

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: ARTS & ENTERTAINMENT TASK FORCE

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Temporary sculpture/fountain to be located in Thomas Paine Park in summer, 2008

WHEREAS: The NYC Department of Parks and Recreation has proposed to place a temporary sculpture/fountain by Mia Westerlund in Thomas Paine Park from approximately June to October of 2008, and

WHEREAS: Clare Weiss, the Curator from the Parks Department, brought Mia Westerlund to the May meeting of the CB1 Arts and Entertainment Task Force to describe the project, and

WHEREAS: The sculpture/fountain, named *Battenkill*, after the river of the same name, is a concrete sculpture with water running along its edge and seating along the inside of the work to provide a cool, shady place to sit in the summer, and

WHEREAS: The members of the Task Force were very favorably impressed with Mia Westerlund's photographs of the work in progress, photographs of her other work, and her background as a sculptor who has been widely exhibited in many highly regarded museums and galleries, and

WHEREAS: There is a need for distinguished public art to enhance the streetscape, parks and open spaces of Lower Manhattan for residents, workers and visitors in the area, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB#1 endorses the temporary placement of *Battenkill* in Thomas Paine Park as proposed by the Department of Parks and Recreation

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for new liquor license, 30 West Street by Frank Casano, d/b/a Osteria Casano

WHEREAS: The total square footage of the restaurant is 1,900 with 14 tables/28 seats in the dining area and 5 tables/22 seats in the bar area, and

WHEREAS: The owner intends to close both the dining room and the bar at 11:30 p.m. on weekdays and at midnight on Fridays and Saturdays, and

WHEREAS: The only music to be played in the establishment will be recorded and will not be played loudly enough to require soundproofing, and

WHEREAS: The owner does not intend to apply for a cabaret license, and

WHEREAS: The owner does intend to apply for a sidewalk café license, and

WHEREAS: The owner has indicated that in any deliveries by bicycle, his delivery people will not ride their bicycles on the sidewalk, and

WHEREAS: Community Board #1 has received no complaints about the owner's other establishment in our district, namely Adrienne's in the financial district, and

WHEREAS: Community Board #1 does not anticipate any problems with this new establishment, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 recommends approval of a full liquor license for this establishment.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for two Vessel Liquor Licenses for SeaStreak, LLC –  
Gouverneur Lane and South Street – Pier 11

WHEREAS: The applicant seeks two vessel liquor licenses for the Whaling City  
Express and Martha’s Vineyard Express, and

WHEREAS: These two vessels are operated as ferries by SeaStreak, LLC, carrying  
passengers between Lower Manhattan and Highland Park, New Jersey,  
and

WHEREAS: The proposed hours of operation are during the hours of ferry service, and

WHEREAS: The vessels will not have music, and

WHEREAS: The applicant will not seek a cabaret license, and

WHEREAS: The applicant will not seek a sidewalk café license, and

WHEREAS: Other vessels operated by the applicant as ferries have served liquor  
without any reported problems, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the liquor license application by SeaStreak, LLC  
d/b/a Whaling City Express and d/b/a Martha’s Vineyard Express.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for a sidewalk café by Pearlstone Burger Corporation d/b/a  
Burger Burger, 77 Pearl Street

WHEREAS: The applicant has applied for an unenclosed sidewalk cafe license for 6  
tables and 12 seats, and

WHEREAS: The proposed hours of operation will be no more than 8 a.m. to Midnight  
Monday through Thursday and to 1 a.m. on Friday and Saturday, and

WHEREAS: The applicant has agreed to comply with all Department of Consumer  
Affairs regulations including those regarding maintenance of sidewalk  
width and the approved number of tables and chairs, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 approves the application for an unenclosed sidewalk café for  
Pearlstone Burger Corporation d/b/a Burger Burger at 77 Pearl 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: MAY 27, 2008

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for additional parking spaces at 15 William Street

WHEREAS: CB#1 has lost 2,539 off-street parking spaces since 2003, and

WHEREAS: 617 of these spaces were lost within a ¼ mile radius of the proposed garage at 15 William Street, and

WHEREAS: A total of 6063 residential and 921 hotel units have been constructed within a ¼ mile radius of the proposed garage at 15 William Street since 2003, which has significantly increased demand for parking spaces in the Financial District, and

WHEREAS: No other area in Manhattan has had more commercial buildings converted into residential use than the Financial District, further increasing the demand for parking there, and

WHEREAS: The 15 William Street site was used as a parking lot from 1988 to 2005, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 would encourage the owner of 15 William Street to file an application with the City Planning Commission seeking approval for a public parking garage at 15 William Street to be available for use by neighborhood residents, and

BE IT

FURTHER

RESOLVED

THAT: CB1 acknowledges the need for additional parking spaces in the Financial District to accommodate the need arising from the rapid growth of the area's residential population, and

BE IT

FURTHER

RESOLVED

THAT: CB1 would look forward to receiving and expects to support an application for a parking garage at 15 William Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	5 Opposed	2 Abstained	0 Recused

RE: 172 Duane Street, LPC application for rooftop addition

WHEREAS: This application calls for enlarging and heavily modifying a building on Duane Park in the Tribeca West Historic District, and

WHEREAS: The total height would increase to seven stories, or, as the architect describes it, six stories plus a mezzanine, making it taller than its immediate neighbors, and

WHEREAS: The existing structure was brilliantly reconceived in the late 1980s by Vincenzo Pulcinelli, the same architect as is designing the proposal under current consideration, and

WHEREAS: At that time, Mr. Pulcinelli used the cast-iron façade of the original warehouse building as a screen planted in the ground, behind which was a totally reimagined two-story construction, and

WHEREAS: Although, ironically, subsequent designation of the area might have prevented Mr. Pulcinelli's 1980s realization, at the time it became an icon of what Tribeca's historic architecture was about in its soul, what messages it carried, and how it could be reapplied over a century later for completely different uses, and

WHEREAS: Unfortunately, the current proposal seems to undermine that work, overwhelming the building and the block with clever, even imaginative notions, but with too many fussy details in the service of too many programs, and

WHEREAS: For instance, this simple building on a typical Tribeca loft lot would carry a three-story street-side glass winter garden. Oiled cast bronze verticals would run up the side of the building. The façade itself would angle on a diagonal echoing Duane Park. The sides would be of stucco, with aluminum rain screens, and

WHEREAS: While each of these items in itself is ingenious, together they are all too much for what is now a settled and restored block, and

WHEREAS: The board also has issues with the general bulk of the project, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 Manhattan recommends that the Landmarks Preservation Commission reject this project.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: PLANNING AND COMMUNITY INFRASTRUCTURE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Proposed Development Principles for Manhattan

WHEREAS: Manhattan Borough President Scott Stringer has proposed that a uniform questionnaire, titled “Development Principles for Manhattan” (copy attached), be part of the Manhattan real estate development process, pursuant to which developers seeking approvals from the Community Board, the Borough President or the City Council, would provide information relevant to such approvals in a timely manner in order to facilitate appropriate consideration of the relevant development project, and

WHEREAS: The proposed questionnaire would provide a valuable tool (a) to determine the extent to which a proposed development project is consistent with or enhances sound development principles and (b) to aid the Community Board, the Borough President and the City Council in their planning responsibilities, and

WHEREAS: The proposed questionnaire is designed to be applicable to the entire Borough of Manhattan, and

WHEREAS: The Office of the Borough President would welcome Community District-specific addenda to such questionnaire, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 supports the Development Principles for Manhattan, and suggests the following minor revisions thereto:

- (1) Under the heading Infrastructure and Public Needs, we suggest adding a fourth bullet point, reading “If the project is legally exempt from local government code requirements, will the project nonetheless comply with the terms of the City of New York Department of Buildings, Fire Department of New York and Department of Environmental Protection Codes and appropriate Certificates of Occupancy?”

- (2) That the heading “Open Space and Urban Design” be changed to “Open Space, Neighborhood Context and Urban Design” and that a fourth bullet point be added under this heading to read, “Describe how the use associated with the development is consistent with and/or enhances the neighborhood’s character.”
- (3) Under the heading Community Communication and Construction Mitigation, add the following words to the final sentence of the second bullet point: “and specify the regulatory or other standards that will govern the mitigation of such disruptions.”
- (4) Under the heading Community Communication and Construction Mitigation, edit the fourth bullet point by adding the words, “and all other” after the word “historic” in the first line and replacing the word “avoiding” in the second line with “monitoring and mitigation of,” and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board #1 would intend to provide the proposed questionnaire to a development applicant as part of the initial interaction between City government and such applicant, with a request that the response to the questionnaire be provided at least thirty (30) days prior to the initial consideration of any application for discretionary approval, and

BE IT  
FURTHER  
RESOLVED

THAT: The Planning and Community Infrastructure Committee is requested to draft a Community Board #1-specific addendum to the Development Principles for Manhattan.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

RE: Pier 17, South Street Seaport, application for alteration of premises in connection with on premises liquor license for Sequoia

WHEREAS: The applicant proposes to add 56 tables with 112 seats on the north and east side of the second floor of Pier 17, and

WHEREAS: The additional seating will be unenclosed for use during the summer months only, and

WHEREAS: The aisle space between the chairs and the railing will be 5 feet complying with handicapped accessory requirements, and

WHEREAS: Committee members felt that the proposed aisle space was too narrow and recommended that the alignment of tables be changed from duplexes to quads to increase the amount of space that would be allocated to the aisles, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the alteration of the liquor license for Sequoia at Pier 17, South Street Seaport, subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

RE: South Street Seaport, North Side, application for alterations and an additional bar for 93 South Street Rest Corp. d/b/a/ Spiegel Tent

WHEREAS: The applicant proposes to install a second performance tent with a stand up bar with a maximum capacity of 200, and

WHEREAS: The applicant proposes to install an outdoor food counter with a service bar, and

WHEREAS: The establishment will operate during the summer months only, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the alteration of the liquor license for Spiegel Tent at South Street Seaport, North Side, subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

RE: 146 Beekman Street, application for renewal of an unenclosed sidewalk café for Fresh Salt

WHEREAS: The applicant has applied for renewal of an unenclosed sidewalk cafe license for 6 tables and 12 seats, and

WHEREAS: The proposed hours of operation will be no later than midnight on weekdays and 1:00 am on weekends, and

WHEREAS: The applicant has agreed to comply with all Department of Consumer Affairs regulations regarding maintenance of sidewalk width and the approved number of tables and chairs, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 approves the application for renewal of an unenclosed sidewalk café for Fresh Salt at 146 Beekman Place 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: MAY 27, 2008

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

RE: Proposed street activity permit application on Saturday, June 14, 2008,  
South Street between John Street and Beekman Streets by General Growth  
Properties/South Street Seaport

BE IT  
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit  
application submitted by General Growth Properties to close South Street  
between John Street and Beekman Street on Saturday, June 14, 2008  
during the hours of 10 AM – 5 PM. Event will take place during the hours  
of Noon to 5 PM.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	0 Opposed	0 Abstained	1 Recused

RE: DeLury Square Reconstruction ULURP

WHEREAS: The Department of Parks and Recreation proposes to expand and reconstruct DeLury Square as part of the Lower Manhattan Open Space Vision, and

WHEREAS: The ULURP application calls for a Change in the City Map to eliminate, discontinue, and close a portion of Fulton Street and John Delury Sr. Plaza, and

WHEREAS: The ULURP action would expand the former plaza to create a unified public space, to be named DeLury Square

WHEREAS: The park would be reconstructed using a portion of the road and adjacent private property acquired by the city, and

WHEREAS: The park is part of the Fulton Corridor Revitalization Program, a city sponsored project to enhance the Fulton and Nassau Streets retail corridor, and

WHEREAS: The ULURP action would align the intersection to enhance traffic circulation and provide widened travel lanes, and

WHEREAS: CB #1 adopted a resolution in favor of preliminary plans to expand and reconstruct DeLury Square pending submission of a final site plan to Community Board #1, and

WHEREAS: Final plans have been presented to CB #1 regarding its design, which include benches, water fountains, a lawn area, woodland planting areas with various trees, flowers and plants, and a flowing rocky stream with boulder fountain and pond, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 approves the ULURP action required to necessitate the expansion and reconstruction of DeLury Square, and

BE IT  
FURTHER  
RESOLVED

THAT: Because the security concerns raised in CB #1 earlier resolution have yet to be resolved over the location of security cameras, and what police presence there will be, CB #1 urges the city and Southbridge Towers to come to an agreement to be presented to this board.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	5 In Favor	2 Opposed	4 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	3 Opposed	0 Abstained	0 Recused
BOARD VOTE:	20 In Favor	19 Opposed	1 Abstained	0 Recused

RE: 130 Duane Street, application for wine and beer license for Duane Street Hotel

WHEREAS: The applicant, Hersha Hospitality Management, proposes to operate a wine and beer license, and

WHEREAS: The proposed establishment is a restaurant, and

WHEREAS: The total square footage of the restaurant is 357 sq. ft, and the number of tables is 18 with 40 seats and the number of bar stools is five, and

WHEREAS: The establishment proposes to be open from 6:30 am to midnight on weekdays and weekends, and

WHEREAS: There will be background recorded music only, and

WHEREAS: The applicant stated that they will not apply for a sidewalk cafe, and

WHEREAS: The applicant proposes to hire local residents, and

WHEREAS: Concern was expressed by neighbors that the establishment would generate noise and loitering on Duane Street, and

WHEREAS: The applicant will require that guests of the restaurant will use Church Street to enter and exit, and

WHEREAS: The applicant agreed to provide the cell phone numbers and other contact information of managers and key personal to residents, and

WHEREAS: Any approval of this application should not be considered a precedent by the SLA for small boutique hotels, as each application is considered on a case by case basis by the committee, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the wine and beer license application for Duane Street Hotel at 130 Duane Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 140 Church Street, application for beer license for Paul Seven Eleven 2 Inc., d/b/a 7-Eleven

WHEREAS: The applicant, Paul Seven Eleven 2 Inc. proposes to operate a wine and beer license, and

WHEREAS: The proposed establishment is a grocery store, and

WHEREAS: The establishment proposes to be sell beer until midnight only, and

WHEREAS: There will be no on-site consumption of beer, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the beer and wine license application for 7-Eleven at 140 Church Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	3 In Favor	2 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 2 Desbrosses Street, application for alterations to Apogee Events, Inc.,  
d/b/a Tribeca Rooftop

WHEREAS: The applicant, Apogee Events, Inc. proposes to alter its liquor license to accommodate an enlargement in its catering hall from a capacity of 740 to 1440, and

WHEREAS: There have been no complaints about the operation of the establishment since its opening, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the application for alteration of the liquor license Tribeca Rooftop. at 2 Desbrosses Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	3 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 22 Warren Street, application for alterations to White Rose Restaurant, Inc., d/b/a Roisn Dubh

WHEREAS: The applicant, White Rose Restaurant, Inc., proposes to alter its liquor license to expand the restaurant operation to 2600 feet on the lower level at 22 Warren Street, and

WHEREAS: The establishment proposes to be open from 11:00 am to midnight on weekdays and weekends, and

WHEREAS: There have been no complaints about this establishment, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the application for Roisn Dubh at 22 Warren Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	3 In Favor	0 Opposed	2 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 94 Chambers Street, application for liquor license for Ma Maria, Inc.

WHEREAS: The applicant, Ma Maria, Inc., proposes to operate a liquor license, and

WHEREAS: The proposed establishment is a restaurant, and

WHEREAS: The total square footage of the restaurant is 1600 sq. ft, and the number of tables is 25 with 64 seats and six stools at the bar, and

WHEREAS: The establishment proposes to be open from 10:00 am to 11:00 pm on weekdays and weekends, and

WHEREAS: There will be background recorded music only, and

WHEREAS: The applicant will not put speakers in the ceiling, and

WHEREAS: The applicant stated that they will not apply for a sidewalk cafe, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the liquor license application for Ma Maria Inc., at 94 Chambers Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 90 Chambers Street, application for liquor license for Lekker Stuk, LLC,  
d/b/a Jerry's

WHEREAS: The applicant, Lekker Stuk LLC, proposes to operate an on-premise liquor  
license, and

WHEREAS: The proposed establishment is a restaurant, and

WHEREAS: The total square footage of the restaurant is 1,500 sq. ft, and the number of  
tables is 14 with 50 seats, and

WHEREAS: The establishment proposes to be open from 8:00 am to 11:00 pm on  
weekdays and 8:00 am to midnight on weekends, and

WHEREAS: There will be background recorded music only, and

WHEREAS: The applicant stated that they will not apply for a sidewalk cafe, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the liquor license application for Jerry's at 90  
Chambers Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 363 Greenwich Street, application for alternation of liquor license to include a sidewalk café for Devin Tavern

WHEREAS: The applicant, Devin Tavern, proposes to alter its liquor license to add a sidewalk café, and

WHEREAS: There have been no complaints about the operation of the establishment, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 has no objection to the application for alteration of the liquor license for Devin Tavern at 363 Greenwich Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 363 Greenwich Street, application for an unenclosed sidewalk café license for Devin Tavern

WHEREAS: The applicant has applied for an unenclosed sidewalk cafe license for 6 tables and 12 seats, and

WHEREAS: The applicant agrees to operate the proposed sidewalk café no later than 11:00 pm on weekdays and midnight on weekends, and

WHEREAS: The applicant agrees to maintain 8 feet of sidewalk clearance, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 has no objection to the application for an unenclosed sidewalk café license for Devin Tavern at 363 Greenwich 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: MAY 27, 2008

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 179 West Broadway, application for renewal of unenclosed sidewalk café license for Landmarc

WHEREAS: The applicant has applied for renewal of an unenclosed sidewalk cafe license for 8 tables and 16 seats, and

WHEREAS: The applicant agrees to operate the proposed sidewalk café no later than 11:00 pm on weekdays and midnight on weekends, and

WHEREAS: The applicant agrees to maintain 8 feet of sidewalk clearance, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 has no objection to the application for renewal of an unenclosed sidewalk café license for Landmarc at 179 West Broadway, 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: MAY 27, 2008

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 107 West Broadway, application for renewal of unenclosed sidewalk café license for Gloria Tribeca Mex, Inc. d/b/a Mary Ann's

WHEREAS: The applicant has applied for renewal of an unenclosed sidewalk cafe license for 15 tables and 38 seats, and

WHEREAS: The applicant agrees to operate the proposed sidewalk café no later than 11:00 pm on weekdays and midnight on weekends, and

WHEREAS: The applicant agrees to maintain 8 feet of sidewalk clearance, and

WHEREAS: A neighbor complained of noise on the Reade Street sidewalk and the applicant agreed to monitored it in the future, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 has no objection to the application for renewal of an unenclosed sidewalk café license for Mary Ann's at 107 West Broadway, 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: MAY 27, 2008

COMMITTEE OF ORIGIN: WATERFRONT

COMMITTEE VOTE:	7 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	0 Abstained	0 Recused

RE: N 080358 ZRM  
Proposed East River Esplanade Zoning Text Amendment

WHEREAS: The East River Esplanade Project includes pavilions and temporary outdoor activities under the FDR Drive, consistent seating, paving, planting and lighting along the edge of the water, a uniform bikeway along South Street, and a walkway over the water between the Battery Maritime Building and Pier 11 including appropriate planting, seating, railing and lighting, and

WHEREAS: The New York City Department of Small Businesses Services of the Economic Development Corporation has submitted an application to the Department of City Planning to amend the Zoning Resolution relating to Section 62-416, Special Regulations for Zoning Lots that Include Parks, and

WHEREAS: The proposed text amendment relates to requirements for waterfront public access and visual corridor requirements and design standards for the waterfront area in zoning lots which are predominantly developed as publicly accessible open space in Manhattan Community Districts 1 and 3, and

WHEREAS: The proposed text amendment is necessary to relieve the Esplanade Project from strict adherence to several of the requirements of Section 62-416 relating to the shore public walkway, open recreation walkway and public walkway planting area, which cannot be met because of the presence of the FDR Drive above the project site and the site's unique shoreline conditions, and

WHEREAS: The proposed text amendment would allow for a phased implementation of the Esplanade Project because Federal and State permits are needed for implementation of portions of the Esplanade and phased implementation would mean that other portions could proceed independently, and

WHEREAS: The phased implementation of the Esplanade Project would be facilitated by allowing the requirements of section 62-416 to be satisfied by review of plans for a specific phase(s) by the affected Manhattan Community Boards 1 and 3 and a City Planning Commission Chairperson's certification, and

WHEREAS: The Economic Development Corporation and/or the Department of Small Business Services will submit to the relevant Community Board a site plan of the design of the proposed implementation phase for a period of no less than 45 days and consider any comments and recommendations made by the affected community board and provide a report to the Chairperson of the City Planning Commission including responses to such comments and recommendation, and

WHEREAS: The Esplanade Project has been the result of an intensive community outreach process conducted by The Economic Development Corporation and the Department of Small Business Services to provide for continued public input, and

WHEREAS: Councilman Alan Gerson requested that the affected councilmember be afforded the opportunity to participate in the plan review process, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 approves the proposal to amend the Zoning Resolution relating to Section 62-416, Special Regulations for Zoning Lots that Include Parks, provided that planting areas are maximized where possible, and

BE IT

FURTHER

RESOLVED

THAT: CB#1 requests that the zoning text amendment be revised so that review of plans for a specific phase(s) by the affected Manhattan Community Boards 1 and 3 include joint review with the affected councilmember.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: WATERFRONT

COMMITTEE VOTE:	5 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	39 In Favor	0 Opposed	1 Abstained	0 Recused

RE: The River Project

WHEREAS: The non-profit, water dependent River Project has been in operation in Lower Manhattan since 1986, serving thousands of people by providing free opportunities to observe, see and learn about the estuary in an environment that supports the marine research of many environmental, academic, and waterfront-focused organizations like SUNY, the Stevens Institute, NYU, the Museum of Natural History, The Hudson River Foundation, the Municipal Waterfront Alliance, among many others, and

WHEREAS: The work of The River Project is dependent upon direct and on-going access to the waters of the Hudson River Estuary for its programs and scientific research; to that end, the Hudson River Park Trust (HRPT) has relocated The River Project to Pier 40 while its former site, Pier 26, is being rebuilt, and

WHEREAS: According to The River Project, they are being asked by HRPT staff to pay a significantly higher monthly rent than the other non-profit, water dependent tenants at Pier 40, while using a similar amount of space and resources at this pier, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board One continues its support for the work of The River Project and requests that HRPT maintain a rent for The River Project that is in fair keeping with the other water dependent Pier 40 tenants and in line with the River Project's former rent at Pier 26 in order for The River Project to continue its scientific research, public access, community-based work and other programs, and

BE IT

FURTHER

RESOLVED

THAT: Community Board One supports the restoration of the Rover Project, and it programs, to Pier 26 when construction is complete.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Keep all dedicated 9/11 Federal Transit Funds intended for the Lower Manhattan WTC PATH Transit Hub

WHEREAS: Community Board 1 (CB#1) wholeheartedly supported the creative design by Santiago Calatrava for the Port Authority of New York and New Jersey (PA) for the World Trade Center PATH Transit Center to replace what was lost seven years ago on September 11, 2001, and

WHEREAS: CB#1 is deeply troubled by unconfirmed reports that the \$280 million of contingency funds included in the original \$2.2 billion 9/11 federal grant to build this PATH station may be allocated to the Moynihan Station project. While CB#1 recognizes the importance of building the Moynihan Station project, we do not believe that it is appropriate for funds that Congress clearly allocated for Lower Manhattan for post 9-11 revitalization to be allocated to a zone outside of Lower Manhattan, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 asks New York State Governor David Paterson and New Jersey Governor Jon Corzine to do whatever is necessary to ensure that the promised entire \$2.2 billion – including the contingency funds – intended to fund the Lower Manhattan PATH Transit Hub will remain in place so that the PA can build the WTC PATH Station as designed. CB1 also asks the Lower Manhattan Development Corporation, which was created to oversee the development of the WTC site, to become actively involved in this issue.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: NYC Funding for Fiterman Hall Redevelopment

WHEREAS: The Fiterman Hall building of the Borough of Manhattan Community College was severely damaged and contaminated on September 11, 2001, and

WHEREAS: A plan has been developed to safely abate and demolish the building so that a new structure can be built in its place, and

WHEREAS: The safe demolition and redevelopment is a significant part of the redevelopment of Lower Manhattan and it is important that it be done as quickly as possible, and

WHEREAS: An agreement was reached whereby Fiterman Hall would be demolished and redeveloped with funds from the City, State and Federal governments in addition to insurance funds and other sources, and

WHEREAS: This agreement requires that the project be completed with \$98.6 million each from the City and State, in addition to \$62.7 million in insurance funds, \$60 million from the Federal Emergency Management Administration, \$15 million from the Lower Manhattan Development Corporation and \$5 million from the 911 fund, and

WHEREAS: New York State Assembly Speaker Sheldon Silver and Assembly Member Deborah Glick have committed \$50 million in the State's Fiscal Year 2009 budget for this project, and

WHEREAS: So far the City has matched only \$20 million, with \$78.7 million outstanding, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 (CB#1) urges Mayor Bloomberg to allocate sufficient funds in this year's budget to match the amount allocated by the State so that Fiterman Hall can be demolished and redeveloped in the coming year.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Development of gym and indoor field space on Pier 40 for Community Board One Youth

WHEREAS: Manhattan Youth's Downtown Basketball League has been operating since 1994 with annual enrollment of more than 300 youths, ages 7 -14, and

WHEREAS: The Downtown Basketball League provides Lower Manhattan boys and girls opportunities to learn the game of basketball and get exercise in the winter months, and

WHEREAS: Manhattan Youth's I.S. 89 Cougars play in an interscholastic middle school league with its boys and girls teams, and

WHEREAS: Both aforementioned program are filled to capacity, and we estimate 100 children were turned away last year due to ever-increasing enrollment, and

WHEREAS: There is increasing demand for use of the gym facilities at P.S. 89, P.S. 234 and Stuyvesant High School – where the Downtown Basketball League takes place – and these facilities cannot accommodate any more basketball play, let alone other physical fitness activities, and

WHEREAS: The Downtown Community Center, with its theater, activity and classroom space, does not have a gymnasium, and

WHEREAS: The Downtown Soccer League and Downtown Little League have also found that their activities are facing unprecedented enrollment and, like the Downtown Basketball League, cannot find indoor space, and

WHEREAS: The demand for indoor activities will continue to increase as the number of children in their teens in our neighborhood is estimated to increase tenfold from 2000 to 2010, and

WHEREAS: The ongoing discussion on the development of Pier 40 – whose renovation of its vast indoor space may be financed by State funds, City funds or tax credits – includes only limited public amenities for Lower Manhattan families, and

WHEREAS: The Downtown Soccer League, Downtown Little League and Manhattan Youth have proposed to place basketball courts and indoor soccer fields at pier 40, and

WHEREAS: Manhattan Youth has also expressed interest in working with providers to institute public arts programs on Pier 40, now

THEREFORE

BE IT

RESOLVED

THAT: As per the request of Manhattan Youth’s Downtown Basketball League, The Downtown Little League and The Downtown Soccer League, planners begin to support new gym space and indoor field space in City or State-owned land such as Pier 40, and

BE IT

FURTHER

RESOLVED

THAT: If State or City funds or tax credits are to be used for the renovation of spaces such as Pier 40, then public amenities for Lower Manhattan families, including those from Community Boards One, Two and Four, must be considered. There are few opportunities for desperately-needed athletic facilities to be created in CB 1 except for on State-owned land at Pier 40.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MAY 27, 2008

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	11 In Favor 0 Opposed	0 Abstained	0 Recused (Youth)
COMMITTEE VOTE:	6 In Favor 0 Opposed	0 Abstained	0 Recused (BPC)
PUBLIC VOTE:	0 In Favor 0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor 0 Opposed	0 Abstained	0 Recused

RE: Incident at the Goldman Sachs building construction site on Saturday, May 17

WHEREAS: In 2005, ground was broken on a new corporate headquarters for Goldman Sachs at 200 Murray Street (the “Goldman Tower”), a large full-block office development comprising 43 floors and 1.8 million square feet, and

WHEREAS: Since 2005, construction work at the Goldman Tower has been under the overall supervision of Tishman Construction Corporation (“Tishman”), and

WHEREAS: The Battery Park City Ballfields (the “Ballfields”), located across Murray Street to the north of the Goldman Tower jobsite, are among the most heavily used community recreation facilities in the City, home in the spring to the PS 89 After school and Little League programs serving over 800 children this year, and heavily used in the summer and fall by the Manhattan Youth Downtown Day Camp, by the Downtown Youth Football Giants, and by the Downtown Soccer League, and

WHEREAS: Construction has begun on two other sites adjacent to the Ballfields, on Sites 23 and 24 (also known as the Millstein Site), and high-rise construction is proceeding at a rapid pace throughout the Community Board #1 area, and

WHEREAS: The Goldman Tower jobsite has been plagued by major accidents, including an incident in December 2007 in which a construction sling gave way, dumping tons of steel wall studs, falling 25 floors on a construction trailer, a covered bike path and walkway, and nearby West Street, seriously injuring one person, and

WHEREAS: On Saturday, May 17, 2008 a piece of steel plate approximately two feet square fell eighteen stories from one of the lifts, or construction elevators, on the north side of the site, landing in the middle of a Little League game on the south Ballfield, and

WHEREAS: An initial report by the New York City Department of Buildings (“DOB”) found four violations that day, and

WHEREAS: Construction on Saturday, May 17, 2008 was made possible by a special weekend permit or variance issued by the DOB; indeed, construction has been ongoing on that site on virtually all Saturdays and some Sundays in the spring, and

WHEREAS: Saturday, May 17, 2008 was a day of very high gusting winds which blew the steel plate from the building across Murray Street, over a fence, three sheds, some trees, and into the outfield area of the south Ballfield, and

WHEREAS: On Saturday, May 17, 2008 – as on any Saturday in the Little League or youth soccer seasons – the Ballfields were crowded with players, siblings, parents, coaches, officials, and Ballfields staff from the Battery Park City Parks Conservancy; indeed, the steel plate landed within twenty feet of many children who would have been killed or very seriously injured as a result of any of them being hit by the plate, and

WHEREAS: Even prior to this incident, water and wet sprayed proofing material (with a consistency like wet sand) has been raining down on users of the Ballfields, on weekends as well as weekdays, rendering the spectator section on the south Ballfield uninhabitable at times, and leaving gray fluffy debris on the grass of the Ballfields, and

WHEREAS: Continued worry and uncertainty over the safety of a troubled, infamous site looming 43 stories over the heads of Ballfields users is itself a quality of life issue, and

WHEREAS: Although the Department of Buildings (DOB), the Battery Park City Authority (BPCA), Goldman Sachs and Tishman Construction were each requested to send representatives to the May 20, 2008 Youth and Education Committee Meeting to address the Community’s concerns regarding this applicant, only DOB and BPCA representatives accepted this invitation causing concern by the Committee regarding the commitment of Goldman Sachs and Tishman to the concerns of the Community, and

WHEREAS: DOB has informed the Committee that a full stop-work order will remain in effect at the Goldman Sachs site until several conditions have been met, including (a) a timeline for development is provided; (b) a series of netting solutions is implemented and (c) Goldman Sachs and Tishman meet with CB#1 in order to address the Community’s concerns, now

THEREFORE  
BE IT  
RESOLVED

THAT: The New York City Department of Buildings, the Battery Park City Authority and Goldman Sachs are requested to undertake a thorough investigation of the causes of the May 17, 2008 incident and of the measures in place, or that should be in place, at the Goldman Sachs construction site, and to report to this Board the findings and conclusions of such investigation, and

BE IT  
FURTHER  
RESOLVED

THAT: The DOB must tighten enforcement of safety protections at all high-rise sites in the community, and

BE IT  
FURTHER  
RESOLVED

THAT: CB#1 commends the DOB for requiring that Goldman Sachs and Tishman meet with and speak to the community as a condition of lifting the stop work order on the site, and

BE IT  
FURTHER  
RESOLVED

THAT: A strict set of safety guidelines for the Goldman Tower site must be adopted, including the following provisions:

- Construction work at the jobsite must cease on weekdays at 4:00 PM until all floors have been fully enclosed by windows.
- Weekend work at the site must cease until all floors have been fully enclosed by windows.
- Any and all variances issued by the DOB for weekend work should be revoked and no further such variances should be issued until all floors have been fully enclosed by windows.
- An independent safety monitor for the jobsite, with the power to recommend enforcement actions, must be appointed immediately.
- The site should be fully re-inspected by the DOB.
- Tishman should agree to a reasonable wind condition limitation in which work in the exposed upper stories will stop when the local winds gust above a certain level.
- To prevent wind-blown objects from falling on the streets below, Tishman must install full-floor construction safety netting in place of current half-floor netting for all exposed floors; and

BE IT  
FURTHER  
RESOLVED

THAT: CB#1 requests that the lessons learned from this near-tragic incident be applied to all other developments in the CB#1 District and form the basis of a community-specific protocol for assuring the safety of Lower Manhattan construction projects, and that as part of such protocol that a Lower-Manhattan-specific wind-level measure be created and that specific protocols for high-wind conditions be mandated; and

BE IT  
FURTHER  
RESOLVED

THAT: CB#1 requests that the DOB keep the site stop-work order in effect until all of the following conditions are satisfied: (a) Goldman Sachs and Tishman have met with CB#1 and have addressed all of the reasonable concerns raised in such meeting, (b) all exposed areas of the site, including hoists and lifts, be enclosed in safety netting; (c) Goldman Sachs and Tishman have committed to all of the safety provisions specified in the fourth Be It Resolved paragraph of this resolution.