

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Tunnel to Towers RunWalk, application for a street activity permit on Sunday, September 30, 2012 on Vesey Street from West Street to North End Avenue and on North End Avenue from Vesey to Murray Streets during the hours of 9:00 AM to 6:00 PM; and

WHEREAS: The applicant has applied for a street activity permit for Sunday, September 30, 2012 on Vesey Street from West Street to North End Avenue and on North End Avenue from Vesey to Murray Streets; and

WHEREAS: The Battery Park City Committee requested and the applicant agreed that South End Avenue from Gateway Plaza south should not be closed or obstructed; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed street activity permit submitted by the Tunnel to Towers RunWalk to close Vesey Street from West Street to North End Avenue and on North End Avenue from Vesey to Murray Streets during the hours of 9:00 AM to 6:00 PM on Sunday, September 30, 2012 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, and
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
3. Clean-up will be coordinated with the appropriate City Agencies, and
4. Bands and persons with megaphones are not situated along the route such that they disturb residents, and
5. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	4 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 250 Vesey Street, application for a restaurant liquor license for Casa Masa LLC, d/b/a Casa Masa Taco

WHEREAS: Casa Masa LLC, d/b/a Casa Masa Taco is applying for an on-premise restaurant liquor license; and

WHEREAS: The total area of the food cart is 100 square feet; and

WHEREAS: The hours of operation to which the applicant has agreed are 10:00 AM to 7:00 PM seven days a week; and

WHEREAS: There will be no music; and

WHEREAS: The applicant will not engage outside promoters, security personnel, or independent DJs; and

WHEREAS: The applicant does not intend to apply for either a cabaret license or a sidewalk café license; and

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

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

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 opposes the granting of an on-premise restaurant liquor license to Casa Masa LLC d/b/a Casa Masa Taco located at 250 Vesey Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

BOARD VOTE: 31 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Proposal for newsstand license #1411661 at southeast corner of Broadway and Beaver Street

WHEREAS: Mr. Mohamed Hassan Ali Dawod (“the Applicant”) has applied to the Department of Consumer Affairs for a newsstand at the southeast corner of Broadway and Beaver Street, and

WHEREAS: The Applicant appeared at the CB1 Financial District Committee meeting on December 7, 2011 to discuss this application, and

WHEREAS: Community Board 1 received testimony from the Downtown Alliance stating that this is one of Broadway’s narrowest points and there are two existing newsstands in close proximity to the proposed location, and

WHEREAS: Community Board 1 received testimony from the Bowling Green Association strongly urging CB#1 to oppose applications for new newsstands on historic Broadway in Lower Manhattan, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 opposes the application for newsstand license #1411661 at the southeast corner of Broadway and Beaver Street due to the inappropriateness of the location.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

BOARD VOTE: 31 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Proposal for newsstand license #1412766 at the northeast corner of West Broadway and Barclay Streets

WHEREAS: Rekha D. Patel (“the Applicant”) has applied to the Department of Consumer Affairs for newsstand license #1412766 at the northeast corner of West Broadway and Barclay Streets near 100 Church Street, and

WHEREAS: Dilip Patel appeared at the CB1 Financial District Committee meeting on December 7, 2011 to represent the applicant, and

WHEREAS: Community Board 1 received testimony from the Downtown Alliance stating that the sidewalk on the west side of West Broadway is closed due to the construction of Fiterman Hall, causing all pedestrians to use the sidewalk on the street’s east side, and that there is another newsstand in close proximity to the proposed location, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 opposes the application for newsstand license #1412766 at the northeast corner of West Broadway and Barclay Streets due to the inappropriateness of the location.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

BOARD VOTE: 30 In Favor 1 Opposed 0 Abstained 0 Recused

RE: Proposal for newsstand license #1412402 at the intersection of William and John Streets in front of 99 William Street

WHEREAS: Dilip Patel (“the Applicant”) has applied to the Department of Consumer Affairs for newsstand license # license #1412402 at the intersection of William and John Streets in front of 99 William Street, and

WHEREAS: Dilip Patel appeared at the CB1 Financial District Committee meeting on December 7, 2011 to present the application, and

WHEREAS: Community Board 1 received testimony from the Downtown Alliance stating that there is already a newsstand within 100 feet of the proposed location, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 opposes the application for newsstand license # license #1412402 at the intersection of William and John Streets in front of 99 William Street due to the inappropriateness of the location.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: Closure of Thames Street between Trinity Place and Greenwich Street from 8 a.m. to 8 p.m. daily for security reasons by the New York Police Department

WHEREAS: Thames Street between Trinity Place and Greenwich Street has been closed to vehicular traffic since the opening of the 9/11 Memorial on September 11, 2011; and

WHEREAS: This closure was put into effect by the New York Police Department (NYPD) as a way to improve pedestrian circulation in the vicinity of the 9/11 Memorial; and

WHEREAS: The NYPD has informed Community Board 1 (CB#1) of plans “to hold a public forum pursuant to the provisions of Local Law No. 24 of 2005, to obtain community comment on the potential adverse impacts of the closure. . . between from 8:00 a.m. through 8:00 p.m. daily, initiated for security reasons”; and

WHEREAS: The closure was discussed at the Financial District Committee (the Committee) meeting (the Meeting) of CB#1 held on December 7, 2011; and

WHEREAS: Members of the Committee stated at the Meeting that the closure has improved pedestrian circulation in the area and mitigated the effects of the many thousands of pedestrians passing through the area daily to visit the Memorial and appreciated that the NYPD French barricades on Trinity Street and Thames no longer extended the entire length of the street but instead allowed wheelchairs and strollers to pass through on each side; and

WHEREAS: Members of the Committee objected at the Meeting to the initial configuration of barricades which crowded pedestrians onto narrow sidewalks and created a problem for people with disabilities who were unable to access the curb-cuts at the corners specifically at Greenwich and Thames Streets; and

WHEREAS: Following the Meeting and comments raised the December 15th Lower Manhattan Construction Command Center (LMCCC) meeting, the NYC Department of Transportation (DOT) informed CB#1 later that day that they had worked with NYPD to authorize a change to the NYPD French barrier configuration, and that starting near the intersection of Greenwich/Thames and extending southward to Albany Street, the NYPD French barricades are now standing in the street, providing an additional lane for pedestrian movement, and the Greenwich/Albany crosswalk has been widened through a reconfiguration of the NYPD barricades, opening up considerably more room for pedestrians; and

WHEREAS: Committee members who visited the site after the reconfiguration of December 15 reported that the modifications had produced significant improvements; now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 supports the closure of Thames Street between Trinity Place and Greenwich Street to vehicular traffic from 8 a.m. to 8 p.m. daily; and

BE IT

FURTHER

RESOLVED

THAT: CB#1 commends the NYPD and DOT for making improvements to the configuration in response to community concerns and will let DOT and NYPD know if there are any additional modifications that we believe are needed.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 31 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Gramercy Park Medical Group proposed relocation to 90 Maiden Lane

WHEREAS: Ron Vlasaty, the Executive Vice President at Family Guidance Centers, Inc., presented at the December 7, 2011 Community Board 1 (CB#1) Financial District Committee meeting a plan to relocate the Gramercy Park Services LLC (GPS) facility for substance abusers, currently located at 253 Third Avenue in Community Board 6 to 6,000 square feet of space on the 4th floor of 90 Maiden Lane in CB#1; and

WHEREAS: GPS was purchased in January 2010 for \$70-80,000 by Larry Kroll, a psychologist who runs several drug treatment clinics in Illinois, according to an article in the Downtown Express dated December 7, 2011; and

WHEREAS: Mr. Vlasaty stated that GPS is seeking to move from its current 3,000 square foot location because it is not accessible to the disabled and therefore does not meet the needs of its clients; and

WHEREAS: GPS previously proposed to relocate this facility to two sites in Community Board 6, where it is currently located, causing opposition from some members of the community; and

WHEREAS: The location at 90 Maiden Lane (the location) is currently occupied by Metropolitan Corporation for Life Skills (MCLS), a treatment facility for substance abusers that is licensed by the New York State Office of Alcoholism and Substance Abuse Services (OASAS) but does not dispense methadone; and

WHEREAS: MCLS has occupied the location since 2005, and the number of clients that it serves has declined from a peak of 300-350 to approximately 40 in the anticipation of the proposed move of GPS to the location; and

WHEREAS: Mr. Vlasaty described planned security for the new location, which would include three security guards, video cameras, and an outdoor patrol to prevent loitering by clients in the vicinity of the building, and stated that clients found loitering or otherwise in violation of regulations would be expelled; and

WHEREAS: According to the representative of the OASAS who attended the meeting, the planned relocation received contingent approval from OASAS on October 25, 2011 pending some needed documents, and the New York City Department of Health and Mental Hygiene has not objected to the application and does not intend to respond to the proposal since it has no contracts with GPS at this time; and

WHEREAS: The representative from OASAS stated that OASAS strongly recommends that facilities that provide methadone reach out to community boards regarding proposals for new locations although there is no obligation to do so, but CB#1 was not notified about the proposal by the actual service provider or its new owner or by OASIS, and learned about the proposed relocation from a call by a reporter after it had already received contingent approval from OASAS; and

WHEREAS: Linda Jones-Janneh, the Principal Community Affairs Coordinator of the NY County District Attorney's Office, attended the presentation to CB#1 on December 7, 2011 and described the East Side Alliance which she chairs, and which is made up of representatives from the District Attorney's office, the NYPD, business improvement districts and community boards, and was developed to address concerns dealing with 4 methadone clinics uptown, including GPS; and

WHEREAS: According to a graphic presented by the Chairman of the Financial District Committee at the meeting, there are 9,452 residential units within a 3 block radius of the proposed location and there are 28,000 residents in the entire Financial District area according to research by Community Board 1; and

WHEREAS: All of the residents and business owners who identified themselves and spoke at the meeting expressed strong opposition to the proposal for various reasons, including the presence of a school for children ages two through six across the street and nearby public open spaces, the growing number of young children in the area, and the lack of notification or detailed information about the proposed facility; and

WHEREAS: One community resident who spoke presented petitions with 600 names in opposition to the proposal that she said were collected in a few days from area residents; and

WHEREAS: The proposed location is only a few blocks away from Zuccotti Park, the site of the recent Occupy Wall Street (OWS) protests, which adversely affected the quality of life of nearby residents and businesses due to associated noise and other quality of life problems; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 opposes the proposed relocation by GPS to 90 Maiden Lane for the following reasons:

- The lack of notification by the provider to the community board about the proposed location and the lack of transparency in the process
- The inappropriateness of such a facility at a location across the street from a school and in close proximity to public open spaces in a residential neighborhood with a rapidly growing number of young children
- The need for relief for a community that has recently experienced adverse affects from the OWS protests on quality of life including excessive noise, sanitation hazards, widespread deployment of street barricades and financial distress of

retail merchants, along with other issues including additional tour buses, and extensive closures of roadways and sidewalks caused by major construction projects and repairs, all of which burden the resources of the local police precinct.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 4 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 30 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 105-107 Reade Street, application for rooftop addition

WHEREAS: In the Tribeca South Historic District, in which this building is located, most of the store and loft buildings are typically five-story structures with facades composed of cast-iron framed storefronts and upper walls faced in high quality materials: stone in over forty cases, brick in nearly twenty cases, or, more exceptionally, cast iron (five examples) and over eighty percent of the lots within the district boundaries at time of designation were of this store and loft type, and

WHEREAS: This five story building of Italianate design, constructed in 1860-1861 along with 103 Reade Street with an original cast-iron storefront believed to be the work of the D.D. Badger foundry at the base and a tripartite façade above faced in sandstone enriched with decorative articulation is a classic example of this type which establishes the district's cohesive architectural character, and

WHEREAS: The proposed two story rooftop addition would be highly visible from West Broadway, a prominent view corridor at the heart of the Tribeca South Historic District and the avenue from which the character of the district is most evident, and

WHEREAS: While the design of the proposed addition may be admirable as a stand-alone sculptural object, this conceptual approach serves to further increase the proposal's visibility in stark contrast to the otherwise fairly homogeneous historic fabric, and

WHEREAS: This committee has a stated policy to reject proposed additions of more than one story with the exception of additions that are entirely invisible or minimally visible from the street, and this proposal is not only for a two story addition but the floor-to-floor heights of the proposed addition are extreme in their dimensions at approximately 14 feet floor-to-floor on the lower level and exceeding 20 feet on the upper level, and

WHEREAS: The architect and owner should be commended on a thorough, legible and transparent presentation, however, based upon the fact that this proposal is for an extremely, and in the opinion of the committee, unnecessarily, tall two story addition that would be highly visible from the street, now

THEREFORE
BE IT
RESOLVED

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

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 4 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 30 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 388 Broadway, application for rooftop addition

WHEREAS: This five-story store and loft building located in the Tribeca East Historic District between Walker Street and White Street, with facades fronting on Broadway and Cortlandt Alley, was constructed in 1858-59 and designed in the Italianate style by King & Kellum, a prominent architectural firm that specialized in commercial design, and

WHEREAS: The proposed addition of two stories is 30 feet high and is greater than that normally approved by this committee, it is setback 33 feet from the front wall, is faced with stucco that matches the existing 1850's façade and the applicant stated that the new structure is to be entirely invisible from all vantage points at street level and is visible only by helicopter, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 Manhattan recommends disapproval by the Landmarks Preservation Commission because verification by viewing of the required mock-up showed that it is prominently visible from the northwest corner of Broadway and Walker Street and minimally visible on the West side of Broadway Franklin and White Streets.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEES OF ORIGIN: PLANNING & COMMUNITY INFRASTRUCTURE AND
SEAPORT/ CIVIC CENTER

PLANNING VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
SEAPORT VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	24 In Favor	2 Opposed	1 Abstained	0 Recused

RE: Support for the New York City Council’s Fair Wages for New Yorkers Act: No. 251-A, also known as the Living Wage Bill.

WHEREAS: On Tuesday, November 22nd, the New York City Council held a hearing on the Fair Wages for New Yorkers Act; and

WHEREAS: The proposed law would require that employees in city-subsidized projects be paid at least \$10 an hour with benefits, or \$11.50 an hour without benefits; and

WHEREAS: In response to criticism that the measure would hurt small businesses and manufacturing, the bill was amended to exclude manufacturing businesses and apply only to companies with at least \$5 million in annual revenue located in developments that had received at least \$1 million in city subsidies; and

WHEREAS: At least 15 cities have laws guaranteeing living wages for workers on subsidized development projects. In Los Angeles, living wage guarantees are the norm on virtually all major development projects. In Pittsburgh and Allegheny County, Pennsylvania there are comprehensive laws guaranteeing fair wages on projects receiving taxpayer-funded subsidies;¹ and

WHEREAS: A new national study by the Center for American Progress (CAP) provides a comprehensive national analysis of job growth in 15 cities that extend living-wage laws to their economic development projects.² According to the CAP study, research indicates that higher minimum and living wages lead to efficiency gains for firms through reduced turnover. Increasing wages for the lowest-paid workers also stimulates local economies, as low income households typically spend more of their dollars locally, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 supports the revised version of the Fair Wages for New Yorkers Act and urges the New York City Council to move forward with this legislation and to continue dialogue with all relevant stakeholders.

¹ "Frequently Asked Questions." *Living Wage NYC*. N.p., n.d. Web. 9 Dec 2011

² T. William Lester and Ken Jacobs, "Creating Good Jobs in Our Communities: How Higher Wage Standards Affect Economic Development and Employment," (Center for American Progress, November 2010).

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: PLANNING AND COMMUNITY INFRASTRUCTURE

COMMITTEE VOTE: 4 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 28 In Favor 0 Opposed 0 Abstained 0 Recused

RE: (E) Designations Zoning Text Amendment - N 120090 ZRY

WHEREAS: The Department of City Planning proposes a citywide text amendment to Section 11-15 and related Sections of the Zoning Resolution (ZR) to update the regulations governing Environmental “(E)” designations, and

WHEREAS: This text amendment is being closely coordinated with the New York City Office of Environmental Remediation (OER) and will result in a more streamlined and transparent (E) Program – the City’s process for establishing environmental requirements related to hazardous materials, air quality and noise on potential development sites identified during CEQR for proposed rezoning, and

WHEREAS: Six main issues with the current (E) Program have been identified, which are proposed to be addressed through this text amendment, alone or in combination with changes proposed by OER to its rules:

1. Environmental Restrictive Declarations
The City established the (E) Program to be able to rezone large areas which would include lots the City, as applicant, had no access to and therefore could not test for potential hazardous materials contamination. For applicant-controlled properties, the practice has been to use Environmental Restrictive Declarations to ensure further testing and remediation. Having these two different mechanisms within the (E) Program that achieve the same result is unnecessary. With this amendment, the two mechanisms for applying environmental requirements will be consolidated, thereby streamlining the process.
2. Applicability
The (E) Program currently limits the use of (E) designations to zoning map amendments. As part of this text amendment, and with OER’s proposed Rule change, (E) designations will be able to be applied in connection with all actions under the Zoning Resolution, including special permits and authorizations.

3. Enforcement

This text amendment would clarify that DOB does have jurisdiction and that satisfying air quality and noise requirements of (E) designations and complying with the environmental requirements embodied in existing Environmental RDs are prerequisites to obtaining building permits and certificates of occupancy from DOB.

4. Post-Approval Modifications

This text amendment would allow OER, with the consent of the lead agency, to modify the requirements of an existing (E) designation, provided that the modification is equally protective

5. Ongoing Monitoring

The current text does not ensure the ongoing monitoring of environmental control technologies, such as a vapor barrier installed beneath a building foundation, once a building is constructed and occupied. The proposed text amendment would require that any ongoing monitoring requirements be reflected on the next issued certificate of occupancy for the building, to provide notice and improve the City's enforcement capabilities in this regard.

6. Duplicative and Outdated Text

ZR Section 11-15 contains outdated provisions and many Special District chapters contain regulations that would be duplicative of the language in the proposed amended Section 11-15. This text amendment would remove duplicative provisions and obsolete language, clarifying existing regulations, and

WHEREAS: Addressing the above issues with the proposed text amendment, in conjunction with OER's Rule changes, would result in a more predictable and streamlined land use and environmental review process which will benefitting land use practitioners, property owners, the public and city agencies, and

WHEREAS: This amendment will also result in increased transparency and easier tracking of environmental requirements and enhanced enforcement of the (E) Program, now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 recommends adoption by the City Planning Commission of N 120090 ZRY (E) Designations Zoning Text Amendment.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	26 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Public Hearing on NYC Council Bills 434 and 435

WHEREAS On December 15, 2011, a representative of the Street Vendors Project, an advocacy organization based in Community Board 1, appeared at the CB#1 Quality of Life Committee to request that CB1 pass a resolution urging the New York City Council Committee on Consumer Affairs to hold a hearing on New York City Council bills 434 and 435; and

WHEREAS: New York City Council bills 434 and 435 would lower the maximum penalties for street vending violations as well as alter the framework for which fines escalate; and

WHEREAS: The City Council Committee on Consumer Affairs has not yet scheduled a public hearing for the two bills; and

WHEREAS: A public hearing on Intros 434 and 435 is necessary in order to foster dialogue regarding these proposed bills; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 urges the City Council to hold a hearing on these bills which highlight an extremely important issue.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	26 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Support for the New York City Council's Vote to Sue Mayor Bloomberg over Homeless Policy

WHEREAS: On Thursday, November 3rd, the Department of Homeless Services announced a new homeless policy that would force individuals who want to sleep in city shelters to provide a year's worth of housing history and to undergo rigorous reviews, during which staffers would determine whether the shelter system is really their last resort; and

WHEREAS: On Tuesday, November 29th, the New York City Council voted 47-1 to sue the Bloomberg administration to halt this controversial new homeless policy; and

WHEREAS: The Legal Aid Society has also filed another suit in Manhattan Supreme Court seeking to halt the implementation of the policy; and

WHEREAS: The policy would drive the city's most vulnerable men and women out into the streets just as winter hits; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 supports the New York City Council's vote to sue the Bloomberg Administration over its new homeless policy and calls on the Mayor to rescind the policy.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	27 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 10 Reade Street (AKA 2 Lafayette Street), sidewalk café renewal application for Albachiara LLC, d/b/a Alba

WHEREAS: The applicant has applied for a renewal of the sidewalk café license for 14 tables and 28 seats; now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 approves the renewal of the sidewalk café license for 10 Reade Street (AKA 2 Lafayette Street), d/b/a Alba located at 10 Reade Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: STREET FAIR TASK FORCE

COMMITTEE VOTE: 4 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 26 In Favor 0 Opposed 1 Abstained 0 Recused

RE: Proposed change in regulations by Street Activity Permit Office

WHEREAS: On November 10, 2011, the Street Activity Permit Office (SAPO) informed Community Boards of “proposed amendments that will update and clarify procedures related to the application, processing, and issuance of street activity permits” and asked Community Boards to respond to them by December 1, 2011; and

WHEREAS: Manhattan Community Boards wrote a joint letter to the Street Activity Permit Office requesting additional time to respond to the proposed amendments, noting that because less than a month was provided, it precluded Community Boards from considering the proposals at a committee and then a full board meeting with advance notice to the public and noting also in the letter the repeated requests made by Manhattan boards for a meeting with SAPO in the past year which have not been accepted; and

WHEREAS: The proposed amendments include Section 1-03(e), stating that “applicants for street fairs shall be limited to one event per application and one event per calendar year,” and this amendment would adversely affect organizations including CB#1, which have in recent years sponsored more than one fair each year; and

WHEREAS: CB#1 submitted a letter to SAPO dated December 1, 2011, objecting to the proposed amendments and timeline, and stating that the amendment in Section 1-03(e) is not only unnecessary but would be detrimental, because most one-block and other small fairs have virtually no impact on surrounding communities, as evidenced by the lack of complaints received about them, whereas large, multi-block fairs almost always have very significant impacts and are responsible for virtually all of the complaints received; and

WHEREAS: At a time when Community Boards and not-for-profit organizations are facing budget reductions and loss of revenue the proceeds from small fund-raising events are more important than ever; now

THEREFORE
BE IT
RESOLVED

THAT: CB#1 opposes the proposed amendments by the Street Activity Permit Office and urges that they not be adopted; and

BE IT
FURTHER
RESOLVED

THAT: CB#1 believes that the proposed amendments would be detrimental to the ability of CB#1 and other organizations to raise needed funds and would have a detrimental effect on quality of life by encouraging larger, more disruptive events rather than small ones that historically have not produced problems or complaints; and

BE IT
FURTHER
RESOLVED

THAT: CB#1 urges SAPO to withdraw the proposed amendments and instead accept the offer extended jointly by all Manhattan Community Boards for a meeting to discuss how to best modify regulations governing street fairs and proceed with any changes in a transparent, collaborative process involving Community Boards, non-profit organizations and other stake-holders.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: TRIBECA TRAFFIC TRANSPORTATION

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

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

RE: Reade Street Curb Side Parking Regulations

WHEREAS: Seventy-five businesses on Reade Street from Broadway to Greenwich Street signed a petition and several appeared at the Tribeca Traffic and Transportation Subcommittee Meeting to request that the north and south sides of Reade Street from Broadway to Greenwich Street be returned to commercial parking as it had been in the past, and

WHEREAS: The businesses complained that where commercial parking regulations do exist, the New York Police Department and Traffic Enforcement Agency has been ticketing them if they load and unload for more than 31 minutes, and

WHEREAS: Tribeca residents at the meeting asked that they be allowed street parking after normal business hours and weekends, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board One requests that the Department of Transportation install commercial curb side parking regulation signs on the north and south sides of Reade Street from Broadway to Greenwich Street from Monday to Friday, from 8:00 a.m. to 6:00 p.m. with a 3 hour time limit for loading and unloading printed on the sign, and

BE IT
FURTHER
RESOLVED

THAT: Community Board One asks that Reade Street from Broadway to Greenwich Street be designated a “No Permit” zone as there is an overabundance of government placard vehicles illegally using the street for parking which is negatively affecting the commerce of the small businesses on the block, and

BE IT
FURTHER
RESOLVED

THAT: Community Board One asks the New York Police Department and Traffic Enforcement Agency allow commercial vehicles to load and unload for up to three hours pending the installation of muni-meters, and

BE IT
FURTHER
RESOLVED

THAT: Community Board One requests that the Department of Transportation install commercial Muni Meters with up to three hour parking.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	3 Opposed	0 Abstained	0 Recused

RE: Creation of a permanent pedestrian plaza on Hudson Street between Reade Street and Chambers Street

WHEREAS: Community Board 1 supported the creation of a temporary pedestrian plaza on Hudson Street between Reade Street and Chambers Street in conjunction with the Chambers Street Project, and

WHEREAS: Construction in the southern end of the Bogardus Plaza is scheduled to conclude in August of 2012, and

WHEREAS: The Department of Transportation will provide additional amenities for the space when it becomes permanent, and

WHEREAS: An emergency vehicle lane is, and would remain, in place to service emergencies in buildings on the plaza, and

WHEREAS: The plaza has been maintained in good order for the past 15 months by the Friends of Bogardus Garden, and

WHEREAS: Friends of Bogardus Garden has the support of 25 local businesses and all adjoining residential buildings, and

WHEREAS: Friends of Bogardus Garden have agreed to continue to provide maintenance of the plaza, including removal of litter, maintenance of planters, and keeping pedestrian sidewalks passable in winter, now

WHEREAS: The owner of Acappella Restaurant at One Hudson Street complained of the loss of loading and unloading area for the restaurant and representatives of the Department of Transportation said they would work with him to find an alternate loading and unloading area, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 supports the creation of a permanent pedestrian plaza on Hudson Street between Reade Street and Chambers Street to be managed by the Friends of Bogardus Garden, and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 urges the Department of Transportation to work with the owner of Acappella Restaurant at One Hudson Street to find an alternate loading and unloading area.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 401 Greenwich Street, application for a tavern beer and wine license for Kaffe 2, Inc., d/b/a Kaffe 1668

WHEREAS: Kaffe 2, Inc, d/b/a Kaffe 1668 is applying for an on-premise tavern beer and wine license; and

WHEREAS: The applicant agreed to limit the hours of food service to 6:00 AM to 12:00 AM Sunday through Thursday, and 7:00 AM to 12:00AM Friday and Saturday and limit the hours of bar service to 3:00 PM to 12:00 AM Sunday through Thursday, and 3:00 PM to 12:00AM Friday and Saturday; and

WHEREAS: The total area of the establishment is 1350 square feet with a public assembly capacity of 45, including a 600 square foot dining area with 15 tables and 30 seats and a 400 square foot bar area and 200 square foot kitchen area; and

WHEREAS: There will be recorded background music only; and

WHEREAS: The applicant will not engage outside promoters, security personnel, or independent DJs; and

WHEREAS: The applicant does not intend to apply for either a cabaret license or a sidewalk café license; and

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

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

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of an on-premise tavern wine and beer license to Kaffe 2, Inc, d/b/a Kaffe 1668 located at 401 Greenwich Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE:	4 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	28 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Performing Arts Center

WHEREAS: There is currently no formal structure in place to program, fund, and design the Performing Arts Center (PAC); and

WHEREAS: In June 2010, construction began on the foundation of the PAC at Site 1B as contemplated by the WTC Master Plan, which was developed through a lengthy public process; and

WHEREAS: At the September 7, 2006 meeting of the Board of Directors of the Lower Manhattan Development Corporation (LMDC), \$55 million of federal money was allocated to The City of New York for the construction of the PAC; and

WHEREAS: Prior to that time, \$5 million was allocated to Gehry Partners, LLC for design development work relating to the PAC but no additional funds have been allocated or raised for the PAC; and

WHEREAS: Last year, CB#1 unanimously passed a resolution strongly encouraging the establishment of a board structure for the PAC independent of both LMDC and the National September 11 Memorial and Museum Board and proposed that such board be charged not only with the responsibility for raising funds for the PAC but also reassessing the proposed programming of the PAC to ensure that it becomes a world-class performing arts center; and

WHEREAS: The realization of a world-class PAC is a cultural capital project that would create both construction jobs and longer-term employment in Lower Manhattan; and

WHEREAS: The PAC which is the last vital component of the WTC site to be realized and its successful development is critical to the revitalization of Lower Manhattan, including the leasing out of the commercial and retail space being rebuilt at the WTC site as has been advocated for years by the community; and

WHEREAS: A recent news reported that, “Peter Davidson, who sits on the LMDC board and is executive director of its parent, the Empire State Development Corporation ... said there are still plans to fund a performing arts center, but it is conditional on the creation of a non-profit board and at least a half-dozen philanthropists making major financial commitments to the project.... If those two conditions are met, that will allow for the release of the \$100 million dollars from the LMDC...” (WNYC, Bob Hennelly, September 7, 2011); and

WHEREAS: \$100 million in funding for the PAC remains in “in limbo” until such time as the Governor appoints his board members to match the appointees of Mayor Bloomberg, which must occur prior to December 31, 2011 or the funds will be lost (Wall Street Journal, by Jennifer Maloney, December 8, 2011), now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 calls upon Governor Cuomo to designate members to the board of the PAC, including Manhattan Community Board 1 World Trade Center Redevelopment Committee Co-Chair Michael Connolly, as soon as possible, so that the board can be constituted by December 31, 2011 ensuring that the LMDC funding will not be lost.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

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

RE: Accounting of LMDC's Remaining Funds

WHEREAS: At the Lower Manhattan Development Corporation (LMDC) meeting of September 7th, 2011, it was announced by U.S. Department of Housing and Urban Development Secretary Shaun Donovan that LMDC has \$600 million in funds remaining; and

WHEREAS: At this LMDC Board meeting, Community Board 1 (CB#1) Chair and LMDC Board member Julie Menin insisted that LMDC provide CB#1 and the public with a clear and public accounting of what funds remain and in what categories and that these funds be immediately disbursed; and

WHEREAS: Previously at the May 16, 2011 meeting of CB#1's World Trade Center Redevelopment Committee, David Emil, the President of LMDC indicated that LMDC had few funds remaining contrary to what was reported by Secretary Donovan; and

WHEREAS: Although we understand that there is a possible merger of the LMDC with the New York and New Jersey (PANYNJ), it is not an excuse for LMDC representatives not to provide a breakdown of remaining funds at the CB1 WTC Redevelopment Committee meeting, although CB1 had requested an accounting prior to the meeting at the September, October, November and December 2011 meetings; and

WHEREAS: CB 1 has for years indicated that all remaining funds must be distributed through a clear, transparent and public proposal; and

WHEREAS: LMDC funds should be allocated to the communities that were impacted by the terrorist attacks that occurred over a decade ago and should provide a public and transparent process; and

WHEREAS: \$100 Million has been allocated for a long promised Performing Arts Center (PAC) at Site 1B and we are concerned about the December 31 deadline for the formation of the Board of Directors of the PAC ; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board One reiterates its request that LMDC immediately provide a certified end of year accounting of what funds have been distributed and what funds remain and to adopt an expeditious plan to release the funds through a public and transparent process that involves community input. This is even more important with a possible merger of LMDC with the bi-state agency PANYNJ, so that the public knows that money intended to be allocated and spent in the rebuilding of the World Trade Center area is spent as it is required by the federal government.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: YOUTH AND EDUCATION

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

RE: Department of Education’s (DOE) latest rezoning proposal and accommodations

WHEREAS: Families with younger children whose siblings are already attending P.S. 397 are grandfathered into the school; and

WHEREAS: The DOE has made precedent to allow an enrollment-option to residents zoned for P.S. 89 or P.S. 276 providing there was capacity; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 requests that all residents who were previously zoned for PS 397 and will be zoned for the new Peck Slip School, assuming the current DOE zoning proposal is approved by the CEC, be granted the option to apply for seats in PS 397, as capacity allows; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 requests that the DOE site and build a new school immediately to incubate in September 2012.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2011

COMMITTEE OF ORIGIN: YOUTH AND EDUCATION

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

RE: Request for modification of the Department of Education’s (DOE) Process for Presenting New School Zoning Proposals

WHEREAS: In the fall of 2011, the DOE drafted a school rezoning proposal for Lower Manhattan because of the addition of the new Peck Slip School; and

WHEREAS: The DOE presented its initial rezoning proposal on September 22nd, and then presented revised proposals on November 8th and November 28th; and

WHEREAS: All three of the DOE’s school rezoning proposals for Lower Manhattan were announced at town hall meetings hosted by the local community education council (CEC); and

WHEREAS: The purpose of the CEC meetings is to solicit feedback on the rezoning proposals from parents, CEC members, and local representatives; and

WHEREAS: The CEC could be better served by input and reaction from community members, parents, and interested parties if the proposal was made available to said groups in advance of these town hall meetings; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 requests that the DOE release their rezoning proposals to the affected community education councils and community boards prior to making a presentation at a CEC meeting, so as to ensure that the community has ample time to provide thoughtful and deliberative feedback on the DOE’s proposal.