

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	12 In Favor	4 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	27 In Favor	6 Opposed	4 Abstained	0 Recused

RE: 1 York Street, application for modifications to a previously approved special permit

WHEREAS: This is a request for a minor modification of an already approved special permit which CB #1 approved last year, and

WHEREAS: The scope of the changes include a modified ground floor site plan, curb cut, removal of one exterior wall which will be replaced in kind but with fenestration, and increasing the height of the building from 150' to 162' by adding one additional penthouse residential apartment of approximately 2,000 sf, and relocating the community facility use to a more contiguous area with a separate entrance but with a reduction in size from 14,208 sf to 13,600 sf and moving the garage to the York Street side of the building, and increasing the retail square footage on York Street as well, and

WHEREAS: The total FAR will remain as the same 6.5 ratio as was approved last year, and

WHEREAS: An ever increasing cluster of restaurants, bars and hotels are changing the characteristics of this neighborhood before our comprehensive planning process has started, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 is in favor of the modifications with the following recommendations:

1. The uses on the ground floor will restrict eating and drinking establishments.
2. The modification does not include the additional residential penthouse of approximately 2,000 sf that increases the height by 12 feet.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	15 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 415 Washington Street, BSA application to permit a 9 story, 6.02 FAR residential building

WHEREAS: This is a subsequent modification of a new building that was originally presented to the Landmarks Committee of CB#1 as a 6 story manufacturing building (and penthouse) with an FAR of 5; and was approved by our Board and the LPC as such, and

WHEREAS: The developer has subsequently changed the concept to apply for a BSA variance to permit a residential structure of a similar height, but now with an FAR of 6, by shortening the ceiling height of each floor and thus adding in a 7<sup>th</sup> floor and penthouse, and

WHEREAS: CB #1 strongly recommends that the Washington Street corridor, which is a narrow street, have an FAR of 5 in the Jack Parker application as part of our comprehensive plan, which basically continues the existing FAR of 5 for that area, to maximize light and air to the streets and keep the apartment density in line with the existing social services infrastructure, and

WHEREAS: BSA should only give the minimal variance which is a change of use to permit residential but not increasing the FAR, and

WHEREAS: Demolition work has already commenced on the parking lot even though the June 2, 2006 letter from the Landmark Preservation Commission states: "... no work can begin until a Certificate of Appropriateness has been issued" and none has been issued, and their application states that the parking lot is in operation when it was abruptly closed, and

WHEREAS: The developer should have known about the subsoil conditions from the pattern of previous buildings constructed in the area that have had the same condition (see "Douglaston Civic Association vs Klein")\* and that this is not a unique hardship at all, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 strongly recommends that this application be rejected and the maximum FAR be held to 5.0 by either approving the original design or removing the 2 story penthouse.

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\*One of the hardships that must be proven is “uniqueness”. The following is from a quote from Steven DeCastro, Esq.

“...the hardship condition be not so generally applicable throughout the district as to require the conclusion that if all parcels similarly situated are granted variances, the zoning of the district would be materially changed.” *Douglaston Civic Association vs. Klein*, 51 NY 2d 963, 435 N.Y. S. 2d 705 (1980). If an owner seeks a variance to build a golf course because she can't build on the rocky soil of the lot, and there are two or three other rocky lots in the neighborhood, she has no problem. If the neighborhood is rocky from end to end, a community group protesting the golf course will successfully defeat the variance application based on lack of uniqueness.”

How many times are applicants going to tell us that the landfill area west of Hudson Street has subsurface issues? These conditions should be noted in their Phase 1 Environmental Studies and should be no surprise at the time of purchase.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	4 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	29 In Favor	7 Opposed	2 Abstained	0 Recused

RE: 6 York Street, application for a restaurant liquor license

WHEREAS: The applicant proposes to operate a restaurant with approximately 55 tables and 130 seats, and

WHEREAS: There was community opposition from the adjacent building calling for a 500 foot rule hearing, and

WHEREAS: The proposed maximum hours of operation will be Noon until Midnight, Sunday through Saturday, and

WHEREAS: The applicant agreed to have background music only as appropriate for an establishment located where it is, and to provide adequate sound-proofing, and

WHEREAS: The applicant will not be seeking a cabaret license or a sidewalk café license, and

WHEREAS: The applicant agreed to add these conditions to the SLA application, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 has no objection to the license application submitted on behalf of 6 York Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 413 Greenwich Street, application for an unenclosed sidewalk café for IL  
Mattone Corp.

WHEREAS: The applicant has applied for a unenclosed sidewalk cafe license for 12  
tables and 26 seats, and

WHEREAS: The proposed hours of operation will be 8 AM until 11 PM Monday  
through Thursday, 8 AM until midnight on Friday and Saturday and noon  
until midnight on Sunday, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 has no objection to the application as submitted with tables and  
chairs on Greenwich Street and no tables east of the corner door on Hubert  
Street as was marked on the submitted drawings, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 approves the license for a period of two years subject to  
compliance by the applicant with the limitations and conditions set forth  
above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Liquor license renewal applications:  
116 West Broadway, Bouley Leroy Bakery, LLC  
62 Laight Street, LKS Concepts LLC d/b/a Dylan Prime  
22 Warren Street, White Rose Restaurant Inc.  
10 Reade Street, Alabachiara LLC, Alabachiara Restaurant  
323 Greenwich Street, Gigino Inc.  
105 Hudson Street, NOBU Associates LP. d/b/a NOBU

WHEREAS: These six applications are renewal applications with no history of community complaints and no one from the public came to comment, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 has no objection to these renewals.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 2 Rector Street, wine license application for Masterpiece Pizza, Inc. d/b/a Masterpiece Pizza

WHEREAS: The applicant proposes to operate a restaurant with 10 tables and 45 seats, and

WHEREAS: The proposed maximum hours of operation will be 11:00 AM until 8:00 PM Sunday - Saturday, and

WHEREAS: The applicant represented that it will not be seeking a cabaret license but will be seeking a sidewalk café license, and

WHEREAS: The applicant agreed to add these conditions to the SLA application, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 approves the liquor license application for Masterpiece Pizza Inc. d/b/a Masterpiece Pizza located at 2 Rector Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: 6 Hanover Street, liquor license application for SDSWBH, LLC

WHEREAS: The applicant proposes to operate a eating/drinking facility for prospective condo buyers with 4 tables and 20 seats, and

WHEREAS: The proposed maximum hours of operation will be Noon AM until 8:00 PM Sunday - Saturday, and

WHEREAS: The applicant agreed to have background music only as appropriate for an establishment located where it is, and to provide adequate sound-proofing, and

WHEREAS: The applicant represented that it will not be seeking a cabaret license or a sidewalk café license, and

WHEREAS: The applicant agreed to add these conditions to the SLA application, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 approves the liquor license application for SDSWBH, LLC located at 6 Hanover Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: 52 Stone Street / 85 Broad Street, liquor license application for 85 Pearl Street Venture

WHEREAS: The applicant failed to appear at the meeting, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 recommends that the State Liquor Authority hold over this application until the Community Board is given the opportunity to review the proposal.

06resjuly25

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: WEST STREET TASK FORCE

COMMITTEE VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Warren/West Street Intersection

WHEREAS: Crossing West Street adjacent to BPC is extremely difficult and dangerous due to the width of the street, speeding vehicles, cars making turns and the small amount of green time, and

WHEREAS: The safest place to cross for residents and children who use the ball fields and the students of PS and IS 89 is the northern side of Warren and West, and

WHEREAS: NYS DOT is planning to install two left turn lanes in this “safest crossing” for southbound West Street traffic at Warren. The Route 9A Environmental Impact Statement itself points to increased accidents if these turning lanes are installed, and

WHEREAS: This plan was never part of the original West Street/Route 9A construction. In fact, local residents and local committee members from Chambers Street and Warren Street believe there will be little improvement for even cars by installing these turning lanes on Warren Street, and

WHEREAS: Any installation of these turns on Warren Street would reduce the amount of time a child or adult has to cross West Street, and

WHEREAS: Warren St. has undergone a residential and commercial transformation since the beginning of the 9A construction process and will, in addition to PS 234, have a Whole Foods supermarket, the residential and parking entrances of two large scale residential projects with over 400 units, and a Community Center, and

WHEREAS: The installation of turning lanes on to Warren Street would also make the street much more dangerous, bringing cars into this busy north crosswalk that is now free of turning vehicles during the green pedestrian light cycle, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 strongly urges the NYS DOT not to install turning lanes allowing a left hand turn onto Warren Street from southbound West Street.

06resjuly25

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 4 In Favor 2 Opposed 0 Abstained 1 Recused  
BOARD VOTE: 34 In Favor 3 Opposed 0 Abstained 0 Recused

RE: Spiegeltent on the north side of Pier 17 and liquor license application

WHEREAS: The applicant proposes to operate an entertainment venue with approximately 77 tables and 398 seats, and

WHEREAS: The proposed maximum hours of operation will be Noon – 2:00 AM – Sunday – Saturday, and

WHEREAS: Spiegeltent is scheduled to operate from August 3<sup>rd</sup> to October 1<sup>st</sup>, 2006 and will feature local and international artists in an eclectic mix of family shows, dance, theatre, music and performance, and

WHEREAS: Spiegel tents have apparently been very successfully operated in Europe and Australia, and

WHEREAS: The operators anticipate attracting an up-scale clientele and will hire security and monitor the sound levels in consultation with the Community Board, and

WHEREAS: Heartland Brewery has been subcontracted to provide the food and beverages for Spiegeltent, and

WHEREAS: The Community Board #1/Downtown Alliance 2002 East River Waterfront Plan was predicated on creating a series of attractions and destinations to draw residents, workers and visitors to the waterfront and we feel that Spiegeltent is an interesting and different concept worth a try, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 approves the liquor license application for Spiegeltent at Pier 17, South Street Seaport for their 2006 run scheduled from August 3 to October 1, 2006.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 5 In Favor 2 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 20 In Favor 10 Opposed 2 Abstained 0 Recused

RE: Proposed street, parking lane closures for Pace University in conjunction with fall student move-in

WHEREAS: In conjunction with the fall move-in of students to local dorms, Pace University is requesting the following closures:

- Spruce Street, between Park Row and Gold Street on Sunday, September 3<sup>rd</sup> and Monday September 4, 2006, 6 AM – 6 PM
- Restrict parking on the Frankfort Street parking lane between Park Row and Gold Street on Sunday, September 3<sup>rd</sup> and Monday September 4, 2006, 6 AM – 6 PM
- Restrict parking on Fulton Street between William Street and Dutch Street on Sunday, September 3<sup>rd</sup> and Monday September 4, 2006, 6 AM – 6 PM
- Dutch Street, between John Street and Fulton Street from Sunday September 3<sup>rd</sup> to Monday September 4, 2006, 6 AM – 6 PM, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 approves the requested street and parking lane closures proposed by Pace University.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

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

RE: Street activity permit application for the African Burial Ground 2006 Commemoration ceremony on September 29, 2006 by the Schomburg Center for Research in Black Culture

WHEREAS: The Schomburg Center for Research in Black Culture is proposing to sponsor a commemorative ceremony at the African Burial Ground on September 29, 2006, and

WHEREAS: This event has been successfully conducted in past years on Chambers St., Duane St., Broadway, Centre St., Elk St., and Lafayette St., now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 recommends the approval of the street activity permit to conduct the 2006 African Burial Ground Commemoration Ceremony during the hours of 10 AM – 7 PM.

06resjuly25

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 7 In Favor 0 Opposed 2 Abstained 0 Recused  
BOARD VOTE: 37 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 21-23 Peck Slip liquor license application transfer application for Quartino Restaurant

WHEREAS: The applicant proposes to operate a restaurant with 13 tables and 45 seats, and

WHEREAS: The proposed maximum hours of operation will be: 12:00 pm to 12:00 am, 7 days per week, from March to November and 12:00 pm to 11:00 pm, 7 days per week, during months December, January and February, and

WHEREAS: The applicant represented that it will not be seeking a cabaret license or a sidewalk café license, and

WHEREAS: The applicant agreed to add these conditions to the SLA application, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 approves the liquor license application for Quartino Restaurant located at 21-23 Peck Slip for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Proposed street activity permit application for Battery Place between West Street and First Place sponsored by the Battery Park City Parks Conservancy

BE IT  
RESOLVED

THAT: Community Board #1 approves the proposed street activity permit application sponsored by the Battery Park City Parks Conservancy for September 10, 2006 during the hours of 9 AM – 9 PM on Battery Place between West Street and First Place to conduct their annual Harmony on the Hudson Musical Festival.

06resjuly25

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	6 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	30 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 56 Walker Street, application for a new penthouse addition, a new storefront, new windows and the restoration of the façade

WHEREAS: The application is to fully repair and restore this 1866 cast iron first floor and upper marble building, and

WHEREAS: The missing cast iron Corinthian capital will be replicated and replaced, and

WHEREAS: The marble will be cleaned, and

WHEREAS: The new wooden painted windows will be two-over-two and four-over-four as per the historic photographs, and

WHEREAS: The wooden store front will exactly match the tax photo with clear glass, no signage except for “56” on the glass transom above the doors and be painted in a color based on the original paint analysis, and

WHEREAS: The Committee liked the proposed restoration and repair work, and

WHEREAS: The one and one half story penthouse addition would stand 15’ above the parapet wall -being 17’6” from the new lowered roof line – producing a total height of 18’2”, and

WHEREAS: The visibility studies show the addition is not visible from any position on Walker Street, being first visible 420’ north on Mercer Street across the three story adjoining building, and

WHEREAS: The penthouse will be made of metal, clear glass and stucco, and

WHEREAS: The bulkhead would contain seven small AC units and four small chimneys, and

WHEREAS: The Committee felt the modest visibility starting 420’ north was acceptable given the quality of the restoration, now

THEREFORE

BE IT

RESOLVED

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

06resjuly25

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused  
PUBLIC VOTE: 2 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 37 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Re-routing of delivery truck traffic during Route 9A/Port Authority construction

WHEREAS: Route 9A and adjacent areas between Vesey and Liberty Streets will be under construction commencing in approximately August 2006 and continuing into 2009, and

WHEREAS: During such construction, the existing driveway that serves as an entrance to the garage and loading dock for 2/3 World Financial Center (WFC) will not be available for use, and a temporary driveway for access to the garage and loading dock for 2/3 WFC will be constructed roughly parallel to Route 9A and located between Route 9A and 2 WFC, with its entrance on Liberty Street, and

WHEREAS: Based on traffic counts conducted by the NYS Department of Transportation (NYS DOT), during peak volume hours, the existing 2/3 WFC driveway entry traffic volume is as follows:

Hour ending	Cars	Small Trucks	Medium Trucks	Total
7:00 am	8	6	9	23
8:00 am	4	6	5	15
9:00 am	3	9	7	19
10:00 am	4	5	7	16

WHEREAS: The peak vehicular traffic period in this area of Battery Park City is during the hour ending at 9:00 am, and

WHEREAS: The existing traffic load in this area of Battery Park City has caused and continues to cause serious problems for pedestrians and motorists and constitutes an existing safety hazard, and

WHEREAS: Although the existing 2/3 WFC driveway entry traffic volume is a small percentage of the overall traffic in this area of Battery Park City, re-routing such traffic in any manner along Albany Street, South End Avenue or Liberty Street poses the risk of tipping the existing over-capacity traffic situation into a significantly more serious and dangerous situation, and

WHEREAS: NYS DOT, working with NYC DOT, the Port Authority, NYPD, Brookfield, the Battery Park City Authority and the Battery Park City Committee of CB#1, has identified certain remediation measures that could both improve the existing traffic conditions in BPC as well as reduce the adverse impact of re-routing of 2/3 WFC driveway entry traffic into the streets of Battery Park City, including improvements in the operation of the Gateway Plaza Garage operations, enforcement of traffic regulations regarding illegal turns, parking in no standing zones and double parking, potential relocation of the South End Avenue taxi stand, relocation of South End Avenue bus stops and improving the 1 WFC garage screening area, and

WHEREAS: CB#1 strongly prefers that any re-routing of 2/3 WFC driveway entry traffic into the streets of Battery Park City be accomplished in such a manner that does not involve a left turn from Liberty Street into the temporary 2/3 WFC driveway, and

WHEREAS: NYS DOT has presented the Battery Park City Committee with several options for the re-routing of 2/3 WFC driveway entry traffic, designated in a presentation dated July 11, 2006 as Options A, B and B', summarized as:

- Option A: 2/3 WFC driveway entry traffic traveling southbound on Route 9A would enter BPC at Albany Street, turn right at South End Avenue, turn right at Liberty Street and then turn left into the temporary 2/3 WFC driveway; traffic leaving the driveway would turn right from the driveway onto Liberty Street, left on South End Avenue and left on Albany Street;
- Option B: 2/3 WFC driveway entry traffic traveling southbound on Route 9A would enter BPC at Liberty Street and turn right into the temporary 2/3 WFC driveway; traffic leaving the driveway would turn left from the driveway onto Liberty Street;
- Option B-prime: 2/3 WFC driveway entry traffic traveling southbound on Route 9A would enter BPC at Liberty Street and turn right into the temporary 2/3 WFC driveway; traffic leaving the driveway would turn right from the driveway onto Liberty Street, left on South End Avenue and left on Albany Street.

WHEREAS: If traffic leaving the temporary 2/3 WFC driveway were to turn left onto Liberty Street, such traffic is likely to cause additional traffic congestion and pose additional pedestrian hazards, and

WHEREAS: 2/3 WFC driveway entry traffic traveling southbound on Route 9A will likely not be able physically to make a right turn on Liberty Street into the temporary driveway because of anticipated construction activity in that area during the later phases of the Route 9A construction project, and

WHEREAS: NYS DOT recommends the use of Option B-prime during the initial phase of the Route 9A construction project, and

WHEREAS: NYS DOT believes that Option A may be the only practical option during the later phases of the Route 9A construction project, but it has committed to consult with CB#1 prior to adopting such Option, and

WHEREAS: NYS DOT has stated that funding will be provided for traffic enforcement agents during the Route 9A construction project to enforce traffic regulations and facilitate the 2/3 WFC driveway entry and exit traffic, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB#1 agrees with the recommendation of NYS DOT for the use of Option B-prime during the initial phase of the Route 9A construction project, and requests that NYS DOT consult with CB#1 prior to adopting any other Option in the future, and

BE IT  
FURTHER  
RESOLVED

THAT: Traffic enforcement agents be provided during the Route 9A construction project to enforce traffic regulations and facilitate the 2/3 WFC driveway entry and exit traffic, and that the governmental bodies responsible for such agents consult with CB#1 regarding the timing and scope of deployment of such agents, and

BE IT  
FURTHER  
RESOLVED

THAT: A task force be created comprised of representatives of all appropriate parties, including the BPC Committee, NYS DOT, NYC DOT, Port Authority, Battery Park City Authority, NYPD and Brookfield to address implementing traffic remediation measures in the southern segment of BPC.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: ARTS & ENTERTAINMENT TASK FORCE

COMMITTEE VOTE: 5 In Favor 2 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 30 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Public art projects proposed for display in Thomas Paine Park

WHEREAS: Dennis Oppenheim is a New York – based artist who was a key figure in several art movements, including Land Art, Conceptual Art and Body Art. He has long challenged the idea of conventional gallery spaces, preferring to make art in the landscape, both urban and rural. He has extensive experience with public art projects, and

WHEREAS: This temporary sculptural installation, called “Alternative Landscape Components,” includes clusters of trees, rocks and hedges that the artist has fabricated. The trees are approximately 16’ tall by 8’ at their widest points. The rocks and hedges are about 3’ high. The materials are very sturdy, brightly-painted steel frames, and surface material is weather resistant colored acrylics, and

WHEREAS: The exhibitor will be required to maintain the art work, to provide liability insurance coverage, and to restore the site to its original condition, and

WHEREAS: This project has the support of NYC Parks and Recreation and the Mayor’s Office, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB#1 approves the temporary sculptural installation of Dennis Oppenheim’s “Alternative Landscape Components” in Thomas Paine Park, to be on view from September to December 2006, with the following provisions: a) The park remains usable and open to the public; b) The park is restored, 100% to its present state, after the art piece is removed.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: ARTS & ENTERTAINMENT TASK FORCE

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 30 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Public art project for Collect Pond Park by Matthew Geller

WHEREAS: Matthew Geller is a New York – based artist who has received a Grant for Art in Public Spaces from the Lower Manhattan Cultural Council for this project, and

WHEREAS: This temporary sculptural installation, called “Awash,” is a sidewalk shed with a clear roof and two porch swings within it. Water splashes onto the roof from a tank, and cascades along the roof into the gutter. Up to six people can gently sway on two benches suspended within the sidewalk shed. The dimensions of the shed are 10’x8’x16’. The water will project 6 to 8’ above the structure, and

WHEREAS: The exhibitor will be required to maintain the art work, to provide liability insurance coverage, and to restore the site to its original condition, and

WHEREAS: This project has the support of NYC Parks & Recreation and the Mayor’s Office, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB#1 approves the temporary sculptural installation of Matthew Geller’s “Awash” in Collect Pond Park, to be on view from September to November 2006.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: LANDMARKS

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

BOARD VOTE: 30 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 405 Broadway, application for a 1-story penthouse addition, a new storefront and new windows

WHEREAS: The five story cream colored brick building constructed in 1908 will be thoroughly cleaned and restored with matching brick, and

WHEREAS: The new wooden windows will match the rhythm of those seen on the facade in the 1910 historical photo while the new lot line windows will also be constructed of wood, and

WHEREAS: The new storefront, while altered from the original, will dovetail in design with the proposed windows, all of which will be painted black, and

WHEREAS: The new penthouse addition, to be clad in a light grey stucco which is lighter than the brick of the building, will rise 9' - 6" above the southwest side of the building and 3' - 6" on the north and will include a 7' high boiler flue with a 2' high fan increased in diameter from 12" to 18", now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 recommends that the Landmarks Preservation Commission approve this application for a 1 – story penthouse addition, a new storefront and new windows. It should be noted that an overwhelming majority was concerned about the historic sign painted on the north side of the building. We felt this should be preserved and restored and the architect, Joseph Pell Lombardi agreed to explore this. He also promised to reduce the diameter and height of the boiler flue which were over – scaled.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	30 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 105 Reade Street, application for a 3-story addition to an existing 5-story building

WHEREAS: This application requests the addition of a 7,500 square-foot single-family, three-story triplex penthouse atop a beautiful but ill-maintained loft building on the south side of Reade Street between West Broadway and Church Street, within the Tribeca South Historic District, and

WHEREAS: The extension would be visible in its entirety looking south from West Broadway north of Reade Street, and would also be somewhat visible from Church Street, and

WHEREAS: Its overall composition would be of stucco and glass, and

WHEREAS: Besides being the architectural equivalent of a genetic experiment run amok, the proposal's massing and visibility would be an insult to the community, and the presentation was an insult to the community, and

WHEREAS: Despite the applicants' representatives admitting that the Landmarks Preservation Commission has rejected this proposal in its entirety at the staff level, the applicants insist upon this matter being presented at an L.P.C. public hearing in its present form, and

WHEREAS: This is the precise example, the model of what we in Community Board #1 have been fighting against for almost two decades, and it is exactly why the Tribeca Historic Districts were formed, and why we wish to extend them, and

WHEREAS: We will be vigilant in preventing monstrosities like this from emerging in our midst, now

THEREFORE  
BE IT  
RESOLVED

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

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: BPC COMMUNITY CENTER TASK FORCE

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

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

RE: Planned community center on sites 23/24

WHEREAS: The Battery Park City Authority has been developing design plans for the Community Center to be built on Sites 23/24, and

WHEREAS: The BPCA has solicited the input of community residents and other stakeholders on the center's features, uses and programming after several meetings with this committee, and

WHEREAS: The result of a meeting in July 2005 was a 5,000 square foot increase in the size of the center and an agreement regarding the major elements to be incorporated in the design of the center, and

WHEREAS: In collaboration with Hanrahan Meyers Architects and DCH Consulting Services, the BPCA presented a revised design containing elements such as a separate childrens' pool, family lockers, a landscaped 16,000 square foot terrace, an increase to 8 classrooms, an auditorium which can accommodate performances along with other active uses and small café, and

WHEREAS: Much work must be done to identify the business model, operating budget, programming, membership options, partnerships with other service providers in our community, who will operate and governance issues for the opening in 2009-2010, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 approves the current design plan for the BPCA Community Center and requests that the Authority commence working with their consultants and contractors to gather and analyze the data necessary for development of the programming and business decisions that our Task Force will review and comment on.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEES OF ORIGIN: LANDMARKS & WTC REDEVELOPMENT

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

RE: Vesey Street Stair Remnant

WHEREAS: Peter Rinaldi of the Port Authority of New York and New Jersey (PANYNJ) made a presentation on the effects of the reconstruction of the WTC site on additional remnants of the World Trade Center and specifically the stair remnant on Vesey Street adjacent to the former Five World Trade Center building, and

WHEREAS: Some evacuees fleeing WTC Towers 1 and 2 and adjacent buildings used these stairs, which provided an escape exit on 9/11, and

WHEREAS: The stair and adjacent escalators were basically intact after the collapse of both towers but, during the post-9/11 recovery period, Five World Trade Center was deconstructed and a partial demolition of the stairs resulted in removal of the escalators, lower stair treads, granite/marble façades, stone cladding, other finishes and existing signage, and

WHEREAS: The total demolition of the stairs was halted due to the need to maintain access at that location to the 1/9 MTA tunnel for its reconstruction, and

WHEREAS: The physical characteristics of the remaining stair remnant include a steel, concrete and masonry block structure with a 1,100 square foot print that is 64 feet high, 17 feet high and 21 feet long and weights 350,000 pounds, and

WHEREAS: Only original finishes on the upper stair treads and adjacent plaza stone surfaces still exist along with portions of the remnant that consist of lower stair and escalator slabs and concrete and block walls, some of which is in poor condition, and

WHEREAS: The stair remnant is located on a portion of the site that is within the footprint of proposed Tower 2 and where the Master Plan calls for building an additional slurry wall in connection with the construction of new Towers 2, 3 and 4 and the excavation of the entire area beneath the stair remnant to a depth of approximately 70 feet below grade, and

WHEREAS: The Vesey Street stair remnant has acquired a symbolic value to some survivors, family members, residents and workers as well as to preservationists who now value it as a WTC historic artifact, and

WHEREAS: The Lower Manhattan Development Corporation (LMDC) and PANYNJ have indicated that they will seek to minimize or mitigate potentially adverse effects on the Vesey Street stair remnant, through:

- Reasonable and practicable steps consistent with the overall Master Plan
- Sound engineering practice and relevant construction considerations, and

WHEREAS: Construction risks associated with efforts to minimize or mitigate adverse effects relating to the Vesey Street stair remnant include significant worker safety concerns, the danger of falling debris and problems relating to the creation of a safe zone for operations as well as the actual preservation of the remnant, structural encapsulation of the remnant, access to the remnant and damage during the construction period to the west bathtub wall, and

WHEREAS: Preservation scenarios being considered by LMDC and PANYNJ include leaving the Vesey Street stair remnant in place, moving it intact or disassembling its components for removal and reassembly of all or parts of it in another location, and

WHEREAS: The Vesey Street stair remnant is located in an area in which the overall Master Plan provides for the creation of ground floor retail space, and leaving the remnant in place would result in a reduction of the amount of space available for such retail use, and

WHEREAS: PANYNJ was unable to provide any estimate of the possible cost of any of the scenarios under review but indicated that the cost of leaving the remnant in place and providing the necessary support and protection to permit construction under and around it would be significant as would the cost of removing and storing the remnant in a secure location for a period of at least five years before it could be relocated, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB#1 recognizes the symbolic value that the Vesey Street stair remnant has acquired to some survivors, family members, residents and workers as well as to preservationists who now value it as a WTC historic artifact, and

BE IT  
FURTHER  
RESOLVED

THAT: CB#1 is not opposed to any action to minimize or mitigate adverse effects relating to the Vesey Street stair remnant but is very concerned about the possible cost of any such action, particularly when considered in the context of the already extraordinary costs of the proposed memorial and memorial museum and which possible cost has not been included in the recently revised memorial construction cost, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 agrees that only reasonable and practicable steps that are consistent with the overall Master Plan and that embody sound engineering practice and relevant construction considerations should be approved in connection with any such action, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 does not believe that it is necessary for the Vesey Street stair remnant to remain in place or that its symbolic and historical value is ultimately site specific, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 urges that if and when the Vesey Street stair remnant is moved that it not be rebuilt as new and that LMDC and PANYNJ obtain appropriate assistance from preservation experts to ensure that appropriate portions of the remnant are preserved in their present condition, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 requests that LMDC and PANYNJ consider the interests of and consult with the Community Board and members of the local community before relocating all or a portion of the Vesey Street stair remnant anywhere else on the WTC site and that due consideration be given to concerns such as potential adverse effects on retail or commercial development and access to and across the plaza, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 urges that no action to minimize or mitigate adverse effects on the Vesey Street stair remnant be taken until the costs of such action have been fully and carefully considered and a determination has been made that these costs are reasonable and acceptable and within the Memorial Foundation budget, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 urges further that no action be taken to minimize or mitigate adverse effects on the Vesey Street stair remnant that would cause or add to delay in reconstruction of the WTC site or reduce the overall area available for ground floor or lower levels of retail or commercial development.

06resjuly25

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: BATTERY PARK CITY

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

RE: Chevy's Fresh Mex, cabaret license application

WHEREAS: Chevy's Fresh Mex at 102 North End Avenue has applied for a cabaret license, and

WHEREAS: The operators are proposing to have the cabaret operation during one midweek (Tuesday, Wednesday, Thursday) evening per week from 8 PM until midnight, and

WHEREAS: The reason that they are seeking this cabaret license is to augment their existing business which they say is down and considerably below the pre 9/11 traffic counts they used as the basis for opening at this location, and

WHEREAS: Chevy's Fresh Mex has committed to maintaining their current family dining operation except for this one midweek evening, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 recommends that the Department of Consumer Affairs approve the Chevy's Fresh Mex two year cabaret license.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JULY 25, 2006

COMMITTEE OF ORIGIN: BATTERY PARK CITY

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 2 Recused

RE: 102 North End Avenue, aka 251 Vesey Street hotel liquor license transfer application for GSG / Site 25 Hotel, LLC

WHEREAS: The Goldman Sachs Group, which will own GSG / Site 25 Hotel, LLC through a wholly owned entity, is in the process of purchasing the Embassy Suites Hotel and hotel property, and

WHEREAS: In conjunction with this takeover, GSG / Site 25 Hotel, LLC has applied for a transfer of the hotel liquor license currently in place at the Embassy Suites Hotel, and

WHEREAS: The applicant has indicated that the operation of the hotel and adjacent businesses will remain unchanged and will return to the Community Board to discuss any planned changes, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 approves the hotel liquor license transfer application for GSG / Site 25 Hotel, LLC located at 102 North End Avenue for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

06resjuly25