

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Essential Workers Monument

WHEREAS: On June 23, Governor Andrew Cuomo revealed that an Essential Workers Monument will be installed in Battery Park City (BPC) by September 6, 2021 to honor the workers who served their communities throughout the pandemic at risk to themselves in order to keep their fellow New Yorkers safe and supported during the COVID-19 pandemic;¹ and

WHEREAS: The labor leaders that comprised the governor’s advisory group for the monument represent some of the same labor groups that publicly stated that they disagreed with the timing and appropriateness of New York City’s (NYC) “Hometown Heroes” parade as recognition; and

WHEREAS: The Uniformed Firefighters Association criticized having a parade while its members continue to face danger from the coronavirus. The union's president, Andrew Ansbro, said that a NYC firefighter with COVID-related pneumonia is fighting for his life in an ICU;² supporting that it is too soon to make decisions about tributes; and

WHEREAS: Several municipal unions, including those who also represent emergency medical workers who played a crucial role in the city’s response to the pandemic, similarly declined to participate in New York City’s (NYC) “Hometown Heroes” parade since it did not address their job concerns.³ Hence, it is unlikely that there is urgency or agreement regarding the location, design or even how they are honored by a monument; and

WHEREAS: Community Board 1 (CB1) applauds honoring the essential workers that continued to serve the community often at a risk to their own health, safety and even their lives throughout the pandemic; and

¹ www.governor.ny.gov/news/governor-cuomo-unveils-new-renderings-essential-workers-monument, accessed July 9, 2021

² Fox 5 NY Staff, *Some NYC unions criticize, boycott parade*, www.fox5ny.com/news/nyc-unions-object-to-parade

³ Zaveri M, A Wong, *Why Some of N.Y.C.s Essential Workers Skipped a Parade to Honor Them*, NY Times, www.nytimes.com/2021/07/07/nyregion/NYC-parade-essential-workers.html?referringSource=articleShare, July 7, 2021

WHEREAS: CB1 questions the appropriateness of placing this monument in a community that experienced one of the lowest infection and mortality rates in New York State; and

WHEREAS: The decision regarding an essential worker monument in BPC was guided by an Advisory Commission of labor leaders appointed by Governor Cuomo and included some of the same unions (e.g., DC 37) and workers (e.g., firefighters) that boycotted NYC's ticker tape parade over it being too soon and not addressing their concerns; and

WHEREAS: CB1 is troubled that the Advisory Commission appointed by Governor Cuomo did not hold any public meetings, solicit any input from any local stakeholders including any elected officials or interact in any way; and

WHEREAS: Completion of a monument by Labor Day 2021 is too soon to allow for thoughtful planning that includes all stakeholders, a lesson learned by CB1 members involved in planning the 9/11 Museum; and

WHEREAS: A Labor Day (September 6, 2021) opening and dedication would occur during the scheduled August to October 2021 20th anniversary commemoration of the 9/11 attacks that directly affected BPC and Community District 1; and

WHEREAS: The original design for the Essential Workers Monument called for replacing up to 10,000 square feet of active, open greenspace, removing some of the oldest, tallest trees in Battery Park City and installing a ground level eternal flame powered by natural gas,⁴ which would pose a potential danger to all, have a deleterious environmental impact and require a gas line that could be a potential terrorist target, and

WHEREAS: The first details of the monument, including the location design and expedited implementation plan, were not revealed to the community until just days before ground-breaking in Rockefeller Park was to take place; and

WHEREAS: Outraged residents banded together -- uniting under the banner of "#PauseTheSaws" and occupied Rockefeller Park including camping out in tents through sweltering heat and thunderstorms and with children lying down in the near the bulldozers intended for the planned park demolition;⁵ and

⁴ www.governor.ny.gov/news/governor-cuomo-unveils-new-renderings-essential-workers-monument, accessed July 9, 2021

⁵ Yakas B, *Locals Protest Cuomo's Plan to Install Essential Workers Monument in Battery Park City*, Gothamist, <https://gothamist.com/news/locals-protest-cuomos-plan-install-essential-workers-monument-battery-park-city>, accessed June 30, 2021

WHEREAS: On July 1, after days of protest, the Battery Park City Authority (BPCA) announced that it would consider alternate locations within the community for the planned monument; and

WHEREAS: BPCA Chairman George Tsunis pledged at a Pause the Saws rally at the site on July 5 that the alternate locations would not be where kids play, not involve taking down or replanting trees, and should be in a commercial area; and

WHEREAS: Community Board 1 (CB1) applauds the courageous, timely, and resolute action taken by the community members of Pause the Saws to prevent the destruction of Rockefeller Park; and

WHEREAS: CB1 appreciates the BPCA's willingness to consider alternate locations for the proposed Essential Workers Monument, but agrees with the residents that BPC is already overburdened with monuments and memorials including the Irish Hunger Memorial, the NYC Police Memorial, the Mother Cabrini Memorial, The Museum of Jewish Heritage – A Living Memorial to the Holocaust, the 9/11 Memorial at South Cove, the 11 Tears Memorial to the AmEx employees that died on September 11, 2001 and the Hurricane Maria Memorial, which has resulted in “monument and memorial fatigue,” for residents and neighbors while diminishing the impact and significance of each memorial; and

WHEREAS: On July 6th the BPCA hosted a meeting to share two alternative locations for the Essential Workers Monument⁶ -- namely, the volleyball court on the Esplanade, overlooking North Cove Marina; and the rectangular lawns between the Irish Hunger Memorial and the CME Group Building (One North End Avenue/300 Vesey Street); and

WHEREAS: Both alternative BPC site options are problematic. Ferry users walk and talk immediately south of and tourists gather for tour buses immediately east of the proposed north lawns option. This siting would be noisy and detract from the Irish Hunger Monument. The south esplanade option would interfere with public entertainment events and gatherings, teen space, worker and neighborhood volleyball games and the heavy pedestrian traffic on the esplanade; and

WHEREAS: Many members of the public attended the July 7, 2021 BPC Committee meeting and over 5½ hours, unanimously agreed that (1) neither of the alternate locations identified by the BPCA are acceptable, (2) a Labor Day 2021 opening would conflict with and be overshadowed by the 9/11 20th Anniversary events, (3) the inclusion of a flame is unacceptable and (4) decisions about design and location needed to be transparent and include ALL stakeholders; and

⁶ *Two sites in BPC now being considered for the monument*, Tribeca Citizen, July 8, 2021, <https://tribecacitizen.com/2021/07/08/two-sites-in-bpc-now-being-considered-for-the-monument/?fbclid=IwAR3cIIIKvABwoYzSrWL-GvuteGzAlqZxQlwiHxgqyLlves0nzxx3YPDdRC8>

- WHEREAS: Landscape architects opined that the rushed designs appear to lack professional, as well as community, input since grass does not grow well under maple trees as illustrated in the design drawings and the trees would likely cast shadows on the Irish Hunger Monument as they grow; and
- WHEREAS: NYC Councilmember Daniel Dromm posted a July 8th tweet “Putting the Essential Workers Memorial next to Irish Hunger Memorial is a bad idea. Both deserve dignity & respect & this proposed site doesn’t accomplish that;” and
- WHEREAS: On July 8th NYC Councilmember Dromm also tweeted that “...Maybe the Essential Workers Memorial should be put in my district near Elmhurst Hospital, the epicenter of the epicenter” seems more appropriate; and
- WHEREAS: On July 8th US Representative Jerry Nadler tweeted, “Desecrating the Irish Hunger Memorial is a bad idea. Tearing up a heavily used volleyball court is a bad idea. Paving a park is a bad idea. We need a public, thoughtful process to design a monument that reflects the value of our brave essential workers; and
- WHEREAS: NYC Councilmember Robert Holden tweeted that “Our essential workers deserve a lasting monument to their dedication that is well planned and well placed, not one that is rushed and might take away from another nearby memorial. This needs to be planned with input and engagement from the community”; and
- WHEREAS: Visioning and planning for the monument not only occurred without community member input, but took place during the pandemic when space usage was atypical given the near absence of workers, tourists, charity run/walks and ferry terminal users; and
- WHEREAS: While we are grateful that the BPCA and the Governor listened to the BPC community protests and agreed to pause the saws on active green space, we urge them to place the monument in a more appropriate and meaningful location, as residents, visitors from the district and beyond, workers, and tourists of all ages are reliant on every square inch of open space in BPC for walking, playing, exercising, relaxing, meeting, working, and being entertained on. We cannot afford to lose space to another monument; and
- WHEREAS: On July, August 12th George Tsunis, Chairman of the BPCA, announced that a monument for the essential workers is still in the works, but that the state would establish an advisory committee with community residents and leaders to help pick the monument’s location and design someplace else in Battery Park City. He further confirmed that the The project will no longer be completed by Labor Day 2021;⁷ and

⁷ Wong A, Battery Park Monument for Essential Workers Paused After Protests, The New York Times, August 12, 2021, www.nytimes.com/2021/07/12/nyregion/battery-park-monument-essential-workers-protests.html

WHEREAS: A residential building with up to 1,500 units, is planned for the 5 World Trade Center (WTC) site, which will place a further strain on BPC's open spaces; and

WHEREAS: Essential workers deserve a memorial in NYC, preferably in a severely impacted community, but doing so without thoughtful planning and a robust public process is disrespectful to all of the stakeholders; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 (CB1) thanks all of the local elected officials who represent Battery Park City for their support including Representative Nadler, State Senator Kavanagh, Assemblymember Glick, Assemblymember Niou, Manhattan Borough President Brewer, and Councilmember Chin; and

BE IT

FURTHER

RESOLVED

THAT: CB 1 also thanks the grassroots movement of neighbors who came together to defend public space as part of the Battery Park City Neighborhood Association; and

BE IT

FURTHER

RESOLVED

THAT: CB 1 strongly objects to the process that was used for site selection and design as it lacked transparency, accountability and community inclusion and calls upon the BPCA and Governor to correct these flaws going forward; and

BE IT

FURTHER

RESOLVED

THAT: CB1 thanks the Battery Park City Authority (BPCA) and Governor Cuomo for recognizing the express will of the community and its elected officials by agreeing to not put the monument in Rockefeller Park; and

BE IT

FURTHER

RESOLVED

THAT: CB1 strongly urges Governor Andrew Cuomo, our elected officials and the BPCA to:

1. Commit to making the monument environmentally friendly and not include a flame or the use of any fossil fuel, including natural gas,
2. Adjust the timeline for an opening day that is no earlier than Labor day 2022 so that there is adequate time for meaningful community and

stakeholder involvement as well as a thoughtful public design process that considers all stakeholders,

3. Place the monument in a location outside of Battery Park City (BPC),
4. Use the monument as an opportunity to add greenspace and trees to a community that is lacking in those amenities, and
5. Ensure that nothing that will take place that conflicts with or diminishes the 9/11 20th Anniversary events that are scheduled from August to October 2021; and

BE IT
FURTHER
RESOLVED
THAT:

CBI demands that the BPCA pledge in writing that no more memorials or monuments will be constructed in Battery Park City and that by-law revisions be made so that the pledge is binding upon future Governors and iterations of the BPCA.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 36 Walker Street, application for restoration of interior space, installation of new staircase and elevator, replacement of existing windows and storefront, and rooftop extension

WHEREAS: The majority of existing ground floor storefront infill is not original. If any original doors are discovered with further LPC staff review, such doors should be considered for salvage, repair, and reinstallation; and

WHEREAS: The proposal to not use cast iron for the new storefront column capitals and cornice is acceptable provided the finished painted decorative details resemble painted cast-iron parts from sidewalk level; and

WHEREAS: The applicant has agreed to do a paint analysis of the cast iron (please also do the windows) and work with staff to determine an original paint color match to paint the ground floor cast iron and new storefront cornice; and

WHEREAS: All decorative iron work must remain (including random column acanthus leaves), and no vault lights are being discarded during the removal of storefront or steps; and

WHEREAS: The applicant has agreed to reduce and rearrange the pergola, such that it is not visible over the roof cornice from the sidewalks east of the building on Walker Street; and

WHEREAS: The applicant has agreed to further study providing barrier-free access to the entire roof; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 recommends that the Landmarks Preservation Commission approve this proposal on the condition that there is no original ground floor level decoration removed and discarded, and that the pergola is not visible from the street level east on Walker Street.

COMMUNITY BOARD 1 – MANHATTAN
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COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 49-51 Chambers Street, application for addition of freestanding ticketing, coat check and retail furnishings in portion of designated interior space

WHEREAS: The applicant is returning to address the community's concerns (from the first presentation) regarding blocked windows, treatment of historic materials and new furniture/partitions; and

WHEREAS: LPC previously approved an interior curtain and associated hardware/enclosures to block the windows, salvage historic panels, misc. lighting, and the construction of new partitions; and

WHEREAS: The modifications to the LPC approved plans are the (reversible) installation of ticket booth, display and storage locker kiosks to support the exhibit; and

WHEREAS: CB1 suggests the curtain and curtain enclosure be a color that better matches the adjacent stone walls and remain open when the exhibition is not in session to allow for wider views of the hall; and

WHEREAS: CB1 objects to the banking hall becoming a pay-for-access exhibition space because the public will be shut-out of seeing this interior landmark in all its splendor without paying a fee; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 recommends that the Landmarks Preservation Commission approve these modifications and furniture installations. Staff should work with the applicant to ensure that there can be times set aside and conditions made to provide barrier-free access to the interior landmark banking hall WITHOUT having to pay a fee.

COMMUNITY BOARD 1 – MANHATTAN
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DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

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

TABLED

RE: 225 Liberty Street, application for liquor license for Ani Liberty LLC d/b/a Ani Ramen House

WHEREAS: The applicant, Ani Liberty LLC, is applying for an on-premise beer and wine license for Ani Ramen House; and

WHEREAS: The establishment is a food 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 three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a 700 square foot kiosk with a public assembly capacity that will not be over 75 persons, and a 10 square foot dining area with no tables and 5 seats, and a 690 square foot kitchen area, and one stand up bar that is part of the food kiosk; and

WHEREAS: The establishment will be located on the second floor of Brookfield Place Mall; and

WHEREAS: The hours of operation, food service and bar service will be from 10AM opening to 8PM all days of the week; and

WHEREAS: The applicant has represented that there will be no 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 to afternoon; and

WHEREAS: The applicant does not intend to have bicycle delivery personnel; 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 beer and wine license for Ani Liberty LLC d/b/a Ani Ramen House at 225 Liberty Street, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

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COMMITTEE OF ORIGIN: EXECUTIVE

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

TABLED

RE: 275 Church Street, application for liquor license for Tiny's Gumbo Bar NYC LLC d/b/a File Gumbo Bar File Gumbo Bar

WHEREAS: The applicant, Tiny's Gumbo Bar NYC LLC, is applying for an on-premise liquor license for File Gumbo Bar; and

WHEREAS: The establishment is a full service family-friendly Cajun and Creole restaurant; and

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

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

WHEREAS: The establishment is a 3,600 square foot restaurant with a public assembly capacity of 74 persons, and an approximately 1,200 square foot dining area with 12 tables and 52 seats, and an approximately 290 square foot bar area with 16 seats, and a 216 square foot kitchen area, and one L-shaped 26'7" x 11'4" stand up bar located on the ground floor, and no food counters; and

WHEREAS: The establishment will be located on the ground floor and basement of a mixed-use building that has 3 residential units within the property; and

WHEREAS: The ground floor will be used for the kitchen, restrooms, bar and dining area and the basement will be used for the office, food and alcohol storage and additional preparation area; and

WHEREAS: The hours of operation, food service and bar service will be from 10AM opening to 8PM 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 between 9AM and 11AM; and

WHEREAS: The applicant intends to have 3rd party service deliveries made between 7AM and 11PM; 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 liquor license for Tiny's Gumbo Bar NYC LLC d/b/a File Gumbo Bar at 275 Church Street, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 32 Cedar Street, application for beer and wine license for Farida Ricciardelli d/b/a Farida Group Corp.

WHEREAS: The applicant, Farida Ricciardelli, is applying for an on-premise beer and wine license for Farida Group Corp.; and

WHEREAS: The establishment is a Central Asian restaurant serving Pakistani-style cuisine; and

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

WHEREAS: The applicant has represented that there are not three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a 2,500 square restaurant with a public assembly capacity of 74 persons, and a 1,000 square foot dining area with 30 tables and 60 seats, and a 200 square foot bar area with 5 seats, and a 500 square foot kitchen area, and one 7 by 3 foot L-shaped stand up bar located on the right side of the entrance, and no food counters; and

WHEREAS: The establishment will be located on the basement level of a 9-story office building; and

WHEREAS: The hours of operation will be from 11AM opening to 11PM closing all days of the week, and the hours of food service and bar service will be from 11AM opening to 10PM 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 2PM to 3PM Monday through Friday; and

WHEREAS: Windows will not be open; and

WHEREAS: The applicant intends to open the establishment in August of this year; and

WHEREAS: The applicant does intend to apply for a sidewalk cafe permit if allowed by the City through the Open Restaurants program; however, the Committee does not approve the participation of this establishment in the program due to the sidewalks being too narrow for proper seating to be directly outside the premises without causing pedestrian traffic; and

WHEREAS: At the July 27, 2021 monthly meeting, the Board unanimously approved to oppose the granting of a sidewalk cafe permit for this establishment if the principal was to ever apply for this kind of license outside the realms of the Open Restaurants program; 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 Farida Ricciardelli d/b/a Farida Group Corp. at 32 Cedar Street, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 70 Pine Street, application for alteration of liquor license to add bar space to the lobby floor for EBNB Pine Street Restaurant LLC d/b/a Aperlume

WHEREAS: The applicant, EBNB Pine Street Restaurant LLC, is applying for an alteration of liquor license for Aperlume; and

WHEREAS: The applicant previously sent two 30-day notices for this alteration, the first in September 2019 and again in September 2020 for renotification. The application was approved at both Committee meetings; and

WHEREAS: The alteration is to add bar space to the lobby level of the premises. This additional bar space would be connected to the existing licensed upper floors, Floors 62-64 and 66. The representatives at the September 2020 meeting confirmed that no other changes were being made to the establishment besides the proposed alteration; and

WHEREAS: The applicant did not file their application with the SLA after the 2020 meeting since the proposal was put on hold due to the COVID-19 pandemic. Nine months passed since their last appearance with the Committee, and per SLA requirements was required to re-notify to the Community Board; and

WHEREAS: The Committee and the applicant agreed to move forward and vote on the alteration at either the July 21st, 2021 Executive Committee meeting or at the monthly full-board meeting, upon submission by the counsel of the requested public assembly capacity in the entirety of the licensed premises, as well as the seating number for the proposed bar space; and

WHEREAS: The counsel has provided the requested information as follows: there will be 42 seats in the newly licensed space in the lobby level, and the total public capacity for the currently licensed upper floors and the proposed bar space will be 435 persons; and

WHEREAS: Nothing has changed in the alteration application since the principal's last two appearances before the Committee in 2019 and 2020. The applicant l will not be seeking outdoor ground level space to use for outdoor dining; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of an alteration of liquor license to add bar space to the lobby floor for EBNN Pine Street Restaurant LLC d/b/a Aerlume at 70 Pine Street, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Health & Fitness Citywide Zoning Text Amendment

WHEREAS: The Health and Fitness Text Amendment proposes to modify regulations relating to gyms, spas, licensed massage therapy, and other health and fitness facilities defined as Physical Culture or Health Establishments (PCEs). The proposed text amendment will remove the requirement for such facilities to receive a special permit by the Board of Standards and Appeals; and

WHEREAS: During the 1970s, concerns were emerging regarding the proliferation of prostitution and illicit sexual activity in New York City. Many establishments engaging in such activities were masquerading as health clubs and massage parlors. In 1976, to provide time to study and manage the issue, a city moratorium was established for all PCEs. Following that period of study, zoning laws were amended in the late 1970s to better define various PCEs, and to require a Board of Standards and Appeals (BSA) special permit for the operation of a PCE. The moratorium and subsequent zoning changes to regulate PCEs were intended as an approach to use land use regulations to suppress the commercial sex industry in the City; and

WHEREAS: Over the past several years, City officials have acknowledged that BSA special permit requirements for gyms, spas, and massage studios are onerous for small businesses and may reduce the availability of health-related amenities in communities. Two major strategic planning documents, One New York: The Plan for a Strong and Just City and Small Business First, recommend changes related to the regulation of PCEs. These documents noted the significant time required to receive a permit (often exceeding six months) and the high costs of going through the special permit process, which can cost businesses as much as \$50,000. The permit also prevents desired businesses from moving into local retail streets at a time when vacancy rates are high and expected to rise; and

WHEREAS: Since 2006, PCEs have been permitted as-of-right along commercial streets in certain Special Districts, including the Willet's Point Special District, Stapleton Waterfront Special District, Jerome Corridor Special District, Governor's Island Special District, East Harlem Corridor Special District, Coney Island Special District, Inwood Special District, and Bay Street Special District; and

WHEREAS: The COVID-19 pandemic has resulted in major disruptions to gyms and fitness facilities. Employment in this sector in NYC declined by more than 60 percent during the pandemic. Removing the PCE special permit is intended to help businesses in this sector recover and provide needed health-related amenities to communities across the city; and

WHEREAS: The proposed zoning text amendment would remove the BSA special permit requirement for PCEs and add uses currently subject to this special permit to Use Groups that are permitted as-of-right in certain zoning districts; and

WHEREAS: The proposed action would categorize all facilities dedicated to physical fitness and health, limited to 10,000 square feet in floor area per establishment, as Use Group 6 and Use Group 14. These uses will be permitted as-of-right in all commercial and manufacturing districts; and

WHEREAS: The action would categorize all physical fitness and health facilities over 10,000 square feet, as Use Group 9. This includes gyms, spas, and other facilities with activities designed to promote physical fitness. These uses will be permitted as-of-right in C2, C4, C5, C6, and C8 districts; M1, M2, and M3 districts; and high-density C1 districts (C1-8, C1-9, and C1 overlays mapped with R9 or R10 districts); and

WHEREAS: To address the potential for health and fitness establishments to create objectionable noise, the proposed action would distinguish between establishments with higher-intensity uses that have a greater potential to generate noise and those that are likely to have fewer objectionable effects. Higher-intensity uses, such as gyms involving the use of exercise machines and weights, would be subject to additional noise attenuation requirements and enclosure criteria. These uses would be required to be in completely enclosed buildings and would have to verify to the Department of Buildings prior to the issuance of a Certificate of Occupancy that the use is designed according to national standards for noise and vibration control to meet the NYC Noise Code. These additional requirements would apply to mixed-use buildings in commercial and MX districts. Other health and fitness use, such as yoga studios and therapeutic services, would not be subject to these requirements prior to operating, but would also be subject to the NYC Noise Code; and

WHEREAS: The proposed zoning text amendment would categorize licensed massage therapy as ambulatory health care in Use Group 4A and Use Group 6B (health care office). This would treat licensed massage therapy studios in the same manner as other health care facilities, including facilities where massage therapy already occurs, such as physical therapy offices and long-term care facilities. Licensed massage therapy studios will be permitted in residence districts other than R1 and R2, as well as all commercial, and manufacturing districts; and

WHEREAS: The proposed action would also move the definition of Adult Physical Culture Establishment to a new definition called “Unlicensed physical treatment establishments.” The existing definition prohibits, in all zoning districts, facilities that offer “services, massages, body rubs, alcohol rubs, baths, or other similar treatment, by members of the opposite sex” if these services are provided by people who are not licensed massage therapists. Unlicensed massage therapy is an illegal practice outside of zoning. Under the proposal, unlicensed massage therapy would not be listed in any Use Group and would continue to be prohibited in any zoning district; and

WHEREAS: While concerns over the illegal commercial sex industry among PCEs may be antiquated, Community Boards have come to rely on BSA special permit reviews

for addressing quality of life issues related to PCEs; and

WHEREAS: CB1 has concerns over the idea that PCEs will be self-certifying with the Department of Buildings by submitting their sound attenuation plans; and

WHEREAS: CB1 has concerns over PCEs operating in unenclosed areas, including lower-intensity PCEs, who still have the potential of generating noise and other negative quality of life impacts; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 (CB1) recommends approval of the Health and Fitness Citywide Zoning Text Amendment with the following conditions:

- CB1 urges that, prior to the Department of Buildings issuing a Certificate of Occupancy to any applicant under the new rules, that Community Boards are notified of such applications, that they receive a copy of the sound attenuation plan, and that they have an opportunity to engage the applicant and issue a recommendation.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	2 Opposed	1 Abstained	1 Recused

RE: 250 Water St ULURP Application

WHEREAS: A series of ULURP and non-ULURP actions to facilitate the development of a new, 324-foot tall, 550,000 ZSF, mixed-use building with approximately 376,300 ZSF of residential use, 4,800 ZSF of community facility use, 153,000 ZSF of commercial/office and 15,900 ZSF of retail being sought by a private applicant, 250 Seaport District LLC, at 250 Water Street (Block 98, Lot 1) in the South Street Seaport Special District, within the Lower Manhattan Special District, Community District 1, Manhattan; and

WHEREAS: In December 2020 and March 2021, CB1 adopted resolutions urging the Landmarks Preservation Commission (LPC) to reject the application for the 250 Water Street proposed development. On May 4, 2021, LPC voted to approve HHC's third 250 Water Street design as appropriate for the Seaport Historic District; and

WHEREAS: The application package (M130053BZSM; N210439ZRM; N210446ZCM; N210441ZAM; M210442LDM; N210443LDM; N210445ZAM; N210440ZCM; C210438ZSM) was certified as complete by the City Planning Commission (CPC) at its May 17, 2021, meeting, triggering the start of the Uniform Land Use Review Procedure, the public review process known as ULURP; and

WHEREAS: The Howard Hughes Corporation (HHC)'s application for its privately owned 250 Water Street site seeks major changes to the Seaport zoning and the City's de-mapped public streets; and

WHEREAS: CB1 played a major role in putting into place the existing C6-2A Seaport zoning in 2003 when it sponsored a ULURP action to change the zoning and won overwhelming support for this zoning from the community, Seaport property owners, the South Street Seaport Museum, the Downtown Alliance, the CPC, and all local and Citywide elected officials; and

WHEREAS: The current zoning caps the height of new buildings at 120' and is meant to maintain the low scale size of the buildings that populate the Seaport Historic District, which average 4-5 stories in height and make it such a unique part of NYC; and

- WHEREAS: CB1 has adopted multiple resolutions indicating it would support the construction of a new building at 250 Water Street that complies with the existing zoning and is extremely troubled by the proposed HHC building that would be roughly three times taller than what is permitted by zoning in this low scale district; and
- WHEREAS: In 2014, the Seaport Working Group outlined as one of its eight guiding principles Building Heights and Views, encouraging “the transfer of development rights to incentivize lower buildings and public open space in the immediate vicinity of the South Street Seaport Historic District in conformance with the design objectives of the 1998 Urban Renewal Plan Area;” and
- WHEREAS: This proposal involves expanding the existing Pier17 Large Scale General Development area (LSGD), using the de-mapped City streets around the Seaport’s Fulton Plaza core to provide a physical connection between the 250 Water Street development site and the Pier 17/ Tin Building sites. This one action provides the link to unused development rights at the Pier17/Tin Building waterfront necessary for achieving the desired density at 250 Water Street; and
- WHEREAS: HHC’s proposal to expand the LSGD has been designed as a way to circumvent at least two problems: it connects the 250 Water Street site physically to the Pier 17 site, which attempts to address adjacency for development rights transfer; and it uses the expanded LSGD as a vehicle for redistributing unused development rights within the LSGD bounds, thus avoiding having to deal with the issues of granting and receiving sites of the 1972 Seaport Transfer Mechanism specifically designed to control how development rights are transferred throughout the Seaport area; and
- WHEREAS: The Brooklyn Bridge Southeast Urban Renewal Plan (BBSE-URP) has been in effect since 1968. Alongside ongoing public involvement in preservation efforts, it has provided some guidance and controls over the development that has taken place in the South Street Seaport area since then. It will expire in 2068; and
- WHEREAS: This timing is relevant to an application that NYC Small Business Services (SBS) will be filing shortly to extend the Seaport Lease (HHC interests) for another 99 years until 2120; and
- WHEREAS: Unless significant changes are incorporated, the extension of HHC’s amended 2013 Marketplace Lease beyond its final current expiration date of 2072, in conjunction with its 250 Water Street proposed expansion of the Pier 17 LSGD, will place a major portion of the South Street Seaport Historic District in the hands of a sole private developer with little counter-balance in place from competitors, or from City agencies that should be protecting the Seaport’s public assets; and
- WHEREAS: From the Rouse Corporation to General Growth Properties, the City has established a history of relying on private developers in the South Street Seaport area, only to result in a pattern of failure; and
- WHEREAS: CB1 has great concerns over how EDC has historically managed City assets in Lower Manhattan. There have been missed opportunities to generate affordable housing and provide community facilities and amenities with the disposition of

various properties; including 49-51 Chambers Street, 346 Broadway and 137 Centre Street; and

WHEREAS: In December 2019, CB1 voted on a resolution regarding a proposed SBS/Economic Development Corporation (EDC) concession agreement via the NYC Franchise and Concession Review Committee (FCRC) for demapped pedestrian streets in the Historic South Street Seaport district, where EDC represented to CB1 that the funds would be restricted so that they cannot be spent outside of the Historic South Street Seaport district and that, in coordination with the Manhattan Borough President's Office and CB1, the revenue would be used to contribute back to the character of the South Street Seaport, specifically for improving maritime history, boat maintenance, etc. To date, no funds generated by this concession agreement have been used for such purposes, and the Seaport Museum has represented that they have not yet received any funding via this agreement; and

WHEREAS: Regarding the transfer of development rights from Pier 17, the applicant has represented that an open procurement process is not required; and that since the development rights are within HHC's leasehold, HHC is entitled to exclusive use of them. However, a January 2020 letter from EDC to the New York City Comptroller's office states that: "If the City were to consent to the transfer of development rights from Pier 17 and the Tin Building sites, the development rights would first need to be alienated from HHC's leasehold through negotiation, and then disposed of through a public procurement process;" and

WHEREAS: When asked to comment on this discrepancy, EDC reported that "upon further review by City Law Department and EDC, it was determined that a competitive process would not be warranted because most of the development rights associated with Pier 17 are included in HHC's lease and therefore would not be available for use by others until 2072," and that

WHEREAS: Since HHC's first activities in the South Street Seaport, CB1 has made repeated requests for the developer to provide a master plan for its properties throughout the entirety of the South Street Seaport area. It puts the community at an inherent disadvantage to review segmented, piecemeal applications in a vacuum without the contextual understanding of broader plans for the area. This is exacerbated by the fact that the community has not received sufficient information, nor had sufficient time for review or meaningful discussion regarding the pending Seaport Disposition ULURP/Marketplace lease renewal which directly impacts the areas currently under consideration; and

WHEREAS: Last year, a private developer expressed interest in purchasing city-owned development rights and the plan was presented to the Manhattan Borough President and local Council Member by CB1, but there was no interest or follow-up from the City; and

WHEREAS: HHC had initially stated that the South Street Seaport Museum would receive a \$50 million endowment as a result of the proposed 250 Water Street development. HHC proposes to purchase from the City unused development rights from Pier 17, the proceeds of which the City would then transfer as funding to the Museum. After the LPC review and corresponding reduction in total square footage, it is

unlikely- if not impossible- for \$50 million to be generated from the disposition of unused development rights by the applicant for the 250 Water Street project. There is no plan for how the additional funds will be sourced and there are no contractual agreements in place to guarantee that the Museum will receive *any* funding, let alone funding at the levels represented as part of this proposal. Further, there is no guarantee that the Museum will be able to complete the John Street expansion as a result of this proposal; and

WHEREAS: CB1 held a public hearing on this application during the June 14, 2021 Land Use, Zoning & Economic Development Committee meeting with 64 speakers (67% in support, 30% in opposition and 3% undecided). CB1 also collected over 90 written comments on this application (73% opposed, 26% in favor and 1% undecided). Additionally, CB1 has received one petition in opposition which has gathered 1,004 signatures, and a second petition in opposition with 9,840 signatures; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 fully opposes this extremely complex and convoluted package of zoning actions intended to up-zone this site to allow for the proposed oversized building at 250 Water Street, based on the issues outlined above and for the following additional reasons:

- The proposed development would undermine years of carefully crafted zoning regulations meant to guide the orderly growth of the Seaport through modifications proposed by HHC which reconfigure the rules to advance a private, profit-driven agenda.
- Given that the 1972 Seaport Transfer Mechanism was created to maintain the very unique low-scale character of this 11-block historic district, where the average building is four to five stories in height, by creating a mechanism to move such development rights to sites *outside* the Seaport Historic District, CB1 opposes the proposed zoning text amendment to make 250 Water Street into a receiving site. This runs completely counter to the intention of the existing Seaport Transfer Mechanism and to the community's long-standing and well-documented desire to maintain this unique part of Lower Manhattan. Further, allowing such a radical change creates a dangerous precedent for other Seaport property owners who may wish to follow suit.
- There is critical concern over the fact that there is nothing in writing to guarantee the Seaport Museum's endowment (at \$50 million or any other level) or the pledged John Street expansion as a result of this proposal. CB1 has identified in our April 2021 resolution a series of workable, alternative ways to generate income for the Seaport Museum that can be done without the approval of an inappropriate building in the South Street Seaport Historic District and continues to lobby for additional needed affordable housing in Lower Manhattan and in numbers far greater than what is contemplated at 250 Water Street at 5 WTC and at other sites.
- Our comments are at best incomplete at this time, and at worst subject to massive change, as we have not received full information, nor had time for review or meaningful discussion regarding the Disposition of Seaport Properties ULURP and the proposed amended Marketplace lease. We are also still in the process of discussing the DEIS for

250 Water Street, and the 250 Water Street Brownfield Cleanup Program Remedial Action Work plan that was only released to the public on June 25, 2021. These applications are being rushed through the review and approval process at the benefit of HHC, and the City should postpone review of all of these related applications until CB1 and the community have full information on all HHC, EDC and SBS Seaport applications that City Planning is aware of, so we have a full understanding and sufficient opportunity to review.

- This proposal is not in line with the guiding principles developed by the Seaport Working Group, particularly as it relates to building heights and density.
- CB1 is disturbed by the discrepancy and lack of transparency surrounding whether or not the transfer of development rights from Pier 17 would require an open bidding process, and we object to the City's opaque processes surrounding this question as well as the conflicting explanations we have received. This suggests that the applicant and the City have created a "work around" to sell the purported public assets known as "air rights" to the applicant in a single-source transaction without an RFP to solicit competitive bids.
- CB1 rejects these actions which give HHC even more control of the South Street Seaport area and maintains that a single profit-driven developer will exert outsized power over how the Seaport evolves.
- CB1 believes that the proposed actions to expand the LSGD and incorporate the de-mapped portions of Fulton Street to allow for the transfer of development rights from Pier 17 to 250 Water Street is a particularly egregious means of skirting the long-standing 1972 Seaport Transfer Mechanism.
- CB1 strongly opposes the proposal to redefine de-mapped portions of Fulton, Front and Water Streets as a "zoning lot," which is being done solely to create a physical connection to the 250 Water St site and enable HHC to move development rights from Pier 17 to the 250 Water Street site. These de-mapped streets are City owned, are intended to serve the public interest, and should not be used as a tool to boost a private developer's profits. CB1 maintains that the City should continue to control use of these important streets as they indicated in 2019 with the FCRC plan to activate these streets and make them even more accessible with additional recreational, cultural and educational public events.
- CB1 views these major proposed zoning changes as an attempt by HHC to impose new controls over even more Seaport assets than are currently locked into its existing lease arrangements with the City. CB1 believes that the expanded LSGD would set the stage not only for a vastly large and out-of-context building at 250 Water Street, but also has the potential for HHC to have future undue influence over the de-mapped portions of Fulton Street via its inclusion in the LSGD area.
- CB1 believes HHC's claim that transferring unused development rights from Pier 17 would save the waterfront from inappropriate overbuild is false and self-serving, and CB1 opposes the transfer of development rights from Pier 17, which is being done solely to generate additional square footage for the 250 Water Street site. The waterfront sites are City-owned, and the City has full control over what could and would get built there. In recent years, the City's direction, in line with full community backing, has been and continues to be towards opening the waterfront for full public access and water-

dependent and water-enhancing uses. Furthermore, the NYC Parks Department has been given control of the marginal streets underneath the FDR Drive to the water's edge. By definition, parkland would need to be alienated by the NYS Legislature for "development" to take place there.

- CB 1 objects to the proposal to allow the service road on Pier 17 (the "Access Drive") to be utilized for passenger pickup and drop-off instead of only for loading and deliveries. Use of the Access Drive was the subject of discussion during the Pier 17 renovation project development and the Tin Building site merged into the project in 2015-16. After consideration of the pedestrian concerns, it was decided that only delivery vehicles within controlled access hours, and emergency vehicles would use the access drive, and a lay-over area along the marginal street area in front of the Tin Building would be available for other drop-offs. If anything has changed, it is that more pedestrians are now using the waterfront, and there is no justification to change the type of use or access hours.
- Since there is now active litigation to overturn the LPC Certificate of Appropriateness for this specific design, City Planning should strongly consider delaying any action on this until a final determination is made by the Courts. This is particularly relevant to the various actions sought regarding height and setback or street wall regulations to allow for construction of the LPC approved building.

BE IT
FURTHER
RESOLVED

THAT: CB1 strongly opposes the 250 Water Street ULURP application for all the reasons stated above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: NEW BUSINESS

COMMITTEE VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	29 In Favor	0 Opposed	1 Abstained	0 Rescued

RE: 124 Chambers Street, update on proposed and amended hours of operation for Poseidon Hospitality LLC d/b/ Poseidon Restaurant

WHEREAS: The newly proposed hours of operation, food service and bar service of 12PM opening to 1AM closing all days of the week were adopted at the May 25, 2021 full-board meeting; and

WHEREAS: The counsel communicated to the Board in June 2021 that the amendment is not acceptable, and the applicant was willing to return to the next Licensing & Permits Committee meeting to further discuss; and

WHEREAS: One of the owners of Poseidon Restaurant attended the July 14, 2021 Licensing & Permits Committee meeting and explained that their initial proposed 2AM closing hours would help generate business flow due to the impacts from COVID-19 and accommodate late walk-ins from customers who would continue dining after the kitchen closing at 11PM; and

WHEREAS: A member of the Committee raised questions about the nuisance of late closing hours from a sidewalk cafe if it were ever approved for this application, to which other members responded that the Committee can approve closing hours for sidewalk cafes as early as 10PM, and prior applicants at this address have had their sidewalk cafe applications denied due to the nature of the narrow sidewalks; and

WHEREAS: The applicant agreed with the Committee's proposal to meet with residents and address their concerns about the closing hours, noise control and future participation in the City's Open Restaurants Program as there are a number of other establishments on the block with outdoor dining that have caused noise disturbances to neighbors. If the operator and tenants came to a consensus, then the applicant may accept the Committee's request of 2AM closing hours Thursday through Saturday after 6 months from the date of commencing operations which is expected to be in October of this year; and

WHEREAS: The applicant also agreed and confirmed that if a resolution was not met and provided to the Committee by the July 21st Executive Committee meeting or the July 27th Full Board meeting, they would return to the Board in September; and

WHEREAS: On July 22nd, 2021 the applicant spoke with neighbors and did not reach a consensus. The tenants requested for shorter hours and the principal responded that they will likely do a sound study and will install insulation if affordable. They also added that there will be no TVs, speakers and entertainment inside or outside of the premises; and

WHEREAS: In committee the applicant did not confirm that they would do sound attenuation and based the mitigation on if they deemed it inexpensive. At the Full Board meeting, the Board voted to say that is unacceptable and that sound mitigation must be done pending the sound study if it adversely affects the quality of life of the neighbors in the building and is not in the public interest; and

WHEREAS: The applicant also represented that they have a clean record of other establishments they own in the City, to which CB1 has inquired with the SLA to confirm and awaits their response; and

WHEREAS: The Committee is surprised to have been notified by the SLA that a 500-foot hearing has been scheduled for this application even though the applicant agreed to return in September; and

WHEREAS: The Board received email notification hours in advance of the Full Board meeting from the counsel that the applicant now accepts the amended 1AM closing hours for all days of the week adopted in the May 2021 resolution, and that if they have been good neighbors to the community they may return to the Community Board to alter their hours after six months from the date of commencing operations; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes the granting of an on-premise liquor license for Poseidon Hospitality LLC d/b/a Poseidon Restaurant at 124 Chambers Street, unless the applicant complies with the conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: WATERFRONT, PARKS & CULTURAL

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Duane Park Restoration Project

WHEREAS: Duane Park within Community District 1 is one of New York City’s oldest parks. It is located on Duane Street between Hudson and Greenwich Streets; and

WHEREAS: Over time, the park has been diminished through various iterations of redesign, both along the south side and at the western nose; and

WHEREAS: The Friends of Duane Park are working with Signe Neilson, Landscape Architect member of the Public Design Commission and the NYC Department of Parks and Recreation on a project to restore the park sidewalks. The project would restore the park to its historical footprint by replacing the sidewalk and westernmost tree that was shaved off in the 1940s-50s to accommodate egg/butter trucks; and

WHEREAS: The Friends of Duane Park have surveyed all of the buildings on the block regarding this project and have strong neighborhood support, as well as conceptual support from NYC Department of Parks and Recreation and NYC Department of Transportation. The restoration project is seeking financial support from the Friends of Duane Park and from elected officials; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 supports the Friends of Duane Park in its effort to restore the park’s historic footprint, restoring the sidewalk on the southern perimeter and the 10th tree on the park’s western nose. It is the preference of CB1 that this footprint be set aside explicitly for park use.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: WATERFRONT, PARKS & CULTURAL

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Cultural Museum of African Art (CMAA)

WHEREAS: The Cultural Museum of African Art, Inc. (CMAA), is the creation of Mr. Eric Edwards, who has spent the past fifty years amassing more than 3,000 African artifacts, from all 54 countries on the African continent, spanning more than 4,000 years of human history. It is considered by many to be the most significant collection of African artifacts in the world; and

WHEREAS: The Fund for the City of New York is CMAA's fiscal sponsor, and CMAA also has a 12 member Board of Directors that plays an advisory role; and

WHEREAS: The Bedford Stuyvesant Restoration Corporation (BSRC) in Brooklyn will be the temporary home of the CMAA, featuring a 220 artifact "Survival Exhibition" curated by Eric Edwards and Sanford Biggers. CMAA has enlisted the architect of the African Burial Ground, Rodney Leon, to design CMAA's exhibit space in BSRC. There is also an online immersive exhibition which opens in Fall 2021; and

WHEREAS: CMAA was just awarded \$1,000,000 by the New York State Assembly; and

WHEREAS: The BSRC will be undergoing major construction from 2024-2026, and CMAA is seeking a permanent home before construction at BSRC begins. CMAA is seeking to move into 22 Reade Street in Community District 1 as its permanent home; and

WHEREAS: 22 Reade Street is owned by the City of New York. It is within the African Burial Ground & The Commons Historic District, and sits atop hundreds of African remains; and

WHEREAS: CMAA hopes to permanently house the CMAA at 22 Reade Street as the anchor tenant. It rests atop a large section of the African Burial Ground whose memorial is located directly behind 22 Reade St. These two entities would be programmed adjacently inside of 22 Reade Street which would be reimaged by the famous Architect Rodney Leon, as a Cultural Education and Heritage Center to tell the complete story of Africans in America, with a selection of the works curated for temporary exhibition at Restoration Plaza in Brooklyn and a permanent home at 22 Reade St by 2023; and

WHEREAS: CMAA believes that housing as the anchor tenant in a Cultural Education and Heritage Center at 22 Reade Street along with the African Burial Ground and one or two other specifically curated entities of synergistic focus would begin to tell a complete story and bridge the history of Africans in America, as well as heal some of the historic wounds of omission of the vital contributions Africans have made in NYC, America, and the world. Giving the landmarked 22 Reade St (a building that has sat, unwanted, under-programmed, and under populated for years) status as a Cultural Education and Heritage Center around CMAA as its anchor tenant would add tremendous destination value to the downtown walking tours of NYC; and

WHEREAS: In April 2021, CB1 adopted a resolution supporting 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.; now

THEREFORE

BE IT

RESOLVED

THAT: While this plan is still evolving, and more information is needed before CB1 comments specifically on this proposal, CB1 believes it is a worthy idea worth pursuing and supports the plan in concept.