

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: QUALITY OF LIFE

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

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

RE: Support for Assembly Bill (A6863) To Require the Monitoring and Mitigation of Radon in Gas Supplied To All NYC Customers

WHEREAS: Radon is recognized to be the leading cause of lung cancer in nonsmokers, and the second leading cause after smoking; and

WHEREAS: The World Health Organization and the U.S. Department of Environmental Protection have established levels of Radon exposure that are hazardous; and

WHEREAS: The main source of potential exposure to Radon in New York City is the domestic gas supply; and

WHEREAS: Radon is contained in shale gas, and potentially occurs in greater levels in gas from Marcellus Shale wells; and

WHEREAS: New pipelines are being constructed to bring more shale gas, especially from Marcellus Shale wells, into the domestic gas supply of New York City; and

WHEREAS: Lengthier transmission times allow for a greater breakdown and diminution of the Pico-Curies of Radon in the gas, but transmission times from the Marcellus Shale wells are measured in hours rather than days as is the case with gas from sources in the South; and

WHEREAS: Gas distributors are unwilling or unable to predict the level of Radon that will be delivered to New York City residents as the percentage of gas from Marcellus Shale wells increases in the domestic gas supply; and

WHEREAS: Assembly Member Linda Rosenthal has recognized the need to monitor and mitigate against Radon coming into the homes of New York City residents and has introduced legislation in the State Assembly (A6863), with same-as legislation introduced in the State Senate by Senator Diane Savino; and

WHEREAS: The proposed legislation would require monitoring of the domestic gas supply for Radon and mandate mitigation to prevent New York City residents from being exposed to Radon through the domestic gas supply; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 supports the Assembly Member's legislation and requests its passage out of the Assembly Health Committee and urges all Assembly Members and State Senators to vote in favor of the legislation; and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 urges passage of similar legislation, or a resolution supporting the A6863, by the New York City Council.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	4 In Favor	2 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	2 Opposed	2 Abstained	0 Recused

RE: 4<sup>th</sup> of July Pig Roast

WHEREAS: The Iron Horse NYC Wounded Warrior Project has applied for a street activity permit for Friday, July 4, 2014 on Cliff Street between John Street and Fulton Street; 12:00 p.m. to 8:00 p.m. (12:00 p.m. to 9:00 p.m. including setup and breakdown); now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 does not oppose the application submitted by The Iron Horse NYC Wounded Warrior Project for a street activity permit on Friday, July 4, 2014 subject to the following conditions:

1. The Department of Transportation reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway, and
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
3. Clean-up will be coordinated with the appropriate City Agencies, and
4. Bands and persons with megaphones are not situated along the route such that they disturb residents, and
5. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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: R2R Living Room: DJ Nickodemus

WHEREAS: The Lower Manhattan Cultural Council and Old Seaport Alliance have applied for a street activity permit for Sunday, June 29, 2014 on Front Street between Beekman Street and Peck Slip; 6:00 p.m. to 8:00 p.m. (2:00 p.m. to 9:00 p.m. including setup and breakdown); now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 does not oppose the application submitted by The Lower Manhattan Cultural Council and Old Seaport Alliance for a street activity permit on Sunday, June 29, 2014 subject to the following conditions:

1. The Department of Transportation reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway, and
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
3. Clean-up will be coordinated with the appropriate City Agencies, and
4. Bands and persons with megaphones are not situated along the route such that they disturb residents, and
5. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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: 119 South Street, application for a new unenclosed sidewalk café license for PC Restaurant Corp. d/b/a Paris Cafe

WHEREAS: The applicant, PC Restaurant Corp., has applied for a new unenclosed sidewalk café license for 13 tables and 26 chairs, with 4 tables and 8 chairs on South Street and 9 tables and 18 chairs on Peck Slip; and

WHEREAS: The Committee has recommended that the sidewalk café hours follow the Seaport/Civic Center Committee liquor license guidelines of 12:00 p.m. to 12:00 a.m. on Sunday, 11:00 a.m. to 12:00 a.m. Monday through Wednesday, 11:00 a.m. to 1:00 a.m. Thursday and Friday, and 10:00 a.m. to 1:00 a.m. on Saturday. After a 6 month trial basis, the applicant may revisit the Committee and request extended closing hours based on performance in the neighborhood; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 approves the sidewalk café license for PC Restaurant Corp. at 119 South Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

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: 146 Beekman Street, application for renewal of an unenclosed sidewalk café license for Manhattan Island Group LLC d/b/a Fresh Salt

WHEREAS: The applicant, Manhattan Island Group LLC, has applied for renewal of an unenclosed sidewalk café license for 6 tables and 12 chairs; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 approves the sidewalk café license for Manhattan Island Group LLC at 146 Beekman Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	2 Opposed	0 Abstained	0 Recused

RE: 9-11 Fulton Street/Seaport uplands area, application for a seasonal liquor license for B and T Fulton LLC d/b/a Ambrose Beer Garden/Ambrose Surf Club

WHEREAS: The applicant, B and T Fulton LLC, is applying for a seasonal liquor license; and

WHEREAS: The Committee has agreed to the bar service hours of 12:00pm – 12:00am Sunday, 11:00am – 12:00am Monday – Thursday, 11:00am – 2:00am Friday and 10:00am – 2:00am Saturday; and

WHEREAS: This is a seasonal liquor license that will span from May to November 2014; and

WHEREAS: The total area is 15,210 square feet, including a dining area of 7,930 square feet with 53 tables and 346 seats, and a bar area of 7,280 square feet; and

WHEREAS: In lieu of a kitchen, all cooking will be done in food trucks located on Front Street between Fulton Street and Beekman Street; and

WHEREAS: There will be two bar locations, one in a shipping container on the north side of Fulton Street, and one on the northwest corner of Fulton Street and Front Street; 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: Community Board 1 opposes the granting of a liquor license to B and T Fulton LLC at 9-11 Fulton Street/Seaport uplands area unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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: 150 Centre Street, application for method of operation change for Mika Japanese Cuisine & Bar Inc.

WHEREAS: The applicant, Mika Japanese Cuisine & Bar Inc, is applying for a method of operation change; and

WHEREAS: The Committee has agreed to changing the bar service hours from 11:00am – 10:30pm Sunday – Thursday and 11:00am – 11:00pm Friday and Saturday to 11:00am to 2:00am Sunday – Thursday and 11:00am to 4:00am Friday and Saturday; and

WHEREAS: The total area is 3,097 square feet, occupying 967 square feet on the first floor and 2,130 square feet on the second floor; 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: Community Board 1 opposes the granting of a method of operation change to Mika Japanese Cuisine & Bar Inc. at 150 Centre Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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: 78 South Street, request for one-time alteration of hours for Watermark

WHEREAS: The applicant, Lisa Cannistraci on behalf of Marriage Equality USA, has requested a one-time alteration that would enable Watermark to operate and serve liquor from 8:00 pm until 4:00 am on Saturday, June 28, 2014, and

WHEREAS: The one-time alteration is for a charitable event, and

WHEREAS: Community Board 1 has had no complaints about this event in the past, formerly taking place at the Beekman Beer Garden, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 has no objection to the grant of a one-time change in the method of operation to allow Watermark to operate and serve liquor from 9:00 pm to 4:00 am on Saturday, June 28, 2014.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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: 49-53 Ann Street, application for a new hotel liquor license for Ann Street Hotel LLC d/b/a Aloft Manhattan Downtown – Financial District

WHEREAS: The applicant, Ann Street Hotel LLC, is applying for a new hotel liquor license; and

WHEREAS: The Committee has agreed to the bar service hours of 12:00 p.m. to 12:00 a.m. on Sunday, 11:00 a.m. to 12:00 a.m. Monday through Wednesday, 11:00 a.m. to 1:00 a.m. Thursday and Friday, and 10:00 a.m. to 1:00 a.m. on Saturday. After a 6 month trial basis, the applicant may revisit the Committee and request extended closing hours based on performance in the neighborhood; and

WHEREAS: The total area is 2,000 square feet, including a dining area of 1,500 square feet with 20 tables and 34 chairs, a bar area of 500 square feet with 6 chairs, and a kitchen of 100 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: Community Board 1 opposes the granting of a new hotel liquor license for Ann Street Hotel LLC at 49-53 Ann Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 353 Greenwich Street, application for liquor license for Dahlia’s Mexican Restaurant Inc.

WHEREAS: The applicant, Dahlia’s Mexican Restaurant Inc., is applying for transfer of a restaurant liquor license; and

WHEREAS: The liquor license for this location was previously held by MaryAnn’s; and

WHEREAS: There will be no other changes in the Method of Operation for the restaurant; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 *opposes* the granting of a restaurant liquor license for Dahlia’s Mexican Restaurant Inc. *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 179 West Broadway, renewal sidewalk café license application for West Broadway Management, LLC d/b/a Landmarc

WHEREAS: The applicant has applied for a renewal of the unenclosed sidewalk café license for 8 tables and 16 seats; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 does not object to the renewal of the sidewalk café license for West Broadway Management, LLC d/b/a Landmarc located at 179 West Broadway.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: TRIBECA

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

RE: 78 Reade Street, application for a sidewalk café license for Balcony Café Inc.

WHEREAS: The applicant has applied for an unenclosed sidewalk café license for 13 tables and 26 seats; and

WHEREAS: The applicant has agreed that no tables or chairs will protrude onto Church Street; and

WHEREAS: The applicant has agreed to stop serving at the sidewalk cafe at 10:30 p.m. on weekdays and 11:30 p.m. on weekends; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 does not oppose the application for a sidewalk café license for Balcony Café Inc. at 78 Reade Street with the modifications set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	30 In Favor	7 Opposed	0 Abstained	0 Recused

RE: 71 No Moore Oysters LLC (AKA 385 Greenwich Street), renewal of sidewalk café application for No Moore Oysters LLC, d/b/a Smith & Mills

WHEREAS: The applicant has applied for renewal of an unenclosed sidewalk café license for 4 tables and 8 seats; and

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 does not oppose the new application for renewal of a sidewalk café license for No Moore Oysters LLC, d/b/a Smith & Mills located at 71 No Moore Oysters LLC (AKA 385 Greenwich Street).

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014  
(TABLED)

COMMITTEE OF ORIGIN: TRIBECA

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

RE: 396 Broadway, application for hotel restaurant liquor license for Bridgeton 396 Broadway Fee LLC d/b/a TBD

WHEREAS: The applicant, Bridgeton 396 Broadway Fee LLC, is applying for a hotel restaurant liquor license; and

WHEREAS: The hours of bar service for this establishment will be 8 a.m. to 2 a.m. Sunday through Thursday and 8 a.m. to 4 a.m. Friday and Saturday with food service 24 hours seven days a week; and

WHEREAS: The Committee asked the applicant to agree to no liquor service on the roof and bar service until 1 a.m. on weekdays and 2 a.m. on weekends; and

WHEREAS: The total area for food and beverages is 8,000 square feet; and

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

WHEREAS: The applicant 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 not three or more establishments with on-premises liquor licenses within 500 feet of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a hotel restaurant liquor license for Bridgeton 396 Broadway Fee LLC d/b/a TBD *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

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:            37 In Favor    0 Opposed    0 Abstained    0 Recused

*\* Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE:                    61 Reade Street, application for alteration of restaurant liquor license for for 61 Reade Pizza Inc. d/b/a Tre Sorelle

WHEREAS: 61 Reade Pizza Inc. d/b/a Tre Sorelle is applying for alteration of an on-premise restaurant liquor license; and

WHEREAS: The alteration will permit liquor service at the sidewalk café; and

WHEREAS: There will be no other changes to the Method of Operation of the establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 does not object to the alteration of the on-premise restaurant liquor license to 61 Reade Pizza Inc. d/b/a Tre Sorelle.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:\*        7 In Favor    0 Opposed    0 Abstained    0 Recused  
PUBLIC MEMBER VOTE:    0 In Favor    1 Opposed    0 Abstained    0 Recused  
BOARD VOTE:            37 In Favor    0 Opposed    0 Abstained    0 Recused

*\* Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE:                    61 Reade Street, new sidewalk cafe application for 61 Reade Pizza Inc. d/b/a Tre Sorelle

WHEREAS:    The applicant has applied for an unenclosed sidewalk café license for 8 tables and 20 seats; and

WHEREAS:    The sidewalk cafe will close at 10 p.m. seven nights a week; now

THEREFORE

BE IT

RESOLVED

THAT:            Community Board 1 does not oppose the application for a sidewalk café license for 61 Reade Pizza Inc. d/b/a Tre Sorelle.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:\*        5 In Favor    2 Opposed    0 Abstained    0 Recused

PUBLIC MEMBER VOTE:    0 In Favor    1 Opposed    0 Abstained    0 Recused

BOARD VOTE:            37 In Favor    0 Opposed    0 Abstained    0 Recused

*\* Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE:                    59 Reade Street, new sidewalk café application for 59 MACT Corp., d/b/a  
Maxwells

WHEREAS:    The applicant has applied for an unenclosed sidewalk café license for 7 tables and  
14 seats; and

WHEREAS:    The applicant has agreed to stop serving at the sidewalk cafe at 11 p.m. on  
weekdays and 12 a.m. on weekends; now

THEREFORE

BE IT

RESOLVED

THAT:            Community Boar 1 does not oppose the application for a sidewalk café license for  
59 MACT Corp., d/b/a Maxwells at 59 Reade Street with the modifications set  
forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

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:            37 In Favor    0 Opposed    0 Abstained    0 Recused

*\* Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE:                    325 Church St., application for renewal of sidewalk café license for 325 Church St. Company LLC d/b/a Saluggi's

WHEREAS:    The applicant has applied for renewal of an unenclosed sidewalk café license for 3 tables and 6 seats; now

THEREFORE

BE IT

RESOLVED

THAT:            Community Board 1 does not object to the renewal of the sidewalk café license for 325 Church St. Company LLC d/b/a Saluggi's located at 325 Church Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

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:            37 In Favor    0 Opposed    0 Abstained    0 Recused

*\* Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE:                    130 West Broadway, application for a sidewalk café license for WB Duane Japan Partners Inc. d/b/a Sushi of Gari Tribec

WHEREAS:    The applicant has applied for an unenclosed sidewalk café license for 13 tables and 26 seats; and

WHEREAS:    The applicant has agreed to reduce the number of tables and chairs to 12 and 24; and

WHEREAS:    The applicant has agreed to stop serving at the sidewalk cafe at 10 p.m. on weekdays and 11 p.m. on weekends; now

THEREFORE

BE IT

RESOLVED

THAT:            Community Board 1 does not oppose the application for a sidewalk café license for WB Duane Japan Partners Inc. d/b/a Sushi of Gari Tribec at 130 West Broadway with the modifications set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:\*        4 In Favor    2 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    1 Recused

*\* Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE:                    31 Walker Street, application for a sidewalk café license for Anejo Tribeca LLC

WHEREAS:    The applicant has applied for an unenclosed sidewalk café license for 12 tables and 24 seats; and

WHEREAS:    The restaurant has not yet opened and the Tribeca Committee has established a practice of not approving sidewalk cafe applications until a restaurant has been in operation for a period of time sufficient to determine that it will be a good neighbor and not cause adverse impacts to the surrounding community; and

WHEREAS:    The Tribeca Committee would welcome an opportunity to reconsider this application after the restaurant has been in operation for at least six months; now

THEREFORE

BE IT

RESOLVED

THAT:            Community Board 1 opposes the application for a sidewalk café license for Anejo Tribeca LLC at 31 Walker Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Community Education Council District 2 Resolution #78

WHEREAS: Community Board 1 supports the attached Community Education Council District 2 Resolution #78; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 urges the New York State Education Department to take into consideration the attached resolution from Community Education Council District 2 Resolution #78.

Community Education Council District 2  
333 Seventh Avenue  
New York, New York 10001  
Tel (212) 356-3915 Fax (212) 356-7506  
[www.cecd2.net](http://www.cecd2.net)

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Claude Arpels

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Beth Cirone  
Eric Goldberg  
Sonni Mun

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**RESOLUTION #78**  
**Calling for Disregarding the 2014 New York State Standardized Test**  
**in English Language Arts and for Establishment of a Commission**  
**to Evaluate the Quality of the Test**

**WHEREAS**, there is mounting evidence on the poor quality and usefulness of the 2014 New York State Test in English Language Arts for grades 3 through 8 with following accounts as examples from teachers and administrators:

- The reading level of the passages in the test was much higher than that in the Common Core aligned curriculum approved by the New York City Department of Education (DOE) for use by schools in school year 2014-2015;
- The nature of questions was highly variable from section to section and the intent of the questions was inconsistent across sections of the test (e.g., questions from one section required readers to refer back to the passage for details while questions from other sections were focused on the broader context of the passage. Such variability in the questions from section to section introduces biases that are not necessarily related to students' academic abilities. Questions should vary within a given section but be consistent across sections for more accurate assessment of students' learning);
- The test included passages written in the revolutionary period English, to which students were not exposed;
- The test included passages from prior year's test from a different grade, which may lead to biased results due to students' familiarity;
- The test included contents with which many students are not expected to be familiar (e.g., the Great Depression was the theme in a passage in the 3rd grade test);

- The tests seem not to be particularly well-aligned with the Common Core Learning Standards;
- The questions were poorly constructed, often ambiguous and subjective;
- There were product placements (i.e., Nike, Barbie) woven through some exams.

**WHEREAS**, there is mounting evidence that there are problems with the scoring of the test with the following as examples given by teachers and administrators:

- Grading matrix for the test was applied inconsistently across scorers resulting in students who performed similarly receiving highly variable scores;
- Grading matrix was also unnecessarily restrictive where a student who showed deep comprehension received a low grade because a certain key word was not referenced from the passage and a student who merely referenced the key word was given a high score even if the answer did not indicate deep understanding;

**WHEREAS**, the usefulness of the test to inform and improve instruction is diminished because 1) the tests themselves are embargoed and only a handful of select questions will be released next year, 2) teachers are not permitted to use (or even discuss) the questions or the results to inform their teaching and 3) students and families receive little or no specific feedback;

**WHEREAS**, the teachers and principals in District 2 led rallies to speak out against this year's New York State ELA test;

**WHEREAS**, despite complaints from parents, educators and education advocates and public exposure via media on the incompetency of Pearson Publishing Company, the City and the State continue to award contracts to Pearson Publishing Company for the development and administration of standardized tests and for the Common Core Learning Standards aligned curricula;

**WHEREAS**, the Community Education Council District 2 (CECD2) has passed resolutions against the use of test scores for high stakes decision making (Resolutions #59, #60, #68);

**THEREFORE BE IT RESOLVED**, that the Community Education Council District 2 urges the New York City Department of Education and the New York State Education Department to disregard the scores from the 2014 New York State ELA test by:

- 1) requiring parental consent for including the child's ELA test score in the official transcript;
- 2) prohibit the use of test scores, even in tandem with other assessments, in admissions decision making for middle and high schools;

- 3) eliminating the use of test scores in teacher evaluation, even if such an action leads to a temporary suspension of the teacher evaluation system; and
- 4) eliminating the use of test scores in evaluating school progress both at the city and the state level, even if such an action leads to a temporary suspension of school performance evaluation.

**THEREFORE BE IT FURTHER RESOLVE**, that the CECD2 urges the New York State Education Department to establish an independent panel of testing experts to conduct a thorough review of the tests from this year and examine the quality of the tests in terms of their alignment with the Common Core Learning Standards (as recommended in the CECD2 Resolution #59);

**THEREFORE BE IT FURTHER RESOLVED**, that the CECD2 urges the Governor and the New York State legislature to reformulate the teacher evaluation system, known as APPR, such that the scores from the New York State standardized test, which are NOT designed for teacher evaluation, are not included in the evaluation metrics;

**THEREFORE BE IT FURTHER RESOLVED**, that the CECD2 fully supports the new promotion policy proposed by the New York City Department of Education and, if approved by the Panel on Educational Policy, urges the New York City Department of Education to disseminate clear and concise information on the new policy to parents in multiple languages and various means accessible to all parents;

**THEREFORE BE IT FURTHER RESOLVED**, that the CECD2 urges the New York City Department of Education to establish a working group of teachers, administrators, and educational experts to develop the criteria for the “promotion portfolio”;

**THEREFORE BE IT FURTHER RESOLVED**, that the CECD2 urges the New York City Department of Education to designate an office, such as the Division of Family and Community Engagement, to be tasked with addressing questions and concerns from families on the new policy;

**THEREFORE BE IT FURTHER RESOLVED**, that the CECD2 urges the New York State Education Department to release the test to the public as was done prior to 2011; and

**THEREFORE BE IT FURTHER RESOLVED**, that the CECD2 urges the New York State Education Department and the New York City Department of Education to remove Pearson Publishing Company from the list of eligible vendors for any contract with the State.

**Adopted and approved by CECD2 on April 28, 2014**

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	1 Opposed	2 Abstained	0 Recused

RE: Opposing New Provisions in the NY State Law Requiring the NYC Department of Education to Provide Charter Schools Space at Public Expense and Supporting the Attached Community Education Council District 2 Resolution #77

WHEREAS: The new amendments to the charter law adopted with the state budget will obligate any currently co-located, new or expanding charter school in New York City to receive free space from the city within five months of demanding it, either within our already overcrowded school buildings – leading to the dislocation and displacement of public school students - or the city must pay for their rent in private facilities; and

WHEREAS: There are currently 119 NYC charters in co-located space, with 22 more approved to open in the next two years, and 52 more until the cap is reached; and all of these schools will now be entitled to receive free space from the city; and

WHEREAS: Any charter school that expands to new grade levels will also be entitled to receive space for that expansion at the city’s expense; and

WHEREAS: The two thirds of NYC Charter Schools co-located in public school buildings already receive more public funds per student than NYC public schools, according to the Independent Budget Office; and

WHEREAS: If the NYC DOE chooses not to give charter schools free space in existing public schools or cover the cost of their leases in private facilities, the city will have to provide an additional 20 percent subsidy over the amount they already receive in per pupil annual funds; and

WHEREAS: Only after NYC spends \$40 million a year to lease space for charter schools is the state obligated to pay a share of that costs; and

WHEREAS: The city is already spending over \$1 billion per year in operating aid for charters, with that amount increasing rapidly every year, and these new

provisions will likely cost the city hundreds of millions more, while our public schools' budgets have been repeatedly cut in recent years; and

WHEREAS: NYC already has the most overcrowded school buildings in the state and the most expensive real estate and yet is the only district in the state which is now obligated to provide charter schools with free space; and

WHEREAS: Hundreds of thousands of NYC public schoolchildren sit in overcrowded classes, with class sizes the largest in 15 years in the early grades, and tens of thousands more students sitting in trailers or on waiting lists for their zoned Kindergarten; and

WHEREAS: Many of the schools within Community Board 1 are extremely overcrowded, at over 100% utilization according to the "Blue Book" formula; and

WHEREAS: Most experts including Chancellor Farina have stated that the Blue Book formula actually understates the actual level of overcrowding in our schools; and

WHEREAS: There are hundreds of schools which have lost their art, music and science rooms and in which special needs children receive their mandated services in hallways or closets; and

WHEREAS: There are overcrowded neighborhoods in NYC that have waited twenty years for a school to be built in their communities; and

WHEREAS: Enrollment is growing fast in CB1, and citywide it is projected to increase by 60,000-70,000 students over the next decade while the city's five year capital plan has fewer than 40,000 new seats; and

WHEREAS: The new law providing free space to charters on demand is the most favorable treatment in the nation for charter schools, creating a "gold rush," according to the NY Daily News; and

WHEREAS: Charter schools are run by corporate boards, are not under democratic governance, and do not have to follow the same laws and regulation that our public schools must adhere to; and

WHEREAS: NYC charter schools enroll fewer special needs students, children in poverty and English Language Learners than the communities in which they are situated need; and

WHEREAS: Many feature abusive disciplinary practices and have high suspension and student attrition rates; and

WHEREAS: The charter amendments passed in 2010 required that any charter seeking renewal or expansion should have to prove that it enrolled comparable numbers of high needs students as the public schools in their areas, but this law has never yet been enforced, and not a single charter school has had its renewal or expansion denied on this basis; and

WHEREAS: Many NYC charter schools have the means to pay for their own facilities outside of the Department of Education's limited capital budget, as they receive millions of dollars in private contributions and grants, including a NYC charter chain that raised \$7.75 million in one night last month; and

WHEREAS: Via these amendments, the NYS Legislature and the Governor have usurped control of facility planning and the allocation of public resources and have taken it away from the Mayor, the City Council, and any parent or community input; and

WHEREAS: There were no public hearings on these new amendments that will force the city to provide free space to charters or cover the cost of their leases, and they were adopted in the budget with little or no warning; and

WHEREAS: Neither the Governor nor the Legislature have prepared any fiscal impact statement or estimate of the cost of these amendments to the city; and

WHEREAS: These provisions will put our public school students at a distinct disadvantage and exacerbate the inequities that already exist between charter and public schools; and

WHEREAS: They will further facilitate the creation of a dual school system, in which charter schools are provided with space to expand, while our public schools are burdened with a growing concentration of high needs students, in even more overcrowded conditions, with larger classes, and fewer resources to provide them with an adequate education; now

WHEREAS: Community Board 1 supports the attached Community Education Council District 2 Resolution #77; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 is fervently opposed to the amendments in the state charter law that will enable private corporate interests to divert more space and resources from the city, while our public school students continue to be denied their right to a sound basic education; and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board 1 calls upon the Governor and NY State Legislature to fully fund the CFE decision so that all NYC public school children are provided with adequate uncrowded facilities and smaller classes which the state's highest court said was their right under the state constitution; and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board 1 hereby calls upon the Governor and the NY State Legislature to immediately rescind the inequitable amendments to the charter law that provide preferential treatment at the city's expense to privately run charters over our public school students.

Community Education Council District 2  
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Claude Arpels

Robin Broshi  
Banghee Chi  
Beth Cirone  
Eric Goldberg  
Sonni Mun

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**RESOLUTION #77**  
**Opposing Provisions in the NYS Budget for 2014-2015 Requiring the**  
**Department of Education to Provide Space at Public Expense to Charter Schools**

**WHEREAS**, charter schools in New York City frequently create overcrowding conditions in public schools in which they are co-located and sometimes deprive public school students of space necessary for a quality education;

**WHEREAS**, charter schools in New York City have been shown by the City's Independent Budget Office to receive more public funding per pupil than public schools;

**WHEREAS**, many charter schools in New York City have access to resources from the private sector allowing them to offer amenities not available to public school students and to find facilities outside of the New York City Department of Education's building inventory;

**WHEREAS**, charter schools in New York City have resources to influence public policy (it is reported that charter schools spent over 5 million dollars in fees to public relations and advertising firms in their campaign to demand public space or rent money) and the change in the state law was not based on open and public discourse on the merit of charging rent to charter schools co-located in public schools; and

**WHEREAS**, the New York State Budget for 2014-2015 requires that New York City Department of Education to provide space at no cost to charter schools or pay rent in private spaces, thereby severely curtailing local control of city schools and placing public school students at a disadvantage;

**THEREFORE BE IT RESOLVED**, that Community Education Council District 2 (CECD2) is opposed to these provisions in the State law;

**BE IT FURTHER RESOLVED**, that CECD2 hereby calls upon the State legislature to enact new legislation rescinding the provisions requiring the New York City Department of Education to provide free space to charter schools or pay rent for private spaces, thereby restoring local control of city schools; and;

**BE IT FURTHER RESOLVED**, that CECD2 hereby calls upon the Governor to allow the Mayor to oversee the usage of New York City public school space in accordance with the State Education Law of mayoral control.

**Adopted and approved by CECD2 on April 28, 2014**

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Community Education Council District 2 Resolution #79

WHEREAS: Community Board 1(CB1) supports the attached Community Education Council District 2 Resolution #79; and

WHEREAS: CB 1 has been and continues to be an active advocate for building more schools in our district; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 urges the School Construction Authority to improve its forecasting of capacity needs in our district and take into consideration the attached resolution from Community Education Council District 2 Resolution #79.

Community Education Council District 2  
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**RESOLUTION #79**  
**To Endorse a Petition Started by the Community Organization,**  
**Build Schools Now, to Demand More Public School Seats in Lower Manhattan**

**WHEREAS**, parent leaders in Lower Manhattan encompassing the Community Board 1 district have formed an organization, Build Schools Now, to demand more public school seats in Lower Manhattan and have started a petition drive to ask for the following:

1. Honor their (School Construction Authority and Department of Education's) commitment to Speaker Sheldon Silver's Overcrowding Task Force by amending the proposed Capital Plan to provide 1,000 additional elementary seats to CB1.
2. Cease making unreasonable demands to add capacity at existing Lower Manhattan schools that overtax facilities and undermine the quality of education that these schools are able to provide to their students.
3. Forecast school capacity needs based on demographic growth at the neighborhood scale rather than sub-district level in order to more accurately plan for growth that is occurring in Lower Manhattan.
4. Create sufficient Pre-K and middle school seats in Lower Manhattan to accommodate the needs of both new families and students as they graduate from local elementary schools.

**WHEREAS**, the public elementary schools in Lower Manhattan have had waitlists for their kindergarten classes for the last five years and in 2013 there were over 150 children waitlisted for their zoned public school kindergarten classes;

**WHEREAS**, in the upcoming 2014 school year every public elementary school in the CB1 district except PS 150, a choice school, and Peck Slip, which is still incubating in

the Tweed building, will have to create additional kindergarten classes but are still projected to have unacceptably large kindergarten class sizes;

**WHEREAS**, kindergarten enrollment in existing downtown elementary schools on average is scheduled to be 36% over design capacity in terms of sections and 66% in terms of students (based on numbers presented by Lower Manhattan school principals at the Sheldon Silver Overcrowding Task Force meeting on April 24, 2014) ;

**WHEREAS**, to accommodate all the grades these schools were designed for these kindergarten classes will have to be collapsed into fewer sections in the higher grades resulting in even larger class sizes so that these schools will be even further from the goal class sizes outlined in the Campaign for Fiscal Equity case;

**WHEREAS**, the School Construction Authority's refusal to address the severe shortage of school seats in Lower Manhattan have ironically forced the newer elementary schools to eliminate 4 of the remaining pre-k sections, the older elementary schools having eliminated theirs several years ago, at a time when the new mayor is touting universal pre-k for all New York City families;

**WHEREAS**, the School Construction Authority acknowledged the need for 1,000 additional elementary school seats in Lower Manhattan beyond those included in the 2010-2014 Capital Plan but the 2015-2019 Capital Plan only includes one yet un-sited 450 student school;

**WHEREAS**, the projected 1,000 additional needed school seats in Lower Manhattan was based on a static population and in fact Lower Manhattan continues to have unfettered residential development with higher birth rates than in other parts of the city without any thought to where these children will go to school (Community Board 1 Child Population Update, by Catherine McVay Hicks and Diana Switaj, April 4, 2013 and DNA Info New York January 12, 2012);

**THEREFORE BE IT RESOLVED**, that Community Education Council District 2 supports the efforts of Build Schools Now and as a council endorses their petition for more public school seats in Lower Manhattan;

**THEREFORE BE IT FURTHER RESOLVED**, that Community Education Council District 2 urges the School Construction Authority to improve its forecasting of capacity needs so that it keeps up with the needs of changing neighborhoods throughout District 2.

**Adopted and approved by CECD2 on April 28, 2014**

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Reconsideration of 23 Park Place/Murray Place, application for tavern liquor license for Murray Place Inc., d/b/a The New Yorker

WHEREAS: The applicant, Murray Place Inc., d/b/a The New Yorker, applied for a tavern liquor license for 23 Park Place in November 2013; and

WHEREAS: A resolution in favor of this application was issued on November 21, 2013 by Community Board 1 (CB1); and

WHEREAS: CB1 was not aware of applicant's intentions to allow customers to use the Murray Street entrance of this establishment; and

WHEREAS: CB1 held an additional hearing on May 7, 2014 during which several residents raised concerns about the use of Murray Street entrance; and

WHEREAS: The square footage of the establishment is 4,000, with 90 tables and 200 seats on two floors; and

WHEREAS: There will be recorded background music; and

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

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

WHEREAS: The applicant has signed and notarized a stipulations sheet agreeing to a closing time of 2 a.m. seven days a week and 9 p.m. for the Murray Street entrance; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 *opposes* the granting of tavern liquor license for Murray Place Inc., d/b/a The New Yorker at 23 Park Place, *unless* the applicant complies with the limitations and conditions set forth above and in the stipulations sheet signed by the applicant.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

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

RE: Governor's Island, Liggett Terrace, application for restaurant liquor license for Salmon East Seven Corp, d/b/a Little Eva's

WHEREAS: The applicant, Salmon East Seven Corp, is applying for a liquor license for Little Eva's; and

WHEREAS: The proposed hours of operation of this establishment are 8 a.m. to 8 p.m. seven days a week; and

WHEREAS: There will be background music; and

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

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 opposes the granting of a liquor license for Governor's Island, King Road and Colonels Row, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: BSA Calendar No. 57-14-BZ  
1 NY Plaza application to permit a physical culture establishment pursuant to Section 73-36 of the New York City Zoning Resolution

WHEREAS: Gear Fitness LLC d/b/a Retro Fitness has filed an application with the Board of Standards and Appeals for a special permit to legalize a physical culture establishment at 1 NY Plaza; and

WHEREAS: This physical culture establishment will be a full-service gym operated on 16,987 square feet of commercial space, occupying a portion of the sub-cellar and concourse levels of an existing 50-story commercial building in the Special Lower Manhattan District; and

WHEREAS: Currently, the space proposed to be utilized by the physical culture establishment is vacant. The entire sub-cellar and concourse levels of the building were destroyed in Superstorm Sandy; and

WHEREAS: The sub-cellar occupies approximately 6,677 square feet, and the concourse occupies approximately 10,310 square feet; and

WHEREAS: The layout of the facility includes a full-service gym, with group exercise rooms, separate men and women locker and shower facilities, several administrative offices, a physical therapy room and a retail section; and

WHEREAS: The hours of operation for this establishment will be 24 hours Monday through Thursday, Friday close at 10:00 p.m., Saturday and Sunday 6:00 a.m. to 7:00 p.m.; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 recommends approval of a special permit to allow a physical culture establishment at 1 NY Plaza for Gear Fitness LLC d/b/a Retro Fitness.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 161 Front Street, Seaport Heights LLC

WHEREAS: The applicant, 161 Front Street, is applying for a liquor license for Seaport Heights LLC, d/b/a Fairfield Inn & Suites; and

WHEREAS: The proposed hours of operation of this establishment are 6 a.m. to 2 a.m. seven days a week, with bar service starting at 12 p.m.; and

WHEREAS: The square footage of the establishment is 1,000 square feet; and

WHEREAS: There will be background music; and

WHEREAS: The applicant does not intend 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 stated that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has stated that there are no establishments with on premises liquor licenses within 500' of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 opposes the granting of a liquor license to Seaport Heights LLC, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:       10 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:           36 In Favor   0 Opposed   0 Abstained   0 Recused

RE:                   4-10 Platt Street, Lam Platt Street Hotel LLC

WHEREAS: The applicant, 4-10 Platt Street, is applying for a liquor license for Lam Platt Street Hotel LLC., d/b/a Four Points by Sheraton Downtown; and

WHEREAS: The proposed hours of operation of this establishment are 6 a.m. to 2 a.m. seven days a week, with bar service starting at 11 a.m.; and

WHEREAS: The square footage of the establishment is 6,944 square feet; and

WHEREAS: There will be background music; and

WHEREAS: The applicant intends to have backyard dining; and

WHEREAS: The applicant intends to have rooftop dining; and

WHEREAS: The applicant does not intend 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 stated that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has stated that there will be no service or music outside on the roof, and the doors will be closed at all times; and

WHEREAS: The applicant has stated that there are three or more establishments with on premises liquor licenses within 500' of this establishment; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 opposes the granting of a liquor license to Lam Platt Street Hotel LLC, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:           9 In Favor    1 Opposed    0 Abstained   0 Recused  
BOARD VOTE:             36 In Favor   0 Opposed    0 Abstained   0 Recused

RE:                    55 Water Street (exterior rear)

WHEREAS: The applicant, 55 Water Street (exterior rear), is applying for a tavern liquor license for Masterpiece Caterers Corp.; and

WHEREAS: The proposed hours of operation of this establishment are 11 a.m. to 11 p.m. seven days a week, with bar service starting at 12 p.m.; and

WHEREAS: The square footage of the establishment is 1,100 square feet; and

WHEREAS: There will be background music; and

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

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

WHEREAS: The applicant has stated that there are establishments with on premises liquor licenses within 500' of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 opposes the granting of a liquor license to Masterpiece Caterers Corp., unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:       9 In Favor   1 Opposed   0 Abstained   0 Recused  
BOARD VOTE:           36 In Favor   0 Opposed   0 Abstained   0 Recused

RE:           55 Water Street (exterior south)

WHEREAS: The applicant, 55 Water Street (exterior south), is applying for a tavern liquor license for Masterpiece Caterers Corp.; and

WHEREAS: The proposed hours of operation of this establishment are 11 a.m. to 11 p.m. seven days a week, with bar service starting at 12 p.m.; and

WHEREAS: The square footage of the establishment is 1,150 square feet; and

WHEREAS: There will be background music; and

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

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

WHEREAS: The applicant has stated that there are establishments with on premises liquor licenses within 500' of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 opposes the granting of a liquor license to Masterpiece Caterers Corp., unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	9 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Proposal for newsstand license #5515-2014-ANWS at the northwest corner of Dey Street and Broadway

WHEREAS: MD Shahinur Islam has applied to the Department of Consumer Affairs for a newsstand at the northwest corner of Dey Street and Broadway; and

WHEREAS: The Applicant was invited to appear at the Community Board 1 (CB1) Financial District Committee meeting on May 7, 2014 to discuss this application; and

WHEREAS: Committee members stated that the sidewalk at the corner where the newsstand would be located is narrow and crowded and there is a newsstand nearby; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 *opposes* the application for newsstand license #5515-2014-ANWS at the northwest corner of Dey Street and Broadway due to the inappropriateness of the location.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	5 In Favor	1 Opposed	1 Abstained	0 Recused
PUBLIC MEMBERS:	6 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 97 Chambers Street, application for roof top metal security fence

WHEREAS: The application is to legalize a highly visible roof top fence that LPC issued a violation notice in 2013, and

WHEREAS: The Committee was prepared to approve the application only if the visible portions of the fence were removed, and

WHEREAS: The applicant did not agree to the Committee's suggestion, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 recommends the Landmark Preservation Commission require the applicant to remove the visible portions of the illegally installed security fence.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:           5 In Favor    1 Opposed    0 Abstained   1 Recused  
BOARD VOTE:            34 In Favor   3 Opposed    0 Abstained   1 Recused

RE:                    125 Chambers Street, application for facade alteration

WHEREAS:    A number of concepts and programs have been presented for this location over the years,  
and

WHEREAS:    The current application calls for a two-story restaurant with lower level of glass above a  
knee wall, the glass running for 99 linear feet and comprising retractable doors that  
function like garage doors, and

WHEREAS:    A second floor would consist of multipaned casement windows surrounded by white  
glazed brick, and

WHEREAS:    Between the floors a six-foot wide canopy will run, and

WHEREAS:    The design would be topped by a black steel cornice, and

WHEREAS:    The Landmarks Committee of Community Board 1 has no issue with the glazed brick,  
upper level, cornice or awning, and

WHEREAS:    There is entirely too much glass along the street-level frontage, and the amount of  
retractable facade glass is overwhelming, and

WHEREAS:    No context exists in Tribeca for 99 linear feet of ground-floor glass, nor - in its retracted  
state - a completely open and porous void spilling out onto the sidewalk, at least not since  
the early 20th Century, when some ground floors were always open for wholesale food  
deliveries, and

WHEREAS:    As a side note, and in the context of the immediate neighborhood, the noise level would  
be intolerable, and

WHEREAS:    No mention was made at the Landmarks Committee of a pending liquor license  
application, which could change the essential meaning of this proposed design in relation  
to the open street and Bogardus Triangle which it would face, now

THEREFORE  
BE IT  
RESOLVED

THAT:                Community Board 1 recommends that the Landmarks Preservation Commission reject  
this application.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:       7 In Favor    1 Opposed    0 Abstained   0 Recused  
BOARD VOTE:           37 In Favor   1 Opposed    0 Abstained   0 Recused

RE:                    138 Beekman Street, application for penthouse addition

WHEREAS: The application is to add a 142' roof top addition to the very small (18'x25') site,  
and

WHEREAS: The addition would be set back 5 ½' from the front wall, and

WHEREAS: The materials would be metal cladding and clear glass – which the Committee  
thought was appropriate, and

WHEREAS: The roof would have a 42" 1/2" thick metal railing in accordance with code, and

WHEREAS: Some members of the Committee felt the railing would be less intrusive if it was a  
solid wall, now

THEREFORE

BE IT

RESOLVED

THAT:                 Community Board 1 recommends the Landmark Preservation Commission  
approve the application.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: LANDMARKS

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

RE:             77 Chambers Street, application for replacement of windows

WHEREAS: This is a magnificent Tribeca South Historic District cast-iron building, essentially intact above the first floor but in deplorable condition, and

WHEREAS: This proposal calls for the replacement of all windows above the first floor, and

WHEREAS: The street-facing side would feature flat-pane glass below transoms on the second floor and two-over-two windows on the third, fourth and fifth floors, and

WHEREAS: The upper three floors would include upper framing and profiles to match the natural curves of the window surrounds, gently curved at the corners on floors four and five, and arched on the sixth floor, and

WHEREAS: The frames would be aluminum over wood core, and

WHEREAS: The rear windows would be a strange mix of two-over-twos with transoms, six-over-sixes, and two-over-twos without transoms, and

WHEREAS: The Landmarks Committee of Community Board 1 much prefers exposed wood-frame front windows, instead of aluminum-covered wood, which almost begs the question of wood in the first place, but accepts that with a reluctant owner, aluminum over wood is better than nothing, which is to say, the neglect this beautiful building has been given, and

WHEREAS: The rear windows must be a consistent six-over-six instead of the proposed hodge-podge, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 recommends that the Landmarks Preservation Commission accept the program for the street-facing windows, with the additional comments noted, and reject the rear program as presented.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: NEW BUSINESS

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

RE: Food trucks at the South Street Seaport

WHEREAS: On May 20<sup>th</sup>, 2014, B and T Fulton LLC appeared in front of Community Board 1's (CB1) Seaport/Civic Center Committee regarding their seasonal liquor license application for 9-11 Fulton Street/Seaport Uplands area spanning from May 2014 to November 2014 as part of the Howard Hughes Corporation (HHC) summer programming; and

WHEREAS: This liquor license was for two bar locations, one in a shipping container on the north side of Fulton Street, and one on the northwest corner of Fulton Street and Front Street; and

WHEREAS: The application represented that in lieu of a kitchen, all cooking would be done in food trucks located on Front Street between Fulton Street and Beekman Street; and

WHEREAS: During this meeting, Committee members and public attendees expressed concerns about the seasonal programming and potential issues resulting from the food trucks as well as the fact that HHC had not consulted with the community ahead of time regarding their summer programming plans; and

WHEREAS: HHC was scheduled to give an update on "Pier 17 Construction, Fulton Market Building and Seaport uplands" at this meeting, but later postponed the update until June and was not present at the meeting; and

WHEREAS: B and T Fulton LLC (formerly Supercraft Group LLC) has been a long-time operator and good neighbor in Community District 1, specifically in the Seaport area, and the Committee recommended approval of the liquor license despite concerns regarding HHC's programming; and

WHEREAS: Following the Seaport/Civic Center Committee meeting on May 20<sup>th</sup>, food trucks, kiosks and other infrastructure for HHC's summer programming were placed in the Seaport uplands area in time for Memorial Day weekend; and

WHEREAS: CB1 held its monthly full board meeting on May 27<sup>th</sup>, 2014, where CB members and public attendees voiced major concerns regarding the summer programming, and the food trucks specifically; and

WHEREAS: First and foremost, CB1 members expressed frustration that HHC had not consulted with the community over the details of its summer programming plans prior to its implementation;

WHEREAS: Other concerns were over congestion and access issues caused by the food trucks and exacerbated by construction in the immediate area, as well as pollution caused by the food trucks and generators; and

WHEREAS: Additionally, CB1 members expressed that the programming is in conflict with the historic uplands area as evidenced by food trucks, storage containers, astroturf and other infrastructure blocking the historic urban fabric such as cobblestones and building facades, that the food trucks compete with existing local businesses, and that storefronts are being used as staging areas to cut lumber and build structures for the summer programming; and

WHEREAS: After the devastation caused by Superstorm Sandy, rebuilding, restoring and revitalizing the Seaport uplands area has been a priority of CB1. We are now approaching the two-year anniversary of the storm; and

WHEREAS: CB1 questions the legality of these temporary uses of the public way in the Seaport area without review by the Landmarks Preservation Commission, Public Design Commission and Department of City Planning for compliance with historic district appropriateness, public design guidelines and the Brooklyn Bridge Southeast Urban Renewal Plan; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 strongly urges that HHC immediately remove the food trucks on Front Street and Fulton Street in response to the concerns outlined above; and

BE IT

FURTHER

RESOLVED

THAT: Additionally, CB1 strongly urges that HHC place an emphasis on permanently rebuilding the Seaport uplands area, rather than dedicating its efforts towards temporary programming in competition with existing uplands businesses and historic urban fabric; and

BE IT

FURTHER

RESOLVED

THAT: Finally, CB1 strongly urges that HHC disclose details of any such programming well in advance of implementation with sufficient time to address potential problems.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: PLANNING

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Waterfront Edge Design Guidelines (WEDG)

WHEREAS: Waterfront edge design guidelines were a recommendation from the Metropolitan Waterfront Alliance's (MWA) Aqueducture and Green Harbor task forces in 2010, informed by discussions about the update of the New York City Comprehensive Waterfront Plan; and

WHEREAS: Design guidelines became a major recommendation within the Vision 2020: New York City Comprehensive Waterfront Plan and MWA began discussions to start the waterfront design guidelines project with key members of both task forces in July of 2012; and

WHEREAS: It is now a post-Sandy priority reflected in New York City's Special Initiative for Rebuilding and Resiliency report: A Stronger, More Resilient New York; and

WHEREAS: MWA is leading a process to develop design guidelines for the water's edge for new and retrofitted waterfront development within the New York-New Jersey metropolitan region; and

WHEREAS: The WEDG project is a unique collaboration between government agencies, non-profit groups, consultants and other interested stakeholders, that will result in a comprehensive, user-friendly set of guidelines; and

WHEREAS: As a tool to guide and enhance new projects on an elective basis, waterfront edge design guidelines will feature design concepts and best practices that are beneficial, permissible, feasible, and understandable; and

WHEREAS: The MWA plans to establish a Waterfront Edge Design Guidelines Council and a rating system in order to encourage and incentivize edge designs that are resilient, accessible to the public, economically feasible, and ecologically healthy, similar to the Leadership in Energy and Environmental Design (LEED) system; and

WHEREAS: MWA anticipates version 1.0 of the design guidelines will be completed by September 2014; and

WHEREAS: MWA has developed Guiding Principles of the Waterfront Edge Design Guidelines, defining a set of core values for best design practices for the waterfront edge, and to serve as a framework for which the guidelines will be created. These guidelines state that waterfront edge designs should enhance ecology, encourage maritime use, use a science-based, evaluative process for restoration, commit to equity and community input, promote resiliency, enhance public access, especially for boats, and encourage cost-effective solutions; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 supports MWA's Guiding Principles as well as the idea of creating the WEDG certification and grading system, and looks forward to working with MWA in the future in development of WEDG guidelines.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: PLANNING

COMMITTEE VOTE:	10 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: New York City notification procedures

WHEREAS: In the recent past, Community Board 1 (CB1) has experienced several cases where it did not receive direct notice of particular action, and once learning about these actions, did not have an adequate amount of time to review and respond; and

WHEREAS: Two of these cases have been the relocation of the Summons Arraignment Part of the New York State Unified Court System to 71 Thomas Street, and the relocation of the NYC Criminal Court's Department of Probation to 66 John Street; and

WHEREAS: On October 22, 2013, representatives from the NYC Department of Citywide Administrative Services (DCAS), the NYC Criminal Court, and Deputy Mayor Halloway attended a Community Board 1 meeting to share information about the relocation to 71 Thomas Street; and

WHEREAS: The meeting occurred only after the community had already learned of the possible relocation by word-of-mouth, creating concern and misinformation. Similarly, we were caught unaware by the planned relocation of the NYC Criminal Court's Department of Probation to 66 John Street which was disclosed for the first time at that meeting; and

WHEREAS: CB1 was not aware of the public hearing DCAS held regarding these leases, pursuant to NYC Charter § 824, which does not require notice to the Community Board or a NYC City Planning hearing; and

WHEREAS: The hearing was advertised in the City Record in April 2013 as a "lease amendment", which provided little information on the scope of the relocations; and

WHEREAS: The City Record provides minimal notice and is read by very few people, and notices of hearings are not easily retrievable by the general public; and

WHEREAS: Subsequent to the announcement on October 22, 2013, residents, along with neighboring Pace University and Century 21 filed a lawsuit in New York State Supreme Court in response to the poor notification and failure to adequately study the potential impact of the probation office on the surrounding neighborhood, requesting an immediate injunction and asserting the city failed to follow land use, environmental and "fair share" review procedures required by the law; and

WHEREAS: At the conclusion of the lawsuit, Justice Carol Huff determined that the April 2013 notice in the City Record was sufficient notice for this kind of transaction; and

WHEREAS: Community Board 1 is concerned that this ruling will set a precedent for intentionally avoiding notification to the community by burying notices in the City Record; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 urges the Department of Citywide Administrative Services (DCAS) to adopt a policy of notification to community boards, similar to the Uniform Land Use Review Procedure (ULURP), when City office leases are initiated, renewed or when City offices are relocated in existing city leased space; and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board 1 urges DCAS to adopt a ULURP-like calendar of notification of public hearing on every such lease with 60 day notice to community boards before a public hearing is held; and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board 1 urges that the Manhattan Borough President and City Council member for the district be given similar notice; and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board 1 urges that the New York City Council adopt legislation making these formal procedures.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2014

COMMITTEE OF ORIGIN: PLANNING

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Possible reallocation of Superstorm Sandy aid

WHEREAS: Recent reports have indicated that the Department of Housing and Urban Development (HUD) is considering reallocation of Community Development Block Grant – Disaster Relief (CDBG-DR) funds appropriated by the United States Congress in the Disaster Relief Appropriations Act of 2013 away from victims of Superstorm Sandy to fund a national resiliency competition; and

WHEREAS: This action would deny critical aid to thousands of Sandy victims for which the disaster relief funding was originally intended; and

WHEREAS: The purpose of CDBG-DR funds is to address unmet needs resulting from natural disaster recovery, and a reallocation of these funds would disrupt ongoing recovery efforts and leave critical aid programs unfunded; and

WHEREAS: In response to this possible reallocation, U.S. Senators from New York Charles E. Schumer and Kirsten Gillibrand partnered with New Jersey Senators Robert Menendez and Cory Booker to send a letter addressed to Shaun Donovan of the United States Department of Housing and Urban Development on May 8, 2014, strongly urging HUD not to redirect CDBG-DR funds away from Superstorm Sandy victims to other parts of the country; and

WHEREAS: The letter also reports that according to New York State and New York City, tens of billions of dollars in unmet housing and infrastructure need as a result of Superstorm Sandy still exist; and

WHEREAS: Existing CDBG-DR funds allocated under the Disaster Relief Appropriations Act of 2013 could potentially be used for desperately needed resiliency measures in Lower Manhattan such as “The Big U” developed under the Rebuild by Design initiative, as well as programs recommended by the New York Rising Lower Manhattan committee; now

THEREFORE

IT BE

RESOLVED

THAT: Community Board 1 calls upon U.S. Senators Charles E. Schumer and Kirsten Gillibrand to continue their efforts to halt any reallocation of Sandy aid, and strongly urges Shaun Donovan and HUD not to deprive Sandy victims of desperately needed additional aid; and

BE IT

FURTHER

RESOLVED

THAT: In addition to rejecting the reallocation of Sandy relief funding, CB1 strongly urges that recovery efforts and programs be accelerated in order to address desperately needed resiliency and fortification for lower Manhattan, and for all of New York City.