

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: JANUARY 24, 2017

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 39 In Favor 0 Opposed 0 Abstained 1 Recused

RE: 121 Chambers Street aka 103 Reade Street, application for approval of reconstruction of two street storefront infill, removal of Reade Street fire escape, and a non-visible roof addition

WHEREAS: This application calls for the exchange of a 74/711 request with restrictive declarations in exchange for extra bulk with the addition of two new stories in the Tribeca South Historic District, and

WHEREAS: The 74/711 would require an especially meticulous and particular restoration of both façades, and a guarantee of continuous future maintenance, and

WHEREAS: The restoration elements proposed are admirable, and

WHEREAS: The windows would be replaced with true divided panes throughout, and the storefronts would be redone to a high standard, and

WHEREAS: Despite two presentations before the Landmarks Committee of Community Board 1, Manhattan, the roof addition was represented as "non-visible" when, in fact, it is highly visible from West Broadway looking east, and it rises 16 feet, and

WHEREAS: This large visible addition is described as "all glass," completely out of context with the surrounding historic district, and

WHEREAS: Very experienced members of the committee, as well as residents, could not get a full description of the addition, leading to significant and persistent miscommunication, now

THEREFORE
BE IT
RESOLVED

THAT: CB1 recommends that the Landmarks Preservation Commission reject this application.

COMMUNITY BOARD #1 – MANHATTAN
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DATE: JANUARY 24, 2017

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	2 Abstained	1 Recused

RE: Street Vending Modernization Act

WHEREAS: The Street Vending Modernization Act (“the legislation”) has been introduced at the New York City Council where it is supported by Council Member Margaret Chin who represents Community District 1, and Council Member Chin’s staff members appeared at two meetings of Community Board 1(CB1) to present the legislation and answer questions about it; and

WHEREAS: CB1 appreciates the presentations by Council Member Chin’s office and the participation in our discussions by the Street Vendors Project which represents street vendors and sent representatives to our meetings to express their support for the legislation and provide their perspective; and

WHEREAS: The legislation proposes the following changes among many others:

- Doubles the number of food vendor permits over a period of seven years
- Creates a new dedicated vendor law enforcement unit to make sure vending rules and regulations are followed
- Establishes a street vendor advisory panel to monitor enforcement and new permit rollouts and make recommendations regarding vendor laws and rules; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 cannot at this time support the legislation as we believe it is unclear how it would be implemented and enforced; and

BE IT

FURTHER

RESOLVED

THAT: CB1 has the following concerns regarding the legislation and we reserve the right to add additional concerns and clarify these in future resolutions:

- The legislation would not stop the existing “black market” for street vending permits
- The legislation does not address the need to eliminate from the waiting list for street vending permits people who are ineligible to possess the permits or those who already have a permit
- It is not sufficiently clear how enforcement would be carried out or with what resources
- There should be a mechanism in the legislation for specific streets to be restricted and an opportunity for communities to provide input regarding streets that should be restricted to vendors
- There should be meaningful representation for communities on the Community Advisory Board created by the legislation and public access to the meetings
- There should be screening of vendors for communicable diseases by the NYC Department of Health before permits and licenses are issued
- There should be monitoring of carts for impact on air quality.

COMMUNITY BOARD #1 –MANHATTAN
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DATE: JANUARY 24, 2017

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 141 Fulton Street, application for a restaurant wine, beer & cider license for 141 Fulton Express Inc. d/b/a Pronto Pizza

WHEREAS: The applicant, 141 Fulton Express Inc. d/b/a Pronto Pizza, is applying for a restaurant wine, beer & cider license; and

WHEREAS: The bar service hours will be 11:00AM – 10:00PM all week; and

WHEREAS: The establishment will be 1,924 square feet including a dining area of 700 square feet with 15 tables and 50 chairs; a bar area of 350 square feet with 12 tables and 30 chairs; and a kitchen area of 300 square feet; and

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

WHEREAS: The applicant has represented that there are no buildings used exclusively 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; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a restaurant wine, beer & cider license to 141 Fulton Express Inc. d/b/a Pronto Pizza unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN
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DATE: JANUARY 24, 2017

COMMITTEE OF ORIGIN: TRIBECA

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

BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 59 Reade Street, application for renewal of sidewalk cafe for 59 Mact Corp. d/b/a Maxwell's

WHEREAS: The applicant, 59 Mact Corp. d/b/a Maxwell's, has applied for a renewal of a sidewalk cafe license for 59 Reade Street; and

WHEREAS: In its resolution of July, 2014 opposing the alteration of a liquor license to permit service of liquor at a sidewalk café, Community Board 1 stated that “despite numerous requests and reminders to the applicant’s attorney, the applicant did not return a signed and notarized stipulations sheet with the terms agreed upon at the committee meeting where this application was discussed”; and

WHEREAS: The applicant and attorney for the applicant attended the Tribeca Committee meeting on January 11, 2017 and expressed willingness to sign stipulations complying with the Tribeca Committee guidelines for liquor license and sidewalk cafe applicants prior to the CB1 meeting on January 24, 2017; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 does not object to the renewal of the sidewalk cafe license for Maxwell's.

COMMUNITY BOARD #1 –MANHATTAN
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DATE: JANUARY 24, 2017

COMMITTEE OF ORIGIN: TRIBECA

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

BOARD VOTE: TABLED

RE: Department of Transportation Street Seats application for space in front of Laughing Man Coffee, 184 Duane Street

WHEREAS: The owner of Laughing Man Coffee (“the Applicant”) has applied to the Department of Transportation (“DOT”) Street Seats Program for renewal of approval for an installation (“the Installation”) in the parking lane in front of that business at 84 Duane Street to be used for movable public seating; and

WHEREAS: Community Board 1 approved the renewal of the Installation in January 2016 and the Applicant returned to the CB1 Tribeca Committee (“the Committee”) meeting on January 11, 2017 (“the Meeting”) to request renewal for the spring/summer of 2017; and

WHEREAS: The Applicant has requested a renewal of the Installation that would be significantly larger than in the past so that it would now be a total of 42’ in length, an increase by 14’ of the prior 28’ Installation; and

WHEREAS: The Committee was not aware of the proposed extension prior to the Meeting, and therefore did not list the extension on the agenda, and strongly believes it is important for neighbors of the Laughing Man, including residents and businesses, to have an opportunity to comment on the proposed extension before it is installed; and

WHEREAS: The Applicant therefore agreed to the Committee’s request that he post a notice in the window at the location of the proposed Installation listing the email address for Community Board 1 and informing neighbors about the proposal and that they can send written comments to CB1 by January 24, 2017, the date of the upcoming CB1 meeting; and

WHEREAS: CB1 will work with DOT and the Applicant to try to resolve any reasonable complaints or concerns that it receives prior to January 24, 2017; and

WHEREAS: CB1 asked the Applicant to submit written notice in future years that he is applying to DOT to renew the Installation and to include in such notice if he is seeking any significant change to the Installation; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 does not object to the renewal of the Installation, including the proposed extension, on the condition that it does not receive reasonable objections that cannot be resolved prior to its meeting on January 24, 2017; and

BE IT
FURTHER
RESOLVED
THAT:

CB1 will list applications to renew the Installation in the future along with other renewal applications including those for sidewalk cafes and liquor licenses, so the public will have notice of them and an opportunity to comment and so the Committee can discuss a renewal application if there are any complaints.

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COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 1 Recused

RE: 24 Leonard Street

WHEREAS: Charles Dunn, the developer of 24 Leonard Street (“the Project”), a building that has been undergoing construction for the past two years, appeared at the Tribeca Committee meeting on January 11, 2017 (“the Meeting”), to request support for his request for after-hours variances to allow work on weekends; and

WHEREAS: Mr. Dunn stated that in order to complete construction of 24 Leonard Street, it will be necessary for the Project to use a crane which would require the closing of Leonard Street, and that the NYC Department of Transportation (“DOT”) has told him that the street can only be closed on weekends due to the volume of vehicular traffic during weekdays and because DOT has concerns about use of a large crane during weekdays when there is more pedestrian traffic; and

WHEREAS: Several residents of Worth Street appeared and stated that the back of buildings on Worth Street are in close proximity to 24 Leonard Street, and that the noise from the construction of the Project has been very disturbing and disruptive to them; and

WHEREAS: The residents of Worth Street who attended the Meeting also described the severe impacts to them of other construction activity on their block, including the New York City Department of Design and Construction (“DDC”) Worth Street Reconstruction Project, which has been underway in recent months and has included weekend work, and the tragic, fatal accident involving a crane being used at 60 Hudson Street, a nearby telecommunications facility, which collapsed in February, 2016; and

WHEREAS: The residents stated that Leonard Street is already effectively partially closed due to a construction shed taking up half of a very narrow street, and actually closed down completely for hours whenever there is a construction delivery, and that therefore they did not see why the Project could not operate a crane during one of those weekdays rather than seek to close the street on weekends, the only days when they have a break from loud construction noise from the DDC project; and

WHEREAS: Mr. Dunn offered to discuss with the Worth Street residents whether there are steps that can be taken to mitigate the impact of the Project so that it would be less noisy and disruptive to neighbors, including placement of decibel meters to ensure that work does not exceed certain reasonable limits; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 requests that DOT grant permission to the Project to close Leonard Street on weekdays to operate a crane so that it does not have to seek after-hours variances for weekends, the only time when neighbors have a break from other constant, loud construction noise; and

BE IT

FURTHER

RESOLVED

THAT: CB1 appreciated that Mr. Dunn attended the Meeting and encourages him to continue to meet with neighbors to seek ways to mitigate the impacts from the Project and offers to host the meetings and participate in the discussions in any way that would be helpful.

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COMMITTEE OF ORIGIN: TRIBECA

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

BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Warren Street Reconstruction Project

WHEREAS: The New York City Department of Design and Construction (DDC) appeared before Community Board 1 (CB1) on January 11, 2017 to present the Warren Street Reconstruction Project (“the Project”) to the Tribeca Committee (“the Committee”), and

WHEREAS: CB1 learned from notices posted in some buildings on Warren Street that the Project will begin in February of 2017, on Warren Street from West Street to Broadway, although we were never officially notified that a contractor had been chosen through an RFP process, that a basic work schedule had been finalized, or that work was soon to begin, despite our many clear requests over the last few years during discussions with DDC regarding the Worth Street project that we wanted to be consulted early on regarding significant infrastructure work affecting the community; and

WHEREAS: The work will include installation of new water mains and renovation of the combined sewage system, along with the removal of and replacement of roadway, sidewalks and curbs in several areas along the construction route; and

WHEREAS: All key decisions regarding the project had already been made by the time of the presentation to CB1 on January 11, 2017 and we were told by the DDC representatives that it was too late in the process as per DDC ‘Policies and Procedures’ to make any changes to the work schedule; and

WHEREAS: CB1 fully understands that we live in a major city and that these infrastructure reconstruction projects and repairs are necessary; and

WHEREAS: In this case and in the Tribeca committee’s long experience over many years, there appears to be a consensus in the community that neighbors would prefer a construction project not to work nights and weekends, even if that means the work may take longer to complete; and

WHEREAS: The community has many concerns regarding how this construction project, along with several other nearby construction sites, including Worth Street which is also undergoing a multi-year reconstruction project, will affect the quality of life of the residents and businesses in the neighborhood; and

WHEREAS: The community board and the surrounding neighborhood must be notified prior to issuance of an RFP so residents and businesses can have *significant* input into the work schedule and type of construction, to ensure that impacts to neighbors are kept as minimal as reasonably possible; and

WHEREAS: This would require the City and DDC to modify DDC 'Policy and Procedures' so that community boards are provided with an opportunity for input before an RFP is issued, even if the start date for work on the project is several years off; and

WHEREAS: We also pointed out that a major complaint of residents once the previous water main projects actually began was the noise from the sudden appearance late and overnight of Con Ed work crews, and

WHEREAS: DDC claimed that Con Ed was not part of their project and that they had no control over Con Ed work; and

WHEREAS: Con Ed in a letter to CB1 during the Chambers Street project wrote that their work ... "is generally requested by and scheduled through the DDC project management. The DDC asks us to come and install electric cable, gas main etc. when their project is ready and we respond as soon as we can"; and

WHEREAS: During the Chambers Street project DOT accepted the concept that to alleviate the sleepless nights and other burdens on residents it would sometimes direct day-time street closings to allow for Con Ed work; now

THEREFORE
BE

RESOLVED

THAT: Once a project begins, DDC provide more timely community notice of any project-associated night-time work, including that of Con Ed and any other utilities; and

BE IT
FURTHER
RESOLVED

THAT: DOT seek and consult with the community for opportunities to use day-time street closures to alleviate the burdens on residents; and

BE IT
FURTHER
RESOLVED

THAT: The New York City Department of Design and Construction revise its 'Policy and Procedures' so that DDC is required to notify and seek input from the local community board before an RFP is issued; and

BE IT
FURTHER
RESOLVED

THAT: CB1 calls on lower Manhattan elected officials, the New York City Council, and the Mayor's office to take needed steps to ensure that the NYC Department of Design and Construction revises its 'Policy and Procedures' to require early community input and notification prior to an RFP as stated above.