYC Department of Parks & Recreation's mission of "Parks without Borders"; and

WHEREAS: CB1 appreciates the design of Pier A Plaza as it addresses sea level rise and nuisance flooding and provides a shade-filled social space; and

WHEREAS: It is imperative that MTA tunnels and the FDR underpass are fully protected. CB9 requires that the resiliency work of the NYC DOT and the Triborough Bridge and Tunnel Authority (TBTA) be fully coordinated with the work of the BPCA and be fully completed; now

THEREFORE  
BE IT  
RESOLVED

THAT: BPCA has agreed to respond to CB1's requests for detailed cost-benefit analyses of this proposal as early as March 2020; and

BE IT  
FURTHER  
RESOLVED

THAT: BPCA has promised to provide in the next month or two calendars and scheduling for all environmental reviews, and detailed information on the approvals processes and any discretionary actions that may be needed for this project (including opportunities for CB1 review and comment); and

BE IT  
FURTHER  
RESOLVED

THAT: BPCA has agreed to have a "Deployables Workshop" with DOT to review the specifics of the deployables in response to CB1's requests for full details, including their size, appearance, operation, location, place of manufacture, etc. CB1 has specific concerns that need to be addressed as to how the deployables tie in to the walls between Pier A Plaza and Wagner Park; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 urges that the PDC take the questions, concerns and recommendations above under careful consideration and implement them into the resiliency plans for South Battery Park City.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: WATERFRONT, PARKS & RESILIENCY

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

PUBLIC VOTE: 2 In Favor 0 Opposed 0 Abstained 0 Rescued

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

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

PUBLIC VOTE: 2 In Favor 0 Opposed 0 Abstained 0 Rescued

BOARD VOTE: 39 In Favor 0 Opposed 0 Abstained 0 Rescued

RE: The Battery Conservancy

WHEREAS: The Battery Conservancy was founded to revitalize New York’s birthplace park and its major landmark, Castle Clinton National Monument. The Conservancy designs, builds, maintains, and activates the historic Battery’s 25-acres of public parkland at the southern tip of Manhattan. In partnership with the City of New York’s Department of Parks & Recreation and the National Parks Service, the Conservancy brings inspired vision and targeted resources to the park. It continues to spearhead the revitalization of the city’s birthplace inspired by an ethos of environmental stewardship, historical authenticity, design excellence, innovation education, and openness to all; and

WHEREAS: The Battery has long been and continues to be regarded as the “crown jewel” of lower Manhattan and Community Board 1 (CB1) has long supported the Battery Conservancy in their endeavors; and

WHEREAS: CB1 very much looks forward to the completion of the new, enlarged and exciting looking playground that is scheduled to open in the Spring of 2021; and

WHEREAS: The Battery Conservancy’s operating budget is in the range of \$3 million a year. The City does not contribute any funding to the Battery Conservancy that raises these funds every year and whose staff solely takes care of park maintenance; and

WHEREAS: Battery Park also has several unmet capital needs that should be addressed by the City including the restoration of its park house and restrooms; and

WHEREAS: While we are pleased that the City and the Battery Park City Authority are working to identify resiliency measures for Battery Park City and the Battery, the process needs to slow down a bit to enable important stakeholders such as the Battery Conservancy and CB1 to understand and respond to the proposed resiliency plans so that their views are also considered before any plans are finalized; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 strongly urges the City to provide annual operating funds to the Battery Conservancy to cover the cost they incur to maintain this vital park; and

BE IT  
FURTHER  
RESOLVED

THAT: A mechanism needs to be established for the Conservancy to play a role in the resiliency planning process along with the Community Board; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 also requests to see any design studies and a cost-benefit analyses for all resiliency options/alternatives that have been considered for the Battery.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LANDMARKS PRESERVATION

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

RE: City Hall steps reconstruction and new exterior handicap lift, paver replacement and sidewalk ramp integration

WHEREAS: The proposal is to replace non-original limestone stair treads with granite stair treads with historically appropriate nosing profiles; and

WHEREAS: The proposal also includes the replacement of non-original limestone pavers with granite pavers in a paving pattern that reflects the original design intent as shown on historical drawings at the building portico floor; and

WHEREAS: ADA compliance work proposed includes replacement of the existing handrail at the west return of the stairs with a new ADA compliant bronze handrail and a detachable ADA compliant handrail along the center of the stairs based on historic precedents and existing programmatic needs; and

WHEREAS: Further ADA work includes the removal of the existing temporary wheelchair lift, connecting walkway and ramp in order to facilitate barrier-free access from the street level to the portico; and

WHEREAS: Non-visible work includes the raking, repointing and injection of grout into the original brick arch crawlspace under the portico; and

WHEREAS: The applicant clearly studied the building's available historical documentation and has proposed design elements that are not only appropriate and, in the case of the portico floor design, enhance the special sense of place at the front steps of City Hall; and

WHEREAS: The design for the replacement wheelchair lift and ramp are as modest as can be and use a tone of considering the 8 foot plus level change that must be accommodated; and

WHEREAS: The material used for such lift shall be powder coated to match as closely as possible the tone of City Hall's stone and glass railings shall be used as to not block views of the building behind it; and

WHEREAS: The materials chosen for the proposed plaza ramp are appropriate as they match the adjacent existing historic materials; and

WHEREAS: The same improvements being proposed for the pavers in this area of City Hall Park should be extended into the public park areas during this phase of DDC's improvement plan since the areas outside of City Hall's gates are equally important to the community and in much more disrepair at this time; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 recommends the Landmarks Preservation Commission approve these improvements to City Hall's steps and the surrounding areas.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LANDMARKS PRESERVATION

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	1 Abstained	0 Recused

RE: 29-31 Leonard Street, exterior building repairs and removal of existing interior court

WHEREAS: The application is connected two sections of the building at the cellar level to provide for a second form of egress for the converted residential building; and

WHEREAS: The connection will be made by filling the existing sunken yard with concrete; and

WHEREAS: All other building repairs were not approved by Community Board 1 but were approved by LPC through an earlier application; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 recommends that LPC approves the application.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LANDMARKS PRESERVATION

COMMITTEE VOTE:	8 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 120 Broadway, an application to install a new handicap entrance and ramp at the Pine Street elevation of an individual landmark building

WHEREAS: The proposal is to remove an existing glass and metal show window with transom and install a new storefront and door painted to match the existing adjacent storefront materials and profiles; and

WHEREAS: The proposed barrier free ramp is constructed of concrete and railing is to be brushed aluminum; and

WHEREAS: In order to install a handicap accessible storefront an original stone bulkhead would need to be removed at the fourth bay east from Broadway; and

WHEREAS: The Committee requested that the removed stone water table be stored somewhere on site for possible future reinstallation; and

WHEREAS: The width of the ramp and landing would reduce the sidewalk width by approximately 5'-6" from 9'-6" to 4'-0" wide for pedestrian passage; and

WHEREAS: There is a street lamp in close proximity to the ramp that may cause sidewalk circulation restrictions; and

WHEREAS: An internal ramp is not feasible for the presence of historic structural elements beneath the ground floor and a subway concourse beneath the sidewalk that cannot be encroached upon; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB 1 recommends the Landmarks Preservation Commission approve the installation of barrier free access at the fourth bay east of Broadway on the Pine Street façade of 120 Broadway.

COMMUNITY BOARD 1 – MANHATTAN  
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DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LANDMARKS PRESERVATION

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

RE: 20 Harrison Street, replace front and rear façade windows

WHEREAS: The application is to remove the deteriorated non-original steel windows with minimal frame on the three upper levels of the building; and

WHEREAS: The new windows will be aluminum clad wood double hung windows painted grey; and

WHEREAS: The windows will be clear glazed; and

WHEREAS: The windows will be slightly smaller than the non-original existing to provide for a brickmold to be introduced; and

WHEREAS: The original brickmold above the frame will be carefully installed; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 recommends that LPC approves the application.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 75 Murray Street, application for transfer of liquor license from the 75 Club LLC to TriBeCa Arts Club LLC d/b/a TBD

WHEREAS: The applicant, TriBeCa Arts Club LLC, is applying for an on-premise liquor license for TBD; and

WHEREAS: The establishment is a banquet hall with a jazz club; 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 2,375 square foot jazz club with a public assembly capacity of 125, and a 835 square foot dining area with 40 tables and 100 seats, and a 800 square foot bar area with 0 tables and 20 seats, and a 400 square foot kitchen area, and one square/rectangular 20' stand-up bar located on the ground floor, and no food counters; and

WHEREAS: The applicant intends to use the basement for storage of alcoholic beverages; and

WHEREAS: The hours of operation and food service hours will be from 11AM to 1AM Sunday through Thursday, and 11AM to 2AM Friday and Saturday; and

WHEREAS: The applicant has represented that there will be live and recorded background music, no DJs, scheduled performances, 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 7 AM; and

WHEREAS: The applicant has represented that there is a kitchen that is a food prep area, and only prepared food will be provided; and

WHEREAS: The applicant will employ a doorman/security personnel; 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 method of operation is similar to the one from the previous owner; 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 TriBeCa Arts Club LLC d/b/a TBD at 75 Murray Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	8 In Favor	1 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	40 In Favor	1 Opposed	0 Abstained	0 Rescued

RE: 396 Broadway, application for alteration of liquor license for Bridgeton F&B Management LLC d/b/a Walker Hotel Tribeca

WHEREAS: The applicant, Bridgeton F&B Management LLC, is applying for an alteration of liquor license for Walker Hotel Tribeca to reconfigure the layout of the sub-cellar, ground floor, and rooftop; and

WHEREAS: The applicant has applied for an alteration of the rooftop due to the setup of the space, being that the bar is located next to mechanical equipment and makes a narrow corridor between the elevators and the seating; and

WHEREAS: The rooftop occupancy will change from 195 to 150 as a result of the proposed modifications, and the bar will move further towards Broadway and the residences within that area; and

WHEREAS: The SLA granted an on-premise liquor license for the rooftop despite the Board's rejection to approve the application, of a rooftop/patio along with eating, drinking, and music playing posing a quality of life nuisance to the surrounding residents; and

WHEREAS: The Committee has raised concerns regarding disturbances from increased noise levels to the residences near Broadway, and in response the applicant has represented that they intend to place a parapet and use landscaping such as trees and fake ivy to create small spaces and mitigate large crowds and sound pollution; and

WHEREAS: The applicant has agreed to do their best efforts to contain noise levels within the establishment, as well as seek and utilize noise mitigation devices such as baffles, if permitted by Landmarks and respective city agencies; and

WHEREAS: The applicant is following the hours of operation and bar service approved by the SLA for the rooftop bar which closes by 11PM Sunday through Thursday, and 12AM on Friday and Saturday, and the hotel's restaurant, cellar and sub-cellar is open until 2AM all days of the week; and

WHEREAS: The applicant intends to create a rooftop space that has a smaller, more sophisticated intimate setting rather than one that is a large beer hall, and has explained that the reconfigurations to the rooftop will actually help lessen the

problem of noise pollution than if no changes are made on the current large space that allows groups to gather and conglomerate; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 *opposes* the granting of a liquor license to Bridgeton F & B Management LLC, d/b/a Walker Hotel Tribeca at 396 Broadway *unless* the applicant complies with the limitations and conditions set forth above

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	40 In Favor	0 Opposed	1 Abstained	0 Rescued

RE: 18 William Street, application for liquor license for Hanover Hospitality LLC and 18 William Partners, LLC d/b/a TBD

WHEREAS: The applicant, Hanover Hospitality LLC and 18 William Partners, LLC, is applying for an on-premise liquor license for TBD; and

WHEREAS: The establishment is an exhibition/performance art venue with eating and drinking that offers an immersive theatrical experience, meaning that the audience is allowed to roam freely around the space throughout the performance, and the performers and patrons can interact with each other; 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 approximately 100,000 square feet across seven floors; however, approximately 25,000 square feet is not accessible to patrons. There is a public assembly capacity of more than 1,500 and a maximum occupancy of approximately 3,500, in addition to approximately 150 for cast, crew, and staff members; and

WHEREAS: Based on the rider that the applicant provided which is attached to the application packet, the applicant intends to license certain areas within the seven floors of the establishment: the mezzanine, ground/1st floor; basement, cellar, sub-cellar 1, sub-cellar 2, and sub-cellar 3; and

WHEREAS: The mezzanine floor will only be accessible to patrons for restrooms and will otherwise be used for storage and other back-of-the-house purposes only, and the ground/1st floor will have approximately 36 tables and 114 seats in the cafe area and in the raised floor above with no bar seats, and 1 stand-up bar approximately 38 feet long and slightly curved-shaped, and the basement is broken down into two areas: the area closer to William Street will have approximately 12 tables including cocktail tables and 97 seats including 9 bar seats and non-table seating; and

WHEREAS: The applicant has stated that in addition there will be three bars: one approximately 16 feet long, straight, and located near Hanover Street, the second approximately 12 feet long, straight and near William Street, the third

approximately 16 feet long, “L”-shaped and near the corner of William Street and Beaver Street. The other area closer to Hanover Street will have approximately 38 tables including cocktail tables and 141 seats including 9 bar seats and cocktail tables, and the Cellar, Sub-Cellar 1, and Sub-Cellar 2 will be used entirely for the performance and exhibition, and Sub-Cellar 3 will have approximately 12 tables including cocktail tables and 65 seats including 38 bar seats at cocktail tables, and one oval-shaped 43 foot stand-up bar; and

WHEREAS: As per the applicant, patrons will be allowed to move around with their alcoholic beverages throughout the entire 7 floors; and

WHEREAS: The hours of operation for the cafe will be 6 AM until 1 hour before a performance begins, and end no later than 10PM with all patrons being vacated by no later than 11 PM Sunday through Thursday, and no later than 11 PM, with all patrons being vacated no later than 12 AM on Friday and Saturday; and

WHEREAS: The applicant has stated on the Questionnaire form that they will 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 7 AM; and

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

WHEREAS: The applicant has represented that there will be live music such as jazz at the daytime cafe and recorded background music, DJs, scheduled performances, non-musical entertainment, dancing by performers in connection with theatrical exhibitions/performance art; and

WHEREAS: The applicant has represented that music is to be played during each theatrical experience/performance to complement the experience or in connection with the pre- or post- performance experience for purposes of fostering gradual patron entry and exiting; and

WHEREAS: Of the seven floors, spaces within two floors are designated for eating and dining, and although there are not bars on every floor, the applicant has represented that patrons can take their drinks and walk throughout the seven floors of the premises; and

WHEREAS: The Committee meeting was attended by a large number of residents who were overwhelmingly opposed to the application, for reasons outlined below; and

WHEREAS: Members of the public expressed numerous concerns about the proposed application, emphasizing the impact that the establishment may have on the overall quality of life of neighbors and residents; and

WHEREAS: Lower Manhattan now has over 75,000 residents, and with the recent building conversions and new developments, 20 Exchange now finds itself adjacent to over 1,400 residential units; 762 of which are contained in 20 Exchange itself; and

WHEREAS: Community Board 1 continues to work to address residents' complaints in the Financial District about chronic sidewalk congestion, vehicular mobility, garbage collection problems and pedestrian safety as this location is particularly susceptible to all of the above; and

WHEREAS: The Financial District infrastructure is such that unlike most other areas of Manhattan which support large event venues; it has unusually narrow streets which date back to the era of Dutch New Amsterdam, and William Street has a width of only 14 feet wide and its sidewalks are only 10 feet across which is two-thirds the size of those typical of uptown Manhattan; and

WHEREAS: With regards to the inadequate traffic plan, issues of chronic traffic and honking on William Street have been a problem regularly discussed by the Committee, and the recent re-routing of traffic along Beaver Street by the Department of Transportation (DOT) in an effort to alleviate some traffic tie-ups has done little to help, as the problem persists; and

WHEREAS: There are regular complaints to the Committee about obstructive deliveries to businesses in the area because of the narrow streets; and

WHEREAS: There is nowhere for the trucks to park and they often park on the sidewalk along William Street which forces pedestrians to walk on the street itself; and

WHEREAS: 20 Exchange residents have complained to the Board about not being able to take cars to the entrance of their building because of delivery trucks blocking the front of their building and the street; and

WHEREAS: Community Board 1, members of the public, and local residents have expressed doubts towards the applicant's public transit incentive program which has a serious flaw in that it does not realistically address the number of Uber, Lyft, and for-hire vehicles that would be used to drop-off and pick-up customers clogging the narrow sidewalks and narrow streets of an already congested traffic location; and

WHEREAS: The applicant's public transit incentive does not take into account the narrow subway platforms which pose safety concerns to families and neighbors of the community; and

WHEREAS: The number of customers using the nearby narrow streets would cause a dangerous safety hazard for FDNY, NYPD, and other emergency vehicles needing to use the same streets; and

WHEREAS: A photograph submitted at the Licensing Committee showed a current accumulation of garbage bags from 20 Exchange on a typical evening which was approximately 4 feet high and several bags wide and ran along Beaver Street from William Street almost to the end of the block at Hanover Street, which already poses serious quality of life concerns; and

- WHEREAS: A block away from the proposed establishment is Stone Street, which is a unique area in Manhattan which is closed off to traffic and holds 12 bars which bring in large crowds, and car drop-offs on William Street; and
- WHEREAS: These bars currently hold outdoor café licenses from March to November which bring in large noisy crowds and they have a tradition of holding annual street events that require closures to William and Pearl Street, further adding pedestrian traffic, along with a nearby venue by the name of Cipriani, which has ballroom events that bring large crowds and red-carpet events that cause severe traffic congestion; and
- WHEREAS: There is another ballroom across from Cipriani called William and Wall that is already functioning and has begun scheduling fashion shows and other large events; and
- WHEREAS: The neighborhood has worked very hard and effectively with the Stone Street and Cipriani venues to ensure the quality life for residents, and both of these venues have a traffic, alcohol and quality of life impact on this area and bring pedestrian traffic; and
- WHEREAS: There was testimony from a resident who has attended an Emursive event over 30 times that the lines to be checked in for and enter are consistently long, and that the timed ticket system is not honored by the applicant or attendees; and
- WHEREAS: The Committee is concerned that it will be impossible to contain the enormous lines within the building no matter how large the interior space is; and
- WHEREAS: The Committee believes that in addition to traffic concerns, the narrow sidewalks surrounding 20 Exchange cannot support large venue events whereby they will be overcome by participants either congregating on the sidewalks or otherwise coming and going to the event, thereby requiring pedestrians to avoid those areas or walk in the street; and
- WHEREAS: There is concern regarding the accuracy of the applicant's claims of petitions presented to representatives of 15 William Street and residents of 20 Exchange, as well as whether the applicant met the Committee's deadline to post notice to the community; and
- WHEREAS: A resident of 15 William Street testified that he was not given notice that his petition opposing the application was being withdrawn in exchange for an agreement between the applicant and another entity who purportedly represents 15 William; and
- WHEREAS: This entity/individual is unknown to the board and he/she did not appear at the Licensing Committee to explain the withdrawal of the 400 opposition petitions; and
- WHEREAS: Rather a letter with an indiscernible signature indicating that no opposition would be raised by 15 William was submitted; and
- WHEREAS: A resident of 20 Exchange testified they were not told of the extent of the application but rather at an informational coffee pop-up in the building were told

that the applicant planned to open a café that would benefit the community and they were encouraged to sign petitions in support; and

WHEREAS: There was also conflicting testimony as to how the petition was presented to residents, and whether relevant portions regarding Emursive performances in the sub-cellar were visible and presented by Emursive to individuals before providing signatures; and

WHEREAS: It was noted by one resident who attended an Emursive event at the their 27<sup>th</sup> Street location that a performer was giving alcohol shots to patrons, including herself; however, the owner after first denying that anything is given from performer to patron, then represented that it was not alcohol, but “sugar water”; and

WHEREAS: Prior reviews of the show were submitted to the Committee after the meeting where participants discuss being given shots of whisky by performers; and

WHEREAS: Members of the community appeared before the Committee and asked the Chairs to maintain a safe environment for the thousands of residents who live in the Financial District, a historic area of which members are afraid cannot support a venue of this size and that this new establishment will add unnecessary nuisance; and

WHEREAS: The Committee felt that the applicant’s presentation was inadequate and there were gaps and inconsistencies in the application materials provided, along with documentation in support of the establishment; and

WHEREAS: After the Committee meeting, numerous letters have been sent to Community Board 1 from over 20 residents alleging that they were misled into signing the petition, that they strongly oppose the application, and that they want their petition withdrawn from consideration; now

THEREFORE  
BE IT  
RESOLVED

THAT: The enormous negative quality of life issues that the addition of such a large venue operating throughout the year would create in this already saturated small neighborhood, coupled with a traffic plan that does not come close to addressing any type of workable management, are not acceptable; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 opposes the granting of a liquor license to Hanover Hospitality LLC and 18 William Partners, LLC d/b/a TBD at 18 William Street as it is not in the public interest.

COMMUNITY BOARD 1 – MANHATTAN

RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 76 Trinity Place, application for liquor license for 76 Catering, LLC d/b/a TBD at  
76 Trinity Place, Ground Floor

WHEREAS: The applicant, 76 Catering, LLC d/b/a TBD at 76 Trinity Place, is applying for an on-premise liquor license for TBD ; and

WHEREAS: The establishment is a New American cafe/eatery on the ground floor with no outdoor space, which will be an amenity to the future tenants of the building; 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 1,337 square foot cafe with a public assembly capacity of 48, and a 721 square foot dining area with 11 tables and 24 seats, and a 616 square foot kitchen area, and one rectangular 13'10-1/4" x 2' stand-up bar/food counter; and

WHEREAS: The applicant intends to license the ground floor of the establishment, which is where the cafe is located, as well as the main entrance to the commons, the lobby, and the Trinity staff entrance; and

WHEREAS: The applicant does not intend to use the basement or any other floor(s) for storage of alcoholic beverages; and

WHEREAS: The hours of operation and food service hours will be from 8AM to 9PM Monday through Saturday and 10AM to 9PM on Sunday; 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, no 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 7 AM; and

WHEREAS: The applicant has represented that there will be an in-house director of security who will oversee security for the entire building; 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 signed and notarized a stipulations sheet; now

THEREFORE  
BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to 76 Catering LLC d/b/a TBD at 76 Trinity Place, Ground Floor unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	7 In Favor	0 Opposed	2 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	1 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	33 In Favor	0 Opposed	8 Abstained	0 Rescued

RE: 88 Wall Street, application for liquor license for 88 Wall Street LLC & 88 Wall Manager LLC d/b/a The Wall Street Hotel, 88 Wall Street

WHEREAS: The applicant, 88 Wall Street LLC & 88 Wall Manager LLC, is applying for an on-premise liquor license for The Wall Street Hotel, 88 Wall Street; and

WHEREAS: The establishment is a hotel with a restaurant in the lobby, with a total of 16 floors and 181 rooms; 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 100,040 square foot hotel with a public assembly capacity that's to be determined, with three stand-up bars, the first being a 33'6" half circle restaurant bar located in the basement, the second being a 37'0" U-shaped lounge bar located in the first floor, and the third being a 33'0" U-shaped pre-function bar located in the 14th floor; and

WHEREAS: The restaurant is 2,336 square feet and located in the basement, with 53 tables and 137 seats, and a restaurant bar located in the basement with 13 seats, and a 18,430 square foot lounge located on the first floor with 47 seats, and a lounge bar located on the first floor with 9 seats, and a 11,703 square foot pre-function space located on the 14th floor with 27 seats, and a pre-function space bar located on the 14th floor with 8 seats, and a 2,049 square foot ballroom area located on the 14th floor with 18 tables and 160 seats, and food counters at the coffee shop on the 1st floor; and

WHEREAS: The applicant has represented that Floors 14-16 are new additions to the premises, and the cellar will be used for office space, the basement will be used for the restaurant, the ground floor will be used for the lobby/cafe/lounge, Floors 2 through 13 will be used for the hotel rooms, and Floor 14 will be used as an event space that holds meetings; and

WHEREAS: The applicant has represented that Floor 14 is a roof that has an enclosed area with a public assembly capacity of 160 where liquor, beer, and wine will be served; and

WHEREAS: The applicant has represented that Floor 14 also has a 6-foot outdoor area due to the nature of the zoning regulations of the building, with seven doors for patrons to access this space, and the applicant has agreed that no alcoholic beverages will be served in the outdoor area, and there will be no rooftop dining on any area of the roof; and

WHEREAS: The applicant intends to license the cellar, basement, ground floor, and Floors 2 through 14, and Floor 14; and

WHEREAS: The applicant has agreed to have all seven doors closed by 10PM, and has ensured that patrons will not access these seven doors to the outdoor portion of the event space with alcoholic beverages on-hand; and

WHEREAS: The hours of operation for the basement and ground floor will be from 8AM to 2AM Monday through Saturday, and hours of service from 10AM to 2AM on Sunday, and 8AM to 12AM Sunday through Thursday, and 8AM to 1 AM Friday and Saturday for the event space; and

WHEREAS: The applicant has represented that there will be recorded background music, live music, DJs, no scheduled performances, no cover-fee events, no promoted events, and no dancing, no non-musical entertainment, as well as ten TV monitors; 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 represented that the restaurant will have a full menu that will be open to the public, and room service will be available 24/7; however, alcohol service will be contained to the hours allowed by New York State law; and

WHEREAS: The applicant intends to employ 24-hour third-party security; and

WHEREAS: The applicant has represented that Robert Indeglia is the only proposed officer currently licensed in NYS, and that there have been minor health and building violations in the past, however all infractions have been settled at the time of the Committee review of the application; and

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

WHEREAS: The applicant has represented that although they do not intend to license a terrace, rooftop, or other outdoor space at the time of the submission and filing of their application to the SLA, if their license is approved, the applicant may plan to appear before the committee with an alteration application to expand the licensed premises; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 opposes the granting of a liquor license to 88 Wall Street LLC & 88 Wall Manager LLC d/b/a The Wall Street Hotel, 88 Wall Street at 88 Wall Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 10 South Street, application for liquor license for 10 South Street Hotel Operator LLC d/b/a TBD at 10 South Street

WHEREAS: The applicant, 10 South Street Hotel Operator LLC d/b/a TBD at 10 South Street is applying for an on-premise liquor license for TBD; and

WHEREAS: The establishment is a 24-hour hotel with a restaurant that's open to the public and bar; 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 not three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a 113,379 square foot hotel with a public assembly capacity of approximately 400, and a 755 square foot dining area with 14 tables and 37 seats, and a bar area that's included in the dining area with eight seats, and a 239 square foot kitchen area, and one stand-up bar, and no food counters; and

WHEREAS: The applicant intends to license the establishment from the ground floor up until the fourth floor, and patrons have interior access to a private club which will not be a part of the licensed premises; and

WHEREAS: The basement will be used for storage of alcoholic beverages; and

WHEREAS: The applicant does not intend to license outdoor space such as a terrace or rooftop, nor intends to have rooftop dining; and

WHEREAS: The hours of operation for the restaurant will be from 8AM to 12 AM all days of the week; 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, no promoted events, no non-musical entertainment, 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 7 AM; and

WHEREAS: The applicant intends to employ a doorman/security; 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 signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to 10 South Street Hotel Operator LLC d/b/a TBD at 10 South Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 10 South Street, application for liquor license for 10 South Street Club Operator Inc. d/b/a TBD at 10 South Street, 5th Floor

WHEREAS: The applicant, 10 South Street Club Operator LLC d/b/a TBD at 10 South Street, 5th Floor is applying for an on-premise liquor license for TBD; and

WHEREAS: The establishment is a private member's club within a hotel of 47 rooms; 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 not three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a 13,010 square foot hotel with a public assembly capacity of 466, and a 6,323 square foot dining area and jazz club located in the East Terrace and West Terrace with 81 tables and 260 seats, and a 4,867 square foot bar area and lounge located in the Promenade/ living room with 48 seats and 144 tables, and a 1,820 square foot kitchen area, and three stand-up bars, and no food counters; and

WHEREAS: The applicant intends to license the 5th floor of the establishment, where patrons can have interior access to the hotel; and

WHEREAS: The hours of operation and food service hours will be from 8AM to 2 AM Monday through Saturday, and bar service hours from 10AM to 2AM on Sunday; and

WHEREAS: The applicant has represented that there will be recorded background music, live music which will be jazz, DJs, scheduled performances, cover-fee events, no promoted events, no non-musical entertainment, 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 a goal of opening the club with a membership count of 1,000; and

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

WHEREAS: The applicant intends to employ a doorman/security; 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 represented that there is a deck space on the 5th floor with a retractable roof that can be opened and closed, with windows on the side that cannot be opened, and no doors; and

WHEREAS: The Board has agreed to allow the deck space to be used as there are no residents in close proximity to the building; 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 10 South Street Club Operator Inc. d/b/a TBD at 10 South Street, 5th Floor unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Applications for alteration of existing restaurant liquor licenses for sale of alcohol outdoors

WHEREAS: The annual Stone Street Pedestrian Mall event will begin in March 2020 and conclude on November 2020; and

WHEREAS: The establishments participating in the event must obtain alterations to their existing liquor licenses in order to allow them to sell alcohol outdoors; and

WHEREAS: The participating establishments include:

One Hanover LLC d/b/a Harry's 1 Hanover Square New York, NY 10004 Serial # 1174354	53 Lapidar Inc. d/b/a Revolution Taco & Tequila 53 Stone Street New York, NY 10004 Serial # 1302914
55 Stone Street LLC d/b/a The Growler Bites and Brews 55 Stone Street New York, NY 10004 Serial # 1255517	55 Stone Rest Inc. d/b/a Mad Dog & Beans 83 Pearl Street New York, NY 10004 Serial # 1193952
Vintry LLC d/b/a TBD 57 Stone Street New York, NY 10004 Serial # 1225388	Pearlstone Restaurant LLC d/b/a Ulysses' Folk House 95 Pearl Street New York, NY 10004 Serial # 1132328
Pizza on Stone LLC d/b/a Adrienne's Pizza Bar 54 Stone Street New York, NY 10004 Serial # 1162852	Bake My Day LLC d/b/a Financier 62 Stone Street New York, NY 10004 Serial #1300544
Liam Street Venture LTD & Magic of Things LLC d/b/a The Cauldron 19 South William Street New York, NY 10004 Serial # 126942	81 Pearl Street Venture LTD d/b/a Beckett's Restaurant 81 Pearl Street New York, NY 10004 Serial #1180483
RET Ventures LTD	85 Pearl Street Venture LTD.

d/b/a Route 66 American BBQ 79 Pearl Street New York, NY 10004 Serial # 1268835	d/b/a Stone Street Tavern 85 Pearl Street New York, NY 10004 Serial # 1180057
45 Stone Street Venture LTD d/b/a The Dubliner 21-23 South William Street New York, NY 10004 Serial # 1222588	

THEREFORE

BE IT

RESOLVED

THAT: CB1 does not oppose the granting of an alteration of an existing liquor license for sale of alcohol outdoors for the establishments listed above for the duration of the Stone Street Pedestrian Mall event.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: NEW BUSINESS

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

RE:           The View at Battery Park NYC Franchise and Concession Review Committee (FCRC) Public Hearing

WHEREAS: In December 2019 Manhattan Community Board 1 (CB1) received correspondence from the NYC Department of Parks and Recreation (DPR) with the subject “Notice of Intent to Enter into Negotiations for the Renovation, Operation and Maintenance of a high-quality restaurant in Battery Park, Manhattan;” and

WHEREAS: The notice stated that the concession term of 5 years would commence on or around January 8, 2020. An RFP for this concession was originally issued on August 21, 2018 with the intent of making an award prior to the expiration of the then existing concession agreement; however, DPR was unable to make an award pursuant to that RFP because DPR had recently become aware that the NYC Economic Development Corporation (EDC) Battery Coastal Resiliency Project would impact the operation of the concession. Therefore, DPR intends to begin the competitive process again with the new information as part of the solicitation process once EDC announces its final plan for the resiliency project. There are no known timelines for the resiliency project or definitive plan that will illustrate the full impact of the project at the concession but once this information is known, DPR will be able to issue a new RFP that addresses the full scope and timeline of the resiliency project; and

WHEREAS: This negotiated concession is meant to act as a short-term solution to bridge the gap until a new competitive RFP solicitation, evaluation and award process have concluded and to allow time for the finalization of the scope of the resiliency project before the start of any longer-term concession; and

WHEREAS: The process to approve this short-term concession has gotten delayed. The previous concession agreement has expired and the new agreement was unable to commence in January 2020 as previously planned according to the December 2019 letter; and

WHEREAS: On March 9, 2020 there will be a Franchise and Concession Review Committee (FCRC) public hearing titled, “Intent to award a concession agreement to The View at Battery Park NYC, Inc. for the renovation, operation and maintenance of a high-quality restaurant in Battery Park, Manhattan.” Even if approval is granted at the hearing, the process still involves additional steps and approval by the NYC Comptroller before the concession is able to open; now

THEREFORE  
BE IT

**RESOLVED**

**THAT:** The restaurant at Battery Park (Battery Gardens/The View) is a highly valued amenity in Community District 1. CB1 is disappointed that delays in this process have resulted in the establishment being closed since January 2020 and we request that the remaining approvals are expedited so that this establishment can re-open as soon as possible.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: PERSONNEL

COMMITTEE VOTE:           6 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:             37 In Favor   0 Opposed   0 Abstained   0 Recused

RE:                    Discretionary Actions Consultant

WHEREAS: In order for Community Board 1 to better receive, process, and respond to opportunities for discretionary action, a small purchase solicitation (the Solicitation) for a part-time discretionary actions consultant (the Consultant) was prepared by CB 1 and issued on January 21, 2020; and

WHEREAS: This solicitation was developed and conducted pursuant to the requirements governing small purchases under the New York City Procurement Policy Board (PPB) Rules; and

WHEREAS: The consultant would report to our District Manager and be responsible for providing technical assistance and support on initiatives involving administration and approval functions; and

WHEREAS: On a monthly basis, the Consultant will meet with the District Manager and agree to an allocation of office hours for the coming month; and

WHEREAS: The Solicitation was issued to a list of vendors randomly generated from the Citywide vendor database and Noel Hidalgo (BetaNYC) and Trish McFarland were the only vendors who responded with applications; and

WHEREAS: The Committee will meet again with the Consultant following the first six months of the agreement to discuss whether to renew the agreement; and

WHEREAS: One consultant will provide principal support to CB 1's Licensing & Permits Committee by earmarking 30 hours of the 37-hour weekly allotment of hours. The balance of the time can be used by the second consultant to coordinate work for all other tasks that fall within this contract. Some flexibility with the share of these hours is allowed, when necessary and must be approved by the District Manager or their designee; and

WHEREAS: The Committee met with them on February 25, 2020 and rated them according to a set of criteria designed to determine which proposal was more responsive to the CB 1 Solicitation and most advantageous to the City, taking into consideration relevant criteria; and

WHEREAS: The CB1 District Manager will work with the administrative staff at the Manhattan Borough President's Office to process the consultant contract; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 hereby ratifies the decision of the Committee to award the position of Consultant to BETA pursuant to a written contractual agreement and authorizes the District Manager to execute such contract on behalf of CB1 pursuant to the terms of the solicitation, and

BE IT

FURTHER

RESOLVED

THAT: The term of this contract will be for six (6) months, from March 3, 2020 to September 2, 2020 and will be largely identical to the terms of the previous contract signed with BetaNYC and may be renewed for one (1) additional six month period by mutual consent of CB 1 and the Consultant; and

BE IT

FURTHER

RESOLVED

THAT: The maximum compensation to be paid to the consultant is \$39,960.00 as follows: \$19,980.00 for the initial 6 month period and \$19,980.00 for an additional 6 month period.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: QUALITY OF LIFE & SERVICE DELIVERY

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	39 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Victim Compensation Fund Extension and Community Needs Going Forward

WHEREAS: On July 29, 2019, the 'Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Authorization of the September 11th Victim Compensation Fund Act' became law, making the Victim Compensation Fund (VCF) permanent through 2090, and restoring cuts to claimants' awards made in 2019; and

WHEREAS: 9/11 survivors and responders will thus be able to file compensation claims for their current 9/11-related physical illnesses, or for illnesses that manifest in the future; and

WHEREAS: The VCF strongly encourages residents and other survivors who were present in the 9/11 "exposure zone" (Lower Manhattan below Canal Street) to register on the VCF website as soon as possible, whether or not they have been diagnosed with a 9/11-related physical illness; and

WHEREAS: The VCF has recently announced a revised policy to enable claimants who missed prior VCF Registration deadlines and had been notified that their claims were ineligible, that they now have a grace period of two years to register – with a new deadline of July 29, 2021; and

WHEREAS: Many survivors remain confused about the VCF program, claim deadlines and requirements; and

WHEREAS: The VCF has established documentation requirements for survivors to prove their presence in the "exposure zone," that with the passage of time may become more difficult to meet, as documentation is destroyed or becomes harder to obtain; and

WHEREAS: Such instances include residents who in addition to producing leases or letters from building management may also need affidavits from a neighbor witnessing to their presence in their building; and

WHEREAS: CB1 has recommended that the VCF review presence documentation for completeness whether or not a claim has been filed so that any issues can be remedied while witnesses are still available; this becomes critical in situations where years go by before a 9/11-related illness appears; and

WHEREAS: The VCF has been extended to 2090 which is 70 years from now and whereas average human life expectancy is 79 years, theoretically everyone who was an adult upon 9/11 will be dead and unable to substantiate the residency or other legitimacy of those remaining, CB1 calls on the VCF and/or US government, locally and federally, to come up with a more realistic and age inclusive means of verification; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 applauds the VCF's revised policy which will enable claims of many otherwise eligible claimants, which had been deemed ineligible due to lack of timely registration, to move forward immediately; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 will continue to be in dialogue with the VCF with respect to what steps can be taken to ensure that residents and other eligible survivors are more fully informed about the VCF; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 calls on the VCF to create clear, accessible messaging and materials aimed at informing survivors about the VCF, its deadlines and requirements; and

BE IT  
FURTHER  
RESOLVED

THAT: Rather than processing residency proof information upon making a claim and causing potential delays, applicants should be permitted to submit proof of residency documentation at the point of registration and should be advised as soon as possible about whether such documentation has been accepted; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 calls on the relevant public officials for assistance in approaching the Internal Revenue Services in order to streamline a process for survivors to obtain tax returns for the years 2001 and 2002 to use as documentation of presence for their VCF claims. While having the tax information is a helpful tool, it is only one method of proof and not required in order to access benefits.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 25, 2020

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY

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

RE: 2020 Stephen Siller Tunnel to Towers 5K Run & Walk NYC

WHEREAS: The Stephen Siller Tunnel to Towers story is rooted in the Hugh L Carey Tunnel to Battery Park City locations in CB1 where the event is proposed to take place; and

WHEREAS: CB1 values Stephen Siller Foundation's charitable mission and accomplishments; and

WHEREAS: The event sponsors have demonstrated their regard for neighborhood concerns by eliminating alcohol and keeping their activities toward the end of Vesey Street near West street (vs North End Ave) in order to minimize the noise and congestion near the Conrad Hotel and the residence at 2 River Terrace; and

WHEREAS: In 2019 a band positioned near the BPC ballfields made it difficult for coaches to be heard by their players; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan CB 1 supports the Stephen Siller Walk/Run; and

BE IT

FURTHER

RESOLVED

THAT: Continued efforts will be needed to allow the affected neighborhood to function during this large event.