

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 38 West Street, application for renewal of an unenclosed sidewalk café for Café Casano LLC d/b/a Café Casano

WHEREAS: The applicant, Café Casano LLC d/b/a Café Casano, is applying for a renewal of an unenclosed sidewalk café license at 38 West street; and

WHEREAS: The sidewalk café will have no more than 9 tables and 23 seats and will have a sidewalk clearance of greater than 8 feet; and

WHEREAS: There will be no alternate entrance to the sidewalk café with a different address than the business address; and

WHEREAS: The establishment is not located in a historic district or landmarked building or district; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the granting of an unenclosed sidewalk café license for Café Casano LLC d/b/a Café Casano located at 38 West Street subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 250 Vesey Street a.k.a. 4 World Financial Center courtyard, application for new on-premise seasonal beer and wine cart license for Casa Masa LLC d/b/a Casa Masa Taco

WHEREAS: The applicant, Casa Masa LLC d/b/a Casa Masa Taco, is applying for a new seasonal beer and wine cart license for beer and wine to be served at 250 Vesey Street/in the 4 World Financial Center courtyard; and

WHEREAS: The hours of operation are to be 11:00 AM to 7:00 PM on weekdays and weekends; and

WHEREAS: The cart will occupy approximately 100 square feet; and

WHEREAS: The applicant has represented that there are not buildings used primarily as schools, churches or synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more other establishments with on-premise liquor license within 500 feet of this location; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of an on-premise seasonal beer and wine cart license for Casa Masa LLC d/b/a Casa Masa Taco located at 250 Vesey Street a.k.a. 4 World Financial Center courtyard unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained	0 Recused

RE: At-grade crossings of West Street at Vesey Street and Liberty Street

WHEREAS: The pedestrian bridge at Vesey Street across West Street was always intended to be temporary; and

WHEREAS: The pedestrian bridge has remained in place longer than originally expected and the bridge suffers from chronic escalator and elevator shutdowns, which are an impediment to limited mobility access to the bridge; and

WHEREAS: Sufficient signage and notifications have not been utilized in the past to alert pedestrians that portions of the bridge are inaccessible; and

WHEREAS: When those with limited mobility are unable to use the bridge, they must travel significant distance to reach a place where it is possible to cross West Street; and

WHEREAS: The at-grade crossings at Vesey Street were originally taken away during work on Route 9A; and

WHEREAS: The City Department of Transportation has stated that the at-grade crossing at Vesey Street will not be restored until the bridge is removed following the opening of the East West Connector underground concourse in December 2012; and

WHEREAS: The Liberty Street at-grade crossing is also not expected to be returned until 2012 or later; and

WHEREAS: State Department of Transportation has stated that it has recommended the at-grade crossing at Vesey Street be reopened; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 strongly urges the City Department of Transportation to immediately reopen the northern at-grade crossing of West Street at Vesey Street; and

BE IT
FURTHER
RESOVLED

THAT: Community Board #1 strongly urges that the Liberty Street at-grade crossing reopening be expedited to occur sooner than 2012.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 317-319 Greenwich Street, application for painting of menu box, railing and platform and addition of gooseneck lighting

WHEREAS: The application is to paint black the existing raised concrete platform, railing and menu box, and

WHEREAS: The Committee was interested to know when the concrete raised platform was installed - but it was hard to see from the tax or designation photograph, and

WHEREAS: The five gooseneck lights painted black would be centered above each window bay of the restaurant, now

THEREFORE
BE IT
RESOLVED

THAT: CB#1 recommends the Landmark Preservation Commission approve the application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: LANDMARKS

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

BOARD VOTE: 34 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 1 White Street, application for storefront renovation and new windows and doors and re-pointing brick

WHEREAS: The application is to convert the first and second floors into a restaurant, and

WHEREAS: The two doors would be replaced with new matching wooden painted doors and door cases with a modest brass handrail on one, and

WHEREAS: The storefront would be made uniform on both the White Street and West Broadway facades, with an appropriate painted wooden base and clear glass, and

WHEREAS: There would be an unifying painted 6” wood cornice across the storefront, and

WHEREAS: There would be a deep brown colored awning above the windows and door case which comply with LPC awning regulations, and

WHEREAS: The only signage would be the name of the restaurant “1” and would be painted on the door and drop of the awnings and a 9” wide by 15” hanging sign at the corner of White Street and West Broadway, and

WHEREAS: There would be seven appropriate light fittings, and

WHEREAS: The lintels of the apartment building will be painted to match the storefront, and

WHEREAS: The Committee felt the design was tasteful and appropriate for this important corner location, now

THEREFORE
BE IT
RESOLVED

THAT: CB#1 recommends the Landmark Preservation Commission approve the application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 34 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 83 Chambers Street, application for window replacement, storefront renovation and awning

WHEREAS: The application arises from a violation notice served on the owner of Less store as well as to the residential side of this through block building, and

WHEREAS: The Chambers Street violations would be addressed by replacing the current signage with smaller pinned aluminum letters, removing the poorly fixed metal fascia housing a window air conditioner with a double hung wood and clear glass painted window, removing the translucent plastic from the transom and installing a smaller signage transom, and

WHEREAS: The violation of the storefront will not be addressed but the applicant felt it should be legalized as they considered the large full height glass storefront was similar to other stores on Chambers Street, and

WHEREAS: The Reade Street violations would be addressed by painting the existing hand rail, replacing the door with a wood and clear glass door and moving the intercom to the center of the door case, and

WHEREAS: The Committee noted these violations all date back to 1990 when the owner bought the building, and

WHEREAS: The Committee pointed out that LPC and CB#1 have worked hard to make the Historic District so that future rehabilitative re-use would allow the buildings in the district to be enhanced and improved under LPC and Community Board oversight, and

WHEREAS: The Committee was pleased to see work being done to address some of the violations, but was disappointed no work was being done on the most egregious storefront violation, and

WHEREAS: The Committee suggested the applicant think about changing the storefront to allow this violation to be removed, but the applicant felt it was better to ask CB#1 and LPC to remove the storefront violation without any improvements being made, now

THEREFORE
BE IT
RESOLVED

THAT: CB#1 recommends the Landmark Preservation Commission reject the request to remove the violations until all violations are appropriately addressed.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 34 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 186 Franklin, Street application for penthouse addition

WHEREAS: The application is to add a 660 square foot penthouse addition by removing mass at the rear of the building, and

WHEREAS: The penthouse would be set back 27' from the front of the building, and

WHEREAS: Access to the penthouse will be by a stair case within the apartment, and

WHEREAS: The materials are wood, zinc, clear glass and are of very high quality, and

WHEREAS: There would be limited visibility of about 3' of the zinc roof and top of a window from Hudson Street, and

WHEREAS: The terrace that is being made from the removed massing on the rear of the building is not visible, and

WHEREAS: The Committee commended the applicant for a sensitive design, now

THEREFORE
BE IT
RESOLVED

THAT: CB#1 recommends the Landmark Preservation Commission approve the application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: NEW BUSINESS

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Street Activity Permit application for Community Board #1 for Monday, May 30, 2011 (Memorial Day) on Lafayette Street between Canal Street and White Street.

WHEREAS: The applicant has applied for a street activity permit at Lafayette Street between Canal Street and White Street for Monday, May 30, 2011; and

WHEREAS: The Financial Committee had previously approved this event for Friday, May 13, 2011 on Maiden Lane between Water and South Street, but as a result of a temporary policy implemented by the Street Activities Permit Office, street fair events will not be approved on weekdays unless a weekday falls on a holiday;
now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by CB #1-M. Closure of street during the hours of 10 AM to 7 PM; event will take place during the hours of noon – 6 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: NEW BUSINESS

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Street Activity Permit application for Community Board #1 for Friday, September 16, 2011 on Warren Street between North End Avenue and West Street

WHEREAS: The applicant has applied for a street activity permit for a partial street closure at Warren Street between North End Avenue and West Street for Friday, September 16, 2011; and

WHEREAS: The hours of the event including setup are from 3:00 PM until 9:00 PM and the event will specifically take place between 5:00 PM and 8:00 PM; and

WHEREAS: This event, the Run for Knowledge, which is organized by the P.S. 89 and I.S. 89 PTA, has taken place in this neighborhood for over ten years; and

WHEREAS: The Street Activity Permit Office has stated that they are no longer granting weekday street activity permits for Lower Manhattan; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 does not oppose the street activity permit submitted by the Run for Knowledge for Friday, September 16, 2011 between the hours of 3:00 PM and 9:00 PM limited to Warren Street between North End Avenue and West Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEES OF ORIGIN: QUALITY OF LIFE COMMITTEE

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	22 In Favor	13 Opposed	1 Abstained	0 Recused

RE: Council Member Margaret Chin’s proposed legislation on the purchase of counterfeit goods

WHEREAS: Council Member Margaret Chin has proposed legislation to amend the administrative code of the City of New York in relation to the purchase of counterfeit goods; and

WHEREAS: The legislation would make it a misdemeanor and/or fine up to \$1000 for a person to purchase counterfeit trademarked goods; and

WHEREAS: The sale of counterfeit goods has been a serious issue over many years for the neighborhoods bordering Canal Street in that it has been accompanied by threatening behavior towards and the physical assault of local residents and police officers by vendors, a proliferation in other criminal activity in the area; and

WHEREAS: The sale of counterfeit goods has been a serious issue also impedes pedestrian traffic on sidewalks and in crosswalks, blocks building access and egress, and contributes to sanitation issues and other quality of life issues; and

WHEREAS: Counterfeit vending has been connected to organized crime including human trafficking, money laundering, and terrorist activities; and

WHEREAS: Counterfeit trade causes economic harm including loss of sales for legitimate businesses and an estimated loss of \$1 billion in municipal tax revenue; and

WHEREAS: Currently only the supply of counterfeit goods is illegal; criminalizing the purchase of counterfeit goods would be the first step to reducing demand; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 supports Council Member Chin’s legislative proposal to make it a misdemeanor and/or fine up to \$1000 to purchase counterfeit goods; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 urges the City Council to engage in a wide public education campaign should the legislation be passed.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Proposed closure of Engine 4 and Ladder 8

WHEREAS: On May 18, the Mayor announced that the City was closing 20 firehouses, including Engine 4 at 42 South Street and Ladder 8 at 14 N. Moore Street in Community Board 1; and

WHEREAS: Lower Manhattan is home to many high-profile, potential terrorist targets such as Police Plaza, the New York and American Stock Exchanges, the financial district, bridges, tunnels, subways and ships (in addition to the World Trade Center site); the South Street heliport, one of the city's two main heliports; and Governors Island, which has over 100,000 visitors every summer and fall; and

WHEREAS: Lower Manhattan is increasingly a "24/7" residential and business community (which includes many seniors) that has tripled in size following 9/11, and thus has many more EMS calls that involve critical health emergencies; and

WHEREAS: Engine Company 4 was one of the very first responders on 9/11 and was the first responder at the August 2008 Deutsche Bank fire; and

WHEREAS: Engine Company 4 has the only decontamination shower below 125th street in Manhattan and is the only unit among the 1st and 3rd divisions unit trained in "decon" response in case of a chemical or biological terrorist attack; and

WHEREAS: The population of Lower Manhattan has dramatically increased in the last ten years, only increasing the need for a South Street Seaport firehouse; and

WHEREAS: 5-7 million additional visitors a year are expected to the Lower Manhattan area with the opening of the 9/11 Memorial on September 11, 2011; and

WHEREAS: According to OSHA regulation, before a firefighter can enter a fire, there must to be two fire engines and one ladder at the scene; and

WHEREAS: The engine company, in addition to putting out a fire, is also involved in emergency response and typically arrives before an ambulance, and a 4-5 minute increase in response time due to the closure of firehouses could be the difference between life in death in a heart attack situation; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 strongly opposes any proposal to close or partially close Engine Company 4 or Ladder 8; and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 believes that closing the firehouses in Lower Manhattan would jeopardize the new school and dozens of landmarked buildings on Governors Island that are required to be protected under national and city historic district designation; and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 also believes that regardless of city budget constraints, the safety and protection of citizens must not be compromised.

COMMUNITY BOARD #1 – MANHATTAN
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DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street Activity Permit application for Friends of Duane Park

WHEREAS: The applicant has applied for a street activity permit at Duane Street between Staple and Hudson Streets date to be determined, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by The Friends of Duane Park. Closure of street during the hours of 5 PM to 10:00 PM; event will take place during the hours of 6 PM – 9 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street Activity Permit application for Friends of Duane Park on Saturday June 11, 2011

WHEREAS: The applicant has applied for a street activity permit on Saturday, June 11, 2011, at Duane Street between Staple and Hudson Streets, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by The Friends of Duane Park. Closure of street during the hours of 8 AM to 3:00 PM; event will take place during the hours of 10 AM – 1 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Plan to Convert 1st Precinct Stable into WTC Security Command Center

WHEREAS: Community Board 1 recognizes the importance of a 24/7 state of the art WTC security command center and is and has been a strong supporter of it being located in Community Board 1; and

WHEREAS: Community Board 1 appreciates Commissioner Kelly's recent commitment to present plans for security to the public in the upcoming months; and

WHEREAS: A May 3, 2011 article in the Wall Street Journal reported that the New York Police Department is considering plans to convert the 1st Precinct horse stables in Lower Manhattan into a new station house for WTC police command; and

WHEREAS: The mounted NYPD unit has operated out of the Troop A Barn next to the 1st Precinct station house for almost one hundred years; and

WHEREAS: Community members have expressed concerns about safety given that the building neighbors local schools and is situated over the number 1 train Franklin Street subway station; and

WHEREAS: The members of the community have expressed concerns that locating the WTC Security Command Center in a neighborhood with a significant residential population will unnecessarily increase risks of terrorist attacks for residents; and

WHEREAS: The local neighborhood has already faced a severe parking shortage and the addition of the WTC command would severely exacerbate the parking burden for local residents; and

WHEREAS: Residents are also concerned about street closures and traffic rerouting that are likely to accompany the regular and sensitive work inherent in WTC security; and

WHEREAS: The community has concerns that if the mounted unit is moved out of Lower Manhattan, it would be difficult for the mounted police to cover protests and crowds, which frequently assemble outside government buildings in the Civic Center downtown, as well as to monitor the projected influx of 5 to 7 million additional visitors with the opening of the 9/11 National Memorial; and

WHEREAS: It has been public knowledge for many years that the 9/11 Memorial was scheduled to open on the tenth anniversary of September 11, 2001; and

WHEREAS: It was incumbent upon the NYPD to plan properly and adequately in advance of the opening date of the 9/11 Memorial and World Trade Center site, yet the NYPD has told the community that the plans to displace the mounted unit are only a few weeks old; and

WHEREAS: In the event that the Varick Street stables are converted to temporary space for the WTC Command, NYPD has represented to Community Board 1 that it will refit the stables and return Troop A to that location once the WTC Command has permanent quarters; and

WHEREAS: NYPD has further represented to Community Board 1 that the current assignments for Troop A in Lower Manhattan will not change regardless of the stable location; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 strongly opposes the displacement of the NYPD stables from the 1st Precinct station house by the WTC police command and believes other location should be examined so that this critically important security center will be built; and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 strongly opposes any additional on-street parking in the vicinity of Precinct 1 should the stables be used for WTC police command.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 291 Broadway, request for Board of Standards and Appeals Section 73-36 Special Permit to allow the operation of a Physical Culture Establishment

WHEREAS: The applicant, The War, occupies a portion of the cellar level of a 19-story commercial building and intends to operate a Thai boxing gym that will serve the immediate vicinity; and

WHEREAS: The applicant has stated they will determine the feasibility of installing defibrillators; and

WHEREAS: The establishment will not have an adverse impact on the mixed commercial and residential character of the area; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 recommends that the Board of Standards and Appeals approve the request for a special permit for a physical culture establishment at 291 Broadway to be operated by The War.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 86-88 Franklin Street, request for Board of Standards and Appeals Section 73-36 Special Permit to allow the operation of a Physical Culture Establishment

WHEREAS: The applicant, Aqua Ancien Bath New York, occupies the sub-cellar, cellar and ground floor of a 6-story mixed residential and commercial building and intends to operate a spa will serve the Tribeca community; and

WHEREAS: The operator, Aqua Ancien Bath New York, is an experienced operator in Spain; and

WHEREAS: There do not appear to be any problems associated with spas operated by Aqua Ancien Bath; and

WHEREAS: The applicant has stated they will determine the feasibility of installing defibrillators; and

WHEREAS: Spas are needed to serve the rapidly growing population in Lower Manhattan; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 recommends that the Board of Standards and Appeals approve the request for a special permit for a physical culture establishment at 86-88 Franklin Street to be operated by Aqua Ancien Bath New York.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 103 Warren Street, request for Board of Standards and Appeals Section 73-36
Special Permit to allow the operation of a Physical Culture Establishment

WHEREAS: The applicant, SoulCycle, occupies the ground floor of a 32-story mixed
residential and commercial building and intends to operate a health club on the
ground floor and mezzanine that will serve the Tribeca community; and

WHEREAS: The health club will be operated by SoulCycle, which currently operates other
health clubs in the metropolitan area; and

WHEREAS: There do not appear to be any problems associated with the health clubs operated
by SoulCycle; and

WHEREAS: The applicant has stated they will determine the feasibility of installing
defibrillators; and

WHEREAS: Health clubs are needed to serve the rapidly growing population in Lower
Manhattan; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 recommends that the Board of Standards and Appeals
approve the request for a special permit for a physical culture establishment at
103 Warren Street to be operated by SoulCycle.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	0 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 6 Harrison Street, application for a new on-premise restaurant liquor license for Jung Sik Dang, Corp. d/b/a Jung Sik

WHEREAS: The applicant, Jung Sik Dang, Corp. d/b/a Jung Sik, is applying for an on-premise restaurant liquor license; and

WHEREAS: The hours of operation to which the applicant has agreed are 12:00PM until 12:00AM on weekdays and weekends; and

WHEREAS: The total area of the restaurant is 4,732 square feet with a public assembly capacity of 1,500, a dining area with 22 tables and 55 seats, and a bar area with 6 stools; and

WHEREAS: There will be low background music only; and

WHEREAS: New kitchen exhaust equipment will be installed; and

WHEREAS: The applicant will not employ outside promoters, security personnel, or independent DJs; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license or a cabaret license; and

WHEREAS: The applicant has represented that there are three or more other establishments with on-premise liquor license within 500 feet of this location; and

WHEREAS: The applicant has represented that there are not buildings used primarily as schools, churches or synagogues or other places of worship within 200 feet of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of an on-premise restaurant liquor license to Jung Sik Dang, Corp. d/b/a Jung Sik located at 6 Harrison Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 186 Franklin Street, application for a new on-premise restaurant liquor license for 186 KT, LLC d/b/a Kutsher's Tribeca

WHEREAS: The applicant, 186 KT, LLC d/b/a Kutsher's Tribeca, is applying for an on-premise restaurant liquor license; and

WHEREAS: The hours of operation to which the applicant has agreed are 7:00AM until 12:00AM on weekdays and 1:00AM on weekends; and

WHEREAS: The total area of the restaurant is 4,500 square feet with a public assembly capacity of 167, a dining area with 30 tables and 120 seats, and a bar area with 3 tables and 15 stools; and

WHEREAS: There will be background music using a small mp3 player and 10 bookshelf size 150 watt speakers; and

WHEREAS: The applicant will not employ outside promoters, security personnel, or independent DJs; and

WHEREAS: The applicant intends to apply for a sidewalk café license; and

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

WHEREAS: The applicant has represented that there are three or more other establishments with on-premise liquor license within 500 feet of this location; and

WHEREAS: The applicant has represented that there are not buildings used primarily as schools, churches or synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant may return in 6 months to the Tribeca Committee to discuss applying for an alteration to extend his hours of operation provided the Community Board has heard no issues from the community; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 *opposes* the granting of an on-premise restaurant liquor license to 186 KT, LLC d/b/a Kutsher's Tribeca located at 186 Franklin Street unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 34 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Department of Transportation’s WTC Memorial tour bus plan

WHEREAS: The National September 11 Memorial at the World Trade Center site will open to the public on September 12, 2011; and

WHEREAS: The 9/11 Memorial will be administering programs and policies that include a Timed Reservation System, a Group Reservation Call Center, and a Transportation Partners Program that will manage the number of visitors that arrive at the 9/11 Memorial by tour bus, and that will prioritize pass allocation to groups that use mass transit, park buses remotely and transfer to ferry or mass transit, or park buses in private, off-street facilities; and

WHEREAS: DOT believes that these programs and policies will increase the predictability of demand for on-street tour bus parking and reduce this demand by a significant margin; and

WHEREAS: Some groups, such as schoolchildren and the disabled, will always need nearby bus parking spaces; and

WHEREAS: DOT has projected that there will be a need for an additional 8-10 bus parking spaces in the vicinity of the 9/11 Memorial and Museum, and DOT intends to accommodate this parking in Lower Manhattan; and

WHEREAS: DOT hopes to better manage bus demand and to achieve the most efficient use of the limited number of available curbside bus parking spaces in Lower Manhattan by deploying metered bus parking throughout Lower Manhattan; and

WHEREAS: DOT proposes to begin charging for all bus parking using commercial muni-meters, which can be programmed with graduated rate schedules so that prices increase for longer stays; rate schedules could be designed to discourage extended layovers, but not be so expensive as to encourage avoidance, which could move buses seeking parking into unauthorized locations in residential neighborhoods; and

WHEREAS: Tour buses will not be allowed to park at any location other than at designated bus parking spaces, which will be subject to payment of a commercial muni-meter; and

WHEREAS: Idling by buses is not allowed including at a commercial muni-meter; and

WHEREAS: The two major sources of air pollution generated in NYC are vehicle traffic and buildings burning high sulfur heating oil, according to the New York City Community Air Survey (NYCCAS), a comprehensive survey of street level air quality (April 13,2011); and

WHEREAS: At a stakeholder meeting convened by Speaker Sheldon Silver on tour buses, it was agreed that the proceeds of the muni-meters should be used directly for tour bus traffic enforcement; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 supports the deployment of a metered bus parking pilot program to manage demand for on-street parking spaces with the proceeds of the meters going towards bus traffic enforcement in Lower Manhattan.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 34 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Disqualification of Individuals on Terrorist Watch List for WTC Health Care

WHEREAS: Buried within the 9/11 Health and Compensation Act, H.R. 847-29, Sec. 3321 (<http://www.cdc.gov/niosh/docket/archive/pdfs/NIOSH-226/0226-010510-act.pdf>) is the following clause:

“(4) DISQUALIFICATION OF INDIVIDUALS ON
TERRORIST

WATCH LIST.—No individual who is on the terrorist watch list maintained by the Department of Homeland Security shall qualify as a screening-eligible WTC survivor or a certified-eligible WTC survivor. Before determining any individual to be a screening-eligible WTC survivor under paragraph (1) or certifying any individual as a certified eligible WTC survivor under paragraph (2), the administrator, in consultation with the Secretary of Homeland Security, shall determine whether the individual is on such list;” and

WHEREAS: The U.S. Department of Homeland Security (DHS) website (http://www.dhs.gov/files/programs/gc_1169699418061.shtm) states the following regarding the Government Watch List:

“**How do I know if I am on a Government Watchlist?**

The U.S. government does not reveal whether a particular person is on or not on a watchlist. If the government revealed this information, terrorist organizations would be able to circumvent the watchlist's purpose by determining in advance which of their members were likely to be questioned or detained....

Many people erroneously believe that they are experiencing a screening delay because they are on a watchlist. In fact, such delays are often caused merely by a name similarity to another person who is on the watchlist. Ninety-nine percent of individuals who apply for redress are not on the terrorist watchlist, but are misidentified as people who are.

DHS TRIP can help resolve inconveniences resulting from name similarities by providing a Redress Control Number that allows systems to prevent such misidentifications from recurring; and

WHEREAS: As described above, there are known instances of misidentification yet there is no mechanism for people to find out if they are on the Terrorist Watch List or to get themselves removed if they are wrongfully placed on the list; and

WHEREAS: There is no other health care program in the United States that is contingent on applicants not being on a classified national security list over which they have no knowledge or control but for which they carry the burden of proof; and

WHEREAS: Community Board 1 (CB1) is concerned that a strict interpretation of the law would create a barrier to obtaining health care at World Trade Center Environmental Health Centers especially for children and require precious limited health care resources to execute; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 supports an interpretation of the 9/11 Health and Compensation Act reflecting the spirit that brought people together to recover and to rebuild Lower Manhattan and strongly opposes any interpretation that creates barriers to the delivery of health care to those who were affected by the September 11, 2001 terrorist attacks.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Opposition to the NYS Department of Health changes to intervention services for infants and toddlers with disabilities and Governor Cuomo's deep cuts to a wide range of health and human services in his first budge.

WHEREAS: Research and data prove that early intervention therapy works to improve cognitive and physical functioning of children; and

WHEREAS: The budget for NYS Early Intervention is only 1.24% of the entire New York State budget; and

WHEREAS: The NYS Department of Health is currently operating under reimbursement rates for providers set in 1993; and

WHEREAS: On 4/1/2010, early intervention providers in New York State received at least a 10% reduction in their reimbursement rate; those providers who contract from agencies received greater than 10% and up to 20% of a decrease to their rate reimbursement; and

WHEREAS: On 5/1/2011, Early intervention providers in New York State received at least a 5% additional reduction in their reimbursement rate; and

WHEREAS: New York State Department of Health will also reduce the Wage Equalization Factors and Rate Transportation Factors for all early intervention therapists performing services in New York City; and

WHEREAS: These cuts will make it ever more difficult for early intervention therapists to fulfill their mission of providing the highest quality services anywhere for people with IDD and their families; and

WHEREAS: The Journal of American Medical Association has stated that every \$1.00 spent on early intervention therapy saves taxpayers \$7.10 in increased costs; and

WHEREAS: State Assembly Member David Weprin and State Senator Tony Avella have sponsored legislative Bills that would “prohibit the Department of Health from reducing reimbursement rates of the early intervention program below those rates in effect on March 1, 2010” in order “to prevent the NYS Department of Health from reducing the

reimbursement rates for providers who provide services under the Early Intervention Program;” and

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 strongly opposes Governor Cuomo’s deep cuts to a wide range of health and human services and the NYS Department of Health changes to intervention services for infants and toddlers with disabilities; and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 strongly supports and advocates to:

- a. Ensure that the children of NYS Early Intervention are prioritized,
- b. Ensure that the children of NYS Early Intervention receive not only, individualized services but frequency and duration of services that are meaningful in relation to their delay or disability,
- c. Improve communications amongst the stakeholders of New York State Early Intervention,
- d. Improve transparency of the Bureau of Early Intervention statewide,
- e. Enable support amongst family and caregivers,
- f. Continue to foster meaningful relationships among Early Intervention providers and our elected officials, and
- g. Preserve and protect NYS Early Intervention so that it is maintained as the Premier State in NYS Early Intervention; and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 strongly supports the Weprin Bill A00705 and the Avella Bill S4219 that call for a reversal of the New York State Early Intervention cuts.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: DOE Failure to Apply for Federal Reimbursements for School-based Medicaid Claimable Services

WHEREAS: According to data from the Independent Budget Office and reports in the New York Post, New York City “has failed to collect nearly \$600 million in federal reimbursement for special-education [Individual Educational Plan (IEP)-mandated-related] services such as speech, physical [and occupational] therapy and counseling over the last six years” (April 25, 2011); and

WHEREAS: Student services cost the city approximately \$1.2 billion in 2010; and

WHEREAS: These millions of dollars of reimbursements would enable New York City to avert educational budget cuts and proposed teacher layoffs; and

WHEREAS: According to the Independent Budget Office, in 2003, the city received \$120 million in federal Medicaid reimbursements for special education services and just \$8.5 million last fiscal year; and

WHEREAS: Most other school districts in New York State continued to claim these federal reimbursements during this period, for both school age and preschool services; and

WHEREAS: NYC Department of Education has not been able to develop systems to capture and archive documentation needed to support these claims for reimbursement according to the standards of CMS and OMIG, which audit claims; and

WHEREAS: The burden of the failure to apply for Federal reimbursements legislated by Congress to provide financial relief to school districts that carry these excessive costs is ultimately carried by New York City taxpayers; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 strongly condemns the failure of New York City Department of Education to keep proper records and to apply for these Federal reimbursements and demands that these issues be addressed for the future.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MAY 24, 2011

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

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

RE: Education budget cuts

WHEREAS: Community Board 1 passed a resolution at its April 26, 2011 meeting strongly objecting to the state and city budget proposals to drastically reduce capital and expense education budgets and layoff thousands of teachers; and

WHEREAS: According to the budget proposal released by Mayor Bloomberg on May 6, 2011, the city will have to eliminate 6,000 teaching positions (or approximately 8% of the teaching force), including through the layoff of 4,000 teachers; and

WHEREAS: According to Leonie Haimson of Class Size Matters, if the proposed cuts are accepted, class sizes will be the largest they have been in over 30 to 40 years; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 strongly objects to the drastic New York City budget cuts to education spending that have been proposed and urges our City Council to take measures necessary to avert education cuts.