

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	5 In Favor	0 Opposed	1 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	26 In Favor	0 Opposed	9 Abstained	0 Rescued

RE: Stabilizing Condominium Affordability in Battery Park City

WHEREAS: The Hugh L. Carey Battery Park City Authority (BPCA) is a New York State public benefit corporation whose mission is to plan, create, coordinate, and sustain a balanced community of commercial, residential, retail, and park space within its designated 92-acre site on the lower west side of Manhattan; and

WHEREAS: The BPCA’s Resilience Action Plan includes that it “Be an inclusive community, one which supports housing affordability as a part of a diverse and livable community...”;¹ and

WHEREAS: Battery Park City’s (BPC) 18 condominium buildings, like the commercial and rental buildings are on land leased from the BPCA. The condominiums’ ground leases expire on June 17, 2069,² the date when the BPCA could take ownership of the land and any buildings on it unless the leases are extended;³ and

WHEREAS: The BPCA negotiated the original ground lease agreements with the condominiums’ developers who agreed to terms typical of commercial ground leases before they sold the condominium units, took their profits, and left. Although federal tax policy provides tax benefits to commercial tenants of ground leases, those tax benefits are not available to condominium homeowners, which makes the provisions are more costly for them; and

WHEREAS: The Battery Park City Homeowners Coalition (BPCHC) is a New York not-for-profit corporation organized in 2004 to advocate for the 18 BPC condominium buildings in dealings with the BPCA; and.

WHEREAS: The owners of the approximately 3900 condominium units (across the 18 buildings) pay their portion of their building’s monthly ground rent and civic fees to the BPCA as part of their monthly “common charges”. In addition, each

¹ <https://bpcanyc.gov/about/who-we-are/>, accessed May 10, 2021

² *Fitch Affirms Battery Park City Authority, NY Rev Bonds; Outlook Stable*, Economic Resource Base section; 2021 www.fitchratings.com/research/us-public-finance/fitch-affirms-battery-park-city-authority-ny-rev-bonds-outlook-stable-11-05-2021.

³ www.hauseit.com/what-happens-when-a-land-lease-expires-nyc/, accessed May 17, 2021

owner pays “Payments in Lieu of Taxes” (“PILOT”) to the BPCA at the same rate they would pay property taxes to New York City (NYC); and

WHEREAS: As 2069 approaches, uncertainty created by the impending lease termination will decrease the value of the condominium. The BPCHC reports that it is getting increasingly difficult for buyers to get mortgages and owners to get reverse mortgages or financing to upgrade their units since banks are getting unwilling to lend due to ground lease uncertainty and the resultant diminishing values; and

WHEREAS: The annual ground rent (Base Rent) payments during the first period of 20 to 30 years of most leases had a pre-set schedule of specific dollar amount or percent increases until the building’s set “Appraisal Date” when ground rent and the terms for increases, until the next Appraisal Date, become pegged to a fair market value (FMV) appraisals; and

WHEREAS: At the Appraisal Date, the buildings’ ground leases specify terms such as the reset ground rent will increase annually by the *the greater of* (1) 6% of the fair market value (FMV) of the land under the building if it were unencumbered, (2) the ground rent payable in the prior period increased by 25% or (3) the methods specified in a building’s individual ground lease; and

WHEREAS: In the NYC real estate market, it is almost certain that the FMV of unencumbered land would be used as the basis of ground rent increases as unencumbered would allow the property to be used for a newer, perhaps bigger, building. Therefore, 6% of the FMV would yield the greater rent for the BPCA; and

WHEREAS: In 2018 Howard Hughes Corporation bought the approximately 50,000 square foot parking lot at 250 Water Street (Lot 1, Block 98), Manhattan, for \$180 million,⁴ which is an FMV that at 6% could trigger a \$10,800,000.00 annual increase in ground rent for a BPC condominium on a comparable sized lot; and

WHEREAS: A 2011 agreement brokered by then Assembly Speaker Sheldon Silver for the 11 condominium buildings that had resets from 2009-2012 (one building was added that converted to a condominium in 2012) provided for a 30-year deferral of FMV resets. Instead, the 11 buildings will pay combined ground rents of \$525 million over 30 years versus \$804 million without it, a savings of \$279 million;⁵ and

WHEREAS: The 2011 framework replaces FMV with a schedule of rent, which takes future affordability into account; and

⁴ Sohn A, “How a \$180 Million Parking Lot Could Change N.Y.C.’s Historic Character”, *The New York Times*, May 6, 2021, www.nytimes.com/2021/05/06/nyregion/south-street-seaport-parking-lot-development.html.

⁵ Fung A, “Battery Park City tenants get ground rent break”, *Crain’s New York Business*, May 10, 2011, www.crainsnewyork.com/article/20110510/REAL_ESTATE/110519992/battery-park-city-tenants-get-ground-lease-break

WHEREAS: River & Warren, the first of the six buildings not covered by the 2011 agreement, is currently in negotiations with the BPCA regarding its first Appraisal Date; and

WHEREAS: The 2019 Climate Leadership and Community Protection Act, which commits New York State to an interim goal of reducing emissions to 40% below 1990 levels by 2030 will likely require buildings that rely on gas for heating and hot water to be retrofitted and for homeowners to replace gas appliances, a costly undertaking;⁶ and

WHEREAS: BPC condominiums are Class II buildings so there is no cap on the growth of their property taxes (paid as PILOT), not even for primary residences, as the less dense Class I buildings in NYC have; and

WHEREAS: Unlike other NYC homeowners, residents of BPC are not eligible for the Senior Citizen (SCHE) or the Disabled Homeowners' Exemption (DHE) on their property tax (PILOT) even if they would qualify based on income; and

WHEREAS: The 2017 Federal tax changes capped income tax deductions for state, city and property taxes at \$10,000, which increased most BPC condominium owners' federal tax bills given the high cost of PILOT, even if an owner has little to no state or city income taxes; and

WHEREAS: The combined costs of future ground lease rents, sustainability mandates, uncapped property taxes and increasing worry about home values and ability to mortgage the properties threaten condominium owners' ability to afford and ultimately to keep their homes in BPC.

WHEREAS: In keeping with this Board's focus on community, affordability, and inclusion, it is imperative that:

1. Ground Leases with ALL 18 buildings must be amended to make necessary changes immediately
2. The goal is to protect and preserve the affordability and sustainability of Middle Income, Seniors and Fixed Income condominium owners currently in place.
3. Many of these constituents have owned their homes in BPC for over 30 years. They are survivors of both Terrorist attacks on the WTC - and they remained to renew and rebuild BPC
4. Many of these same people, some of whom have been and currently are on our Board, are now suffering and dying from cancers, lung diseases and other 9/11/2001-related-illnesses.

⁶ Ponce de Leon G," Achieving New York's climate goal will be massively challenging", *City and State New York*, May 13, 2021, www.cityandstateny.com/articles/policy/energy-environment/achieving-new-yorks-climate-goals-will-be-massively-challenging?mc_cid=f099f176be&mc_eid=b422af118a

WHEREAS: The ability to age and die in place is just as important to homeowners as it is to renters in BPC; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 (MCB1) implores the Battery Park City Authority (BPCA) to:

- Extend all ground leases to 2168;
- Eliminate the FMV reset clauses and replace it with a fixed schedule or fixed percentage increase of buildings' ground rent;
- Allow condominium buildings in Battery Park City (BPC) to work together to negotiate shared issues for ground rent resets; and
- Consider the condominium owners' expenses to bring their buildings and individual units into compliance with the BPCA's Resiliency Plan and the New York Climate Leadership and Community Protection Act when base ground rent appraisals and increases are negotiated; and

BE IT
FURTHER
RESOLVED

THAT: MCB1 urges Battery Park City's elected officials to the City of New York and to the State of New York to:

- Facilitate timely and fair negotiations;
- Pursue any necessary legislation;
- Implement property tax reform; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 believes fairness, affordability, and stability should be the overarching goals for all buildings in Battery Park City.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	7 In Favor	0 Opposed	5 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	2 Abstained	0 Recused

RE: Racial Impact Information Portal and Analysis Requirement for Land Use Actions

WHEREAS: The racial composition of neighborhoods in New York City is the product of infrastructure, access to work, community networks, and the history of blatant segregationist policies by banks, industry and government; and

WHEREAS: Present and future changes to infrastructure, economic development policy, and land use have the potential to upend the demographic profile of a neighborhood; and

WHEREAS: There is no current public facing city-maintained geospatial database that provides consolidated information on demographic conditions, household economic security, neighborhood quality of life and access to opportunity, housing security, affordability and quality, housing production and a displacement risk index; and

WHEREAS: Applicants who wish to alter the City's land use regulations in a narrow or broad geographic area are not currently required to disclose changes to the above categories; and

WHEREAS: New York City Council is set to vote on this bill, Int. No. 1572-B, and passage is likely as it boasts 26 council cosponsors, including Margaret Chin of Council District 1; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 urges the Mayor to support this bill now that it is passed by the City Council and move quickly so that it is promptly enacted so that New Yorkers may begin learning about the most vulnerable New Yorkers in every neighborhood.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Open Dining In A Post-Pandemic New York City

WHEREAS: While New Yorkers are beginning to see the horizon of a post-pandemic world, Manhattan Community Board 1 (CB 1) understands the hospitality industry is still getting back on its feet; and

WHEREAS: A significant share of small businesses were closed by the pandemic, never to reopen; and

WHEREAS: Thousands upon thousands of small business employees, many of whom were a paycheck away from poverty or a member of the worker poor, subsequently lost their jobs; and

WHEREAS: There is a need to give restaurants plenty of time for transition back from the pandemic to regular order and to that effect, CB1 consistently supports the ongoing efforts to help small businesses remain open outdoors as well as indoors; and

WHEREAS: CB 1 also considers open space as a common public good and the privatization of such space can be problematic; and

WHEREAS: There is currently no single interagency “Czar” that oversees the competent administration and protection of space within the public realm; and

WHEREAS: The new process of approving Open Dining areas within the public rights-of-way does not include a statutory requirement for community board review; and

WHEREAS: The loss of such review by the community boards and an enforcement agency like the Department of Consumer and Worker Protection (DCWP) eliminates an important element of “ground truthing,” where local experts identify issues that do not appear in the often incomplete design plans that are submitted by the establishments and their architects and thus avoid accessibility issues; and

WHEREAS: The resulting uncertainty following these changes is creating difficulties in formulating quality of life protections, such as negotiated stipulations with establishment owners who intend to serve liquor within the public rights-of-way as was typical in the previous paradigm; and

WHEREAS: There needs to be more reassurance that the structures are built safely and to code as the rush to create outdoor seating may have pushed establishment owners to cut corners for the sake expediency and cost; and

WHEREAS: There is currently no mechanism or adjudication to balance business needs with neighborhood concerns as they arise; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 requests our current and future leadership to create a framework that balances the needs of businesses with reasonable expectations for neighborhood quality of life; and

BE IT

FURTHER

RESOLVED

THAT: CB1 requests that the Department of Transportation (DOT) use its rulemaking capacity to create a place for community board review during or before the agency review process to identify community issues with proposed Open Dining plans and to conduct “ground truthing” so that accessibility issues are avoided before the establishment pays for the construction of a durable structure; and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 also requests the following actions to bring parity between the expected quality of life and business support of pre-pandemic New York and the new paradigm of outdoor dining:

- That the Department of Building give consumers confidence and strictly enforce building codes for dining structures, while Small Business Services provide special grants for small business owners to afford the design and construction of safe dining opportunities without pressure to cut corners; and
- That the City to heed our resolutions of the past which call to reduce the tax burden on small businesses; and
- That the DOT to postpone make rules that establish a fee schedule for Open Dining placements while establishments continue to recover from the economic damage of the prolonged pandemic and when rules are promulgated they should be more favorable to independently owned businesses; and
- That DOT standardizes the closing times of all dining areas within the public right-of-way.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Rescinding the Mayoral Executive Order Permitting Citibike Stations in POPS

WHEREAS: On June 27, 2020, Emergency Executive Order No. 128 (E.O. 128) in response to the COVID-19 pandemic. This Emergency Order permitted certain temporary uses to occur within Privately-owned Public Spaces (POPS), such as private outdoor dining areas, health screening stations, queuing areas, signage related to COVID messaging, kiosks, retail merchandising stands and bikeshare docks. E.O. 128 also permitted temporary and limited measures to ensure physical distancing and safe use of POPS, including the closure of indoor POPS; and

WHEREAS: Community Board 1 (CB1) received a letter on June 15, 2021 regarding E.O. 128, stating that, “as of July 1st, 2021, all indoor POPS are required to reopen for public use and remain open for their approved hours of public access;” and

WHEREAS: CB1 has since received confirmation from the Department of City Planning (DCP) that only aspects of E.O. 128 related to indoor POPS are changing as of July 1, otherwise all other aspects of the Emergency Order remain in effect, and that citibike stations are still permitted; and

WHEREAS: In 2017, an application was approved by the City Planning Commission to allow for the infill of arcade space at 200 Water Street in conjunction with modifications to two plazas (N170284ZAM); and

WHEREAS: A significant amount of time has passed since the 2017 approval of the 200 Water Street application for infill and plaza modifications, and in the interim no public seating, planters, art or other upgrades promised for this space by the developer and by DCP have been implemented. Instead, the existing community amenities have been stripped from the plaza and a double set of Citibike racks have been placed within the POPS under E.O. 128; now

THEREFORE
BE IT
RESOLVED

THAT: In conjunction with Mayor Bill de Blasio's announcement of the reopening of New York City and relaxing of restrictions related to COVID-19, as well as the partial rescinding of E.O. 128, CB1 urges that the Mayor's Office fully rescind E.O. 128 so that POPS are fully restored to pre-pandemic compliance standards and regulations; and

BE IT
FURTHER
RESOLVED

THAT: Subsequently, CB1 also urges that the Citibike racks are removed from the 200 Water Street POPS and that the two plazas on that property are upgraded as soon as possible according to the parameters of applications N170284ZAM and N170285ZCM approved by the City Planning Commission in 2017.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 54 Warren Street, application for restoration of existing granite slabs

WHEREAS: The Committee unanimously agreed that the replacement sidewalk flag should match the new granite sidewalk flags in front of the property immediately to the West (should the existing granite slabs be unsalvageable); and

WHEREAS: The area directly in front of the building can be concrete to match the sidewalks in front of the property immediately to the West; and

WHEREAS: The curb is existing new granite to remain; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 recommends that the sidewalks be replaced with granite slab, the curb remain as-is and the area immediately outside 54 Warren Street be concrete.

COMMUNITY BOARD 1 – MANHATTAN
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DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 145 Hudson Street, application for interior renovation of a mixed-use lobby on the ground floor, enclosure of existing exterior vestibule and replacement of non-historical main entrance doors

WHEREAS: This application is to enclose an open vestibule entrance by bringing the entrance forward; and

WHEREAS: The enclosed entryway would be recessed just behind the front of the historic entry arch; and

WHEREAS: New doors replacing the non-historic existing doors would be of bronze with a satin finish; and

WHEREAS: The new storefront and transom glass profiling must have more depth; and

WHEREAS: Aside from the detailing, the proposal is handsomely designed using fine materials; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 recommends that the Landmarks Preservation Commission approve this application.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 408 Broadway, application to alter storefront and signage at the Cortlandt Alley facade

WHEREAS: This proposal requests to add one new entry bay, two new basement windows, and retail signage to 408 Broadway's Cortlandt Alley facade; and

WHEREAS: The entryway would replace a decrepit existing window and water table; and

WHEREAS: All the proposal's designs and materials except for signage are tasteful, respectful and a significant enhancement over the existing condition; and

WHEREAS: The application also proposes seven new retail signs, including a blade sign, four window signs, and large window signage across the entire first-floor cornice; and

WHEREAS: This signage program is preposterous, and turns a beautiful alteration and renovation into a series of advertisements; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 recommends that the Landmarks Preservation Commission reject the signage scheme as presented and approve the rest of the application.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 44 Laight Street, application for sidewalk replacement

WHEREAS: The existing cobblestone sidewalks represent the original road cobblestones that once stretched continuously from the north to south when the building used this area to load on and off trucks; and

WHEREAS: The existing cobblestone does not allow for safe and barrier-free access into the building due to the irregular and extremely rough surfaces of the existing stones; and

WHEREAS: The sidewalk design provides a level ADA-accessible surface of natural stone with cobblestones using original materials traditionally found in in the Tribeca historic districts in an untraditional arrangement; and

WHEREAS: The adjacent properties' sidewalks are concrete and the roadway directly in front of the building is a mixture of cobblestone and concrete infill; and

WHEREAS: This proposal will facilitate uninterrupted barrier-free sidewalk access for the entire Laight Street blockfront; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 recommends that the Landmarks Preservation Commission approve this application.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	39 In Favor	0 Opposed	1 Abstained	0 Rescued

RE: The Need to Preserve and Protect Our Historic Districts

WHEREAS: New York has a long history of finding a reasonable balance between needed development to accommodate new residents and businesses to the City and the preservation of the City's history and quality of life for all those who live, work and visit here; and

WHEREAS: Over the years the City has put into place laws, rules, and guidelines to manage and control development in the City including the Zoning Resolution in 1916; and

WHEREAS: Another milestone was the creation of the NYC Landmarks Preservation Commission in 1965 through groundbreaking legislation signed by the late Mayor Robert F. Wagner in response to the losses of historically significant buildings in New York City, most notably, Pennsylvania Station; and

WHEREAS: Many communities throughout the City have historic districts and individually landmarked buildings that are preserved to help tell the history of our great City and serve as attractions to visitors and New Yorkers alike; and

WHEREAS: Many of the City's civic organizations, preservation groups and community boards work tirelessly to preserve our historic districts and landmark structures which are vital contributions to the lifeblood of our City; and

WHEREAS: In the past few years, City leadership has prioritized development over the preservation of many of our historic neighborhoods; and

WHEREAS: An example of one of the most egregious of these development proposals is the LPC recent approval of a new building at 250 Water Street, a building three times the height of what is allowed by the Seaport Historic District Zoning, zoning which was approved by LPC in 2013; and

WHEREAS: Also, under consideration affecting Lower Manhattan is a massive and dramatic upzoning of Soho-NoHo that has similarly been strongly opposed by the community and many other players; and

WHEREAS: Jeffrey Kroessler, President of The City Club of New York, a group strongly opposed to the LPC decision on 250 Water Street, stated that this decision at 250 Water Street “could drive a stake through the heart of the landmarks law and threaten the zoning protections in other historic districts. This precedent does not bode well”; and

WHEREAS: We are seeing more and more unreasonable and unpopular development proposals throughout the City, including illegal spot zoning developments, routinely pushed through the public approval process with little regard for the community’s input, and this is a growing problem to the many who have long been involved in the land use review process; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board One (CB1) strongly urges our public officials and those now running for Mayor, Borough President, and City Council to rein in this rush to allow the overdevelopment of our historic districts and respect the zoning limits and landmark laws that are in place to preserve and protect these precious and very special parts of our City; and

BE IT
FURTHER
RESOLVED

THAT: CB1 invites other Community Boards and organizations to adopt this or similar resolutions expressing strong support for preserving the historic districts that help make our City so great.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 30 Hudson Street, application for liquor license for Forge 30 Hudson LLC d/b/a Restaurant Marc Forgione

WHEREAS: The applicant initially appeared before the Committee in May 2021 but did not provide the required proof of posting notice to the community. They were too asked to postpone their application until this month once they submitted the appropriate application materials; and

WHEREAS: The applicant, Forge 30 Hudson LLC, is applying for an on-premise liquor license for Restaurant Marc Forgione; and

WHEREAS: The establishment is an American fine dining 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: There are 25 residential units within the property, with approximately 4-6 residential buildings neighboring or across the street from the premises; and

WHEREAS: The establishment is a 5,519 square foot establishment with a public assembly capacity of 100 persons for the ground floor and 40 persons for the basement level, and a 1,272 square foot dining area with 24 tables and 60 seats, and a 519 square foot bar area with 9 tables and 24 seats, and a 830 square foot kitchen area, and one 18' L-shaped stand-up bar located on the ground floor south side of the building, and no food counters; and

WHEREAS: The establishment will be located on the basement and ground floor of a 6-story mixed use building, and both floors will be used for the kitchen and dining area; and

WHEREAS: The hours of operation will be from 11AM opening to 1AM Sunday through Thursday, and 11AM opening to 2AM closing Friday through Saturday, and the hours of food service and bar service will be from 11AM opening to 12AM closing Sunday through Thursday and 11AM opening to 1AM closing Friday through Saturday; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJ, no non-musical entertainment, no dancing, and no TV monitors; and

WHEREAS: A resident who appeared at the meeting voiced concerns on the behalf of neighboring residents regarding noise disturbances and nuisances arising from late closing hours, as well trash such as bottles being dumped and crashed on the sidewalk outside of the premises; and

WHEREAS: The applicant confirmed that they will make sure to follow proper garbage disposal; and

WHEREAS: The applicant is actively seeking to install sound proofing on the ceiling as part of their design plans for sound control to mitigate noise from emanating to the surrounding residences; and

WHEREAS: Delivery of supplies, goods and services will be made from 7AM to 5PM; and

WHEREAS: The applicant intends to have bicycle delivery personnel; and

WHEREAS: The applicant intends to open the restaurant in January or February 2022; and

WHEREAS: The applicant intends to apply for a sidewalk cafe license after 1 year from the date of commencing operations; and

WHEREAS: The applicant will share management contact information to be accessible to the community and directly address any concerns or issues that neighbors may have; and

WHEREAS: The method of operation is the same as the previous establishment at this location, formerly d/b/a Brushtoke; and

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

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes the granting of an on-premise liquor license for Forge 30 Hudson LLC d/b/a Restaurant Marc Forgione at 30 Hudson Street, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 109 West Broadway, application for transfer of liquor license from 109 West Broadway Food & Wine LLC d/b/a Super Linda Restaurant to BL 109 WBroadway NY LLC d/b/a Bluestone Lane

WHEREAS: The applicant, BL 109 WBroadway NY LLC, is applying for an on-premise liquor license for Bluestone Lane; and

WHEREAS: The establishment is a cafe serving Australian-inspired cuisine; 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: There are 5 residential units within the property, with approximately 4 residential buildings neighboring or across the street from the premises; and

WHEREAS: The establishment is a 1,526 square foot establishment with a public assembly capacity of 74 persons for the ground floor and 40 persons for the basement level, and a 1,526 square foot dining area with 32 tables and 64 seats, and a bar located in the main dining area with 5 tables, and a 225 square foot kitchen area located in the mezzanine, and one 6 foot stand-up bar that is a coffee counter, and no food counters; and

WHEREAS: The establishment will be located on the ground floor of a 5-story mixed use commercial and residential building; and

WHEREAS: The hours of operation and food service will be from 7AM opening to 10PM all days of the week, and the hours of bar service will be from 11AM opening to 10PM closing all days of the week; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJ, no non-musical entertainment, no dancing, and no TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be made from 7AM to 10AM; and

WHEREAS: The applicant intends to have bicycle delivery personnel; and

WHEREAS: The applicant intends to open the restaurant in August or September of this year; and

WHEREAS: The applicant intends to use outdoor space that is not a terrace or rooftop through the City's Open Restaurants program; and

WHEREAS: The applicant has confirmed that they have obtained support from the building management and will provide a letter of approval from the co-op board prior to the June 22nd, 2021 full-board meeting; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a transfer of liquor license from 109 West Broadway Food & Wine LLC d/b/a Super Linda Restaurant to BL 109 WBroadway NY LLC d/b/a Bluestone Lane at 109 West Broadway, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 66 West Broadway, application for transfer of beer and wine license from GVI Tribeca LLC d/b/a Vin Sur Vingt to DellasNYC LLC d/b/a Dellas NYC

WHEREAS: The applicant, DellasNYC LLC, is applying for a beer and wine license for Dellas NYC; and

WHEREAS: The establishment is a bar tavern with a simple food menu. The concept is to allow neighbors to grab a glass of wine in a casual setting; 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 230 square foot bar tavern with a public assembly capacity of 60 persons as listed on the Certificate of Occupancy, and a 280 square foot dining area with 5 tables and 13 seats, and a 40 square foot bar area with 9 seats, and one 6' L-shaped foot stand-up bar located on the ground floor, and no food counters; and

WHEREAS: The applicant agreed to establish a public assembly capacity of 30 persons for the tavern restaurant; and

WHEREAS: The establishment will be located on the ground floor of a 6-story commercial building; and

WHEREAS: The hours of operation, food service and bar service will be from 12PM opening to 12AM closing all days of the week; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJ, no non-musical entertainment, no dancing, and no TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be made during the morning; and

WHEREAS: The applicant does not intend to have bicycle delivery personnel; and

WHEREAS: Windows will be open 12PM with a closing time of 10PM during the weekdays and 11PM during the weekend; and

WHEREAS: The applicant will not apply for a sidewalk cafe license until after a year from the date of commencing operations; and

WHEREAS: The method of operation will be like that of the former establishment; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a beer and wine license from GVI Tribeca LLC d/b/a Vin Sur Vingt to DellasNYC LLC d/b/a Dellas NYC at 66 West Broadway unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 458 Greenwich Street, application for liquor license for Stacey Sosa or Entity to be Formed d/b/a North Star

WHEREAS: The applicant, Stacey Sosa or Entity to be Formed, is applying for an on-premise liquor license for North Star; 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 1,500 square foot restaurant with a public assembly capacity of 75 persons, and a 1000 square foot dining area with 20 tables and 60 seats, and a 150 square foot bar area with 15 seats, and a 250 square foot kitchen area, and one stand-up bar, and no food counters; and

WHEREAS: The establishment will be located on the ground floor of a 5-story residential building; and

WHEREAS: There are 4 residential units within the property and approximately 5 residential buildings neighboring or across the street from the proposed establishment; and

WHEREAS: The hours of operation are 4PM opening to 12AM closing Sunday through Thursday and 4PM opening to 1AM closing Friday and Saturday, and the hours of food service are 5PM opening to 11PM closing Sunday through Thursday and 5PM opening to 12AM closing Friday and Saturday, and the hours of bar service are the same as the hours of operation; and

WHEREAS: The applicant has represented that there will be recorded background music, a jukebox, no live music, no DJ, no non-musical entertainment, no dancing and two TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be made from 10AM to 3PM; and

WHEREAS: The applicant does not intend to have bicycle delivery personnel; and

WHEREAS: Windows will be not be open; and

WHEREAS: The applicant will not apply for a sidewalk cafe license until after a year from the date of commencing operations; and

WHEREAS: The method of operation will be like that of another establishment d/b/a Estancia located at 460 Greenwich Street that is managed by the same applicant; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of an on-premise liquor license for Stacey Sosa or Entity to be Formed d/b/a North Star at 458 Greenwich Street, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 95 West Broadway, application for method of operation change of liquor license to expand serving hours for Tribeca Hotel LLC Tribeca Lobby Bar LLC Primo Mgmt. LLC d/b/a Primo's

WHEREAS: The applicant, Tribeca Hotel LLC Tribeca Lobby Bar LLC Primo Mgmt LLC, is applying for a method of operation change of the on-premise liquor license for Primo's; and

WHEREAS: The establishment is located in the lobby of the hotel and has been operating since 2018. The hotel shutdown in March 2020 and has recently reopened June 6 of this year; and

WHEREAS: The existing service hours are until 2AM all days of the week and the applicant is proposing to extend their serving hours to 4AM all days of the week; and

WHEREAS: The applicant initially appeared before the Committee in December 2016 for a new liquor license with the same requested hours and was rejected. The applicant returned in May 2017 and the Committee then approved the granting of a liquor license under the condition that the applicant agrees to comply with CB1 guidelines for Tribeca liquor license applicants for closing hours; and

WHEREAS: The applicant has adhered to the May 2017 resolution and the stipulations agreed upon since the start of their operations; and

WHEREAS: The applicant has been a good neighbor to the community; however, in lieu with balancing the quality of life of residents and other businesses in the neighborhood that have late closing hours, the Committee agreed to reject the proposed 4AM hours; and

WHEREAS: Neighboring establishments with a liquor license that have late closing times have these certain hours grandfathered in, and would not be granted serving hours until 4AM if there was no grandfather clause in place; and

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes the method of operation change to extend serving hours for Tribeca Hotel LLC Tribeca Lobby Bar LLC Primo Mgmt LLC d/b/a Primo's at 95 West Broadway and requests that the applicant come back to the Board and reapply for the same extension after 1 year.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 84 William Street, application for liquor license for Food First LLC d/b/a Blue Ribbon Sushi

WHEREAS: The applicant, Food First LLC, is applying for an on-premise liquor license for Blue Ribbon Sushi; and

WHEREAS: The establishment is a sushi 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: There are 137 residential units within the property that is in the process of being converted to residential use and there are currently no residents, with approximately two residential buildings neighboring or across the street from the premises. The premises were previously a hotel with a Blue Ribbon restaurant operating in the same space on the ground floor; and

WHEREAS: The establishment is a 3,843 square foot restaurant with a public assembly capacity of 129 persons, and a 1,305 square foot dining area with 26 tables and 88 seats, and a 104 square foot bar area with 14 seats, and a 2,259 square foot kitchen area, and one 18'9" U-shaped stand-up bar located in the dining room, and one 12'10" straight service bar. The stand-up bar is also a sushi counter; and

WHEREAS: The establishment will be located on the cellar and ground floor of a 20-story building, where the cellar will be used for the back of the house kitchen and the first floor will be used for the public restaurant; and

WHEREAS: The hours of operation, food service and bar service will be from 11AM opening to 11PM all days of the week; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJ, no non-musical entertainment, no dancing, and no TV monitors; and

WHEREAS: Speakers will be installed on the ceiling of the establishment and acoustic fabric will be installed on walls to prevent sound from traveling through residences who will live directly above; and

WHEREAS: Delivery of supplies, goods and services will be made from 8AM to noon; and

WHEREAS: The applicant intends to employ third-party personnel for deliveries in lieu of bicycle delivery staff; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license. The leased premises do not have an outdoor space and is located in a property that does not allow public entry; and

WHEREAS: A member of the public who lives across the street from the premises attended the meeting to voice their support for the restaurant's opening; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of an on-premise liquor license for Food First LLC d/b/a Blue Ribbon Sushi at 84 William Street, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: Battery Place, State Street and Whitehall Street; Bosque Carousel Kiosk, application for beer and wine license for The Pixie and The Scout LLC d/b/a Carousel Kiosk

WHEREAS: The applicant, The Pixie and The Scout LLC, is applying for an on-premise beer and wine license for Carousel Kiosk; and

WHEREAS: The establishment is a food and beverage kiosk; 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 450 square foot kiosk with a public assembly capacity of 129 persons, and a 300 square foot dining area with 5 tables and 20 seats, and a 10 square foot bar area, and a 140 square foot kitchen area, and one stand-up bar as food and beverage will be served over the counter; and

WHEREAS: The hours of operation, food service and bar service will be from 9AM opening to 7PM all days of the week; and

WHEREAS: The applicant has represented that there will not be any kind of music or non-musical entertainment that will be played, no dancing, and no TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be made from 7AM to 8AM; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license, and they have signed a concession contract to lease the space; and

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

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes the granting of an on-premise beer and wine license for The Pixie and The Scout LLC d/b/a Carousel Kiosk at Battery Place, State Street and Whitehall Street; Bosque Carousel Kiosk, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: Battery Place, State Street and Whitehall Street; Bosque Fountain Kiosk, application for beer and wine license for The Pixie and The Scout LLC d/b/a Carousel Kiosk

WHEREAS: The applicant, The Pixie and The Scout LLC, is applying for an on-premise beer and wine license for Fountain Kiosk; and

WHEREAS: The establishment is a food and beverage kiosk located in Battery Park; 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 450 square foot kiosk with a public assembly capacity of 129 persons, and a 300 square foot dining area with 5 tables and 20 seats, and a 10 square foot bar area, and a 140 square foot kitchen area, and one stand-up bar as food and beverage will be served over the counter; and

WHEREAS: The hours of operation, food service and bar service will be from 11AM opening to 9PM all days of the week; and

WHEREAS: The applicant has represented that there will not be any kind of music or non-musical entertainment that will be played, no dancing, and no TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be made from 9AM to 10AM; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license, and they have signed a concession contract to lease the space; and

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

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes the granting of an on-premise beer and wine license for The Pixie and The Scout LLC d/b/a Fountain Kiosk at Battery Place, State Street and Whitehall Street; Bosque Fountain Kiosk, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 928 Craig Road South, Governors Island, application for on-premise seasonal liquor license for Misipasta LLC d/b/a TBD

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

WHEREAS: The establishment is a seasonal picnic-style restaurant that is located on the picnic grounds of Governors Island; 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 having a dining area with 6 tables and 12 seats, and a 5 square foot bar area, and a 5 square foot kitchen area, and one stand-up bar; and

WHEREAS: The hours of operation, food service and bar service will be from 5PM opening to 11:30PM all days of the week; and

WHEREAS: The applicant has represented that there will not be any kind of music or non-musical entertainment that will be played, no dancing, and no TV monitors; and

WHEREAS: The establishment will serve one dinner a day, reservation only, for a total of 12 guests, and dinner will be from 6PM to approximately 9:30PM; and

WHEREAS: Boats will be used to bring the 12 guests to Governors Island and then returned to the City via the same method of transportation. The five staff members will then be returned to the City by boat as well. Hours of operation are until 11:30PM if that there are delays in schedule for boats to transport guests and staff to and from the island; and

WHEREAS: There will be no delivery of supplies, goods, and services; and

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

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of an on-premise seasonal liquor license for Misipasta LLC d/b/a TBD at 928 Craig Road South, Governors Island, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 26 Ann Street, application for liquor license for AB Fulton Nominee LLC and Hersha Hospitality Management LP d/b/a Moxy NYC Downtown

WHEREAS: The applicant, AB Fulton Nominee LLC, and Hersha Hospitality Management LP, is applying for an on-premise liquor license for Moxy NYC Downtown; and

WHEREAS: The establishment is a restaurant with lounge located in a boutique hotel; and

WHEREAS: A resolution was passed in November 2017 in favor of granting a new liquor license for the same establishment under different ownership and trade name: 142 Fulton Street Development Owner LLC and Good Guys Hospitality d/b/a The Moxy Downtown. A second resolution passed in January 2018 in favor of granting the sale of alcoholic beverages at the grab-and-go station until 4AM; and

WHEREAS: The restaurant unfortunately shut down due to the COVID-19 pandemic and since then, new ownership and management will be taking over. The method of operation remains the same and no other changes are being proposed; 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 128,690 square foot restaurant with a public assembly capacity of 670 persons, and a 350 square foot dining area with 12 tables and 34 seats, along with 30 seats in the event space, and a 700 square foot bar area with 15 tables and 39 seats in addition to 12 bar stools, and a 250 square foot kitchen area, and one 29' U-shaped customer stand-up bar located on the third floor, and no food counters; and

WHEREAS: The establishment will be located throughout the 31-story commercial hotel, where the cellar will be for employees only, the ground floor lobby will be for check-in and retail, the second floor will be used for retail and the fitness center,

the third floor will be for the restaurant and lounge, the fourth floor will be for mechanical use, Floors 5-29 will be the guest rooms, and the rooftop will be for mechanical use and the elevator room; and

WHEREAS: There are 298 rooms within the hotel and approximately 1 residential building neighboring the hotel, 2 across Ann Street and 2 across Fulton Street behind the hotel; and

WHEREAS: The hours of operation are 24 hours 7 days a week for the hotel, and hours of food service are from 8AM opening to 12AM closing all days of the week, and the hours of bar service are from 8AM opening to 2AM closing Monday through Saturday, and 10AM to 2AM on Sundays. There will be a grab-and-go station for guests only located on the third floor next to the bar area for the sale of bottled alcoholic beverages that will be open until 4AM for hotel guests only after the restaurant with lounge closes; and

WHEREAS: There will be no room service or no mini bars in the hotel; and

WHEREAS: The applicant has represented that there will be recorded background music, occasional live music in the form of jazz, acoustic, piano, and guitar, DJs, no non-musical entertainment, no dancing and TV monitors in the basketball room and event space; and

WHEREAS: The applicant will determine if they intend to employ bicycle delivery personnel; and

WHEREAS: Windows will be not be open; and

WHEREAS: The applicant will not apply for a sidewalk cafe license; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of an on-premise liquor license for AB Fulton Nominee LLC and Hersha Hospitality Management LP d/b/a Moxy NYC Downtown at 26 Ann Street, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 2 River Terrace, application for transfer of liquor license from PQ Battery Park Inc d/b/a Le Pain Quotidien to BL 2 River NY LLC d/b/a Bluestone Lane

WHEREAS: The applicant, BL 2 River NY LLC, is applying for an on-premise liquor license for Bluestone Lane; and

WHEREAS: The establishment is a cafe serving Australian-inspired cuisine; 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: There are 200 residential units within the property, with approximately 4 residential buildings neighboring or across the street from the premises; and

WHEREAS: The establishment is a 1,100 square foot cafe with a public assembly capacity of 74 persons for the ground floor and 40 persons for the basement level, and a 1,100 square foot dining area with 10 tables and 20 seats, and an 8 square foot bar with 7 stools, and a 150 square foot kitchen area, and one 8 foot stand-up bar that is a coffee counter, and no food counters; and

WHEREAS: The establishment will be located on the ground floor of a 5-story mixed use commercial and residential building; and

WHEREAS: The hours of operation and food service will be from 7AM opening to 10PM all days of the week, and the hours of bar service will be from 11AM opening to 10PM closing all days of the week; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJ, no non-musical entertainment, no dancing, and no TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be made from 7AM to 10AM; and

WHEREAS: The applicant intends to have bicycle delivery personnel; and

WHEREAS: The applicant will not apply for a sidewalk cafe license. The establishment has an outdoor annex area that the former restaurant used and will continue to be used by the new ownership; and

WHEREAS: The applicant has confirmed that they have obtained support from the building management and will provide a letter of approval from the co-op board prior to the June 22nd, 2021 full-board monthly meeting; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a transfer of liquor license from PQ Battery Park Inc d/b/a Le Pain Quotidien to BL 2 River NY LLC d/b/a Bluestone Lane at 2 River Terrace, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JUNE 22, 2021

COMMITTEE OF ORIGIN: WATERFRONT, PARKS & CULTURAL

COMMITTEE VOTE:	9 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	2 Abstained	0 Recused

RE: African Burial Ground International Memorial Museum and Education Center Act

WHEREAS: U.S. Representative Jerrold Nadler and U.S. Senator Kirsten Gillibrand, joined by U.S. Representatives Carolyn Maloney, Gregory Meeks, Hakeem Jeffries, Grace Meng, and Adriano Espaillat have announced the reintroduction of the African Burial Ground International Memorial Museum and Education Center Act; and

WHEREAS: This legislation would establish a museum and education center at the African Burial Ground in Lower Manhattan, a site that currently holds the remains of an estimated 15,000 free and enslaved Africans and early-generation African Americans from the colonial era. The museum would be managed by the National Park Service in consultation with the African Burial Ground Advisory Council, which would be established by the legislation. The museum will also serve as a sister site to the National Museum of African American History and Culture in Washington, D.C.; and

WHEREAS: The African Burial Ground is a cemetery located in lower Manhattan that holds the remains of approximately 15,000 free and enslaved Africans from the 17th and 18th centuries. It is the oldest and largest known burial ground in North America for free and enslaved Africans. The African Burial Ground serves great historical, cultural, archaeological, and anthropological significance. The burial ground includes DNA samples from the remarkably well-preserved human remains that will enable researchers to trace the home roots in Africa of those individuals buried at the ground. The site became a National Historic Landmark in 1993 and was designated as a national monument in 2006; and

WHEREAS: The museum would host complementary exhibits and foster collaboration with the National Museum of African American History and Culture in Washington, D.C as well as other museums, historically Black colleges and universities, historical societies and educational institutions, creating a stronger network of groups focused on strengthening our understanding of slavery and its lasting impact on our history; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 (CB1) supports the African Burial Ground International Memorial Museum and Education Center Act, which would establish a museum and education center at the African Burial Ground in Lower Manhattan that would serve as a sister site to the National Museum of African American History and Culture in Washington, D.C; and

BE IT
FURTHER
RESOLVED

THAT: CB1 requests that the legislation specifically calls for local residents of Lower Manhattan be among those serving on the Advisory Council, and urges that full consideration be given to CB1 members to serve in that capacity and allow CB1 to recommend members; and

BE IT
FURTHER
RESOLVED

THAT: Advisory Council meetings should be open to the public; and

BE IT
FURTHER
RESOLVED

THAT: Notable black organizations, and those committed to preserving the legacy of the African Burial Ground, should be consulted with as part of this plan, including but not limited to the Schomburg Center for Research in Black Culture, Mariner's Temple Baptist Church, and The Smithsonian; and

BE IT
FURTHER
RESOLVED

THAT: In siting the Museum and Education Center, the nearby parking lot next to 51 Chambers Street should be considered to see if it would be appropriate; and

BE IT
FURTHER
RESOLVED

THAT: The African Burial Ground should be regarded as sacred ground, and as such any graves or remains should be handled with honor. An effort should be made to gather identifying or demographic information from the graves/remains.