

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 225 Liberty Street (World Financial Center), application for restaurant beer and wine license for TBD

WHEREAS: The applicant, UB NYC LLC, is applying for a restaurant beer and wine license; and

WHEREAS: The hours of operation of this establishment are 7:00 a.m. to 9:00 p.m. Monday through Friday, 10:00 a.m. to 9:00 p.m. Saturday and 11:00 a.m. to 9:00 a.m. Sunday; and

WHEREAS: The total area of the restaurant is approximately 635 square feet; customers purchase their food and beverages and sit at the public tables provided by the World Financial Center; and

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

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

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

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant liquor license to UB NYC LLC at 225 Liberty Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:        7 In Favor    0 Opposed    0 Abstained    0 Recused  
BOARD VOTE:            34 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                    Emergency Preparedness Lessons Learned

WHEREAS: CB1 has created an Emergency Preparedness Lessons Learned report; and

WHEREAS: This report provides an account of events that transpired within CB1 during and after Superstorm Sandy and recommendations for improved emergency preparedness; and

WHEREAS: This report has circulated to each CB1 committee and committee members, public members, and the public have had an opportunity to comment on the report; and

WHEREAS: This report will provide a unified platform for CB1 to draw from when collaborating with the government and private sector in future emergency preparedness planning; and now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 adopts the Emergency Preparedness Lessons Learned as the official report of events transpired in CB1 during and after Superstorm Sandy and of recommendations for future emergency preparedness planning.

# **Emergency Preparedness: Lessons Learned From Superstorm Sandy**

Manhattan Community Board 1

January 22, 2013

## **Introduction:**

This report summarizes events that transpired within Community Board 1 (CB1) during and after Superstorm Sandy (Monday, October 29, 2012) and includes recommendations for improved emergency preparedness. It has been reviewed by each CB1 committee and, additionally, public members and the public have had an opportunity to comment on it.

## **1. Communication, Evacuation and Emergency Shelters**

Flooding from Sandy extended beyond Zone A and into Zone B. For CB1 residents, Seward Park High School served as the primary emergency shelter. With buses and subways shut down and limited taxis, transportation to the shelter was difficult, encouraging some individuals to remain in Zone A. When Seward Park High School lost power, evacuees were forced to move to other shelters.

Notify NYC informed people of the evacuation of Zone A and provided relevant updates before, during, and after the storm. The City, however, wavered in announcing the evacuation and provided less than 24-hour notice. This mixed message and late notice created confusion and possibly discouraged residents from following evacuation orders.

### **CB1 Recommends:**

#### Public Sector

- An updated evacuation map that reflects both anticipated storm surges associated with hurricanes and predicted flooding from “once in 100 year flood” and “once in 500 year flood” zones.
- Widely disseminated educational material on the dangers of storm surges and other disasters.
- Widely disseminated educational material on proper evacuation procedures for buildings.
- An annual dialogue and update on emergency shelter locations for CB1 residents.
- Promotional campaigns to encourage citizens to sign up for Notify NYC.
- Contingency plan to disseminate information to residents without access to technology in an emergency situation.
- An increased number of emergency shelters with back-up power capabilities. Agencies such as NYPD, FDNY, and OEM should increase public advocacy for usage of emergency shelters.
- Adequate funding of the National Oceanic and Atmospheric Administration (NOAA), which includes the National Weather Service, a critical source for forecasting and warnings regarding the potential hazards from storms and storm surges.

## **2. Quality of Life**

The aftermath of Sandy caused numerous impacts to quality of life as residents coped with the effects of the storm. Some residents went days and others weeks without utilities, and at the beginning, information on available resources was limited and inadequate. Suspended mail service caused great inconvenience and jeopardized the health of residents dependent on medical subscription mail services. Vulnerability to flooding at our hospitals crippled emergency care resources and raises serious issues for Lower Manhattan health care and emergency needs.

CBI Recommends:

Public Sector

- Pre-designated areas for distribution of water, food, baby formula, blankets, diapers, and other essential items.
- Pre-designated areas for charging phones and laptops.
- Proper flood protection and back-up generators for hospitals.
- Back-up power for street lights and traffic signals.
- Contingency plan to expedite pharmacy openings.
- Contingency plan to distribute medicine to those unable to access pharmacies and/or subscription mail services.
- Contingency plan for delivering mail when service is suspended.
- Contingency plan to retrieve lost pets.
- Better utilization of city-wide CERT Teams.
- Readily available instructions and tools for residents to protect themselves against impacts to air quality caused by temporary mechanical equipment.
- Solar-powered back-up systems for waste water treatment plants.

Private Sector

- Installation of back-up power for cell phone towers.
- Contingency plan for wireless data services.

### **3. Housing Safety Precautions**

Superstorm Sandy revealed that residents may be voluntarily or involuntarily confined to buildings without power or functioning infrastructure, including basic necessities such as elevators, water, heat and phone and internet services. Additionally, seniors and vulnerable individuals, especially those on upper floors, had difficulty in the days after the storm accessing basic essential items such as water and food. In such circumstances, where residents encountered darkened hallways and staircases, it is essential that steps are taken to make buildings as safe as possible.

CBI Recommends:

Public Sector

- Development and annual update of a special needs registry to ensure that frail seniors, people with disabilities and the homebound are properly evacuated, when required, and provided assistance when water and power are no longer available.

Private Sector

- Identification of designated meeting areas on lower, above ground-level locations in residential buildings.
- Adequate emergency lighting equipment including adhesive, reflective strips for stairwells, portable glow sticks, and flashlights. Routine (annual) quality control reviews to ensure that equipment functions.

### **4. Transportation**

Flooding caused widespread damage to our transportation infrastructure, including the subway and PATH systems and tunnels, and inconvenienced many residents and workers. With no subway system and a

temporary restriction on cars entering the city, residents and workers were unable to commute to work, attend to their daily lives, or even return home.

CB1 Recommends:

Public Sector

- Proper planning to expedite transportation repairs after an emergency.
- Proper planning to minimize the impact of storm surges on public transportation infrastructure.
- Adequate transportation contingency plans including expanded ferry and bus service for residents and workers in affected areas.
- Inclusion of newly developed bike share program in transportation contingency plans.

## 5. Schools

Superstorm Sandy revealed limitations in Department of Education (DOE) emergency preparedness and communication procedures. Parent Teacher Associations (PTAs) were instructed to call every student with updates. Parent and students were given less than 24-hour notice of school relocations. Additionally, some students were instructed to return to schools lacking heat or that still housed evacuees, including people with mental illness.

CB1 Recommends:

Public Sector

- A reliable emergency communication platform modeled after Notify NYC.
- Proper flood protection and back-up generators for all schools.
- Relocation announcements delivered with at least 24-hours notice.
- A contingency plan for after-school programs.
- A policy that students are not required to attend school in buildings lacking heat.
- A policy that all people housed in schools used as temporary shelters should be relocated prior to the reuse of the building as a school.
- Contingency plan to maintain requisite 180 days of school during emergency situations.
- School-based, emergency preparedness programs for students.

## 6. Utilities

The loss of utilities – electricity, heat, and phone and data service – greatly impacted residents and workers of CB1. While electricity was restored to most customers within a week, and heat within two weeks, many residents went several weeks without these basic necessities. Steam heating systems are vulnerable to flood damage and delayed the restoration of heat for many buildings. Lack of phone and data services halted business operations for small and big businesses alike, with many businesses as well as residents still using interim servicers as Verizon installs the new fiber optic system. Battery Park City, on the other hand, warrants study for future planning as most of that neighborhood did not lose utility service following the storm.

CB1 Recommends:

Public Sector

- Examine redundancy (or lack of redundancy) in NYC's utility systems.
- Study Battery Park City guidelines and procedures for development and design of utility infrastructure to determine the extent to which they played a role in Battery Park City's resilience during the storm.

- Incentives to encourage the development of alternative energy sources to decrease load on power plants and reduce impact on energy grid during emergency situations. Alternative energy options include solar, wind, cogeneration, battery storage, ice storage, and the capture of methane from waste water plants.
- Utility workers should have access to oil reserves to expedite restoration of services in emergency situations.

#### Private Sector

- Build circuit redundancy for utility services including electricity and data to reduce impacts from outages in emergency situations.
- Development of flood protection for critical utility centers.
- Improve communication including use of social media platforms for utility updates.
- Update online Con Edison Outage Platform with up-to-date information and user-friendly interface.
- Contingency plan to rapidly deploy interim phone and data services.
- Development of infrastructure to withstand flooding and salt water.
- Expanded use of smart grid technology and smart meters.
- Establishment of oil reserves for utility operations during fuel shortages.

## **7. Residential and Commercial Buildings**

Superstorm Sandy created a myriad of building-related issues for residents, workers, and building managers. A majority of buildings in CB1 house their mechanical infrastructure in basements to maximize floor area ratio for the primary function of the building. Basements in Zone A and beyond were inundated by Superstorm Sandy and some buildings still remain without utilities due to damage from the flooding. Generators and other temporary, mechanical equipment filled our streets and reduced air quality, posing a serious health issue.

In addition, residents lacked information concerning the safety of their buildings, and in some instances, did not receive any communication for days from their building managers. In turn, building managers did not know where or to whom to turn to for repairs, permits and inspections until the LMCCC successfully stepped in to provide a much-needed bridge between city agencies and building managers.

CB1 Recommends:

#### Public Sector

- An easily accessible, web-based platform that provides up-to-the-minute information on Department of Buildings (DOB) inspections, utility services and other relevant information.
- A guide outlining the roles and responsibilities of DOB, Con Edison, building managers and owners and other relevant parties in making emergency repairs to residential buildings.
- A system in place to enable residents to hold building managers and owners accountable for making storm-related repairs.
- Zoning regulations that require building developers to install mechanical infrastructure in “flood zone-safe” locations without incurring a loss of floor area ratio.
- Government incentives to encourage retrofitting of existing buildings to place mechanical infrastructure on “flood zone-safe” floors.
- Distribution of retrofitted generators to decrease adverse impacts to air quality caused by diesel generators.

### Private Sector

- Development of emergency management plans including use of social media for building managers to improve communication with and provide updates to residents when phone and internet service is down.

## **8. Small Businesses**

Many small businesses in CB1 are in dire financial situations after Superstorm Sandy; some were not covered by federal or private flood insurance and are still paying back 9/11 loans. Furthermore many commercial and residential buildings remain closed, depleting local businesses of their customer base. As business owners seek to rebuild, lack of information immediately following the storm and an inability to obtain adequate financing have stalled their rehabilitation.

CB1 Recommends:

### Public Sector

- Emergency funds to help small businesses recover in the wake of interruptions caused by natural disasters and other emergencies.
- A guide for small businesses outlining where to turn to for disaster-related help, including loans and grants.
- Readily available legal assistance for small businesses.
- Readily available assistance to businesses that need to navigate the insurance system.
- Statutory policies that provide financial relief to small businesses in the aftermath of disasters, including temporary exemption from City and State taxes, postponement of tax filing deadlines, reduction of property tax assessments to reflect diminished value of damaged properties or those in high-risk zones, and correspondingly reduced property tax rates.

## **9. Parks, Playgrounds and Ball Fields**

Parks, playgrounds and ball fields were flooded during Superstorm Sandy and experienced varying degrees of damage. Some parks and playgrounds are located near temporary generators, posing a potential health concern for children parents. Additionally, the temporary loss of the Battery Park City ball fields presents the potential for a major setback to youth sports leagues in the area for the upcoming spring season.

CB1 Recommends:

### Public Sector

- The use of best code practices and maintenance for parks, playgrounds and ball fields to mitigate damage from flooding and storm surges.
- Contingency plans to provide adequate temporary fields for youth sport leagues.
- The use of salt plants and resistant mechanical equipment in parks.

## **10. Storm Surge Protection**

Superstorm Sandy brought a record 13.8 foot storm surge into New York City and flooded portions of evacuation zones A and B. Adequate storm surge protection, including protection from sewage backup, is of paramount importance for CB1 with the entire district classified within an evacuation zone: 58% within Zone A, 19%, within Zone B, and 23% within Zone C. CB1 supports the development of City and

State efforts to protect against storm surges including natural and mechanical structures successfully employed in other locations around the world.

## **11. City Government**

Efforts by CB1 staff to disseminate emergency information exposed the need for improvement in internal city government interactions. Community boards and local elected officials and other representatives at times duplicated services as they tried to provide services and information not provided by the city, state or federal government.

CB1 Recommends:

### Public Sector

- A detailed report of emergency preparedness procedures presented annually to community boards, local elected officials and other representatives.
- Designated liaisons in key government agencies, especially NYC OEM, and utility companies, to serve as emergency contacts during emergency situations.
- Improve outreach to increase usage of Notify NYC

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:       7 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:           34 In Favor   0 Opposed   0 Abstained   0 Recused

RE:           U.S. Army Corps of Engineers: Fund Two-Phased Study for Superstorm Sandy

WHEREAS: Superstorm Sandy occurred on Monday, October 29, causing extensive flooding throughout New York City, including Community Board 1 (CB1), with storm surges that resulted in water advancing to the district’s original shoreline and resulting in significant impacts to local residents and businesses, with some buildings remaining uninhabitable to this day; and

WHEREAS: It is important to study how to best prepare for the possibility of future flooding around the five boroughs, and in CB1 we must do the same for possible flooding from the East and Hudson Rivers; and

WHEREAS: The U.S. Army Corps of Engineers (“The Corps”) is the Federal government’s largest water resources development and management agency, involved in reducing flood damage among other water-related responsibilities, and making use of its engineering and other skills to provide critical assistance needed to prepare for and prevent national emergencies; and

WHEREAS: The Corps has a two-phase process beginning with a reconnaissance study to determine whether a project can solve local and regional problems involving water resources and then a joint Federal-local decision based on the reconnaissance study as to whether a full feasibility study is warranted, with the reconnaissance phase 100% Federally funded and the feasibility phase shared with the Federal government paying for 50% of the costs; and

WHEREAS: The Reconnaissance Phase would include:

- Definition of problems and opportunities and identification of potential solutions.
- Estimation of benefits and costs of solutions to determine prospects for an implementable project. Appraisal of Federal interest in potential solutions.
- Determination as to whether or not further studies are appropriate.
- Estimation of feasibility phase costs.
- Agreement by the Corps and a non-Federal sponsor to share equally in the cost of the feasibility phase; and

WHEREAS: The Feasibility Phase would include:

- Further planning and evaluation of alternative solutions.
- Detailed estimation of benefits and costs of alternatives to determine what plans merit Federal participation.
- Preparation of a feasibility report recommending solutions and Congressional authorization.
- Preparation of a letter of intent by state or local entity to financially participate in recommended plan implementation, as demonstrated by mutual concurrence in a draft Project Coordination Agreement (PCA) for implementation of the project.
- Coordination of feasibility report with Federal, state and local agencies; and

WHEREAS: Congressman Jerrold Nadler, the U.S. Representative for Community District 1, has expressed his support for the launching of this two-phase process to determine whether a full feasibility study is warranted; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 strongly urges the City of New York including the Office of New York City's Office of Long-Term Planning and Sustainability (OLTPS), Economic Development Corporation, and other relevant City agencies, and the State of New York including the Department of Environmental Conservation (DEC), Hudson River Park Trust and other relevant State agencies, to work together to request that Federal funding and support be put in place to initiate this two-phase process as soon as possible; and

BE IT

FURTHER

RESOLVED

THAT: The entities should work together to raise funds from government, the corporate or non-profit sector, foundations or other non-government sources for the 50% local funding match required for the feasibility phase if it is determined that one is warranted.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: 94 ½ Greenwich Street, application for a wine and beer license for De Novo New York Inc. d/b/a Café de Novo

WHEREAS: The applicant, De Novo New York Inc. d/b/a Café de Novo, is applying for a restaurant liquor license for 94 ½ Greenwich Street; and

WHEREAS: The proposed hours of operation of this establishment are 24 hours a day, seven days a week; and

WHEREAS: The applicant has agreed to serve alcoholic beverages only between the hours of 11 a.m. and 1 a.m. and to include those hours in a signed and notarized stipulation sheet that will be provided to CB1; and

WHEREAS: The total area of the restaurant is approximately 2,000 square feet, with 15-20 tables and 35-40 seats in the dining area, 24 tables and 48 seats in the bar area and 800 square feet in the kitchen area; and

WHEREAS: There will be no music; and

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

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

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

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

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant wine and beer license to De Novo New York Inc. d/b/a Café de Novo for 94 ½ Greenwich Street unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: 44 Trinity Place, application for liquor license for WBGBK, Inc. d/b/a Wogie's

WHEREAS: The applicant, WBGBK, Inc. d/b/a Wogie's, is applying for a restaurant liquor license for 44 Trinity Place; and

WHEREAS: The proposed hours of operations of this establishment are 11 a.m. to 12 a.m. on weekdays and until 2:30 a.m. on weekends; and

WHEREAS: The total area of the restaurant is approximately 2,000 square feet, with 1,000 square feet and 12 tables and 24 seats in the dining area, 400 square feet in the bar area and 500 square feet in the kitchen area; and

WHEREAS: There will be recorded background music; and

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

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

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

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

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant beer license to WBGBK, Inc. d/b/a Wogie's for a restaurant liquor license for 44 Trinity Place unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 85 West Street, application for liquor license for Bills DTM NY LLC, d/b/a to be determined

WHEREAS: The applicant, Bills DTM NY LLC, is applying for a restaurant liquor license for 85 West Street; and

WHEREAS: The Financial District Committee of CB1 voted unanimously to support a modified application stipulating that bar service will end no later than 2 a.m. seven nights a week, which is more consistent with policies of similar establishments in the immediate neighborhood; and

WHEREAS: The attorney representing the applicant responded to CB1 that the applicant did not accept the CB1 offer of conditional support based on earlier closing hours, and would continue to seek approval from the SLA for bar service until 4 a.m. seven nights a week; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant liquor license to Bills DTM NY LLC 85 West Street

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: BSA Cal. No. 323-12-BZ  
25 Broadway -- request for Board of Standards and Appeals Section 73-36  
Special Permit to allow the operation of a Physical Culture Establishment

WHEREAS: The applicant, 25 Broadway Fitness Group, LLC d/b/a Planet Fitness, is seeking to operate a physical culture establishment on portions of the first floor, basement and sub-cellar of an existing 23-story mixed-use building, and

WHEREAS: The applicant appeared at the Financial District Committee meeting of Community Board 1 on January 2, 2013 to present the application; and

WHEREAS: The hours of operation of the health club will be 24 hours a day, seven days a week and the operator intends to offer inexpensive monthly memberships; and

WHEREAS: This use will not impair the essential character of the surrounding community and is intended to serve the rapidly growing population in Lower Manhattan, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 recommends that the Board of Standards and Appeals approve the request for a special permit for a physical culture establishment at 25 Broadway for 25 Broadway Fitness Group, LLC d/b/a Planet Fitness.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: BSA Cal. No. 240-11-BZ  
110/20 Church Street -- request for an extension of term of a Board of Standards and Appeals Special Permit to allow the operation of a Physical Culture Establishment

WHEREAS: The applicant, Equinox Tribeca, d/b/a Equinox, is seeking a ten year extension of term of a Board of Standards and Appeals Special Permit to allow the operation of a Physical Culture Establishment on portions of the first and second floors of an existing mixed-use building, and

WHEREAS: The applicant appeared at the Financial District Committee meeting of Community Board 1 on January 2, 2013 to present the application; and

WHEREAS: The establishment will be a fitness center with accessory retail, offices and juice bar on the first floor, and babysitting, spa rooms, and locker room with steam room on the second floor; and

WHEREAS: The hours of operation of the health club will be limited to Monday through Friday, 5:30 a.m. to 11 p.m. and Saturday 8 a.m. to 9 p.m.; and

WHEREAS: This use does not impair the essential character of the surrounding community and serves the rapidly growing population in Lower Manhattan, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 recommends that the Board of Standards and Appeals approve the request for an extension of term of a special permit for a physical culture establishment at 110/20 Church Street for Equinox Tribeca, d/b/a Equinox

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 9/11 Memorial Family Day Street Activity Permit application

WHEREAS: The 9/11 Memorial has applied for a street activity permit for Sunday, April 21, 2013, on Vesey Street between Church Street and Broadway, 9:00 am to 11:00 p.m.; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 does not oppose the application submitted for the 9/11 Memorial Family Day for a street activity permit for Sunday, April 21, 2013 subject to the following conditions:

1. The program with amplified sound is concluded by 5 p.m. as agreed to by the event organizers at the Financial District Committee meeting on January 2, 2013, and
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, and
3. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
4. Clean-up will be coordinated with the appropriate City Agencies, and
5. Bands and persons with megaphones are not situated along the route such that they disturb residents, and
6. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 12 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 34 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 257 Church Street, application for storefront renovation

WHEREAS: This application calls for a new storefront, and

WHEREAS: The Landmarks Committee of Community Board #1, Manhattan objected to the proposed unarticulated black aluminum storefront infill, overwhelming awnings, and lack of clarity about the column and entablature restoration, and

WHEREAS: This is a very visible and prominent building within the Tribeca East Historic District, and

WHEREAS: The applicant agreed to eliminate the awnings, replace the aluminum with wooden infill elements, and fully restore the columns and entablature, and present an electronic revision to the Committee prior to the LPC hearing, and

WHEREAS: The applicant never did so, now

THEREFORE

BE IT

RESOLVED

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

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: NEW BUSINESS

COMMITTEE VOTE:           0 In Favor   0 Opposed   0 Abstained   0 Recused  
BOARD VOTE:             32 In Favor   0 Opposed   0 Abstained   0 Recused

RE:                   Civic Center Building Sale return to the community

WHEREAS: The Revitalization of Lower Manhattan post 9/11 added (including buildings presently in construction) over 20,000 new apartments to date, providing some developers with tax incentives for this building, without planning additional school seats and other accompanying infrastructure; and

WHEREAS: The Dept. of Ed. will begin preparation for the 2014 Capital Plan in 2013 establishing school seat need and locating potential sites; and

WHEREAS: All of our elementary schools, PS234, PS89, PS276, PS397, excepting PS 347 which is in the initial Kindergarten stage of incubation at Tweed Courthouse, are at or over maximum capacity and state mandated class size limits; and

WHEREAS: PS276 in particular faces the inability to house its fifth grade altogether or lose valuable science and art rooms and their pre-K program due to being mandated to take in five sections of kindergarten in the fall of 2012 and 2011 when it has capacity for only three; and

WHEREAS: Mayor Bloomberg, head of the DOE, has stated his commitment to education and to Downtown Manhattan on many occasions; and

WHEREAS: Capping Kindergarten enrollment at our new and existing schools downtown at the sections the schools are designed for is a must to avoid a further impossible overcrowding situation impeding proper education; and

WHEREAS: “Borrowing” classrooms from a new school’s upper grades is not an example of proper planning and threatens the school’s programs, and inevitably, their ability to even admit all grades; and

WHEREAS: New York City is in the process of selling two buildings, total square footage of 650,000; and

WHEREAS: The current 'give back' to the community is a “minimum of 10,000 square feet”; and

WHEREAS: This 'give back' is now not even guaranteed to be for public pre-K or elementary school seats as of this writing; and now

THEREFORE  
BE IT  
RESOLVED

THAT: The City use 100% of the net profit (profit after all relocation costs for the city offices that now occupy these buildings) of the sale of these buildings for the immediate building/retrofitting of a new (not relocated) public elementary school in CB1.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: PLANNING

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

RE: NYS Department of Health Review/Assessment of Hydrofracking

WHEREAS: NYS Department of Health (DOH) Commission, Dr. Nirav R. Shah, and three outside experts are reportedly conducting a Review/Assessment of a Marcellus Shale gas fracturing “health impact analysis” previously conducted by NYS Department of Environmental Conservation (DEC); and

WHEREAS: The DOH Review/Assessment is critically important because no final decision reportedly will be made about permitting shale gas fracturing in New York until the Review /Assessment is completed; and

WHEREAS: DEC has stated that no Final Supplemental Generic Environmental Impact Statement (SGEIS) will be adopted and no shale gas Revised Rulemaking proceeding will be finalized until the DOH Review/Assessment is completed; and

WHEREAS: Shale gas fracturing activities could potentially affect the NYC water supply, even if the activities do not take place within the NYC watershed; and

WHEREAS: Manhattan Community Board 1 believes it is imperative that the DOH Review/Assessment be comprehensive in scope and properly undertaken with full public participation; and

WHEREAS: It appears, however, that the DOH Review/Assessment is being conducted in secrecy without any public participation; and

WHEREAS: Governor Cuomo has repeatedly pledged that any decision to permit Marcellus Shale horizontal drilling and hydraulic fracturing in New York would be based on sound scientific analysis; and

WHEREAS: CB1 believes that achieving that goal through an open, transparent decision-making process is equally important, and

WHEREAS: CB1 further believes that any final government decision to permit Marcellus Shale gas extraction must not be made in secret and without full public participation; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB1 requests that Governor Cuomo require the following:

- a) Public notice regarding the intent, proposed scope of work and investigatory protocol of the DOH Review/Assessment;
- b) Public release of DEC's reported shale gas fracturing "health impact analysis;"
- c) A 60-day minimum public comment period of the proposed DOH Review/Assessment and DEC's "health impact analysis;" and
- d) At least two public hearings in New York City to require the DOH reviewers to hear testimony from interested parties about the DOH Review/Assessment and the "health impact analysis;" and

BE IT  
FURTHER  
RESOLVED

THAT: Until the foregoing requests are fulfilled, CB1 requests that Governor Cuomo:

- a) Place the DOH Review/Assessment on hold; and
- b) Assure that DEC adopts neither a Final SGEIS nor a shale gas Revised Rulemaking proposal.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	2 Opposed	0 Abstained	0 Recused

RE: Support of the Manhattan Borough Resolution on Early Voting, Same-day  
Registration, and No-Excuse Absentee Voting in New York City

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 supports the attached resolution regarding Early Voting,  
Same-day Registration, and No-Excuse Absentee Voting in New York City.

**Manhattan Borough Board**  
**Resolution for Early Voting, Same-day Registration, and No-Excuse Absentee Voting in  
New York City**

**Whereas**, in the November 2010 elections, turnout in the city was significantly lower (28 percent) than in the rest of the state (53 percent) and nation (46 percent); and

**Whereas**, New York City also had lower voter turnout in the presidential elections in 2008 than any other major U.S. city; and

**Whereas**, according to preliminary data from the New York City Board of Elections, the number of ballots cast for President in 2012 decreased by 14 percent from 2008;

**Whereas**, 32 other states already offer early voting, which allows citizens to exercise their right to vote from 4 to 45 days prior to Election Day; and

**Whereas**, New York closes voter registration nearly a month before primary and general elections, while 10 states plus the District of Columbia offer same-day registration, allowing citizens to register to vote when they cast their ballot; and

**Whereas**, New York continues to require an excuse to access an absentee ballot, despite the fact that 27 other states permit no-excuse absentee voting; and

**Whereas**, New York law does not allow citizens who are either displaced by natural disasters, cannot afford to take time off work to wait in line to vote, or find it difficult to get to the polling place on Election Day; to secure absentee ballots; and

**Whereas**, voters on the Upper East Side reported waiting over three hours to cast a ballot on East 74th Street, in part because election officials were not sufficiently prepared to process people efficiently; and

**Whereas**, voters at a polling site near Gramercy Park were told that the electronic ballot scanners were all broken and that the site did not have an emergency ballot box; and

**Whereas**, all three scanners jammed at Riverside Church in Manhattan not long after voting began at 6 A.M.; and

**Whereas**, on the Upper West Side, voters at Public School 163 spent over an hour navigating four lines — to determine which election district they lived in, to get a ballot, to fill out the ballot, and to get the ballot scanned; and

**Whereas**, voters waited in line for one hour at P.S. 234 Independence School on Greenwich Street, only to be turned away because the site had run out of ballots. Voters were then directed to 111 Centre St., only to have that polling run out of provisional ballots around 8 p.m., an hour before polls closed; and

**Whereas**, the Asian American Legal Defense and Education Fund told the *New York Times* that election workers in Chinatown and elsewhere had refused to give out affidavit ballots in accordance with Governor Cuomo's Executive Order; and

**Whereas**, early voting and no-excuse absentee voting would have abated these problems by reducing the number of people at polling sites on Election Day; and

**Whereas**, states that combine early voting with same-day registration—such as Vermont and North Carolina—have enjoyed turnout 5-6 points higher than the national average; and

**Whereas**, studies, like that published by the American Political Science Association, have shown that no-excuse absentee voting has a positive effect on voter turnout;

**Therefore be it Resolved**, that the State of New York should pass legislation embracing early voting for the 2014 elections, like Senate Bill S1556-2011 introduced by Senator Joseph Addabbo and co-sponsored by his colleagues Senators Dilan, Hassell, Thompson, Krueger, Montgomery, Oppenheimer, and Stavisky; and Assembly Bill A293-2011, sponsored by Assemblymember Rory Lancman and co-sponsored by his colleagues Assemblymembers Glick, Magee, Weisenberg, Brennan, Hooper, Pheffer, Lupardo, Gottfried, Perry, Lifton, Reilly, Jacobs, Paulin, Lavine, and Kellner.

**Therefore be it Resolved**, that the State of New York should pass legislation like Senate Bill S1978-2011, introduced by State Senator Michael Gianaris and Assembly Bill A1686-2011, sponsored by Assemblymember Brian Kavanagh and cosponsored by Assemblymembers Boyland, Brennan, Cahill, Clark, Cook, Dinowitz, Glick, Lifton, Lupardo, Markey, Perry, Scarborough, Thiele, Englebright, Farrell, Galef, Gottfried, Kellner, Meng, Ortiz, Paulin, Rivera (P.), and Quart, to eliminate the 10-day advance voter registration requirement in Article II, Section 5 of the State Constitution.

**Therefore be it Resolved**, that the State of New York should pass legislation allowing same-day voter registration, which would apply not only on Election Day, but on any day eligible voters could cast a ballot.

**Therefore be it Resolved**, that the State of New York should take immediate steps— including a possible constitutional amendment to Article II, Section 2 of the New York State Constitution—to enact no-excuse absentee voting.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Support of the Manhattan Borough Resolution on Support of Restructuring New York City Animal Care and Control

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 supports the attached resolution regarding Restructuring New York City Animal Care and Control.

## **MANHATTAN BOROUGH BOARD RESOLUTION IN SUPPORT OF RESTRUCTURING NEW YORK CITY'S ANIMAL CARE AND CONTROL**

**WHEREAS**, Since 1995, the non-profit corporation Animal Care and Control (“AC&C”) has been under contract with the New York City Department of Health and Mental Hygiene (“DOHMH”) for rescuing, caring for and finding loving homes for the city’s homeless and abandoned animals; and

**WHEREAS**, Manhattan Borough President Scott M. Stringer recently released a report entitled “Led Astray: Reforming New York City’s Animal Care and Control”, that examines how AC&C’s performance falls short of its stated mission and proposes a new financial model to transform AC&C into a thriving public-private partnership, modeled after the successful Central Park Conservancy; and

**WHEREAS**, “Led Astray” found that adoptions have declined 37 percent over the past six years while placements, which enable AC&C to pass the responsibility of caring for an animal onto a rescue group, have increased by 70 percent; and

**WHEREAS**, in testimony submitted to the City Council in September 2011, the ASPCA’s Director of Medicine for its Adoption Center testified that there is a nearly “100 percent outbreak rate of infection” among the animals they receive from AC&C shelters; and

**WHEREAS**, “Led Astray” notes that AC&C has had a long history of managerial dysfunction, with eleven Executive Directors since its inception in 1995, including eight in the last ten years, and has been without a Full-Time Medical Director on staff since February 2010; and

**WHEREAS**, New York City’s dog licensing has declined three straight years, with compliance now at only 10%, as compared to the 90% rate of model cities like Calgary, Alberta, Canada. Additionally, Calgary has pioneered an incentive-based approach to licensing that allows the city to fund its entire \$5.9 million shelter budget through licensing fees, through a “rewards” program that grants licensed pet owners discounts at participating businesses, including pet care stores; and

**WHEREAS**, AC&C’s board lacks the independence and expertise to fundraise effectively and reported a mere \$56,000 in 2010 – a stark contrast to money brought in by outside animal care organizations, such as Stray from the Heart, which raised over \$156,000 from private funds during that same time period; and

**WHEREAS**, New York has no full-service shelters in the Bronx and Queens, which contributes to severe overcrowding and generally deplorable conditions at overburdened shelters in Manhattan and Brooklyn; and

**WHEREAS**, New York is home to a passionate philanthropic community as well as thousands of animal lovers and volunteers, who are willing to do their part to create a world-class shelter system; and

**WHEREAS**, in the late 1970s when Central Park was in a state of disrepair, a group of dedicated civic and philanthropic leaders established the non-profit Central Park Conservancy, which brought together a diverse board of stakeholders to restore and enhance the park; and

**WHEREAS**, the Central Park Conservancy and its dedicated board raised approximately \$38.9 million in 2011; and

**WHEREAS**, New York City has both a legal and moral obligation to care for its stray animal population;

**THEREFORE LET IT BE RESOLVED**, that the Manhattan Borough Board endorses Borough President Stringer's proposal to restructure AC&C into an independent non-profit modeled after the Central Park Conservancy that includes individuals with philanthropic and animal care expertise; work with State legislators to substantially increase revenue by aggressively promoting dog licensing compliance; and commit to building full service shelters in the Bronx and Queens.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: QUALITY OF LIFE

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Youth Exposure to Tobacco Marketing in Stores

WHEREAS: Tobacco is the number one cause of preventable death and disease in the US, killing more people than Alcohol, heroin, cocaine, meth, car accidents, murders, suicides and AIDS combined; and

WHEREAS: 18,000 NYC public high school students currently smoke cigarettes, one-third of whom will die prematurely as a direct result of smoking; and

WHEREAS: 90% of adult smokers start smoking before the age of 18; and

WHEREAS: Research shows in-store marketing is more powerful than peer pressure; and

WHEREAS: Tobacco companies spend \$1 million every day to market their deadly products, and youth are twice as likely to recall marketing than adults; and

WHEREAS: 75% of the city's 11,500 licensed tobacco retailers are within a few blocks of a school; and

WHEREAS: Almost every license tobacco retailer displays tobacco product advertising, with an average of 18 ads per store; and

WHEREAS: Tobacco companies place most of their advertising in convenience stores, where 75% of teenagers shop at least once a week; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 request that the New York City Council create measures that decrease the visibility of tobacco advertising in-stores; and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 requests that the New York City Council create measures limiting the sale of tobacco products around schools.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

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:	34 In Favor	0 Opposed	0 Abstained	1 Recused

RE: Pier 17 Construction by Howard Hughes Corporation

WHEREAS: Super Storm Sandy caused severe hardship on the Seaport area in general and on the merchants on Pier 17, and

WHEREAS: Community Board 1 stated in its resolution of support with proposed modifications for the Pier 17 project that the Howard Hughes Corporation delay construction until after the summer 2013 and extend the deadline for the Clipper City and other Pier 17 business's eviction from June 30, 2013 to September 30, 2013, to permit operation through the important summer season, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 reiterates its request, due to the serious impacts of Super Storm on Pier 17 merchants, that the Howard Hughes Corporation delay reconstruction of Pier 17 until after the summer 2013 and extend the deadline for the Clipper City and other Pier 17 businesses' eviction from June 30, 2013 to September 30, 2013, to permit operation through the important summer season.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC MEMBERS:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 29-37 Beekman Street, application for a BSA zoning variance to allow construction of a new 34 story, 768 bed dormitory for Pace University

WHEREAS: 33 Beekman Owner LLC and Pace University have applied for a variance pursuant to Section 72-21 of the New York City Zoning Resolution to allow in a C6-4 District, within the Special Lower Manhattan District, the construction of a new 34 story 768 bed dormitory with ground floor retail space, and

WHEREAS: Without the variance the proposed building would be 28 stories with 624 beds, and with the variance the proposed building will contain 26,522 square feet more space or an additional Floor Area Ratio of 1.97 above the maximum permitted Floor Area Ratio of 12, and

WHEREAS: The applicant has stated that the variance is necessary for construction due to the irregular shape of the site, an easement benefitting the New York City Transit Authority prohibiting construction above a subway and an increase in applications from out-of-state students which will require additional dormitory beds, and

WHEREAS: The project would include a 3,000 square foot public plaza for use by the Pace University community and the wider community, and

WHEREAS: The property owner SL Green, Naftali Group, and Pace University have stated their willingness to work with the community to:

- 1) Minimize the potential negative impacts of construction by:
  - a) Working the prescribed hours set forth by the Department of Buildings, including after hour variances which will be requested for activities when required
  - b) Best efforts will be made to minimize street closings
  - c) Use of on Site Plaza as means for construction storage and staging/deliveries
  - d) implement a dust mitigation plan
  - e) provide 24 hour, seven day a week telephone contact information for the construction contractor

- f) Retain the services of a Third Party Site Safety Company
- 2) Offer for use by the community:
- a) security and maintenance for the 3,000 square foot plaza to be created as a result of the project
  - b) space for community programs, when available
  - c) educational programming for students at PS 343 and PS 397
  - d) community service credit for Pace students for service to the community board area

now,

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 recommends that the Board of Standards and Appeals grant a variance under Section 72-21 of the New York City Zoning Resolution for 29-37 Beekman Street to allow construction of a new 34 story, 768 bed dormitory for Pace University provided that:

- 1) Developers minimize construction impacts on the surrounding community by using its best efforts to work during the prescribed hours of the DOB, minimize closing of streets, use of on-site plaza for construction storage and staging, implementing a dust mitigation plan, and providing 24 hour, seven day a week telephone contact information for the construction contractor, retain the services of a Third Party Site Safety Company, and
- 2) Pace offer to community members programs and services to benefit residents of the surrounding area by providing security and maintenance for the 3,000 square foot plaza to be created as a result of the project, and providing space for community programs, when available, and providing educational programming for students at PS 343 and PS 397, and by granting community service credit for Pace students for service to the community board area.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

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:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: BSA Cal. No. 374-04-BZ  
246 Front Street, application for extension of time to complete construction of a new residential building with a Board of Standards and Appeals zoning variance granted in 2009

WHEREAS: The applicant seeks a waiver of Board of Standards and Appeals Rules of Practice and Procedure to allow the application to be filed after the permitted time period and an extension of time to complete construction authorized under a variance granted in 2009, and

WHEREAS: The proposed building is a new seven story mixed use building with nine dwelling units which required waivers of various bulk regulations in the Special South Street District due the narrow configuration of the site, and

WHEREAS: There is no substantial difference in the proposed building from the original proposal other than a reconfiguration of the rooftop mechanical equipment as required by the Landmarks Preservation Commission, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board 1 recommends that the Board of Standards and Appeals grant a waiver of Board of Standards and Appeals Rules of Practice and Procedure for 246 Front Street to allow the application to be filed after the permitted time period and an extension of time to complete construction authorized under a variance granted in 2009.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

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:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 22 Peck Slip, application for renewal of sidewalk café license for Meade's

WHEREAS: The applicant, Peck Slip Restaurant Crop, has applied for renewal of an unenclosed sidewalk café license for 5 tables and 20 seats; and

WHEREAS: There is no change to the method of operations; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 approves the renewal of the sidewalk café license for Meade's at 22 Peck Slip.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 41 Murray Street, application for restaurant liquor license for Washington Market Square

WHEREAS: The applicant, EDG Operations LLC, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 11:30 a.m. to 1:00 a.m. Sunday through Wednesday and 11:30 a.m. to 2:00 a.m. Thursday through Saturday; and

WHEREAS: The total area of the restaurant is approximately 4,300 square feet, including a dining area of 1,300 square feet with 20 tables and 116 seats and a bar area of 384 square feet; and

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

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

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

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant liquor license to EDG Operations LLC at 41 Murray Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	1 Opposed	0 Abstained	0 Recused

RE: 211 West Broadway, application for restaurant liquor license for Distilled

WHEREAS: The applicant, B & D Again LLC, is applying for an alteration to their restaurant liquor license; and

WHEREAS: The current hours of operation of this establishment are 10:00 a.m. to 3:00 a.m. Sunday through Thursday and 10:00 a.m. to 3:00 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is approximately 5,000 square feet, including a dining area of 953 square feet with 11 tables and 60 seats and a bar area of 641 square feet with 12 tables and 48 seats; and

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

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

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

WHEREAS: CB1 has received complaints from residents of the building regarding loud noise derived from the establishment; and

WHEREAS: The applicant has agreed to not play amplified live music and to not play live music after 10:00 pm; and

WHEREAS: The applicant has agreed to work with the condo board to install sound proofing.

WHEREAS: The applicant has agreed to limit music to “background” music, defined as music that cannot be heard outside or be heard by neighbors of the same building; the applicant has further agreed to not use DJs, as defined as the use of additional sound equipment and/or an individual playing music beyond the definition of “background” music, and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of an alternation of a restaurant liquor license to B & D Again LLC at 211 West Broadway unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 329 Greenwich Street, application for restaurant liquor license for at Telepan Local

WHEREAS: The applicant, 185 Columbus Avenue LLC, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 11:30 a.m. to 12:00 a.m. Sunday through Thursday and 11:30 a.m. to 1:00 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is approximately 1,700 square feet, including a dining area of 800 square feet with 20 tables and 80 seats and a bar area of 500 square feet with 2 tables and 10 seats; and

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

WHEREAS: The applicant does intend to apply for a sidewalk café license; and

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

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

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant liquor license to 185 Columbus Avenue LLC at 329 Greenwich Street unless the applicant complies with the limitations and conditions set forth above.



COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	4 In Favor	3 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	19 In Favor	15 Opposed	1 Abstained	0 Recused

RE: 305 Church Street, application for restaurant liquor license for at Los Americanos

WHEREAS: The applicant, Mexma LLC, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 7:00 a.m. to 4:00 a.m. Sunday through Thursday and 10:00 a.m. to 4:00 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is approximately 1,200 square feet, including a dining area of 800 square feet with 14 tables and 32 seats and a bar area of 200 square feet with 12 seats; and

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

WHEREAS: The applicant does intend to apply for a sidewalk café license; and

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

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

WHEREAS: Based on the applicant's long history of operating in Tribeca without any complaints from residents or other operating issues, the Committee is willing to agree, on a one-time basis and without establishing any precedent whatsoever, to the applicant's request for closing hours beyond the normal standard; and

WHEREAS: The applicant has agreed to only play “background” music as defined by music that cannot be heard outside or by neighbors; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant liquor license to Mexma LLC at 305 Church Street unless the applicant complies with the limitations and conditions set forth above.



COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 460 Greenwich Street, application for renewal of sidewalk café license for Estancia 460

WHEREAS: The applicant, Tecton Café Inc, has applied for renewal of an unenclosed sidewalk café license for 4 tables and 10 seats; and

WHEREAS: There is no change to the method of operations; now

THEREFORE  
BE IT  
RESOLVED

THAT: CB#1 approves the renewal of the sidewalk café license for Estancia 460 at 460 Greenwich Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 16 North Moore Street, application for renewal and modification of sidewalk café license for Walker's

WHEREAS: The applicant, Reba Realty Corp, has applied for renewal and modification of an unenclosed sidewalk café license for 15 tables and 37 seats; and

WHEREAS: There is no change to the method of operations; now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 approves the renewal of the sidewalk café license for Walker's at 337 16 North Moore Street.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

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

RE: Support for strengthening gun control laws and policies

WHEREAS: A high number of homicides are committed with firearms in the U.S.; and

WHEREAS: In one year on average, 100,000 citizens in America are shot or killed with a gun; and

WHEREAS: Accidental shootings have killed 600 people and injured more than 14,000 in the United States; and

WHEREAS: In 2011, 439 homicides in New York State were the result of firearms; and

WHEREAS: Over a million people have been killed with guns in the U.S. since 1968, when Robert F. Kennedy and Martin Luther King, Jr. were assassinated; and

WHEREAS: The recent horrific killing spree in Newtown, Conn. resulting in the death of 20 children ages 6-10 and 6 adults at an elementary school involved an automatic weapon; and

WHEREAS: U.S. homicide rates are 6.9 times higher than rates in 22 other populous high-income countries combined, despite similar non-lethal crime and violence rates; and

WHEREAS: Among 23 populous, high-income countries, 80% of all firearm deaths occurred in the United States; and

WHEREAS: Guns can be sold in the U.S. (through the secondary market) without a background check to screen out criminals and the mentally ill; and

WHEREAS: As of 2011, approximately 47% of U.S. households have a gun in them; and

WHEREAS: In the U.S. there are 90 guns for every 100 citizens; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 supports requiring Brady criminal background checks on all gun sales, including at gun shows. We support legislation to close all loopholes including all sales by unlicensed sellers on a national level; and

BE IT  
FURTHER  
RESOLVED

THAT: We support banning the sale, trade and private ownership of all semi-automatic weapons; and

BE IT  
FURTHER  
RESOLVED

THAT: We support measures to decrease ammunition capabilities of firearms including Governor Cuomo's current proposal to limit the size of handgun magazines to no more than seven bullets; and

BE IT  
FURTHER  
RESOLVED

THAT: We support legislation including those promoted by Assembly member Brian Kavanagh and State Senator Daniel Squadron that will enact and enforce sensible regulations to reduce gun violence; and

BE IT  
FURTHER  
RESOLVED

THAT: We support legislation that will ban the possession and sale of all high-capacity ammunition magazines of more than 10 bullets; and

BE IT  
FURTHER  
RESOLVED

THAT: We support state legislation requiring ballistic imprinting (microstamping) on all new firearms, that will enable law enforcement to match fired cartridge cases from a crime scene to at least the last registered owner of the firearm; and

BE IT  
FURTHER  
RESOLVED

THAT: We support legislation that will make gun manufacturers and distributors liable for supplying gun traffickers and facilitating a criminal shooting; and

BE IT  
FURTHER  
RESOLVED

THAT: We support legislation that will require gun manufactures to integrate "smart-gun" technology into all new guns.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: JANUARY 22, 2013

COMMITTEES OF ORIGIN: YOUTH & EDUCATION  
BATTERY PARK CITY

BPC

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

PUBLIC MEMBERS: 1 In Favor 0 Opposed 0 Abstained 0 Recused

YOUTH

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

PUBLIC MEMBERS: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Battery Park City Ball Fields

WHEREAS: Downtown Little League relies upon the Battery Park City ball fields for their spring league; and

WHEREAS: Additional youth sport leagues rely upon the Battery Park City ball fields for summer and fall leagues; and

WHEREAS: The ball fields were flooded and damaged by Superstorm Sandy on Monday, October 29, 2012, almost three months ago; and

WHEREAS: The Battery Park City Authority issued on January 14 a RFP for repairs to replace the turf and to clean and test the irrigation system; and

WHEREAS: New York State Assembly Speaker Silver recently sent a letter to the Battery Park City Authority urging for expedited repairs that will allow the Downtown Little League to commence on its planned opening day, March 1, 2013; and

WHEREAS: Manhattan Borough President Stringer, City Council Member Chin, and State Senator Squadron have also sent the Battery Park City Authority respective letters expressing their desire for expedited repairs to the ball fields; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 joins the concern of Assembly Speaker Silver and the rest of the community and urges the BPCA to expedite repairs of the ball fields. Furthermore, CB1 requests that BPCA provides continuous public communication of the repair process and timeline, and

BE IT  
FURTHER  
RESOLVED

THAT:

Once the RFP responses are received, the Battery Park City Authority will not wait until their regularly scheduled board meeting, but rather call a special meeting to review and approve this important repair work.