

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Lower Manhattan Coastal Resiliency: Battery Wharf

WHEREAS: A project design has been proposed by NYC Economic Development Corporation (EDC), NYC Department of Parks and Recreation (DPR), and Stantec for the Battery Wharf resiliency project, which fits into the broader Lower Manhattan Coastal Resiliency (LMCR) plan; and

WHEREAS: The project location is limited to the wharf itself, and the project team has expressed a focus on keeping the project limit as narrow and small as possible to minimize disturbances to the park amenities, historic structures, monuments and trees; and

WHEREAS: The wharf is in poor condition, and several areas of the wharf are closed to the public. The applicant plans to reconstruct the structure, and in doing so the wharf will be raised to a higher elevation to account for sea level rise over the next 80 years; and

WHEREAS: In consideration of sea level rise, this project is designing to the 90th percentile scenario, which projects over 6 ft. of sea level rise by 2100 (which aligns with the wharf's "serviceable life"); and

WHEREAS: If the wharf were to remain at its present day elevation, by 2050 there would be daily inundation in the boat slips that service Manhattan by Sail and Statue Cruises. By 2080, daily tidal inundation would reach a foot over the esplanade each day, and by 2100 daily tidal inundation would reach two and a half feet over the esplanade; and

WHEREAS: The proposed new wharf elevation would be 11 ft. in consideration of the 90th percentile for sea level rise, the height of waves generated by boats in the harbor, and a 1 foot safety margin. This would be about 5 ft. above the current wharf elevation; and

WHEREAS: Though the Battery and other LMCR projects have different design criteria, they connect to form an integrated set of resiliency projects; and the Battery's design elevation is 11 ft., constructed at the face of wharf along a new esplanade. The

other LMCR projects are focused more on coastal storm surge or the 100-year storm surge event, and thus set at a much higher elevation (reaching over 18 ft.); and

WHEREAS: Project design goals include:

1. Preparing for climate change (reconstructing and elevating the wharf to address its deteriorating condition while also taking into account future sea level rise, tying into adjacent resiliency projects, and improving drainage)
2. Supporting site uses (accommodating Statue of Liberty, Ellis Island, and Water Taxi vessels during and after construction, prioritizing universal design and maintaining sufficient seating)
3. Preserving and enhancing park character (maximizing visibility of water/edge, minimizing disturbance to physical structures, view corridors, and character of the park, conserving existing artworks, minimizing adverse impacts on historic structures and trees, reusing existing site materials, maximizing sustainability of design/construction, providing new planting and public amenities, and protecting the park's historic resources)

WHEREAS: The project will tie into Battery Park City Authority resiliency work at Pier A. BPCA is elevating along the street up to elevation at 11 ft., and EDC will be tying into that grade of 11 ft. through a berm that seals the site. There will be stepped seating up to the berm on Pier A plaza, and on the other side of the berm will be maintained with a seat wall. Circulation between the park and Pier A will happen through a series of ramps; and

WHEREAS: In the Castle Clinton area, as there was at-grade access between Castle Clinton and the National Parks security area, Castle Clinton will now be low compared to the Wharf and there will be ramps and sloping pathways. Steps that once stepped down to the wharf will be replaced with planted areas with trees to introduce shade onto the wharf; and

WHEREAS: The applicant proposes a Gardens of Remembrance enlargement plan including raising the gardens to an +11 ft elevation. The benches would sit at the high point, and the wharf would slope down towards the waterfront. Ramps would be incorporated for increased accessibility, and pathways would be widened with increased seating. The granite-backed bench that sits along the wharf frontage would be flipped to the back and incorporate new companion seating and arm rests. There is currently one slip at a +6 ft. elevation and the applicant proposes a new two-platform slip with flexibility to work with tidal fluctuation and sea level rise through the year 2100 and still provide accessible slopes to vessels. The applicant has prioritized the re-use of Gardens of Remembrance materials; and

WHEREAS: In the East Coast memorial area of the site, currently there are steps down from the East Coast memorial down to the wharf, and the applicant proposes steps up from the East Coast up to the wharf by reversing the set of stairs. The ramp will also be pulled closer and widened; and

WHEREAS: The applicant's planting approach is to keep the general feel and planting character, update the plant palette and balance flowers throughout the year; and

WHEREAS: The applicant may incorporate green infrastructure such as gardens and porous pavers as part of their drainage approach, and drainage protection measures include raising outfalls and putting tide gates on the outfalls; and

WHEREAS: The applicant is nearing the end of the 50% design milestone. The final design phase will take approximately 6-8 months and construction is expected to commence in winter 2022 or 2023; and

WHEREAS: The applicants will be undergoing review by the Public Design Commission (PDC) for this project, and this resolution will serve as Community Board 1's (CB1) comment on the design of this project; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 (CB1) offers the following questions and comments in response to the proposed design of the Battery Wharf resiliency project:

1. The north-west portion of the site is a well-traveled and used route, and access should be maintained there
2. The community needs a clearer understanding of the various elevations of protections on the peninsula of Lower Manhattan, how/why they were chosen and how they work together
3. National Parks Service (NPS) security fencing should be removed, or at the very least rethought
4. The NPS security tent should be removed and relocated, and the community should actively be involved in assessing other possible locations (including potentially the parking lot in the back of the nearby Coast Guard building)
4. When the design criteria for the Financial District/Seaport Climate Resiliency Master Plan is being developed, CB1 should be involved in the discussion of tradeoffs that will determine what the project elevation is
5. All Lower Manhattan Coastal Resiliency projects should be part of a larger, consistent regional plan

I COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 1 Fulton Street, application for alteration and method of operation change of liquor license for HHC Fulton Retail LLC d/b/a 10 Corso Cosmo

WHEREAS: The applicant is proposing to combine the former retail space with the currently licensed premises into one larger license premise. The altered premises will be comprised of a more casual dining room with additional seating and bars, as well as rentable lawns to play traditional lawn games; and

WHEREAS: The combined licensed space will no longer be known as 10 Corso Cosmo but rather as The Lawn Club, Snack Out and Bar Snack; and

WHEREAS: The applicant is also applying for a method of operation change to alter their current upscale Italian food menu to a more approachable comfort grab-and-go food menu; and

WHEREAS: The applicant will continue to operate under the previously agreed upon stipulations passed in May 2018 (see attached stipulations); and

WHEREAS: The maximum capacity is 600 persons and the operational capacity will be more or less around 200 persons; and

WHEREAS: The hours of operation remain the same and no other changes are being made to the method of operation; and

WHEREAS: The attorney represented that any form of music that would play would be indoors, and live music would play in the form of a local act or jazz band; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 opposes the granting of an alteration and method of operation change for HHC Fulton Retail LLC d/b/a The Lawn Club, Snack Out and Bar Snack at 1 Fulton Street, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 88 West Broadway, application for liquor license for HBM Tribeca LLC d/b/a  
Homemade by Miriam

WHEREAS: The applicant, HBM Tribeca LLC, is applying for an on-premise beer and wine  
license for Homemade by Miriam; and

WHEREAS: The establishment is a delicatessen; and

WHEREAS: The establishment has been operating for the last 13-14 months since July 2020;  
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: There are 3 residential units within the property, with approximately 3 residential  
buildings neighboring or across the street from the premises; and

WHEREAS: The establishment is a 1,000 square foot establishment with a public assembly  
capacity of 73 persons, and a 1,000 square foot dining area with 8 tables and 16  
seats, and a 700 square foot kitchen area, and one five-foot service bar located at  
the counter service portion of the restaurant; and

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

WHEREAS: The hours of operation and food service will be from 7AM opening to 9PM all  
days of the week, and the hours of bar service will be from 10AM opening to  
9PM 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 hours of operation; and

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

WHEREAS: The applicant has represented that the window used will be open for coffee service only and will close after brunch hours; and

WHEREAS: The applicant has an outdoor portion on the West Broadway side that will be used for outdoor seating and service, only when permitted via the city's Outdoor 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 HBM Tribeca LLC d/b/a Homemade by Miriam at 88 West Broadway unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 114 Franklin, application for liquor license for Casa Carmen LLC d/b/a TBD

WHEREAS: The applicant, Casa Carmen LLC, is applying for transfer of an on-premise liquor license from the previous establishment Tutto Il Giorno NYC LLC d/b/a Tutto Il Giorno; and

WHEREAS: The establishment will be a restaurant serving Latin 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 3 residential units within the property, with approximately 3 residential buildings neighboring or across the street from the premises; and

WHEREAS: The establishment is a 2,500 square foot establishment with a public assembly capacity of 140 persons, and an 810 square foot dining area with 19 tables and 74 seats, and a 671 square foot dining area with 3 tables and 6 seats, and a 990 square foot kitchen area, and one approximate 30-foot wrap-around bar located adjacent to the dining area; and

WHEREAS: The establishment will be located on the ground floor and basement of a 5-story mixed use building, and the ground floor will be used for the dining and bar area, and the basement will be used for staff and customer restrooms; and

WHEREAS: The hours of operation, food service and bar service will be from 10AM 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 two TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be made between 8AM and 11AM;  
and

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

WHEREAS: In response to a concern from a resident regarding quality of life issues including absence of garbage collection as well as loud music being heard and private parties that were held from the previous business, the applicant has represented that there will be no music played outdoors and that they will employ a private garbage collection company to properly collect trash and maintain cleanliness;  
and

WHEREAS: The applicant has represented that they intend to use outdoor space for roadway dining via the City's Open Restaurants program, and there will be 6 tables and 24 seats; 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 an on-premise liquor license from Tutto Il Giorno NYC LLC d/b/a Tutto Il Giorno to Casa Carmen LLC d/b/a TBD at 114 Franklin Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 135 Reade Street, application for liquor license for Tribeca Hospitality Group LLC d/b/a 135

WHEREAS: The applicant, Tribeca Hospitality Group LLC, is applying for an on-premise liquor license for 135; and

WHEREAS: The establishment will be an American 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 4 residential units within the property, with approximately 8 residential buildings neighboring or across the street from the premises; and

WHEREAS: The establishment is a 3,700 square foot establishment with a public assembly capacity of 74 persons, and a 720 square foot dining area with 20 tables and 50 seats, and a 260 square foot dining area with 18 seats, and a 300 square foot kitchen area, and one 30x6 foot elbow-shaped stand-up bar located on the left side by the restaurant's entrance; and

WHEREAS: The establishment will be located on the first floor and basement of a 5-story mixed use building, and the first floor will be used for the restaurant, and the basement will be used for storage; and

WHEREAS: The hours of operation, food service and bar service will be from 11AM opening to 2AM closing Monday through Saturday, and 11AM opening to 10PM closing on Sundays; 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 two TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be made between 8AM and 5PM Monday through Friday; and

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

WHEREAS: Windows will be open weather permitting 11AM to 10PM; and

WHEREAS: The applicant intends to apply for outdoor dining on the sidewalk cafe portion of the location via the City's Outdoor Restaurants program. They have represented that the outdoor dining will be on a relatively wide sidewalk, adjacent to a hatch that is located in front of the premises; and

WHEREAS: Members of the Committee voiced concerns on behalf of residents who were not present at the meeting about potential noise disturbances based on the poor track record the previous business had with neighbors, as well as potential nuisances from the use of the sidewalk space since Reade Street is a narrow residential block; and

WHEREAS: The counsel confirmed that as a new establishment, the management will ensure orderly operations in order to maintain a positive relationship with the community; and

WHEREAS: The Committee agreed to motion a vote on this application without the outdoor space use, in order for the applicant to present the requested floor plans indicating the proposed outdoor space with the seating at the September 29, 2021 Executive Committee meeting; and

WHEREAS: The applicant intends to employ 1 security personnel at the front of the establishment for ID and COVID-19 vaccine verification Thursday through Sunday, as well as to oversee crowd control and orderly business; and

WHEREAS: The applicant has not yet signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of an on-premise liquor license for Tribeca Hospitality Group LLC d/b/a 135 at 135 Reade Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 5 Beekman Street, application for liquor license for Dinex Beekman Street, LLC  
d/b/a TBD

WHEREAS: The applicant, Dinex Beekman Street, LLC, is applying for an on-premise liquor license for TBD; and

WHEREAS: The establishment will be a restaurant serving French 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 67 residential units within the property, with approximately 5 residential buildings neighboring or across the street from the premises; and

WHEREAS: The establishment is a 4,513 square foot establishment with a public assembly capacity of 168 persons, and a 2,514 square foot dining area with 28 tables and 105 seats, and a bar area that will be part of the dining room with 15 seats, and a 1,999 square foot kitchen area, and one rectangular bar to the front right of the restaurant measuring 16'5"x4'3"; and

WHEREAS: The establishment will be located on the first floor and cellar of a high rise 47-story building, and the first floor will be used for restaurant seating, bar area, restrooms, and kitchen, and the cellar will be used for the kitchen, office and storage; and

WHEREAS: The hours of operation, food service and bar service will be from 11AM opening to 11PM closing; Sunday through Thursday, and 11AM opening to 12AM closing Friday and 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: Delivery of supplies, goods and services will be made between 7AM and 5PM;  
and

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

WHEREAS: Windows will be closed; and

WHEREAS: The restaurant management and hostess will monitor the premises to ensure crowd control and safety, and protocols will be put in place with staff trained accordingly; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe or outdoor space use;  
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 Dinex Beekman Street, LLC d/b/a TBD at 5 Beekman Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 100 Church Street, application for liquor license for a private members' club for 100 Church Street Club, Inc. d/b/a TBD

WHEREAS: The applicant, 100 Church Street Club, Inc. is applying for an on-premise private members club liquor license for TBD; and

WHEREAS: The principals for the current establishment on the seventh floor at that same location d/b/a Nexus Club New York obtained space in the cellar portion of the premises in 2020; and

WHEREAS: The principals have turned that cellar space into the same concept as the upper floor where members of the club can play golf, and are now seeking to obtain a liquor license for this cellar portion of the club; and

WHEREAS: The establishment will have a putting platform with four hitting bases and some lounge areas; 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 no residential units within the property, with approximately 3 residential buildings neighboring or across the street from the premises; and

WHEREAS: The establishment is a 3,450 square foot establishment with a public assembly capacity of 50 persons, and a bar area with 3 tables and 6 seats, and one L-shaped stand-up bar area located in the basement; and

WHEREAS: The establishment will be located on the basement level of a 19-story commercial/office building; and

WHEREAS: The hours of operation will be from 9AM opening to 8PM closing all days of the week, and bar service hours will be from 12PM opening to 8PM closing all days of the week; and there will be no food service; 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 two TV monitors; and

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

WHEREAS: Windows will be closed; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe or outdoor space use; 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 a private members' club for 100 Church Street Club, Inc. d/b/a TBD at 100 Church Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 133 Greenwich Street, application for liquor license for 133 Greenwich LLC d/b/a TBD

WHEREAS: The applicant, 133 Greenwich LLC is applying for an on-premise liquor license for TBD; and

WHEREAS: The establishment will be a tavern within a hotel; and

WHEREAS: The applicant intends to open the tavern in March/April 2022; 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 hotel is 23 floors and houses 326 rooms, and approximately 2 residential buildings are neighboring or across the street from the property; and

WHEREAS: The establishment is a 6,109 square foot establishment with a public assembly capacity of 167 persons for the sixth floor, and a 1,787 square foot dining area with 24 tables for the indoor portion and 7 tables for the outdoor portion and 59 seats, and a bar area with the same square footage and seating as the dining area, and a 226 square foot kitchen area and one stand-up bar; and

WHEREAS: The establishment will be located on the sixth floor of a 23-story hotel, where the use of each floor is as follows: first floor will be used for the entrance/reception, Floors 2-5 will be used for guest rooms, Floor 6 will house the food and dining area as a lounge for breakfast and bar, Floors 7-28 will be used for guest rooms, Floors 29-30 will be used for plant/facility rooms, and the cellar will be used for staff, office, gym, and additional plant/facility rooms; and

WHEREAS: The 29th Floor will be used to store alcoholic beverages; and

WHEREAS: Floors 1-5 and 7-30 will have elevator and stair access; and

WHEREAS: The applicant intends to use the premises' terrace located on the sixth floor as part of the outdoor portion of the liquor license, with 7 tables and 16 seats; and

WHEREAS: The hours of operation for the hotel is 24 hours 7 days a week, and the hours of operation, food service and bar service for the indoor portion of the tavern will be from 10AM opening to 2AM closing Sunday through Wednesday, and 11AM opening to 2AM closing Thursday through Saturday, and hours of food service and bar service for the outdoor portion of the tavern will be 10PM closing all days of the week, and the hours of operational service for the tavern will be from 7AM to 7PM all days of the week except Sundays; 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 use of TV monitors to be determined; and

WHEREAS: Hours of delivery of supplies, goods and services will be determined as opening date approaches and the applicant can coordinate individual supplier availability on delivery schedules; and

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

WHEREAS: Windows will be closed; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe; 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 133 Greenwich LLC d/b/a TBD at 133 Greenwich Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	7 In Favor	2 Opposed	1 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 184 Duane Street, request for waiver of the SLA two (2) restroom rule for LM Cafe, LLC d/b/a Laughing Man Cafe

WHEREAS: The applicant who is the owner of the establishment attended the September 29, 2021 Executive Committee meeting as requested; and

WHEREAS: A member of the public vouched support of granting the waiver, reasoning that the owner has been operating their business smoothly and has maintained a positive relationship with the community; and

WHEREAS: The owner has confirmed that they will not be seeking roadbed seating or sidewalk seating as part of their establishment's beer and wine license; and

WHEREAS: The Committee agreed that the Board should review such requests for a waiver on a case-by-case basis, and that approval of granting a waiver of the SLA two (2) restroom rule for this establishment should not set a precedent for future applications moving forward; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 approves the granting of a waiver of the SLA two (2) bathroom rule for LM Cafe, LLC d/b/a Laughing Man Cafe at 184 Duane Street.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 399 Greenwich Street, application for renewal of liquor license for GST 399 Inc. d/b/a Greenwich Street Tavern

WHEREAS: The establishment's liquor license is set to expire on September 30, 2021; and

WHEREAS: A member of the Committee expressed concerns on behalf of a number of residents regarding the management's failure to adhere to the restaurant's method of operations; and

WHEREAS: Several instances have occurred where residents had to contact the restaurant owners and ask that they escort patrons standing along the street late into the night past operating hours, sound from speakers and live music would emanate through the windows that close at night, causing noise disturbances to the residences; and

WHEREAS: In response, the Committee requested that the owner attend the committee meeting to address the community's concerns and discuss possible new stipulations that would allow the establishment to operate more efficiently; and

WHEREAS: The Committee asked the owner to attend the September 29, 2021 Executive Committee meeting to continue the discussion; and

WHEREAS: The owner attended the Executive Committee meeting as requested and has agreed to abide by their original stipulations as well as the conditions set forth and adopted in their June 2015 resolution; and

WHEREAS: The owner has also agreed to adhere to the City's guidelines for outdoor street seating; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a renewal of liquor license for GST 399 Inc. d/b/a Greenwich Street Tavern unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	14 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	2 Abstained	0 Recused

RE: Open Restaurants Citywide Zoning Text Amendment

WHEREAS: During the COVID-19 pandemic, the permanent outdoor dining program outlined in the Zoning Resolution was suspended and replaced by the emergency Open Restaurants Program by Local Law 77 of 2020 and Mayoral Emergency Executive Orders 126 and 128; and

WHEREAS: Under this temporary program, over 10,000 restaurants applied to the New York City Department of Transportation (DOT) to use sidewalk or street space adjacent to their business location; and

WHEREAS: Locational criteria for sidewalk cafés are regulated by the Zoning Resolution, Article I, Chapter 4: Sidewalk Regulations. There are three types of sidewalk cafés under the existing program: enclosed cafés, unenclosed cafés, and small unenclosed cafés. The proposed zoning text amendment would remove all text related to sidewalk café regulations from the Zoning Resolution, including Article 1, Chapter 4; and

WHEREAS: DOT would administer a new proposed Open Restaurants program; and

WHEREAS: The City Council would have to review, hold hearings, and vote on the proposed DOT program which would move oversight from the Department of Consumer and Worker Protection (DCWP) to DOT, authorize road seating and codify design guidelines; and

WHEREAS: This application proposes to remove the current zoning sidewalk cafe regulations regarding placement, structure, and physical appearance of cafes; and

WHEREAS: Due to the unique nature of the district, Lower Manhattan has specific zoning to detail where different types of sidewalk cafes are, or are not, permitted. Removing the zoning text on outdoor dining could also remove protections for areas previously deemed unfit for outdoor dining; and

WHEREAS: CB1 is concerned over the removal of years of carefully crafted zoning regulations meant to guide the presence of outdoor dining, particularly in the

unique areas of Lower Manhattan that are increasingly mixed use/residential with streets and sidewalks that are more narrow than the typical grid-style streets in most of Manhattan; and

WHEREAS: The current zoning text prohibits outdoor eating or dining facilities in residential districts; and

WHEREAS: The proposed action may allow eating and drinking establishments to keep their doors open, leading to more noise on the street; and

WHEREAS: The proposed action would no longer require outdoor dining patrons to be seated; and

WHEREAS: There have been complaints regarding inadequate enforcement of sidewalk passage regulations, hours of operation, and noise; and

WHEREAS: With the highly dense and unique, mixed-use nature of Community District 1 (CD1), there are major concerns over whether and how the rules regulating these outdoor establishments will be enforced; and

WHEREAS: Given that the extension of Executive Order 126, the emergency Open Restaurants program, will last at least until 2022, members have questioned why this application is being rushed forward with urgency; and

WHEREAS: CB1 has raised questions on this program including but not limited to the new application process and CB's role in that process, potential conflicts between the proposed programs and street vendors, details of the liquor licensing procedures under this program, fee structures and siting criteria. These questions are left largely unanswered, with an overarching explanation by the agencies that program details will be determined later; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the Open Restaurants Citywide Zoning Text Amendment due to the following reasons, and urges that the plan does not move forward until these items are satisfied:

- There are far too many unanswered questions and a desire for greater detail not only on the zoning text amendment; but also, on future design regulations and review procedures including rationale for the timing of this proposed program
- Additionally, there are unanswered questions and concern as to the timing of this application and why Community Boards are being put in this position now, to review and comment on this major proposal before details of the plan have been decided

- CB1 has technical concerns and questions regarding issues such as: clearance and clear path requirements, obstructions, requirements for spaces to be level, driveway, and curb cuts, etc.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	10 In Favor	1 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	2 Abstained	0 Recused

RE: Disposition of Seaport Properties ULURP

WHEREAS: This is an application by the NYC Department of Small Business Services (SBS) for approval of a disposition of leasehold and easement interests with respect to various city-owned properties located within the South Street Seaport area (Block 73, p/o Lot 8, p/o Lot 10, and Lot 11; Block 74, p/o Lots 1, 20; Block 95, Lot 101; Block 96, Lot 1, and p/o Lots 5, 8, 12, 13; p/o Marginal Street; and the demapped portions of Fulton Street between South Street and Water Street, Front Street between John Street and Beekman Street, and Water Street between Fulton Street and Beekman Street) (collectively, the “Disposition Area”). The Disposition Area is subject to a lease agreement between the City and South Street Seaport Limited Partnership (SSSLP), which if renewal options are exercised expires on December 30, 2072. This application would allow the City to enter into an Amended and Restated Lease that will run through 2120; and

WHEREAS: The Disposition Action is a lease disposition by the City of New York, acting by and through the Commissioner of the Department of Small Business Services (SBS) pursuant to New York City Charter Section 1301.2.g. The Disposition Action would in effect extend the term of the existing lease for 48 years, through December 30, 2120; and

WHEREAS: The leasehold interests to SSSLP as a part of the Disposition Action (the “Leasehold Interests”) included interests in (1) the land and buildings located in Manhattan Block 96, Lot 1, and Block 73, Lot 10, and (2) certain space in buildings located in Manhattan Block 96, p/o Lots 5, 8 & 12 and Block 74, p/o Lot 1. The license and easement interests (“Licenses and Easements”) included: (1) the right, privilege, and license to use, for commercial purposes, the “Commercial Areas,” as authorized by Resolution of the Board of Estimate adopted at a meeting held on July 21, 1983; (2) easements, appurtenances and other rights and privileges, belonging or appertaining to the Disposition Area; (3) the non-exclusive easements, in common with others, for the benefit of SSSLP, SSSLP’s subtenants and their respective employees, agents, contractors, guests, customers and invitees: (a) on, over and across the surface of the portion of “Marginal street, wharf or place” located within the Disposition Area; (b) for access, ingress and egress to and from portions of the upper floors of buildings or

interior courtyards or other common areas and spaces situate on Blocks 74 and 96; (c) for pedestrian and vehicular access to and from the loading dock at the rear of No. 4 Fulton Street; (d) on, over and across the surface of the demapped streets for pedestrian access to and from the Disposition Area and abutting public streets; and (e) on, over and across areas of the Disposition Area for the purpose of performing SSSLP's maintenance obligations; and (4) the right to maintain existing encroachments over portions of the demapped streets; and

WHEREAS: The applicants have represented that the Disposition Action will continue to facilitate active uses within the Disposition Area and will allow SSSLP to make long-term investments in the Disposition Area. Active uses existing in the Disposition Area include retail, restaurant, entertainment, and office uses, including a multi-purpose rooftop space with areas for public access as well as concerts and other events in the Pier 17 Building; and

WHEREAS: During the CB1 Land Use, Zoning & Economic Development Committee meeting on September 13, 2021, the EDC presented that this application seeks authority to negotiate terms of a new 99-year Marketplace lease. Proposed lease modifications include: a new 99-year term expiring in 2120; additional rent reset in 2097 with 3% annual increases in between; swap retail space on Schermerhorn Block with Seaport Museum to occupy the prime corner location; the removal of the John Street lot Right of First Offer (ROFO). All HHC maintenance and security obligations will continue, and there is no change in permitted use or jurisdiction of the Former Streets. Proposed public benefits associated with this lease renewal include: HHC to construct or fund esplanade improvements north of its leasehold (estimated \$8.8M); HHC to perform Titanic Park improvements (estimated \$1M); and HHC continues to offer Fulton Stall Market free space in 133 Beekman through April 2031; and

WHEREAS: CB1 is troubled by the timing of this application, which comes directly after the contentious ULURP application for the 250 Water Street development. This application was certified in late July. As CB1 does not hold meetings in August, it left the Board with only one month to receive a presentation, hold a public hearing and vote on this critical application; and

WHEREAS: Further, the process itself is extremely problematic. The ULURP application does not capture the full details of the proposed lease changes, and the new lease itself will not be drafted until later in the process after the window for Community Board review and comment has closed. In consideration of this, EDC has agreed to return to CB1 to provide updates on the new lease before it is finalized; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 members have expressed that they do not sense the urgency for this application and maintain that the community should have been engaged earlier.

CB1 opposes this ULURP application for the Disposition of Seaport Properties, unless the following conditions are satisfied:

- 1) The public amenities/benefits should run for no less than the entire term of the lease
- 2) The terms for use of the Pier 17 rooftop should be amended to allow for greater public access, as originally envisioned
- 3) Additional active recreation space should be identified and built out (i.e. Brooklyn Banks)
- 4) EDC and HHC should finally fulfill the 10,000 square foot Fulton Stall Market as originally agreed
- 5) New Market Building site should be rebuilt into a community center, as requested by CB1 in prior resolutions
- 6) EDC should spend the money paid to it by HHC only on Seaport improvements, as opposed to putting this money into the general fund
- 7) The new lease should accommodate for future resiliency infrastructure, including that lease terms should be renegotiated following the completion of the FiDi/Seaport Climate Resiliency Master Plan, which will increase the value of property being leased by HHC
- 8) EDC should investigate rent increases larger than the 3% proposed
- 9) EDC should remove unused development rights from the lease
- 10) There should be a market reset on rent more frequently, potentially every 10 years
- 11) There should be a cost/benefit analysis for the consideration of public benefit now and in the future
- 12) Greening of open space under this lease should be prioritized (i.e. Former Streets and all open space)
- 13) The lease must accommodate access for all resiliency work
- 14) More maritime infrastructure should be incorporated for visiting ships and other potential active maritime uses
- 15) EDC should look more closely at the socioeconomic accessibility of the existing amenities within the Seaport leasehold
- 16) EDC and HHC should work together to ensure fair living wages and benefits for building service workers within the area of the lease

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: AUGUST 17, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	7 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 109 West Broadway, application for liquor license for 109 West Broadway  
Basement LLC d/b/a TBD

WHEREAS: The applicant, 109 West Broadway Basement LLC, is applying for an on-premise  
liquor license for TBD; and

WHEREAS: The establishment is an oyster bar and tavern; and

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

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

WHEREAS: The establishment is a 2,039 square foot restaurant with a public assembly  
capacity of 78 persons, and an approximately 690 square foot dining area with 12  
tables and 54 seats, and an approximately 188 square foot bar area with 9 seats,  
and a 402 square foot kitchen area, and one 8'10.5"x1'6" linear stand up bar in  
Dining Area 1 and a second 11'10"x2' linear stand-up bar located in Dining Area  
2, and no food counters; and

WHEREAS: The establishment will be located on the basement level of a 5-story mixed-use  
building that has 3 residential units within the property; and

WHEREAS: The hours of operation, food service and bar service will be from 10AM opening  
to 1AM Monday through Saturday, and 10AM opening to 12AM closing  
Sundays. The applicant agreed to come back to the Committee to apply for an  
extension of their Sunday hours until 1AM after six months from the date of  
commencing operations; 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 10AM and 2PM Mondays, Wednesdays and Fridays; and

WHEREAS: The applicant has represented that they will ensure proper garbage collection and disposal to prevent refuse from littering the streets and attracting rodents; and

WHEREAS: The applicant agreed to return to the Committee if and when they intend to apply for a sidewalk cafe permit; 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 109 West Broadway Basement LLC d/b/a TBD at 109 West Broadway, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: AUGUST 17, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

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

RE: 412 Greenwich Street, application for liquor license for Kuma Eats LLC d/b/a L'abeille

WHEREAS: The applicant, Kuma Eats LLC, is applying for an on-premise liquor license for L'abeille; and

WHEREAS: The establishment is a bar with banquette and non-fixed dining at the front of house serving French 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: The establishment is a 2,043 square foot restaurant with a public assembly capacity of 56 persons, and an approximately 687 square foot dining area with 14 tables and 40 seats, and an approximately 262 square foot bar area with 1 table and 2 seats at the table and 14 seats at the bar, and an approximately 267 square foot kitchen area, and one 25 foot rectangular stand-up bar located at the entrance of the establishment, and no food counters; and

WHEREAS: The establishment will be located on the ground floor of a 7-story mixed-use building that has 33 residential units within the property, and the ground floor will be used for the restaurant and kitchen; and

WHEREAS: The hours of operation and food service will be from 8AM opening to 11PM closing Sunday through Thursday, and 8AM opening to 12AM closing Friday and Saturday. Hours of bar service will be from 12PM opening to 11PM closing Sunday through Thursday, and 12PM opening to 12AM closing Friday and 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: Delivery of supplies, goods and services will be made between 8AM and 5PM Monday through Friday; and

WHEREAS: Windows will be open weather permitting 6PM - 11PM Sunday through Thursday, and 6PM - 12AM Friday and Saturday. Windows will not open before 10AM; and

WHEREAS: The applicant has represented that garbage pickup will be two to three times a week; and

WHEREAS: The applicant intends to apply for a sidewalk cafe permit and has agreed to return to the Licensing & Permits Committee; and

WHEREAS: The applicant plans to open their restaurant in February or March 2022; 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 Kuma Eats LLC d/b/a L'abeille at 412 Greenwich Street, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: WATERFRONT, PARKS & CULTURAL

COMMITTEE VOTE:	9 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	3 Opposed	0 Abstained	0 Recused

RE: City Hall Park Gas Lighting

WHEREAS: The gas lighting in City Hall Park is outdated, inefficient, and the City has been unable to keep up with maintenance on the lights enough for them to remain regularly operational; and

WHEREAS: Studies have shown that lighting accounts for nearly 5% of global CO2 emissions, public lighting can account for 20-40% of a municipality's electricity bill, and that LED lighting achieves energy savings of 50-70%+ compared to older technologies.<sup>1</sup> The gas lights are unable to be switched off during the day, forcing them to be burned all day and all night, thus producing unnecessary emissions and is not consistent with the City's push towards greater sustainability; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 requests that the NYC Department of Parks & Recreation (DPR) replace the City Hall Park gas lighting with LED historic lighting, consistent with other historic spaces in Lower Manhattan. The distinctive light poles and fixtures should be retained and converted to LED lighting, and DPR should work with the NYC Department of Transportation to select a hue of LED that mimics the color and aesthetics of gas lighting.

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<sup>1</sup> "LED." *Climate Group*, <https://www.theclimategroup.org/led>.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: SEPTEMBER 30, 2021

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: COVID-19 Vaccine Mandate for NYC Students Ages 12 & Above

WHEREAS: COVID-19 vaccines have been approved for children 12 years old and above; and

WHEREAS: COVID-19 vaccines are now required for indoor dining, gyms, and theaters in New York City for individuals age 12 and older; and

WHEREAS: Vaccinations protect students and their families, school staff and their families, and the larger community; and

WHEREAS: The Los Angeles School District and the Culver City, California School Districts are now requiring vaccines for students 12 and older; and

WHEREAS: New York City schools are requiring vaccines for all school staff; and

WHEREAS: New York City schools are requiring students participating in high risk sports, chorus, band, and musical theater to be vaccinated against COVID-19; and

WHEREAS: Five different vaccines are already required for all New York City students, including the measles vaccine; and

WHEREAS: Middle and high school students have been learning remotely for as long as 18 months; and

WHEREAS: The American Academy of Pediatrics reports that remote learning highlighted inequalities, exacerbated mental health issues, and was detrimental to the education of all students; and

WHEREAS: A study by McKinsey & Co. found that the pandemic has left students on average five months behind in mathematics and four months behind in reading; and

WHEREAS: The same study found that the pandemic widened preexisting opportunity and achievement gaps, hitting historically disadvantaged students hardest; and

WHEREAS: A failure to vaccinate all students 12 years old and above against COVID-19 will lead to cases of COVID-19, which will lead to classroom closures, which will lengthen the negative impacts on students; and

WHEREAS: As of September 19, 2021, there were already 445 classroom closures and 326 partial classroom closures in New York City schools due to cases of COVID-19; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 calls upon Chancellor Porter and Mayor de Blasio to mandate the COVID-19 vaccine for all New York City students age 12 and above.