

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: DECEMBER 21, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	1 Opposed	2 Abstained	0 Recused

RE: Pier 15 South Street, application for alteration of liquor license for P15 LLC d/b/a Coness Cafe and Watermark Bar & Lounge, expanding their seating, and adding a bar in the currently licensed outdoor space and converting the indoor bar to a service bar

WHEREAS: The applicant, P15 LLC at Pier 15 South Street, is applying for an alteration of the on-premise Liquor, Wine, Beer and Cider License for their restaurant establishment; 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; and

WHEREAS: The establishment is a full service restaurant with a total, indoor & outdoor space of 7,000 square feet, and there will be a customer capacity increase from 64 people to 361 people, and establishment will have 84 tables and 1 outdoor bar; and

WHEREAS: The applicant is requesting, in accordance with previous resolution, the hours of operation from 9:00AM - 2:00AM Monday to Sunday; and

WHEREAS: The applicant has represented that the outdoor space is currently licensed; and

WHEREAS: The applicant has represented that there will be no more than **two** buyouts per year and buyouts will not exceed seated capacity; and

WHEREAS: The applicant has represented that because of community concerns with noise levels on the water they will closely monitor DJ and recorded **background** music from 8 speakers which will be located both indoors and outdoors, and no TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, events nor scheduled performances; and

WHEREAS: The applicant has agreed to engage their own security personnel, in addition to the EDC provided security; and

WHEREAS: The applicant indicated that patrons will have access to the South Street public bathrooms from within the establishment during their operating hours from 9AM to 2AM, and they have agreed to upkeep. In addition, patrons and the public will have free access to the bathrooms on the pier; and

WHEREAS: The applicant has represented that they will implement sound mitigation to counteract any excess sound bouncing off the water and affecting mariners by ensuring their speakers are facing inland away from the water and having the volume at an appropriate level; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

WHEREAS: The establishment is considered a “large venue” and will operate under guidelines for an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their alteration of on-premise liquor license for P15 LLC. at Pier 15 South Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: DECEMBER 21, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 253 Church Street, new application and temporary retail permit for a full service liquor license for TK Tribeca LLC, dba Tara Kitchen

WHEREAS: The applicant, TK Tribeca LLC at 253 Church Street is applying for a restaurant on-premise Liquor, Wine, Beer and Cider 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; and

WHEREAS: The establishment is a full service restaurant with a total of 1718 square feet, there will be a public capacity of 48 people with 15 tables and 3 bars; and

WHEREAS: The hours of operation will be 11:00AM - 9:00PM Sunday to Thursday, and 11:00AM - 10:00PM Friday and Saturdays; and

WHEREAS: The applicant has represented that there **will** be recorded background music from six wall mounted 70v speakers, and there will be no subwoofers nor TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, events or scheduled performances; and

WHEREAS: The applicant has agreed to close the windows; and

WHEREAS: The applicant has represented that they will not engage in, outside promoters, independent DJs or have security personnel; and

WHEREAS: The applicant has indicated that they intend to apply for an outdoor sidewalk cafe license in Spring 2023 under the new upcoming DOT program; and

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

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 opposes the granting of their new application and temporary retail permit for on-premise liquor license for TK Tribeca LLC at 253 Church Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: DECEMBER 21, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 222 West Broadway aka 6 Varick Street, application for a new application and temporary retail permit for on premise liquor license for Stafili Tribeca Inc., dba Stafili Wine Cafe

WHEREAS: The applicant, Stafili Tribeca Inc. at 222 West Broadway aka 6 Varick Street, is applying for a new and temporary permit for on-premise Liquor, Wine, Beer and Cider 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; and

WHEREAS: The establishment is a bar/tavern with a total of 2315 square feet, there will be a customer capacity of approx. 63 people; and

WHEREAS: The hours of operation will be 11:00AM - 10:00PM Sunday to Thursday, and 11:00 AM - 01:00 AM Friday and Saturdays; and

WHEREAS: The applicant has represented that there **will** be live and recorded background music using an Apple phone, small speakers with no bass, Spotify playlist and there will be no TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, events or scheduled performances; and

WHEREAS: The applicant has represented that they will not engage in, outside promoters, independent DJs or have security personnel; and

WHEREAS: The applicant has indicated that they do **not** intend to apply for a sidewalk cafe license in the future; and

WHEREAS: The applicant has agreed to close the windows; and

WHEREAS: It has been represented by the co-op board of the building that the previous tenant, of the establishment, Terra Wine Bar, violated the restrictions of their lease and installed a water cooled refrigeration system that intentionally bypassed their submeter, resulting in an extremely high water bill for the building as well as potential plumbing issues; and

WHEREAS: Also a violation of their lease Terra Wine Bar installed a full illegal kitchen in the basement, which was only meant to be used as storage. In addition, their cooking equipment was being fueled by propane tanks and there was no fire suppression system installed, even though this is a wooden building. Ventilation of the space was achieved by a punctured hole into the building foundation which led to the NYC sewer; and

WHEREAS: Another lease/building violation includes the building out of the vaults under the sidewalk as refrigeration spaces and a space meant only for storage converted into a party space; and

WHEREAS: The co-op board has represented that they have no preconceived prejudices against the new tenants of the space, Stafili Tribeca Inc., however, they would like to highlight that the space that the existing conditions of the space are still not compliant with code as per Department of Buildings and has so far caused the building a considerable expense; and

WHEREAS: The co-op board requests that the community board place the approval of Stafili Tribeca Inc. license to be subject to tenant and landlord maintaining any alterations to properly comply with DOB and supplying their plans for the space to the board for review; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 requires that appropriate action is taken by the landlord to resolve the DOB violations that were brought forth by the co-op board, before a new liquor license is issued for this space; and

BE IT

FURTHER

RESOLVED

THAT: CB1 will attach a copy of the current building violations along with the resolution submission to the SLA; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 requires the applicant to supply CB1 and the co-op board with a copy of their plans for the space; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 opposes the granting of their new application and temporary retail permit for Stafili Tribeca Inc. on-premise liquor license at 222 West Broadway aka 6 Varick Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: DECEMBER 21, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 109 West Broadway- Basement, application for a method of operation change on a liquor license for 109 West Broadway- Basement LLC, dba Holywater

WHEREAS: The applicant, 109 West Broadway- Basement LLC at 109 West Broadway- Basement, is applying for a method of operation change for an on-premise Liquor, Wine, Beer and Cider License, to extend hours of operation and add 3 screen monitors; 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; and

WHEREAS: The establishment is a full service Oyster Bar and Tavern with a total of 2039 square feet, there will be a public capacity of 78 people with 12 tables and 2 stand up bars; and

WHEREAS: The applicant is requesting, because they are located in the basement, the hours of operation to be extended 10:00AM - 2:00AM Monday to Sundays; and

WHEREAS: The applicant has represented that there **will** be recorded background music from 12 Sonos One wireless speakers, 55 watts each, in the corner of every room 88 inches above the floor, 3 TVs used only as an audio visual aid for special events and **no** live music; and

WHEREAS: The applicant has represented that there are no sound issues throughout the building from their establishment, above their establishment on the first floor is a coffee shop that closes at 4:00PM, which they currently have a business relationship with and operate jointly at another location and on the second floor is a daycare that is also open until approx. 4:00PM; and

WHEREAS: The applicant has agreed that there will be no dancing, or scheduled performances; and



WHEREAS: The applicant has represented that there are 3 bathrooms total; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

WHEREAS: The applicant has agreed to close the windows; and

WHEREAS: The establishment is considered a “large venue” and will operate under guidelines for an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their method of operation change for on-premise liquor license of 109 West Broadway- Basement LLC. at 109 West Broadway- Basement, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: DECEMBER 21, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 30 Broad Street, application for a class change on a liquor license for Serafina To Go 30 Broad LLC, dba Serafina to Go

WHEREAS: The applicant, Serafina To Go 30 Broad LLC at 30 Broad Street, is applying for a class change for on-premise Liquor, Wine, Beer and Cider 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; and

WHEREAS: The establishment is a Bar/Tavern with a total of 2138 square feet, there will be a public capacity of 30 people with 14 tables; and

WHEREAS: The hours of operation will be 11:00AM - 10:00PM Sunday to Thursday, and 11:00AM - 11:00PM Friday and Saturdays; and

WHEREAS: The applicant has represented that there **will** be recorded background music from an ipod system and small speakers on the ground floor and counter area and no TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, events or scheduled performances; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

WHEREAS: The applicant has agreed to close the windows; and

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

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT  
FURTHER  
RESOLVED

THAT: CB1 opposes the granting of a class change for on-premise liquor license for Serafina To Go 30 Broad LLC. at 30 Broad Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: DECEMBER 21, 2022

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Manhattan Community Board 1 Comment on the Draft Scope of Work for the North West Battery Park City Resiliency Project

WHEREAS: On October 19th, the Battery Park City Authority (BPCA) released its Draft Scope of Work to Prepare an Environmental Impact Statement for the North/West Battery Park City Resiliency Project; and

WHEREAS: The scope of work ultimately defines what must be studied and analyzed for the forthcoming environmental review process, which culminates in an Environmental Impact Statement as required by state and municipal law; and

WHEREAS: This environmental review process comes on the heels of the recently completed South Battery Park City Resiliency Project environmental review; and

WHEREAS: At Manhattan Community Board 1's (CB 1) request, the BPCA recently extended the public comment period to December 31st; and

WHEREAS: The BPCA and a team of consultant professionals attended the Battery Park City Committee meeting on December 7th, 2022 to walk the board members and public through illustrative design examples meant to evoke a discussion for the purposes of this resolution; and

WHEREAS: CB 1's Battery Park City Committee took this opportunity to record reactions to the presentation to formulate an official comment to submit to the BPCA during the current comment period; and

WHEREAS: In addition to comments about potential impacts for study, the meeting also included a hearty discussion of design principles, which CB 1 and the BPCA noted for future discussion; and

WHEREAS: One particular design question was whether wave action and flooding attenuation measure could reduce the Design Flood Elevation (DFE) of the flood barrier, resulting in a more modest flood barrier height; and

WHEREAS: Another question centered around preventing the need to rebuild a children's playground in Reach 3 if the flood barrier were instead moved between the play area in question and River Terrace; and

WHEREAS: Their design for Reach 4 - Belvedere Plaza that was previewed depicted a water feature replacing what is known as the Lily Pond or Duck Pond, which evoked a significant negative response from much of the committee and community members present; and

WHEREAS: There were a large number of attendees who opposed moving the ferry pier northwards; and

WHEREAS: Much of Battery Park City sits on a platform over the waters of the Hudson River, and the rationale as well as the implications of establishing a sub-surface flood wall to protect infrastructure that is between West Street and the pier line is not intuitive to the general public, especially considering that the elimination of below-pier habitat for sensitive organisms might be accommodated with new habitat alternatives in the final design; and

WHEREAS: It was also duly noted that the wetlands intervention that was installed at Pier 26 in Hudson River Park was not performing as well as was hoped; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 values the current design and use of the Lily Pond/Duck Pond in Reach 4 - Belvedere Plaza, and believes that this important community amenity can be preserved in the final design of the resiliency project; and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board 1 urges the Port Authority of New York and New Jersey, the BPCA and Brookfield Properties to come to an agreement to move the ferry terminal south during construction, which appears to be the preferred temporary location for Battery Park City residents; and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board 1 asks the BPCA to consider the design options to potentially reduce the DFE through attenuation measure and to move the flood wall to the east of the existing playground in Reach 3, Rockefeller Park, to prevent the need to take it offline for the duration of floodwall construction; and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board 1 will submit the following comment to the Battery Park City Authority with the understanding that it will give it serious consideration and expand the draft scope of work accordingly:

**South Battery Park City Resiliency**  
**Comment on Draft Environmental Impact Statement (DEIS)**

We write today to communicate Manhattan Community Board 1's (CB1) comments on the North/West Battery Park City Resiliency (NWBPCR) Draft Scope of Work. This document is the result of CB 1's Battery Park City Committee's solicitation of public feedback for this document, the subsequent review of its contents by the CB 1 Environmental Protection Committee and certification of its contents by a vote of the full board. These comments represent granular, on the ground perspective from community members and contain important local knowledge that we urge the Battery Park City Authority to absorb these requests into their final scope of work.

**Purpose and Need**

According to the Battery Park City Authority's Draft Scope of Work to Prepare a Draft Environmental Impact Statement:

The NWBPCR Project is being designed to provide flood risk reduction for the proposed protected area for 2050s 100-year storm events, inclusive of rainfall, coastal surge, and predicted sea level rise. It is one of three resiliency projects having been undertaken by BPCA to address flood risk reduction within the 92-acre Battery Park City property. The other two projects are the Battery Park City Ball Fields and Community Center Resiliency Project and the SBPCR Project. The proposed flood barrier system is also being designed to provide protection against 100-year storm events inclusive of the 90th percentile projection for sea level rise for the 2050s, with adaptability for future conditions considered as well.<sup>1</sup>

The Draft Scoping Document has eight objectives:

- 1) focus the DEIS on the potentially significant adverse environmental impacts;
- 2) identify the relevant environmental impacts;
- 3) eliminate irrelevant impacts or issues;
- 4) identify the extent and quality of information needed;
- 5) list available sources of information;
- 6) specify methods or models to be used to generate new information;
- 7) identify the range of reasonable alternatives to be discussed; and,
- 8) specify possible measures for mitigation of potential impacts.

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<sup>1</sup> "Draft Scope of Work to Prepare a Draft Environmental Impact Statement", October 19, 2022 by the Battery Park City Authority. "[https://bpca.ny.gov/wp-content/uploads/2022/10/NWBPCR Draft-Scoping-Document\\_10-19.pdf](https://bpca.ny.gov/wp-content/uploads/2022/10/NWBPCR Draft-Scoping-Document_10-19.pdf)"

For analysis purposes the Project Area has been organized into seven reaches, which are, from north to south (see **Figure 10**):

- Reach 1 – Route 9A (West Street) Crossing/Tribeca;
- Reach 2 – North Esplanade;
- Reach 3 – Rockefeller Park;
- Reach 4 – Belvedere Plaza;
- Reach 5 – North Cove;
- Reach 6 – South Esplanade; and
- Reach 7 – South Cove

### **Areas of Concern Identified by Manhattan Community Board 1**

The comments collected by CB 1 apply to both the quality of life implications during the project's construction period as well as the altered physical environment at the culmination of the project as organized by SEQR and the 2021 *City Environmental Quality Review (CEQR) Technical Manual* guidelines employed by the Battery Park City Authority in their report. Our response will be divided amongst the seven geographic "reaches" as well as a general category where concerns cover the entire project area and adjacent areas.

### **General - Post Construction Transportation**

Expand the transportation study element of the EIS to specifically cover the following:

- Impact on passenger ferries and potential last-mile freight deliveries to the existing ferry pier: If final design contemplates permanently moving the passenger ferry pier from its current location, then the impacts of affected passenger circulation, travel times, and the potential loss of use as a node for receiving last-mile parcel deliveries must be considered.
- Impact on evacuation when deployable water barriers are placed into service: The current illustrative design depicts the use of deployable barriers through various rights-of-way including Route 9A as well as active transportation paths like the West Side Greenway. These deployables could restrict access for emergency services or similarly restrict efforts to evacuate from the area by land-based or waterborne means.
- Circulation impacts within Battery Park City along the esplanade, including all modes of transportation that currently use the esplanade for recreational, fitness, or commercial purposes.
- Impacts along bikeway, including bottlenecks or hazards for cyclists and pedestrians traversing stored deployables in wet or freezing conditions.



## **General - Post Construction Urban Design and Visual Resources/Neighborhood Character**

The study must include impacts on use of public space both inside and outside the project area:

- Areas within the study area that may be impacted as a place of impromptu or organized gathering include Rockefeller Park, Esplanade Plaza, the Hudson River Esplanade itself, Belvedere Plaza, the areas around North Cove (including plazas by Brookfield), and the South Cove area. A potential impact the study may include, but is not limited to, the number of people the public space can support when taking into account new or modified circulation pathways and trip generators.
- Changes in character of use of public areas and how design changes to the area could impact those current uses. For example, Esplanade plaza is a known public square, changes to common uses based on changes in surface material selection in new design, and changes in size and nature of open spaces.
- Impacts on use of public spaces outside Battery Park City, such as Hudson River Park, Washington Market Park, local bikeways, walkways and sidewalks.
- Impacts on the quality of life for owners and users of private property. One example would be the impact on ground level restaurants where employees and patrons currently enjoy water views and/or outdoor seating.

## **General - Post Construction Natural Resources/Neighborhood Character**

The study must include the impacts of nature on neighborhood resources as well as natural resources:

- Allowing land on the seaward side of the flood barrier system to flood and thus be subject to storm surge and wave action in the event of a significant storm.
- Floodwater tolerance of existing mature trees within the areas designed for inundation during a significant storm.

## **General - Construction-related Impacts**

The study must include construction impacts pertaining to existing issues that will be exacerbated by the mobilization of heavy equipment, the movement of fill and debris, the temporary closures of rights-of-way and public spaces, and the huge influx of workers:

- Truck trips related to the movement of building materials and demolished debris will create public safety issues, make impacts on sound and air quality, and disrupt established traffic patterns for commuters and commercial deliveries.

- Workers for the project will largely need to commute into Battery Park City and the impacts from their transportation choices must be studied.
- Noise from the ferry pier will create new quality of life impacts for the residents of the nearby buildings if it is shifted north or south from its current location.
- Circulation patterns from both the ferry commuters and those using what is left of the waterfront open spaces will be in conflict if the ferry pier is shifted north or south from its current location.
- Open Space will obviously be drastically reduced within the study area and the loss of community events and activations need to be studied.
- Subsurface infrastructure and utilities may be impacted with possible cutoffs of telecommunications, electricity, steam, gas service, or water main service should major construction encounter inference from documented or undocumented utilities.

### **Reach 1 - Route 9A (West Street) Crossing/Tribeca**

The following areas may be categorized as post-construction concerns:

- Potential conversion of vehicular travel lane to protected bike lane.
- Pooling of water that is trapped after the floodwaters recede.

### **Reach 2 - North Esplanade**

The following area may be categorized as a construction-related concern:

- The disruption of local school and learning programs, particularly Stuyvesant High School and P.S. 89.

The following areas may be categorized as construction-related and post-construction concerns:

- Impact of work on the availability and use of off-shore boat moorings.
- Impacts of Reach 2 work on boating facilities and other water uses immediately north of Battery Park City and in the North Cove Marina in Reach 5.

### **Reach 3 - Rockefeller Park**

The following areas may be categorized as post-construction concerns:

- How will active recreation facilities fare after flooding and what would be necessary in terms of time, staff hours, and budget impact to return these areas to their normal state after a significant storm.
- The regrading of swales and the impact on active recreation in the park.
- The efficacy of wave attenuation features at the water's edge.

The following areas may be categorized as a construction-related concern:

- Loss of the children's playground during certain phases of the project work.

#### **Reach 4 - Belvedere Plaza**

The following areas may be categorized as a post-construction concern:

- The maintenance of open green space within this reach in the final design.

The following areas may be categorized as a construction-related concern:

- The impacts on pedestrian circulation and passive recreation on the esplanade if the ferry terminal is moved northwards or southwards from the current location with regards to noise, traffic, vibration, air quality.

The following areas may be categorized as a construction-related and post-construction concern:

- The persistence of the Duck Pond/ Lily Pond as a habitat for local waterfowl and passive recreation by the public.

#### **Reach 5 - North Cove**

The following areas may be categorized as post-construction concerns:

- Impacts of the flood wall on known bottlenecks/pinch points for pedestrian and bicycle circulation on the esplanade.
- The light, sound, and circulation impacts of the plaza being reconfigured to be an event space.
- Visibility impacts of passive resiliency measures on Pump house park and seating areas

The following areas may be categorized as a construction-related and a post-construction concern:

- Disruption impacts on the sailing club and whether any new dock configurations would preclude the offering of this service to the community.

### **Reach 6 - South Esplanade**

The following areas may be categorized as a post-construction concern:

- The impact on storm surge countermeasures on residential views and view corridors.

The following areas may be categorized as a construction-related and a post-construction concern:

- The potential for floodwalls or deployable measures to block air intake ducts or ventilation for buildings.

### **Reach 7 - South Cove**

There are no additional specific impacts identified for this reach beyond the applicable topics identified as general categories of concern.

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The CB 1 Environmental Protection Committee Developed the following language as an amendment to the above BPC resolution that is to be voted on at the Dec 21, 2022 CB 1 Monthly Meeting. The aim of the committee is to ensure that the resolution is comprehensive and reflects the perspective of EPC, as was requested by the Board Chair. The EPC Committee asks that the Full Board review and consider this language for tonight:

### **CB1 urges that the following critical items be added to the DEIS Scope for the NWBPC Plan review:**

- The DEIS should include detailed alignment-based designs with complete, legible and accurate 3D representation of all alternatives, including the No Action Alternative.
- The DEIS should include a cost benefit analysis for each reach and each alternative.
- The DEIS should include an in-depth review of the existing condition and decision making used in the original design of the resiliency features and urban design in the BPC's 7 reaches. This review should include input from the original designers (architects, landscape architects and engineers) responsible for each reach of the original BPC plans.

- The DEIS scope should demonstrate how the BPCNW alternatives are integrated and coordinated with all City, State and Federal resiliency plans affecting the lower west side of Manhattan from Canal Street to the Battery.
- The DEIS scope should include an in depth review of all proposed alternatives for resiliency features on the lower west side of Manhattan with all city, state and federal entities having jurisdiction over the west side of lower Manhattan including, BPCA, Hudson River Park Trust, USACE and City and State DOT. Specifically, the Mayor's Office of Environmental and Climate Justice has promised to provide a meeting where all entities will discuss the possible alternative resiliency plans for the median along route 9A, introduced during the Rebuild by Design planning in 2013.
- The DEIS scope should include an assessment of the greenhouse gas emissions of both the proposed demolition and construction proposed for each reach. The CB does not agree with the Scope's current assessment that the GHG emissions "is likely to be... insignificant."
- The DEIS scope should confirm that the proposed alternatives meet with the City's commitment to reducing greenhouse gas emissions as set forth in Executive Order No. 23, Clean Construction (9/22/22)
- The DEIS scope should confirm BPC and City sewer system and related storm water storage and processing has sufficient capacity for each alternative.
- The DEIS scope should confirm that the proposed alternatives will fully meet the resiliency principles set forth by the City in the City Neighborhood Coastal Flood Protection Guidelines.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: DECEMBER 21, 2022

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	1 Abstained	1 Recused

RE: Trust for Governors Island Preview of Finalist Proposals for the Climate Solutions Center

WHEREAS: On October 26, 2022 and November 14, 2022, the Trust for Governors Island gave public access to descriptions and illustrative renderings of the “three finalist proposals that are under consideration as part of the city’s global competition to create a new, state-of-the-art educational and research institution on Governors Island dedicated to researching, developing, and demonstrating equitable urban climate solutions”<sup>1</sup>; and

WHEREAS: This meeting was prompted by requests from CB 1 and the Lower Manhattan community to better understand the RFP process and get an idea of what shape the responses were taking; and

WHEREAS: The preview events were unprecedented as the Trust for Governors Island created visibility within the city procurement process; and

WHEREAS: As with any proposal, there are features that CB 1 members found exciting as well as generating concerns; and

WHEREAS: The Executive Committee of CB 1 focused on the proposed research focus areas, educational curriculum and activities, and campus design; and

WHEREAS: In 2020, CB 1 stated the following in a resolution about redevelopment of the island “CB1 strongly believes that the selected proposal for **development of a Climate Center on Governors Island** must meet the restrictions, conditions and covenants as contained in the GI Deed from 2003 to: *‘ensure the protection and preservation of the natural, cultural and historic qualities of Governors Island, guarantee public access to this magnificent island, promote the quality of public education, and enhance the ability of the public to enjoy Governors Island and the*

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<sup>1</sup> “Mayor Adams, Trust For Governors Island Unveil Finalist Proposals For Climate Solutions Center” Press release web page, accessed on December 20, 2022. <https://www.nyc.gov/office-of-the-mayor/news/781-22/mayor-adams-trust-governors-island-finalist-proposals-climate-solutions-center#/0>

*surrounding waterways, thereby increasing the quality of life in the surrounding community, the City, the State and the United States.”*; and

WHEREAS: CB1 and The Trust share the goal to bring research and educational opportunities to the island, which would manifest in more people on the island throughout the year, provided that such activities do not translate into long residential stays; and

WHEREAS: Hotels and dormitories have their uses within an academic setting, but given the sensitive nature of the island, such facilities should not be built with the financial purpose to allow for extended stays; and

WHEREAS: Despite the permissiveness of the new special purpose zoning districts on Governors Island, many members of CB 1 feel strongly against building heights that are in excess of the existing historic building typologies on the island; and

WHEREAS: CB1 has a general preference for adaptive reuse to be favored with the redevelopment strategy; and

WHEREAS: The following general Land Use and Open Space Principles are valued by CB 1:

- Proposal that reuses as many of existing Island structures as possible with a minimal addition to carbon footprint through demolition and construction.
- Proposal which keeps the North island designated Historic district fundamentally intact.
- Proposal that supports the Public Benefit Use as stated in the 2022 resolution:  
*“Open Space, in addition to a large public park, including a publicly accessible esplanade around the perimeter of Governors Island and publicly accessible active and passive land and water based recreation facilities;”*
- Proposal that aligns w/ CB’s stated goals where use groups are not exploitative in the open area.
- Proposal that most sensitively uses the Open space subarea as indicated in GIT deed as Public Open Space and proposal that uses the least of the Open space Subarea.
- Proposal that assures *no buildings are built out to the southern edge of parcel E-4 so that it is left open for public use and does not encroach on Picnic Point.*

- Proposal with the most open space which does not include in the calculations the open space associated with the enlarged Yankee Pier Plaza and addition of roadways for circulation.
- Proposal which assures the maximum access to water and water related public recreation use and maritime opportunities and which adhere strictly to Waterfront Revitalization Programs, Waterfront Alliance Maritime Activation Plan and WEDG.
- Proposal where public spaces including streets are open to the public at all hours.
- Proposal which ensures safety during simultaneous use of multiple modes of movement (vehicular, cyclist and pedestrian) on the Esplanade.
- Proposal assuring that Buttermilk Channel will not be compromised for transportation use.

WHEREAS: The following general Environment and Sustainability Principles are valued by CB 1:

- Proposal which *ensures use of self powered off grid or near off grid environmental sustainability or near sustainability w/in 3 years of inception.*
- Proposal that has least carbon impacts in demolition and construction.
- Proposal which places the highest value on adaptive re-use rather than demolition of existing structures and infrastructure.
- Proposal that best takes into consideration and makes clear how the USACE HATS and City's LMCR plans will impact the project including w/ regard to ferry use.
- Proposal that best addresses the public's concern that large-scale development is neither climate friendly nor resilient.
- Proposal that has the most open green public space (in addition to existing parks) and green infrastructure.



- Proposal that ensures that anything that expands the coastline beyond the current footprint would only be used for the furtherance of climate change or resiliency research that benefits New York City.
- Proposal which indicates that Climate Center can only succeed by being on Governors Island, taking full advantage of the Island's location demonstrating that the Center is inextricably linked to this location.
- Proposal that shows a commitment to stop global warming and prioritizes fewer greenhouse gas emissions and utilizing renewable energy.
- Proposal that considers the impact of new built environment on terrestrial and waterborne wildlife in terms of habitat disruption from shading, intensity of use, and carbon footprint.

WHEREAS: The following general Density, FAR, Bulk, Height, and Parking Principle is valued by CB 1:

- Proposal which has *village type modest urban density in mass and height much as seen today* with building heights capped on the Island at 125 feet, the height of Liggett Hall.

WHEREAS: The following general Financial Principles are valued by CB 1:

- Proposal with the most favorable financing scheme, assuring city, state, and federal funding as well as private funding.
- Trust encouraged to provide detailed pro forma and financial modeling for each proposal.
- Proposal which indicates how the Climate Center and landscaping will be maintained and paid for in the future.
- Proposal which provides the longest time commitment from the sponsor with best finances.
- Proposal that assures the opportunity all existing vendors on island have to work with the Climate Center and other development versus replacing them and furthermore ensure they are not excluded from the future development.

- Proposal that ensures relevant City and State tax revenues are considered as part of the financial review.
- CB resolution states CB does not believe that the Center has to be entirely self-sustaining as this is not a mandate in the deed.

WHEREAS: These principles are referred to as the “CB 1 Climate Solution Center Principles”;  
now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 thanks the Trust for Governors Island for providing the promised engagement with the Board, elected officials and greater community;  
and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 urges the Trust to consider the CB 1 Climate Solutions Center Principles to guide the next steps of the procurement process and the future development of the development zones.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: DECEMBER 21, 2022

COMMITTEE OF ORIGIN: STREET FAIR TASK FORCE

COMMITTEE VOTE: 4 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Extending the Street Fair Task Force

WHEREAS: CB 1 adopted a resolution on January 17, 2006 establishing procedures to follow in connection with its future use of street fairs for fundraising; and

WHEREAS: The Chair of CB1 appointed a task force of the Board (the “Street Fair Task Force”) in 2006 to implement the new procedures; and

WHEREAS: In order for the Street Fairs Task Force to begin implementing the procedures for the following year, CB 1 must first vote affirmatively to raise funds by sponsoring street fairs in that following year; and

WHEREAS: The total amount to be raised by street fairs in 2023 and used by CB1 to support its work is not able to be determined as the successful resumption of such activities likely relies on a firm end to the current pandemic; and

WHEREAS: Under the by-laws of CB 1, the Street Fair Task Force will automatically dissolve one year from its creation unless continued by a resolution of the Board or the Executive Committee for a specified period of time; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 hereby (1) authorizes the sponsorship of street fairs by CB1 in 2023 to raise funds to support the work of the organization, (2) extends the existence of the Street Fairs Task Force for an additional year, subject to the appointment of members by the Chair of CB1 as provided by the by- laws, and (3) grants the Street Fair Task Force the authority to determine whether it is appropriate to solicit bids from street fair promoters for the 2023 street fairs sponsored by CB1, following an evaluation by the Street Fair Task Force of (a) the manner in which the current promoter has performed its obligations with respect to the post-pandemic street fairs and (b) any proposal that promoter may choose to make to conduct the 2023 street fairs.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: DECEMBER 21, 2022

COMMITTEE OF ORIGIN: STREET FAIR TASK FORCE

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Renewal Mardi Gras Productions Contract for 2023

WHEREAS: Mardi Gras has been promoting CB 1’s street fairs for fundraising since 2006;  
and

WHEREAS: Street Fairs Task Force determining it was not necessary to solicit other  
promoters; and

WHEREAS: CB 1 has been satisfied within these years with the profits we have received from  
Mardi Gras Productions; and

WHEREAS: Mardi Gras Productions in conjunction with our regular seven street fairs which  
generated \$7,000; and

WHEREAS: 2022 holiday market at Liberty between Broadway and Church which is expected  
to generate \$10,500; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 has decided to renew its relationship with Mardi Gras  
Productions for 2023.

COMMUNITY BOARD 1 – MANHATTAN  
RESOLUTION

DATE: DECEMBER 21, 2022

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

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

RE: Improving Last Mile, E-Commerce Freight Delivery

WHEREAS: In 2021, there were around 34,700 e-commerce packages delivered per square mile in Manhattan south of 60th Street;<sup>1</sup> and

WHEREAS: The increase in e-commerce deliveries has intensified competition for the scarce curb, sidewalk and street space in Manhattan Community District 1 (MCD1); and

WHEREAS: E-commerce delivery trucks are frequently seen illegally double-parked or blocking bus lanes, bike lanes, and sidewalks to sort, unload, and deliver parcels in MCD1; and

WHEREAS: The current last-mile delivery system, in the absence of deliberate and organized alternatives for package sorting, exacerbates congestion, road safety issues, air pollution, greenhouse gas emissions, package waste, and other quality-of-life concerns while compromising pedestrian safety; and

WHEREAS: In October 2022, the Manhattan Borough President’s Office released a plan<sup>2</sup> with four goals: (1) take last-mile operations off our streets and sidewalks, (2) ensure residential areas can meet the growing demand for deliveries, (3) make e-commerce deliveries more sustainable and (4) better enforce the City’s traffic laws; and

WHEREAS: MCD1 contains an historic street grid, dense commercial zones, several government buildings and a range of residential building sizes and amenities. Thus, multiple options and flexibility are needed so that solutions can be tailored to the specific needs and challenges that exist in the district; and

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<sup>1</sup>MBPO Report, *A Blueprint for Tackling the E-Commerce Delivery Challenge*, October 2022, <http://www.manhattanbp.nyc.gov/wp-content/uploads/2022/10/MBPO-Report-Tackling-the-E-Commerce-Delivery-Crisis-2.pdf>, p 4.

<sup>2</sup><http://www.manhattanbp.nyc.gov/wp-content/uploads/2022/10/MBPO-Report-Tackling-the-E-Commerce-Delivery-Crisis-2.pdf>, p 3.

- WHEREAS: The large, gas-guzzling delivery trucks currently used by many companies generate high levels of greenhouse gasses, particulate matter and other toxic contaminants, which exacerbate climate change and harm New Yorkers' health. Thus, relevant decision-makers should explore offering incentives to encourage companies to use smaller, greener last-mile delivery vehicles; and
- WHEREAS: Illegal parking practices by e-commerce delivery vehicles, which cause gridlock and create hazardous roadway conditions, are pervasive. Thus, relevant decision-makers should explore methods to ensure delivery vehicles' compliance with the City's traffic and parking laws; and
- WHEREAS: Creating more loading zones, including neighborhood loading zones (NLZ), should improve the availability of much needed curb access and reduce double parking in our district; and
- WHEREAS: Current parking laws and regulations allow vehicles with placards and government-owned vehicles to park in loading zones, a practice that is pervasive in MCD1. Thus, creating more loading zones would be futile unless the City amends current law to prohibit use of loading zones for any reason other than its intended use— loading and unloading people and goods;<sup>3</sup> and
- WHEREAS: MCD1 has an historic street grid, including many roads with Belgian blocks that are uneven and in ill-repair. There is concern about how cargo e-bikes would function on these blocks, given the cyclists' and pedestrians' complaints about falls and damage to bicycles due to the uneven, slippery road surfaces. Due to these concerns, cyclists tend to ride on the sidewalks to avoid Belgian blocks on these blocks;<sup>4</sup> and
- WHEREAS: Practical paths of delivery that can accommodate the safe travel by road and bike lane users need to be developed. For example, cargo bikes making deliveries for WholeFoods are often seen using Route 9A both northbound and southbound, a dangerous consequence that is due no clear practical path(s) for them; and
- WHEREAS: In order to minimize pollution, all marine vessels moving freight to/from MCD1 should be electric.<sup>5</sup> Further, only e-cargo bikes and e-vehicles should be used to move freight to/from any pier or marine delivery staging location; and
- WHEREAS: There are multiple piers, docks and other potential locations for marine freight deliveries in MCD1 that are not owned by the City of New York (NYC) or the NYC Economic Development Corporation (EDC). In order to to manage and contain any noise, pollution or congestion, NYC should work with the owners of non-city owned docks and piers regarding marine deliveries; and

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<sup>3</sup> <https://www1.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/21-10-26.pdf>, pp 41-43.

<sup>4</sup> <https://www.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/22-05-24.pdf>, pp 41-43.

<sup>5</sup> <https://www.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/22-06-28.pdf>, pp. 25-28.

WHEREAS: A multi-prong approach will be needed to change how last mile deliveries are managed and made in MCD1 so that this freight management does not block our sidewalks and bike, bus or vehicle lanes; now

THEREFORE  
BE IT  
RESOLVED

THAT: In principle, Manhattan Community Board 1 (MCB1) supports:

- Reducing the congestion, road safety issues, air pollution, greenhouse gas emissions, package waste, and other quality-of-life concerns caused by the current system of deliveries;
- Taking delivery sorting and staging off our streets and sidewalks;
- Repurposing enclosed, but not unenclosed, accessory and commercial parking facilities that have available capacity to add e-commerce fulfillment activities;
- Increasing the use of electric cargo bikes (versus delivery trucks) for last-mile deliveries;
- Increasing the enforcement of, and fines for, illegal parking by delivery vehicles;
- Making it illegal to park in any loading zone with a government-owned vehicle or with a government-issued placard;
- Using marine vessels to make deliveries to Manhattan Community District 1 (MCD1); and
- Using electric marine vessels and electric last-mile methods for freight that arrives or leaves MCD1 via a waterway; and

BE IT  
FURTHER  
RESOLVED

THAT: MCB1 urges the City of New York (NYC) Department of Transportation (DOT) to ensure that our district's limited streetscape, which includes sidewalks, is allocated in a way that allows safe and accessible movement of all users, including pedestrians, especially if the number and width of cargo bikes making deliveries increases; and

BE IT  
FURTHER  
RESOLVED

THAT: MCB1 urges the DOT to develop a more complete network of roads and bike lanes to safely accommodate cargo delivery bikes without displacing the growing number of cyclists and users of micro transportation that need protected space; and

BE IT  
FURTHER  
RESOLVED

THAT: Any marine delivery plan for Pier 6, or any other marine delivery location in Manhattan Community District 1, should not include moving cargo to or from areas outside of our district, which would increase the congestion, pollution and/or noise burden in our district; and

BE IT  
FURTHER  
RESOLVED

THAT: NYC should work with the owners of the non-city owned docks and piers to manage and contain any noise, pollution, congestion or other negative quality of life or environmental consequences that could be produced if they accept marine deliveries.