

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	5 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application for zoning text amendment by Battery Park City Authority

WHEREAS: The proposed zoning text amendment would permit four curb cuts, for a total of 50 feet, on the south side of the Visionaire at 70 Little West Street, and

WHEREAS: These curb cuts will enable the building's residential component and the headquarters of the Battery Park City Parks Conservancy to function within the same building, and

WHEREAS: This is required because the Parks Conservancy recycling operation needs separate access that wasn't in the original building plan, and

WHEREAS: Although there was concern among committee members about the appropriateness of additional curb cuts at this location, it was agreed by a majority of committee members that there are no other alternatives to this action, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 does not oppose this proposal to permit four curb cuts, for a total of 50 feet, on the south side of the Visionaire in Battery Park City.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	5 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Inatesso Café Casano at 38 West Street, wine and beer license application

WHEREAS: The applicant, Inatesso Café Casano, 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 900 sq. ft, and the number of tables is 0 with 0 seats, and

WHEREAS: The applicant does not intend to operate a separate bar, and

WHEREAS: The establishment proposes to be open from 7:00 am to 6:00 p.m. Sundays through Saturday, and

WHEREAS: There will be recorded background music only, and

WHEREAS: The applicant indicated that he intends to apply at a later date for a sidewalk café license, but the number of tables is as yet unknown, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 does not oppose the wine and beer license application for Inatesso Café Casano at 38 West Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	5 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	1 Opposed	1 Abstained	0 Recused

WHEREAS: The applicant has applied for a street activity permit for Saturday, May 9, 2009, at the south end of River Terrace near North End Avenue by Mercy Corps., now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 does not oppose the proposed street activity permit submitted by Mercy Corps Fair Trade Outdoor Market for Saturday, May 9, 2009 on River Terrace between Murray Street and North End Avenue (at the south end of River Terrace near North End Avenue). Closure of street during the hours of 8am to 7pm; event will take place during the hours of 10am to 7pm.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Route 9A - West Thames Street Park and Dog Run

WHEREAS: The New York State Department of Transportation (“NYSDOT”) is in the process of reconstructing Route 9A from West Thames Street to Albany Street, and

WHEREAS: As part of that project, the pedestrian portions along the east and west sides, and the recreational space along the west side, of Route 9A will be reconstructed (the “South Promenade”), and

WHEREAS: In Resolutions of Community Board #1, dated November 15, 2005, January 16, 2007 and February 20, 2007, CB#1 approved preliminary designs for the South Promenade between and adjacent to West Thames and Albany Streets, inclusive of the dog run area immediately south of West Thames Street (the “West Thames Segment”), and

WHEREAS: NYSDOT has made several presentations to the Battery Park City Committee of specific design plans for the West Thames Segment, including at the Committee’s January, February and March 2009 meetings, and

WHEREAS: The Battery Park City Committee expressed concerns regarding the length of time that recreational facilities within the West Thames Segment might be unavailable during construction, and

WHEREAS: The Battery Park City Committee established a working group comprised of Committee members and community representatives to work with NYSDOT to develop plans to mitigate construction disruption and to develop final design plans for the West Thames Segment recreational spaces (the “West Thames Segment Working Group”), and

WHEREAS: The West Thames Segment Working Group has had three meetings with NYSDOT during the period January to March 2009, in which the working group and NYSDOT agreed on final design plans for the West Thames Segment recreational spaces, including a dog run, separate play areas for

younger and older children, including basketball courts, a large active recreation lawn and community gardens, and

WHEREAS: The West Thames Segment Working Group and NYSDOT also agreed on a construction schedule that would result in minimum disruption of recreational uses of this segment, specifically: (a) the dog run would be reconstructed during the period September to November 2009, during which period, approximately half of the dog run would remain operational at all times and (b) the recreational area between West Thames Street and Albany Street would be reconstructed during the period October 2009 to May 2010, with all areas completed by Memorial Day 2010, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 approves the design and construction schedule for the West Thames Segment, as agreed by the West Thames Segment Working Group, and

BE IT

FURTHER

RESOLVED

THAT: CB#1 requests that NYSDOT continue to consult with this Board and its Battery Park City Committee as construction proceeds on the West Thames Segment to address any construction issues and any additional design issues that may arise prior to completion of this segment.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	0 In Favor	0 Opposed	0 Abstained	1 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 123 Washington Street, application for on-premises liquor license for W New York Downtown Hotel

WHEREAS: The applicant seeks an on-premises liquor license for 123 Washington Street, for W New York Downtown Hotel, and

WHEREAS: The Hotel will have 411,720 square feet, and

WHEREAS: The Hotel intends to play recorded background music in certain areas, and

WHEREAS: The applicant completed and returned to CB#1 a questionnaire indicating that it intends to have outdoor speakers on the fifth floor in a patio area, and

WHEREAS: There will be a dining area with 3,894.52 square feet, and

WHEREAS: The applicant has stated that the hotel will not seek a cabaret license, and

WHEREAS: The applicant has stated that the hotel will seek a sidewalk café license, and

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

WHEREAS: The applicant has stated that there are other establishments with some type of liquor license within 500 feet of this location, and

WHEREAS: The applicant has agreed to a request by the Financial District Committee of CB#1 to play recorded music on the outdoor patio on the fifth floor until no later than 11 p.m. on weeknights and 12 a.m. on Friday and Saturday nights and to include these hours in the Method of Operation for the establishment, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 does not oppose the liquor license application for 123 Washington Street, for W New York Downtown Hotel on the condition that it agrees to play recorded music on the outdoor patio on the fifth floor until no later than 11 p.m. on weeknights and 12 a.m. on Friday and Saturday nights.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	13 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	0 In Favor	0 Opposed	0 Abstained	1 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 57 Stone Street, application for on-premise liquor license for Vintry Wine & Whiskey Bar

WHEREAS: The applicant seeks an on-premise liquor license for 57 Stone Street, d/b/a Vintry Wine & Whiskey Bar, and

WHEREAS: The proposed hours of operation for bar service are 12 p.m. to 4 a.m. on weekdays and 11:30 a.m. to 3:30 a.m. on weekends, and

WHEREAS: The establishment will have recorded background music, and

WHEREAS: The restaurant will have a total square footage of 950 with a dining area of approximately 800 square feet, and

WHEREAS: The applicant has stated that the hotel will not seek a cabaret license, and

WHEREAS: The applicant has stated that the hotel will not seek a sidewalk café license, and

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

WHEREAS: The applicant has stated that there are other establishments with some type of liquor license within 500 feet of this location, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the liquor license application for 57 Stone Street, d/b/a Vintry Wine & Whiskey Bar.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	9 In Favor	3 Opposed	1 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	2 Opposed	2 Abstained	0 Recused

RE: Street permit application by Community Board #1 for Friday, July 10, 2009

WHEREAS: The applicant has applied for a street activity permit for Friday, July 10, 2009, for an event on Broad Street between Water Street and Beaver Street, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Mardi Gras Festival Productions on behalf of Community Board #1 for Friday, July 10, 2009. Closure of street during the hours of 8 AM to 7 PM; event will take place during the hours of 10 AM – 7 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.
3. Vehicles are able to use South William Street between Beaver and Broad Streets and Stone Street between Whitehall and Broad Streets during the event and are able to cross Broad Street to travel between South William and Stone Streets.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	13 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Proposal for newsstand at northeast corner of Church and Barclay Streets

WHEREAS: A new newsstand has been proposed for the northeast corner of Church and Barclay Streets, and

WHEREAS: The applicant appeared at the committee meeting to present his application and stated that he wants to operate a newsstand on the northwest corner on Barclay Street, and that the application referred by the Department of Consumer Affairs to CB1 listed the wrong corner, and

WHEREAS: The applicant presently operates a newsstand on the southeast corner of Church Street and Park Place, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not approve of this application for a newsstand on the northeast corner of Church and Barclay Streets unless it is moved to the northwest corner on Barclay Street and the applicant permanently discontinues operation of the newsstand at the southeast corner of Church and Park Place.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 9 Worth Street - LPC application for proposed penthouse addition and replacement of windows on 6<sup>th</sup> floor façade

WHEREAS: The application is to build a 1,000 square foot penthouse addition on the building and to replace the windows on the 6<sup>th</sup> floor lot-line façade, and

WHEREAS: The proposed penthouse addition will be 7 ½ feet above the highest point of the existing parapet but will be 10 feet below the maximum height to which the applicant could build as of right, and

WHEREAS: The design of the proposed steel replacement windows is based on existing windows on the front façade of the building and they will be placed so as to create a natural rhythmic layout, and

WHEREAS: There will be no windows in the lot-line façade of the proposed rooftop addition, and

WHEREAS: The applicant noted that it had been directed by LPC to use certain materials and colors and to set the proposed penthouse addition back a certain distance from the existing exterior wall of the building, and

WHEREAS: The prescribed materials and the use of the set back contrasted with the materials and placement approved by LPC for a penthouse addition, as yet not built, on the roof of a nearby building that is a separate structure but is contiguous with the building and is included in the same tax lot, and

WHEREAS: The prescribed stucco material to be used for a portion of the proposed addition would be a different color than the color of the exterior wall of the building and would highlight the contrast between the new and old structures, and

WHEREAS: The committee noted the contrasts and approved of the design for the proposed penthouse addition and the replacement windows as presented, now

THEREFORE

BE IT

RESOLVED

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

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	3 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 137 West Broadway, application for handicapped access ramp and elevator and stairwell bulkhead

WHEREAS: One part of this proposal calls for the addition of a masonry bulkhead to be located "halfway" back on the south portion of the roof of this gem of a building in the Tribeca East Historic District, and

WHEREAS: The very visible south portion of this bulkhead, of varied height, will be flush with the current sidewall and of matching brick, and

WHEREAS: The second part of this proposal calls for the addition of a handicapped-accessible ramp to replace the south portion of the existing stepped fisheye diamond plate vault, and

WHEREAS: That ramp will have a u-shape, whose base will be diamond plate to match the historic adjoining vault, and the ramp will rise 18 inches, and

WHEREAS: The top rail is a proposed 1½ inches, and the bottom rail is the same diameter, although the architect agreed to reduce the latter to ½ inch, or the legal minimum, and

WHEREAS: The existing drop ladder at the foot of the fire escape will be replaced with a less obtrusive straight drop ladder ending at the top of the first floor, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 recommends that the Landmarks Preservation Commission approve the rooftop bulkhead but with the insistence that the architect provide a schematic design to the Community Board that can be monitored and recommends reluctantly that the L.P.C. approve the ramp, asking that the L.P.C. consider all options to make the ramp as minimally invasive as possible.

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	2 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	41 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 12-16 Vestry Street, application for replacement of windows

WHEREAS: This application proposes the replacement of 24 windows on the Vestry Street side of this building, which runs through the block, with exposures on both Vestry and Canal Streets, and

WHEREAS: The Vestry Street window penetrations include both rectangular and segmented-arch openings, and

WHEREAS: The existing windows, some with wood casings and some with steel, would all be replaced with thermopane aluminum-frame windows, and

WHEREAS: The new muntins would be applied, as are some in the current windows, and

WHEREAS: Some of the current window openings are filled in with a scattershot assortment of metal louvers of various sorts, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 recommends that the Landmarks Preservation Commission approve window replacement program, regretting the substitution of aluminum for wood, and

BE IT

FURTHER

RESOLVED

THAT: Community Board #1 asks that the Landmarks Preservation Commission look very closely at the building's existing louver program.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: PLANNING AND COMMUNITY INFRASTRUCTURE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Zoning Text Amendments – Privately Owned Public Plaza Design Standards Text Revisions

WHEREAS: The 1961 NYC Zoning Resolution initiated “incentive and bonus” provisions that created privately owned (remains on the tax rolls and is owned and maintained by the adjacent property owner) publicly used plazas in return for increased bulk (FAR), and

WHEREAS: These incentives have given the City approximately 250 such privately owned public plazas in residential and commercial neighborhoods, and

WHEREAS: In the past the design, operations and compliance regulations frequently failed to produce hospitable plazas in many cases, and

WHEREAS: On February 17, 2009, the City Planning Commission referred for public review, an amendment to the Zoning Resolution proposed by the Department of City Planning that would make minor changes to the regulations for privately owned public plazas that were approved in October 2007. The goal of the proposed text is to enhance the 2007 text and enable the creation of high quality public plazas on privately owned sites that are inviting, open, accessible and visible.

The proposal is limited to design and operational standards and makes no changes that relate to bulk, permitted floor area, the amount of floor area generated through the provision of bonus plazas or to locations where the plaza bonus is available.

WHEREAS: The proposed City-wide Text changes would enhance the regulations by amending the text in the following ways:

- a. Revises area dimension standards for plazas
- b. Revises location regulations of public plazas in relation to publicly accessible open areas or public parks
- c. Mandating more varied seating modes

- d. Mandates that at least 20 percent of the area of a public plaza must be comprised of planting beds and that all plazas must provide a minimum of four trees
- e. Revises plaza signage mandate
- f. Mandatory allocation of frontages for permitted uses
- g. Periodic compliance reporting
- h. Approval processes for kiosks and open air cafes
- i. Revised sidewalk frontage requirements
- j. Design changes to existing plazas may be made only upon certification by the Chairperson of the City Planning Commission

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 recommends approval of the proposed text changes.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: PLANNING AND COMMUNITY INFRASTRUCTURE

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

RE: Zoning Text Amendments – Inclusionary Housing Program Enhancements

WHEREAS: The Inclusionary Housing Program, part of New York City's zoning since 1987, was created to encourage economically integrated communities in areas experiencing new housing development. The program offers a floor area ratio (FAR) bonus for developments that provide affordable housing, and

WHEREAS: The Inclusionary Housing Program has been successful in spurring the creation and preservation of affordable housing, with a total of over 3,200 units produced to date, and

WHEREAS: The proposed text amendment would build upon the program's success to address certain limitations of the program, as well as technical and administrative issues identified by DCP, HPD, developers and affordable housing groups, and

WHEREAS: The proposed text changes would enhance the regulations by amending the text in the following ways:

- a. Currently, affordable units created through the Inclusionary Housing program must be rental units. The proposed modifications would allow affordable units created through the Inclusionary Housing program to be either permanently affordable homeownership or rental units. In keeping with the Inclusionary Housing Program's guiding principle of permanent affordability, the resale price of homeownership units would be restricted for the life of the bonused development.
- b. The proposed text would clarify that the administering agent, required as part of the affordable housing plan, is responsible for the rental of affordable units and annual income compliance, but not for building management, which is the responsibility of the owner.

- c. The proposed text would update restrictions on lower income rental units created through the Inclusionary Housing program to more closely correspond with other HPD standards.
- d. The proposed text would replace the existing Inclusionary Housing unit size requirements with HDC standards, to prevent conflicts. Additionally, the proposed text would require no more than 33 percent of the units on any floor to be affordable units unless 65 percent of the residential floors have at least one unit of affordable housing.
- e. The proposed text would allow for issuance of certificates of occupancy on a “rolling” (floor-by-floor) issuance of COs and development of the non-bonused portion of the building, while maintaining assurances that affordable units will be completed, and bringing these provisions into closer correspondence with practice for other floor area bonuses.
- f. The proposed text would also revise the terminology and organization of the zoning text in order to clarify the regulations and facilitate implementation of the Inclusionary Housing program.
- g. Currently, the R10 Inclusionary Housing program does not allow affordable units to utilize most subsidies. The proposed text would allow Inclusionary Housing developments to use a range of public subsidies, while maintaining a privately subsidized option.
- h. The proposed text would establish three bonus ratios for the R10 Inclusionary Housing program: new construction or substantial rehabilitation (3.5), preservation (2.0), and government-subsidized (1.25, as described above). This modification simplifies the many bonus ratios that exist in the current text, and clarifies the distinctions among the three options.
- i. The proposed text would allow affordable units created through the R10 Inclusionary Housing program to carry permanent private debt, within guidelines to be established by HPD, to better facilitate the financing and development of affordable units.
- j. The proposed text would modify the income verification requirements of the preservation option in the R10 Inclusionary Housing program, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 objects to using HUD’s affordability standard of households earning 80 percent of median income for household ownership and/or rental. Many working families and individuals who live in Community Board #1 and Manhattan would be excluded by the 80 percent of median criteria in the inclusionary housing program, and

BE IT  
FURTHER  
RESOLVED

THAT:

Community Board #1 approves of the Department of City Planning's inclusionary housing text amendment. However, Community Board #1 is concerned that the 80 percent of median income criteria is too low and should be increased to at least 125 percent of median to include a broader mix of incomes. We strongly encourage the Department of City Planning and the Department of Housing Preservation and Development to increase the median income criteria.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: QUALITY OF LIFE

BOARD VOTE:           39 In Favor   0 Opposed       0 Abstained   0 Recused

RE:                 Support for organization that serves senior citizens

WHEREAS: The frail and homebound elderly of New York City are in need of supportive services to enable them to live at home safely and securely and remain independent in numerous ways. Downtown Visiting Neighbors estimates that in Manhattan Community District #1 alone there are approximately 250 at-risk frail and isolated elderly, and

WHEREAS: Downtown Visiting Neighbors is an organization founded in 1972 that works to alleviate loneliness and isolation, provide emotional security and offer mental stimulation to senior citizens. The organization's professional staff and more than 400 volunteers help more than 1,000 seniors each year by providing regular visits, shopping & escort services, health advocacy, intergenerational programs and social opportunities for seniors in Lower Manhattan, and

WHEREAS: Downtown Visiting Neighbors gives individual attention and time to its senior clients and its volunteers, who are carefully screened and individually matched with seniors based on their personal interests, and

WHEREAS: Community Board #1 is committed to providing these seniors with the in-home assistance they need, and requests continued funding from the City to provide services, including but not limited to case assistance, help with shopping and errands, accompaniment to medical appointments, friendly visiting, and telephone reassurance, and

WHEREAS: A \$200,000 cut in funding from D.F.T.A. has resulted in Downtown Visiting Neighbors losing almost half of its operating budget, and yet the organization did not turn its back on clients. According to Executive Director Cynthia Maurer, staff members have continued to serve seniors in the catchment area by paying for such things as transportation out of their own pockets, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 believes Downtown Visiting Neighbors to be a worthy organization and urges the Department for The Aging to provide needed funding to it and organizations providing similar services, and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board #1 requests that elected officials representing our district consider how they might be able to help Downtown Visiting Neighbors secure funding so they can continue to provide needed services to senior constituents in Lower Manhattan

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 5 In Favor 0 Opposed 1 Abstained 0 Recused  
BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: South Street Seaport – Pier 17, application for liquor license for Water Taxi Beach South Street Seaport LLC

WHEREAS: The applicant, Water Taxi Beach South Street Seaport has applied for an on-premises liquor license, and

WHEREAS: The operator, New York Water Taxi is the city's first small scale waterborne transportation system operating 10 vessels providing commuter, sightseeing and charter service to neighborhoods, parks, cultural attractions and businesses in Manhattan, Brooklyn and Queens, and

WHEREAS: The operator, New York Water Taxi, operates a beach on the Queens waterfront and is installing a similar beach on Governors Island, and

WHEREAS: The establishment will be a seasonal restaurant and nightclub operating on the north side of Pier 17 from Memorial Day to September 30, and

WHEREAS: The public assembly capacity is 2,000 and the total square footage is 18,000 sq. ft, and with 3,000 sq. ft. for the dining area and bar, and the number of tables is 18 with 150 seats, and the square footage of the bar is 108 square feet with 8 tables and 48 seats, and

WHEREAS: There will be recorded music with professionally engineered directional DJ sound system, and

WHEREAS: The applicant will maintain security personnel for crowd control, and

WHEREAS: The applicant proposes to operate from 11:00 am to 2:00 am on weekdays and 11:00 am to 3:00 am weekends, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 has no objection to the liquor license application for Water Taxi Beach South Street Seaport LLC at Pier 17.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 90 Baxter Street, application for renewal of unenclosed sidewalk café for Jaya Malaysian Restaurant

WHEREAS: The applicant has applied for renewal of an unenclosed sidewalk cafe license for 5 tables and 20 seats, and

WHEREAS: The applicant agreed to operate the proposed sidewalk café no later than midnight on weekdays and 1:00 am on weekends, and

WHEREAS: There will no changes in the method of operation, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 has no objection to the application for a renewal of an unenclosed sidewalk café license for Jaya Malaysian Restaurant at 90 Baxter Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 40 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Street permit application by Southbridge Adult Senior Center

WHEREAS: The applicant has applied for a street activity permit for Friday, September 4, 2009, location and time to be determined, and

WHEREAS: The applicant has agreed to return to the Committee with a location and time, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Mardi Gras Festival Productions on behalf of the Southbridge Adult Senior Center for Friday, September 4, 2009, subject to the following conditions:

1. The applicant will return to the Committee with a location and time.
2. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
3. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application by Community Board #1

WHEREAS: The applicant has applied for a street activity permit for Friday, October 16, 2009, location and time to be determined, and,

WHEREAS: The applicant has agreed to return to the Committee with a location and time, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Mardi Gras Festival Productions on behalf of CB #1 for Friday, October 16, 2009, subject to the following conditions:

1. The applicant will return to the Committee with a location and time.
2. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
3. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	20 In Favor	12 Opposed	3 Abstained	0 Recused

RE: Fulton Street Vendors

WHEREAS: Fulton Street is undergoing Phase II of The Fulton Street Reconstruction Project which will tie up the streets and sidewalks until at least 2012, and

WHEREAS: Fulton Street sidewalks are congested at all times even when there is no reconstruction, and

WHEREAS: Vendor regulations are seldom enforced, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 requests that all vending regulations be fully enforced for the duration of the Fulton Reconstruction Project and after it is completed and that only duly authorized veterans be allowed to sell on site and that all vendors that do sell in the area must be the actual ones behind the table.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	4 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	35 In Favor	3 Opposed	2 Abstained	0 Recused

RE: City Hall Park Northeast Lawn Turf Installation

WHEREAS: The Department of Parks and Recreation has proposed the installation of artificial turf on the Northeast lawn of City Hall Park, and

WHEREAS: The lawn has been badly damaged by school age children during recreation periods, and the lawn will continue to be used by school age children for this purpose, and

WHEREAS: No alternative has been found to allow the lawn to be used continuously as a playing field that can provide ease of maintenance other than artificial turf, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves the use of artificial turf on the Northeast lawn of City Hall Park by the Department of Parks and Recreation.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEES OF ORIGIN: TRIBECA & SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused (Tribeca)
COMMITTEE VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused (Seaport)
PUBLIC MEMBERS:	3 In Favor	0 Opposed	0 Abstained	0 Recused (Tribeca)
PUBLIC MEMBERS:	0 In Favor	0 Opposed	0 Abstained	0 Recused (Seaport)
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application by Community Board #1

WHEREAS: The applicant has applied for a street activity permit for Friday, June 12, 2009 for an event on Lafayette Street between Walker Street and Leonard, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Mardi Gras Festival Productions on behalf of CB #1 for Friday, June 12, 2009. Closure of street during the hours of 8 AM to 7 PM; event will take place during the hours of 10 AM – 7 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow
3. Clean-up will be coordinated with the appropriate City Agencies.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEES OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 99 Hudson Street, application for liquor license for Sukhami, Inc. d/b/a Tamarind Tribeca

WHEREAS: The applicant, Sukhami, Inc, proposes to operate an on premise liquor license for Tamarind Tribeca, and

WHEREAS: The proposed establishment is a restaurant with a public assembly capacity of 225 and a total of 6,130 sq. ft. on two floors, and the number of tables is 39 with 120 seats and a bar area of 185 feet with 5 tables and 28 seats, and

WHEREAS: The establishment proposes to be open from 12:00 pm to 10:30 pm on weekdays and on weekends, and

WHEREAS: There will be background music only, and

WHEREAS: The applicant agreed maintain staff to manage traffic coming to and going from the establishment, and

WHEREAS: The applicant will not apply for a sidewalk café or a cabaret, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 does not oppose a liquor license application for Sukhami, Inc. d/b/a Tamarind Tribeca at 99 Hudson Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEES OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 363 Greenwich Street, application for liquor license for Alfredo of Rome Tribeca LLC d/b/a/ Alfredo

WHEREAS: The proposed establishment is a restaurant with a public assembly capacity of 184 and a total of 2,923 sq. ft. and the number of tables is 32 with 112 seats and a bar area of 760 feet with 11 tables and 38 seats, and

WHEREAS: The establishment proposes to be open from 11:30 am to 11:30 pm on weekdays and on weekends, and

WHEREAS: There will be background music only, and

WHEREAS: The applicant will not apply for a sidewalk café or a cabaret, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 does not oppose a liquor license application for Alfredo of Rome Tribeca LLC d/b/a/ Alfredo at 363 Greenwich Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	4 In Favor	3 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application by Community Board #1

WHEREAS: The applicant has applied for a street activity permit for Friday, September 18, 2009, for an event on Church Street between Canal Street and Franklin Street, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Mardi Gras Festival Productions on behalf of CB #1 for Friday, September 18, 2009. Closure of street during the hours of 8 AM to 7 PM; event will take place during the hours of 10 AM – 7 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.
3. Clean-up will be coordinated with the appropriate City Agencies.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Street permit application by Cercel Rouge

WHEREAS: The applicant has applied for a street activity permit for Tuesday, July 14, 2009, for an event on West Broadway between Beach and White Streets, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by Cercel Rouge for Tuesday, July 14, 2009. Closure of street during the hours of 8 AM to 8 PM; event will take place during the hours of 8 AM – 8 PM, subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway.
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow.
3. Clean-up will be coordinated with the appropriate City Agencies

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEES OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 134 West Broadway, application for renewal of unenclosed sidewalk café for Jada Restaurant Inc. d/b/a Petite Abeille

WHEREAS: The applicant has applied for an renewal of unenclosed sidewalk cafe license for 7 tables and 14 seats, and

WHEREAS: The applicant agreed to operate the proposed sidewalk café no later than midnight pm on weekdays and 1:00 am on weekends, and

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

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 approves the application for renewal of an unenclosed sidewalk café license for Jada Restaurant Inc. d/b/a Petite Abeille at 134 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: MARCH 24, 2009

COMMITTEES OF ORIGIN: TRIBECA

COMMITTEE VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 361 Greenwich Street, application for renewal of unenclosed sidewalk café for Sunflower Restaurant Assoc. Inc. d/b/a Flor De Sol

WHEREAS: The applicant has applied for an renewal of unenclosed sidewalk cafe license for 5 tables and 12 seats, and

WHEREAS: The applicant agreed to operate the proposed sidewalk café no later than midnight pm on weekdays and 1:00 am on weekends, and

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

WHEREAS: The applicant agrees to maintain close all doors when live music is performed, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves the application for renewal of an unenclosed sidewalk café license for Sunflower Restaurant Assoc. Inc. d/b/a Flor De Sol at 361 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: MARCH 24, 2009

BOARD VOTE:           39 In Favor       0 Opposed     3 Abstained     0 Recused

RE:                 Support for the John Heuss House

WHEREAS: John Heuss House has provided services to the homeless for 20 years in Lower Manhattan, and

WHEREAS: New York City is phasing out overnight drop-in centers and it is not yet clear where the closest facility for the homeless in Manhattan will be located once John Heuss House closes June 30, and

WHEREAS: Community Board #1 sees this type of facility and these services as critical, and

WHEREAS: Community Board #1 believes it is imperative for District #1 to have such services within our district, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 demands that the Department of Homeless Services make every effort to permit John Heuss House to remain in its present location on an ongoing basis, and

BE IT

FURTHER

RESOLVED

THAT: If John Heuss House is not able to remain in its present location, CB1 urges DHS to replace it with a local facility of comparable size and that offers comparable services.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

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

RE: Federal 9/11 Health and Compensation Act of 2009 (H.R. 847)

WHEREAS: Representatives Jerrold Nadler, Carolyn Maloney and their colleagues in the New York Congressional delegation recently reintroduced H.R. 847, the *9/11 Health and Compensation Act* in the 111<sup>th</sup> Congress, and

WHEREAS: The recently reintroduced version of H.R. 847 has the support of Assembly Speaker Sheldon Silver, New York State Senator Daniel Squadron, New York City Council Member Alan J. Gerson and Manhattan Borough President Scott Stringer, and

WHEREAS: CB#1 has supported similar 9/11 health bills on numerous occasions over the years (including by resolution November 20, 2007), now

THEREFORE

BE IT

RESOLVED

THAT: CB# 1 wholeheartedly supports the 9/11 Health and Compensation Act of 2009 (H.R. 847), which would provide necessary services to those directly affected by the terrorist attack in New York on September 11, 2001, including those who lived, worked, volunteered and attended school in Lower Manhattan, and

BE IT

FURTHER

RESOLVED

THAT: CB #1 urges United State Senators Kirsten Gillibrand and Charles Schumer to introduce companion legislation in the United States Senate and President Obama to sign the bill into law.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

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

RE: 130 Liberty Street (a/k/a Deutsche Bank Building)

WHEREAS: On Thursday, March 5<sup>th</sup>, New York State Assembly Speaker Sheldon Silver hosted a meeting to hear public comment on Bovis Lend Lease's proposed *Implementation Plan for the Decontamination and Deconstruction and Environment, Health & Safety and Emergency Action Plan for 130 Liberty Street Building*. Present to hear public comment were Avi Schick, Chairperson of the Lower Manhattan Development Corporation (LMDC) and David Emil, President of LMDC; representatives of the General Contractor Bovis Lend Lease; representatives of deconstruction subcontractor LVI Services and Ed Gerdts from air monitoring subcontractor TRC Companies, Inc.; and representatives of various government agencies acting as regulators on the project, including the federal Environmental Protection Agency, the State Department of Labor, the NYC Department of Environmental Protection, the NYC Department of Buildings (NYCDOB), NYC Fire Department, the NYC Office of Emergency Management, the Lower Manhattan Construction Command Center and CB#1, and

WHEREAS: CB#1 unanimously passed a resolution on September 18, 2007, outlining its concerns over the safe deconstruction of 130 Liberty as well as the history of the deconstruction project since September 11, 2001. The resolution traced prior requests in both resolution and letter form, sent to responsible agencies by CB#1 seeking greater safety measures on the project, and

WHEREAS: There were several reports of site specific exceedances during February 2009 for both manganese (February 9, 10, 11, 12, and 13, 2009) and silica (February, 21, 22, 23, 24 and 26, 2009) according to LMDC's website. One of the key components of the air monitoring program is the timely posting of information on-line. Although LMDC sent out e-updates on these exceedance events, the information could have been provided in a timelier manner to minimize exposure to the community and workers, and

WHEREAS: The EPA’s World Trade Center Coordinator Pat Evangelista stated at the March 5th public meeting that the “trigger levels” for such exceedances are set below health-based benchmarks to allow for a margin of safety during investigation of the source(s), and implementation of any necessary corrective action before released contaminants reach harmful levels, and

WHEREAS: Community members voiced concern at the March 5<sup>th</sup> meeting about the lack of adequate dust control measures proposed in the 130 Liberty demolition, about the lack of clarity with respect to LVI’s proposed concrete crusher and use of one or more debris chutes. Community members called for specific details on dust control for these operations so that dust is prevented from traveling into the surrounding area. In addition, community members also called for written measures mandating that contractors and their employees not overload the skip bucket when removing demolition debris, and

WHEREAS: The representative of the Office of the Chief Medical Examiner (OCME) of the City of New York gave an update on the statistics so far on the search for human remains throughout the 130 Liberty Building. 295 people and 4 terrorists were identified from the American Airlines Flight 11 at 130 Liberty Street from the rooftop and a ledge. He indicated that all areas of the building, with the exception of the outside ledges had been thoroughly searched. However, documentation of areas of concern such as the basement and plans for searching the plaza area were requested at the March 5<sup>th</sup> public meeting; and

WHEREAS: In February 2009, workers accidentally severed the standpipe on the second floor during the abatement process by at 130 Liberty Street; this incident required that the building be evacuated, and

WHEREAS: Community members expressed concern at the March 5<sup>th</sup> public meeting that the current Implementation Plan did not contain an Emergency Community Notification Plan. LMDC informed those attending that Addendum F to the February 6, 2008 130 Liberty emergency Action Plan (labeled “Community Notification Plan Addendum”) remains in effect, and that this Addendum states it is, “a living document and will be revised and updated throughout the 130 Liberty deconstruction process,” now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 recommends to the LMDC the following for the 130 Liberty Street project:

- Resolve all open NYC Department of Buildings complaints

- Provide a site and task specific plan for dust control at and around all concrete crushing and chute operations and outline how the air will be monitored specifically at these locations
- Provide specific written protocols to prevent skip buckets from overfilling and other containers carrying debris lowered from the building
- Reduce lab turnaround time (TAT) of detection and emergency notification of toxin air monitoring exceedances – try to meet three day TAT for the various analyses such as three days for manganese & silica so that preventative measures can be implemented
- *Ensure that necessary fire prevention is in place, such as maintaining the standpipe system*
- Provide the OCME documentation for the search for human remains in the basement, at the plaza of 130 Liberty and any remaining areas and coordinate any search with the surrounding construction so as not to interfere with the construction progress
- Obey the noise code. Demolition hours must take into account that there are residential buildings in the immediate vicinity of 130 Liberty
- Post on-line the March 5th meeting transcript and all public comments submitted on LMDC's website on the same webpage as the links for the draft plans, as was done by the EPA when it issued draft test and clean plans for comment by the WTC Expert Technical Panel and the community.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

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

RE: Fulton Street Transit Center

WHEREAS: The Fulton Street subway station serves 12 subway lines and an estimated 300,000 riders a day and has long been a source of inconvenience and confusion for Lower Manhattan residents, workers and visitors because its five platforms are very spread out and it is often difficult to go from one to another, and

WHEREAS: The MTA is currently in the process of reconfiguring the Fulton Street station and building a new Fulton Street Transit Center, and

WHEREAS: This project, which was originally scheduled for completion in 2008, has been delayed due to cost overruns and other funding difficulties, and

WHEREAS: The original design of the new Fulton Street Transit Center had as its centerpiece and focal point a glass dome that would be a major new landmark for Lower Manhattan and would let natural light into the Fulton Street station, and

WHEREAS: The original design of the new Fulton Street Transit Center also included 23,000 square feet of retail space and was intended to be a major catalyst for the economic revitalization of Lower Manhattan and surrounding areas, and

WHEREAS: CB#1 has repeatedly expressed its strong support for this project and the original design of the Fulton Street Transit Center in resolutions dated June 27, 2004, September 20, 2005 and February 26, 2007, as well as at numerous public meetings, and

WHEREAS: The Downtown Alliance also strongly supports this project, noting that it will provide additional capacity, commuting options and shopping and dining opportunities for Lower Manhattan's residents, tourists and workers and will better connect Lower Manhattan to the regional work force, and

WHEREAS: CB#1 agrees with the Downtown Alliance that an above-ground, architecturally significant Fulton Transit Center with significant retail is now more important to our community than ever before, and

WHEREAS: It was recently announced that \$497 million – nearly a quarter of the total amount of money that the MTA expects to receive from the federal stimulus bill – has been set aside to complete the Fulton Transit Center, and

WHEREAS: The MTA has indicated that it intends to use such stimulus funds to finish reconfiguring the Fulton Street station and complete construction of an above-ground, architecturally significant Fulton Transit Center with a glass to dome to let as much natural light as possible into the Fulton Street station and with a significant retail component, now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 applauds Governor Paterson, Speaker Silver, Senator Schumer, Senator Gillibrand, Mayor Bloomberg, Congressman Nadler, State Senator Squadron, and Councilman Gerson, MTA Executive Director Lee Sander for making the Fulton Transit Center a “shovel-ready” priority, and

BE IT

FURTHER

RESOLVED

THAT: CB#1 urges the MTA to complete construction of an above-ground, architecturally significant Fulton Transit Center with a glass dome to let as much natural light as possible into the Fulton Street station and with a significant retail component as soon as practicable.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Funding for Library for PS 126/MAT

WHEREAS: PS126/MAT is a school with 770 students that has never had an all-school library with a Certified Librarian, and

WHEREAS: The Department of Education (DOE) budget cuts in 2008 and 2009 provide inadequate funding for an all-grade library, and

WHEREAS: The DOE has implemented new curriculum plans that include library usage notwithstanding the current lack of a library at PS126/MAT, and

WHEREAS: PS126/MAT is a school with 770 students and serves a Title 1 community and many parents are unable to make financial contributions, and

WHEREAS: The US National Commission on Libraries states schools should be "provided with adequate resources to provide up-to-date print and non-print materials in libraries and media centers," and

WHEREAS: PS126/MAT is located in Community Board 3 but many students living in Community Board 1 attend the school, and

WHEREAS: Community Board 3 passed in February, 2009 a resolution similar to this one, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 considers the absence of a fully functioning library for Pre K-8 students to be an unacceptable condition, and

BE IT

FURTHER

RESOLVED

THAT: Community Board #1 recommends that additional public sector (city and state) funding be directed to fund a library for PS126/MAT, and

BE IT  
FURTHER  
RESOLVED

THAT: The needed funding for the library should be in place by no later than the beginning of the 2009-2010 school year, and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board #1 recommends that an additional allocation be made to the Principal's budget for PS126/MAT for funding for a full-time librarian in FY 2010.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: MARCH 24, 2009

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

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

RE:                    The Opening of the Battery Park City School in September 2010 with Pre-K, Kindergarten, 1<sup>st</sup>, and 6<sup>th</sup> Grades and the Sharing of Space in the New School with the Greenwich Village Middle School

WHEREAS:           Community Board 1 and New York State Assembly Speaker Sheldon Silver's Office, along with Manhattan Borough President Scott Stringer's office, City Council Member Alan Gerson, former State Senator Martin Connor, and many concerned downtown families, began working nearly 3 years ago to have a Pre K - 8 school placed in Battery Park City to serve the rapidly growing population of Community Board 1, and

WHEREAS:           The school, since named the Battery Park City School (PS/IS 276), was sought to alleviate the tremendous overcrowding of PS 89 and PS 234, a goal that may still be in doubt given that some projections for the continuing growth of downtown Manhattan show a potential likelihood of overcrowded classes even when both The Battery Park City School and the Spruce Street School are fully operational, and

WHEREAS:           The school was planned with the help of elected officials and the DOE to allow for the burgeoning population of middle school age students to attend school in their own neighborhood rather than far from home, at their zoned middle school, Baruch Junior High School, and

WHEREAS:           It is imperative that the DOE honor its commitment to the families and students of CB 1 to open the Battery Park City School with Pre-K, K, 1st, and 6th grades for the 2010–2011 school year, and

WHEREAS:           The Department of Education has announced they are considering having the new school “temporarily” host a significant number of students from the Greenwich Village Middle School, which itself is now experiencing overcrowding in its shared site at PS 3, and

WHEREAS:           This sharing of space would first and foremost make the task for the Battery Park City School and downtown community of establishing our own sense of community all but impossible from the very inception, even assuming the claim that such a move is temporary, something that has

already been greeted with a strong measure of doubt by the families of the CB 1 community, and

WHEREAS: This sharing of space would also, from the perspective of the Greenwich Village Middle School's students and families, or any other school's students and families, be undesirable because it is premised on the move being very brief, leading those students and families to face multiple disruptions in two or three of the years of middle school, and

WHEREAS: CB 1, from its very first steps in helping along the process of establishing a Pre K - 8 school in lower Manhattan, has clearly expressed the need for the school to be zoned for its underserved and growing population, and yet no such zoning has been guaranteed or established, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 calls on the Department of Education under Chancellor Klein to open the Battery Park City School with Pre-Kindergarten, Kindergarten, 1<sup>st</sup>, and 6<sup>th</sup> grades in September of 2010 and to announce this formally and without delay to our community, and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board #1 further calls on Chancellor Klein and the Department of Education immediately to reject the idea of starting the Battery Park City School with students from the Greenwich Middle School or any other school in attendance, and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board #1 further calls on Chancellor Klein and the Department of Education to announce, by the end of this school year, that the Battery Park City School will be zoned for the students residing in the area of Community Board 1, whose families and community fought so hard for the school and who need it so desperately, both as a measure against the overcrowding of the elementary schools in our community and as a place for our 6<sup>th</sup> through 8<sup>th</sup> graders to attend middle school within their own rapidly growing neighborhood, and that the process behind this zoning decision be made fully transparent to all concerned parties.