

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Bicycle Working Group

WHEREAS: The Bicycle Working Group, spearheaded by a joint collaboration between CB-1 and the Battery Park City Authority, began in November 2016 and met 4 times through June 2017 to address safety concerns along the shared space that is the Battery Park City Esplanade and the Bicycle Path, called the Greenway, along the West Side Highway, and

WHEREAS: The areas under review included the Esplanade from the tip of Wagner Park near Pier A to Stuyvesant High School at West Street as related to the Greenway from Battery Park to Chambers Street and Stuyvesant High School, and

WHEREAS: The Bicycle Working Group included community members who currently use the areas under review to walk, to run, and to bike as well as members of CB1 and the BPCA, representatives of Transportation Alternatives, Allied Universal Security Services and the NYC DOT, and

WHEREAS: The Esplanade is a shared public space, used by walkers, runners, people with strollers, people who are mobility-challenged, people with pets, tourists, residents, workers and cyclists, and

WHEREAS: The BPCA has control over rules governing the Esplanade and the security company that monitors it, and

WHEREAS: BPCA does not have control over the Greenway, the printed City's Bicycle Maps or the contract with Citibike. These areas are under the jurisdiction of NYC DOT and NYS DOT, who have shared authority, and

WHEREAS: The Esplanade is identified by NYC DOT as part of the Hudson River Greenway (bike path) and NYC DOT's NYC Bike Map does not list the Esplanade as shared space, and

WHEREAS: In the South neighborhood, there are two levels of Esplanade, one for bikes and one for other users. In the North neighborhood, all paths are shared. Signage along the Esplanade does not effectively separate cyclists from the other users of the Esplanade, and

WHEREAS: The construction along 9A is complete and the Greenway is fully operational. However, signage along the Esplanade does not effectively direct cyclists from the Esplanade to the Greenway, and

WHEREAS: Signage and ground markings along the Greenway and sidewalks of Battery Park City do not effectively separate cyclists from other users of the Greenway to keep pedestrians out of the bike path, creating hazardous situations for all users, and

WHEREAS: The present location of the CitiBike Station at the intersection of Liberty Street and South End Avenue encourages cyclists to use the Esplanade rather than the Greenway and adds congestion to an already busy intersection, and

WHEREAS: A RFP has been issued by the BPCA on January 18, 2017 to retain a qualified firm to plan, design and implement a new wayfinding signage program (project) to improve navigation for all modes of travel for Battery Park City, and

WHEREAS: The working group formed will continue until decisions are made regarding West Thames Bike Station, wayfinding, parking and safety along West Thames Street are reviewed after the West Thames Bridge is finished and in-use, now

THEREFORE
BE IT
RESOLVED
THAT:

1. CB1 requests that the following actions be implemented with BPCA and NYC DOT: Relocating the CitiBike Station at the intersection of Liberty Street and South End Avenue to move towards the Greenway at West and Liberty Streets and supplemental site as needed at West and Albany Streets. The move will maintain or increase the quantity of CitiBikes in Battery Park City as a result of moving the Liberty Street station CitiBike Station.
2. CB1 requests BPCA will add and enhance the signage along the Esplanade to clearly separate cyclists from the other users of the Esplanade.
3. CB1 Requests NYC DOT and State DOT enhance the signage along the Greenway to more clearly delineate what is bike path and what is walkway and at intersections.
4. CB1 requests BPCA work with NYC DOT to add signage to direct cyclists to the Greenway at multiple intersections. This will lessen the volume of cyclists on the Esplanade should they choose to move to the Greenway. Locations to include: Behind Stuyvesant High School at Chambers Street, locations within Rockefeller Park, North End Avenue intersections of Murray and Vesey, points along the Esplanade in Southern Battery Park City that provide through access to the Greenway at Liberty, Albany and West Thames Streets as well as First and Second Places and Wagner Park.

5. CB1 requests NYC DOT will work to improve the safety and visibility of the bike path along Vesey Street through enhanced signage and street markings.
6. CB1 requests BPCA will work with NYC DOT and NYS DOT to fill in the carved images of riders and pedestrians in the sidewalks at the Greenway intersections to better delineate the pathways and add additional markings and signage to enhance safety.
7. CB1 requests NYC DOT to modify the NYC Bike Map to reflect the Greenway along West Street as the bike path, and denote the Esplanade as shared space.
8. CB1 notes that all parties in the working group have agreed that the Citibike Station at West Thames and the parking along West Thames Street will not be modified in anyway at this time. Further working group meetings will review West Thames Street intersection and the location of that CitiBike Station after the West Thames Bridge is completed.
9. CB1 requests that the BPCA incorporates the recommendations and findings of the Bicycle Working Group as defined in this resolution in their project and plan for wayfinding signage as defined in the RFP.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: BATTERY PARK CITY

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

RE: BPCA issued RFP South Battery Park City Resiliency Project

WHEREAS: The BPCA issued South Battery Park City Resiliency Project Design Services RFP on or about July 14, 2017. The due date for responses to the RFP is September 29, 2017, and

WHEREAS: The BPCA has been working on a resiliency plan that encompasses all of Battery Park City since 2015, and

WHEREAS: The BPCA has started the process for RFP'S for engineering and design for Battery Park City Resiliency and the plans and timelines are more accelerated than any put forth yet by New York City or New York State, and

WHEREAS: The BPCA has divided the overall Resiliency projects into several parts and South Battery Park City Resiliency Project is the first project to have a RFP issued for engineering and design, and

WHEREAS: The BPCA has identified two areas of extreme vulnerability to flooding defined as: The "pinch point" intersections of the Esplanade at Chambers Street and the West Side Highway and second the plaza at Pier A in Historic Battery Park), and

WHEREAS: The BPCA does not control all of the areas identified for addressing resiliency design and will require collaboration and cooperation with New York City and State Agencies, The Battery Conservancy and The Hudson River Park Trust, and

WHEREAS: During Super Storm Sandy, the Chambers Street "pinch point" was the location where water from the Hudson River flowed into West Street and down Chambers Street, which resulted in damage to residences, the BPC Ball-fields, surrounding businesses and a loss of life, and

WHEREAS: During Super Storm Sandy, the storm surge in Wagner Park and the plaza in front of Pier A caused no significant property damage to Wagner Park nor loss of life, and

WHEREAS The BPCA has stated that it has been working with New York City and State agencies and the Lower Manhattan Coastal Resiliency Project to coordinate the merging of its

resiliency plans as they are formulated and the South Battery Park City Resiliency Project Design Services, and

- WHEREAS: CB1 appreciates and encourages the BPCA for its work on moving forward RFPs on resiliency but respectfully disagrees with the overall timeline and the conclusions reached from the closed Wagner Park Site Assessment Project which included the South Battery Park City Resiliency Report and SBPC Plan generated in 2017, and
- WHEREAS: The RFP calls for proposals for multidisciplinary design services in support of the BPCA's South Battery Park City Resiliency Plan (the "SBPC Plan"), and
- WHEREAS: The SBPC Plan does not encompass key recommendations from the BPC Committee and Waterfront Committees of CB1 and the BPC community, some of which go to the heart of the Wagner Park Site Assessment Project, and
- WHEREAS: CB1 and the BPC community has expressed grave concerns with the scope of the Wagner Park Site Assessment Project, noting that the money, attention and effort was focused on demolition of the present award-winning architectural structure that houses a restaurant, storage and public bathrooms, rather than focusing primarily on what is minimally required to enhance resiliency, and
- WHEREAS: The SBPC Plan proposed a larger structure that would compromise current views and access so as to provide significantly more commercial revenue-generating business space, increase storage space for the BPCA and perhaps add 1,300 square feet "community space", and
- WHEREAS: The BPCA is focused on moving forward with The SBPC Plan to increase revenue-generating assets within Wagner Park, but Wagner Park is not within the "pinch point" area that is the most vulnerable, and
- WHEREAS: The BPCA maintains that the new structure is an integral part of the Wagner Park Resiliency Plan and not first and foremost a revenue-generating project; that it is the first RFP processed, as it was the least complicated; and that other RFPs are in process and will be forthcoming, and
- WHEREAS: The Community & Stakeholder Outreach portion in Phases 2, 3 and 4 of the South Battery Park City Resiliency Project RFP Issued July 14, 2017 details only preliminary meetings as directed by the BPCA, and
- WHEREAS: The BPCA has yet to put forth a RFP for the "pinch point" Chambers Street location in Northern BPC, and
- WHEREAS: BPCA has stated that funding for the BPCA Resiliency Plans will not be coming from City, State or Federal sources and BPC was excluded from the partial funding grants, and

WHEREAS: The BPC community has expressed concerns as to how the BPCA will finance the BPCA Resiliency Projects. Although there is a large annual surplus (currently over \$170,000,000 in 2017) from the Ground Rent and Pilot, the BPCA has indicated that they will likely issue more bonds to fund the projects, and

WHEREAS: This type of funding by issuance of more bonds is of grave concern to the stakeholders in BPC, both residential and commercial owners and renters, as incurring more debt can result in increases in and curtail relief negotiations on the Ground Rent and Pilot payments - at a time when stakeholders are looking for Ground Rent and Pilot RELIEF - making BPC even more unaffordable to current owners and renters and driving neighbors out of their homes, now

THEREFORE
BE IT
RESOLVED
THAT:

1. CB1 appreciates and encourages the BPCA for its work on moving forward RFPs on resiliency but respectfully disagrees with the overall timeline and the conclusions reached from the closed Wagner Park Site Assessment Project which included the South Battery Park City Resiliency Report and SBPC Plan generated in 2017.
2. CB1 requests that the BPCA's first priority for Resiliency project work to be for the pinch point of the Esplanade, Chambers Street and West Street before Wagner Park.
3. CB1 requests that the BPCA includes community meetings for feedback throughout the design phase of the South Battery Park City Resiliency Project to allow for outreach in multiple points of the design process beyond preliminary meetings.
4. CB1 requests that the BPCA, in its redevelopment and design of Wagner Park, ensure the protection of features currently enjoyed by the community and consideration of requests made, including but not limited to: viewpoints from the street to the Statue of Liberty, multiple access points, 360 degree unobstructed views of the Statue of Liberty and New York Harbor throughout the park (unobstructed by a dock or moored boats), intimate gardens, seamless connection between the restaurant and lawn areas, open play spaces without a large pitch, quiet areas, a sustainability and environmental-focused educational center, design event set up/event infrastructure in the park to minimize noise and traffic impacts on neighboring buildings. In addition, designs should include multiple public accessible spaces within the structure to maintain view access points that frame the Statue of Liberty in line with the stairs and bridge of the current structure feature.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEES OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT
WATERFRONT, PARKS & RESILIENCY

LAND USE

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

WATERFRONT

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

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

RE: 200 Water Street, application to the City Planning Commission for arcade infill,
plaza modifications and open air cafe
N170284ZAM
N170285ZCM

WHEREAS: Rockrose Development has filed an application for an authorization from the New York City Planning Commission (CPC) pursuant to Section 91-841 of the Zoning Resolution to allow a horizontal enlargement within arcade space at 200 Water Street in conjunction with modifications to two plazas; and

WHEREAS: The site has approximately 33,450 square feet of lot area and occupies nearly the entire block bounded by Water Street, John Street, Pearl Street and Fulton Street. The site includes a 576 unit residential building; the plazas, which comprise 4,010 square feet of the site's area; and the 3,222 square foot arcade; and

WHEREAS: The proposed project would enclose a portion of the arcade (including the double-height space), resulting in approximately 2,922 square feet of ground floor retail infill and approximately 1,778 square feet of new second floor residential space. At the street line of Water Street, a triangular portion of the arcade would remain open as a corner arcade with a minimum clear path of 10 feet to facilitate pedestrian circulation. The arcade enclosure would contain at least two ground floor retail establishments, one of which being an enlarged and reconfigured version of the existing Duane Reade; and

WHEREAS: The new walls of the arcade enclosure would be fully glazed with transparent material, except for building columns and other structural elements between areas of glazing. Permanent installations for temporary flood control measures would be provided at all entryways into the arcade enclosure; and

WHEREAS: The proposed project would replace the existing seating and the sculptural elements within the Fulton Street plaza with planters, fixed and moveable seating, a drinking fountain, tree, a sculpture, new stone paving, trash receptacles, public space signage and lighting; and

WHEREAS: The proposed plaza would modify the plaza at John Street and Pearl Street by providing plantings, trees, moveable and fixed seating, new stone paving, a trash receptacle, public space signage and lighting. No changes to the elevation, size or orientation of this plaza are proposed. No changes to the building walls facing this plaza are proposed; and

WHEREAS: The applicant is also seeking a certification from the Chair of CPC pursuant to Section 37-73 of the Zoning resolution of the City of New York to allow an open air café to be located within the modified Fulton Street plaza at 200 Water Street; and

WHEREAS: The certification would allow the applicant to provide an open air café within the Fulton Street plaza, adjacent to a retail establishment within the proposed arcade enclosure. The open air café would consist of eight moveable tables and 24 moveable chairs. The applicant estimates that the café would take up approximately 5% of the entire plaza; and

WHEREAS: During last year's review of the Water Street Zoning Text Amendment, 200 Water Street was identified as a unique property in the catchment area. CB1's March 2016 resolution states that the "benefit to the property owner clearly outweighs the community benefit from plaza upgrades" and requests that the applicant should provide benefits in addition to the plaza upgrade; and

WHEREAS: As the first application resulting from the 2016 zoning text amendment to allow the infill of arcades along Water Street, this application must be taken under careful consideration as it will set a precedent for applications that follow; and

WHEREAS: The building at 200 Water Street was constructed with floor area (FAR) bonuses granted in exchange for providing public space through the arcade and the plazas. In the case of arcade infill, the building would retain the original bonused floor area while converting a portion of the public space into additional rentable floor area for commercial and residential use; and

WHEREAS: There is a critical need for additional open space in downtown Manhattan, particularly on the east side in the Financial District/Seaport area which has a rapidly growing residential population; and

WHEREAS: The privately owned public space (POPS) at 200 Water Street was one of New York's most original and beloved POPS which graced the cover of the prestigious Progressive Architecture magazine in 1972 shortly after the tower was built. This

celebrated, beloved and unique part of the downtown's urban street life was described by experts as “a work of art” and “a cultural icon of the City”, but was regrettably not well maintained over the years; and

WHEREAS: In 1996 when 200 Water Street was converted to residential use, the applicant was sued by the designers of the privately owned public space who secured a settlement agreement that required Rockrose to retain much of the arcade and plaza design for a 15 year term ending in 2011 (Brandston v St. John St. Realty). Since that time, the scaffold, canvas banners, illuminated pond, fountain and lighting that once defined the public space have been removed or deteriorated; and

WHEREAS: CB1 concurs with the following comments from the Municipal Art Society of New York on 200 Water Street, “The Melvyn Kaufman-built public spaces at 200 Water Street were lauded for their unique public art installations and noted for the unusually playful vibrancy these pieces brought to the area. Yet today, much of the public art has been altered or removed. And the plazas and arcade have been allowed to deteriorate to the point that, instead of preserving these valuable community assets, Rockrose stands to benefit from the loss of public space”; and

WHEREAS: “At the July 18th Community Board 1 meeting, Rockrose claimed the rental income from the dwelling units alone would be approximately \$600,000 annually. Add to that the anticipated profit from the future restaurant and open-air café and it’s clear that this is not a fair trade-off. Therefore, for improved transparency and an equitable private-public exchange, we maintain that developers seeking to fill in POPS should be required to provide a full financial analysis of the costs and benefits associated with the bonus floor area and the future revenue they will receive through retail rents and increased building value”; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes application N170284ZAM for an authorization from the CPC to allow a horizontal enlargement within the arcade space at 200 Water Street for the following reasons:

- 1) The public space at 200 Water Street was, for so many years, a celebrated and lively community space with well-regarded public art and amenities. CB1 believes the proposed plaza designs are generic, mundane and lack aesthetic vision for this iconic space.
- 2) There is no adequate compensating amenity to justify enclosing 4,743 square feet of the double height arcade, constructed in return for additional building FAR, and converting it to private use by infilling the arcade.
- 3) The intersection of Water Street and Fulton Street is already one of the liveliest corners in Lower Manhattan and does not need activation as outlined as the primary intent of the Water Street zoning text amendment. As a gateway to the South Street

Seaport and the Water Street corridor with a playground across the street and many nearby residences, stores and schools, the space is already highly trafficked which will only increase with the opening of Pier 17, the continued redevelopment of the South Street Seaport and the addition of the Seaport Station on the 2nd Avenue subway line.

- 4) The infill of the arcade will impede the visual connection to Water, Pearl and Fulton Streets.
- 5) With increased traffic to the area as the South Street Seaport and Water Street corridor continue to develop, CB1 has serious concerns about circulation with the public space being reduced through the proposed arcade infill.
- 6) The proposed infill of the second level of the arcade with three market rate apartments contradicts the City's mission to increase affordable housing in the neighborhood and provides no public benefit.
- 7) The zoning aims to infill arcades on Water Street that are determined by the Department of City Planning (DCP) to be underutilized, obsolete and no longer useful but in fact, this application proposes to infill an arcade located on Fulton Street that is commonly used.
- 8) Lower Manhattan is dense and highly concentrated with a dearth of public space. The community is highly sensitive to the loss of public space; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes application N170285ZCM for a certification from the CPC to allow an open air café located within the reconstructed Fulton Street plaza for the following reasons:

- 1) The proposed arcade infill would eliminate nearly 3,000 square feet of ground floor public space. CB1 opposes this certification application which proposes to reserve additional plaza space for the open air café, further restricting use of the space by the public
- 2) CB1 is concerned about how the open air café may further restrict circulation in addition to the elimination of public space through the proposed arcade infill
- 3) CB 1 is also concerned that an open air café with undetermined hours could generate loud noise during the evening that would negatively impact the St. Margaret's House senior residence located across the street; and

BE IT
FURTHER
RESOLVED

THAT: CB1 has serious concerns about the Water Street zoning as a whole, particularly in terms of public benefit and equity. The Department of City Planning has agreed to meet with CB1 to discuss the Water St zoning text amendment and we will follow up with a resolution detailing our position on the zoning as a whole.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 45 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 159 John Street, application to convert window to door and install an ADA compliant lift

WHEREAS: The Committee and Board considered this application in April 2017 and rejected it unanimously a copy of which is attached, and

WHEREAS: The LPC hearing did not take any action on the application in May 2017 as the applicant needed to complete the application by adding an ADA compliant solution, and

WHEREAS: The applicant is now seeking approval for the proposal that was rejected in April on the grounds of hardship due to economic conditions making the retail space unlettable at the size it was acquired by Howard Hughes Corporation, and

WHEREAS: The Committee queried the rationale of application – to be told it would be very helpful if the Committee, Board and LPC would accept Howard Hughes Corporation’s hardship, and

WHEREAS: The Committee commented that whilst Howard Hughes is working well with the Community in many areas – it did seem inappropriate for this request to be further considered, and

WHEREAS: The benign-sounding application actually proposes to change a beautiful façade on breathtakingly historic Schermerhorn Row that has never been altered in its 182 years, and

WHEREAS: That Howard Hughes Corporation wrote a lease permitting this new door pending approvals does not require the Landmarks Preservation Commission to approve the application, and

WHEREAS: The retail space already has a perfectly functional street entrance and a secondary egress at 189/191 Front Street, and

WHEREAS: Additionally, the proposed staircase to the door is not contextual, and

WHEREAS: The elevation in question has worked beautifully as a commercial venue for almost two centuries, and

WHEREAS: The ADA lift solution – whilst some Committee members felt was regrettable – is compliant with LPC and ADA regulations, and

WHEREAS: As the Committee debated the issue with the applicant – it was noted that the applicant had in fact an Appendix to the application which had not previously been shared with the Committee showing a solution to the issue by using a lift to the existing entrance at 189/191 Front Street – which was not part of the present application, and

WHEREAS: The Committee commented that if the applicant choose to remove the proposal to add a door and an ADA lift to 159 John Street and proposed an ADA lift to the existing entrance at 189/191 Front Street – the application would be viewed favorably, and

WHEREAS: The applicant felt this might be a workable proposal but wanted time to carefully consider this before accepting the Committee’s suggestion, but there would be an opportunity to present a revised application to the Committee’s October meeting, and

WHEREAS: The Committee considered it prudent to consider only the application as submitted and wondered if the solution in the Appendix might find its way into a revised application, now

THEREFORE
BE IT
RESOLVED

THAT: CB1 urges the Landmarks Preservation Commission to reject this application while encouraging the applicant to present a revised application including the helpful design included on the applicant’s computer as “Appendix” with only one ADA lift to the existing door at 189/191 Front Street.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: APRIL 25, 2017

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 34 In Favor 1 Opposed 0 Abstained 1 Recused

RE: 159 John Street, application to convert window to door

WHEREAS: This benign-sounding application actually proposes to change a beautiful façade on breathtakingly historic Schermerhorn Row that has never been altered in its 182 years, and

WHEREAS: That Howard Hughes Corporation wrote a lease permitting this new door pending approvals does not require the Landmarks Preservation Commission to approve the application, and

WHEREAS: The retail space already has a perfectly functional street entrance and a secondary egress, and

WHEREAS: Additionally, the proposed staircase to the door is not contextual, and

WHEREAS: The elevation in question has worked beautifully as a commercial venue for almost two centuries, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 urges the Landmarks Preservation Commission to reject this application.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	11 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	1 Opposed	1 Abstained	0 Recused

RE: Nightlife Advisory Board and an Office of Nightlife

WHEREAS: City Council Intro No. 1688, enacted September 19, created a Nightlife Advisory Board and Office of Nightlife, and

WHEREAS: The Nightlife Advisory Board will make recommendations regarding New York City laws, rules, regulations and policies to address common issues and trends in the nightlife industry, and

WHEREAS: The Office of Nightlife will serve as a city liaison for nightlife establishments, conducting outreach and providing assistance with the city's enforcement, licensing, permits or approvals processes, and

WHEREAS: The Office of Nightlife will also serve as an intermediary between the nightlife industry, residents and city agencies and will review information on complaints or violations regarding nightlife establishments, and develop recommendations to address recurring problems or trends, in consultation with all stakeholders. The Office of Nightlife must also produce an annual report of its recommendations and activities, and

WHEREAS: Community Boards are governmental participants in the licensing recommendation process because the New York State Charter mandates that New York State Liquor Authority consult with municipalities, such as Community Boards, for licensing determinations; and

WHEREAS: Community Boards are generally the front line in receiving complaints resulting from nightlife establishments and work with city agencies, such as the New York Police Department, Department of Buildings, Department of Environmental Protection and the New York State Liquor Authority; and

WHEREAS: Community Board members include residents concerned with quality of life issues, summonses and licensing recommendations, and Community Boards work with nightlife applicants and communities to create stipulations that allow businesses to be licensed and operated without being in conflict with the surrounding community; and

WHEREAS: The Nightlife Advisory Board would be composed of 12 members, four of whom would be appointed by the Mayor and eight by the Speaker of the Council, and

WHEREAS: Community Board 1 is on record regarding the importance that legal and regulatory quality of life protections currently stay in place and continue to balance the issues of neighborhood noise, traffic, liquor license over-saturation and other concerns and that businesses such as bars, restaurants and nightclubs with dancing continue to operate with the understanding of rights of community residents, and

WHEREAS: The likely repeal of the cabaret law makes community input ever more imperative, and

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 believes that the experience Community Boards offer from working with communities and city and state agencies, and in making recommendations to the New York State Liquor Authority, requires that Community Boards have a strong presence with at least half the members appointed to the Nightlife Advisory Board from Community Boards to work with the Office of Nightlife.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 43 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 130 Water Street, application for a beer & cider license for HMSDS USA Corp
d/b/a Café Water

WHEREAS: The applicant, HMSDS USA Corp d/b/a Café Water, is applying for a beer &
cider license; and

WHEREAS: The hours for beer & cider service will be 10:00AM – 12:00AM all week; and

WHEREAS: The establishment is a total of 3,200 square feet including a dining area of 100
square feet with 10 tables and 22 seats and a kitchen area of 500 square feet;
and

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

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

WHEREAS: The applicant has represented that there are no buildings used exclusively 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 a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 *opposes* the granting of a beer & cider license to HMSDS USA Corp d/b/a
Café Water *unless* the applicant complies with the limitations and conditions
set forth above.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 15 Stone Street, application for a liquor license for Stone Street Amigos LLC

WHEREAS: The applicant, Stone Street Amigos LLC, is applying for a liquor license; and

WHEREAS: The hours for alcohol service will be 11:00AM – 1:00AM Sunday – Wednesday and 11:00AM – 2:00AM Thursday - Saturday; and

WHEREAS: The establishment is a total of 2,690 square feet including a dining area of 1,580 square feet with 34 tables and 106 seats; a bar area of 880 square feet with 19 seats; and a kitchen area of 230 square feet; and

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

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

WHEREAS: The applicant has represented that there are no buildings used exclusively 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 may return after 6 months to apply for an extension of hours; and

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

THEREFORE
BE IT
RESOLVED

THAT: CB1 *opposes* the granting of a liquor license to Stone Street Amigos LLC *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE: 12 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 43 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 200 Water Street, application for a restaurant wine license for In the Name of Love LLC

WHEREAS: The applicant, In the Name of Love LLC, is applying for a restaurant wine license; and

WHEREAS: The hours for alcohol service will be 11:00AM – 9:00PM Monday – Thursday and 11:00AM – 9:00PM Friday – Saturday. The establishment will be closed on Sunday; and

WHEREAS: The establishment is a total of 1,060 square feet including a dining area of 600 square feet with 8 tables and 28 seats; a bar area of 126 square feet; and a kitchen area of 200 square feet; and

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

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

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

WHEREAS: The applicant has represented that there are not three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has signed a stipulations sheet; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes the granting of a liquor license to In the Name of Love LLC unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE: 12 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 43 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 22 Park Place, application for a change in class for RA 22 Park Place Enterprises Inc. d/b/a Baguettes & Company

WHEREAS: The applicant, RA 22 Park Place Enterprises Inc. d/b/a Baguettes & Company, is applying for a change in class; and

WHEREAS: The applicant is upgrading to a full liquor license, otherwise there is no change to method of operation; and

WHEREAS: The hours for alcohol service will be 10:00AM – 4:00PM Monday – Friday. During the weekends there will be off premises catering only; and

WHEREAS: The establishment is a total of 8,100 square feet including a dining area of 1,000 square feet with 24 tables and 40 seats; and a kitchen area of 2,100 square feet; and

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

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

WHEREAS: The applicant has represented that there are no buildings used exclusively 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: CB1 opposes the granting of a change in class to RA 22 Park Place Enterprises Inc. d/b/a Baguettes & Company unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 43 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 104 Reade Street, application for a wine, beer & cider license for Jill Lindsley Wellness, LLC

WHEREAS: The applicant, Jill Lindsey LLC, is applying for a wine, beer & cider license; and

WHEREAS: The hours of operation will be 11:00AM – 11:00PM; and

WHEREAS: The establishment is a total of 5,810 square feet including a bar area of 1,000 square feet with 2 tables and 8 seats; and

WHEREAS: The applicant has represented that there will be no music; and

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

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

WHEREAS: The applicant has represented that there are no buildings used exclusively 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: CB1 opposes the granting of a wine, beer & cider license to Jill Lindsley Wellness, LLC unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: NEW BUSINESS

BOARD VOTE: 38 In Favor 1 Opposed 1 Abstained 0 Recused

RE: Repeal of the cabaret law – Intro 1652-2017

WHEREAS: The proposed elimination of the cabaret law is expected to generate more revenue to the city, but at the expense of the quality of life of residential communities, and

WHEREAS: The cabaret law may well have had its origins in racist policies 91 years ago, as its opponents state, in modern day it has also proved to be a useful tool in protecting the quality of life of overburdened neighborhoods from the disturbances and noise typical of overflow crowds on the street, and

WHEREAS: The history of 311 and 911 complaints has demonstrated that Dance clubs, licensed or not, tend to draw large crowds far into the night and (partly as a result of the much more recent no smoking laws) out onto the sidewalks and street, and

WHEREAS: In CB1, the most egregious disturbances from licensed premises have come from the street crowds associated with bars that have dancing, and

WHEREAS: Police may now and then manage to quiet a group, the only long-term remedy has come from the SLA finding the licensees in violation of their method of operations, and

WHEREAS: In fact the SLA and community boards look closely at the possibility of dancing at licensed premises as a grassroots concern for the community and will seek stipulations accordingly, and

WHEREAS: By pushing to eliminate the cabaret law without corresponding measures to protect the neighborhoods' quality of life the City will be putting an enormous burden on communities and local police, as well as shifting a new burden of enforcement to the State Liquor Authority, whose investigative and disciplinary forces are already stretched to the limit, and

WHEREAS: The proposed regulations include the requirement of cameras on the street, but no specifics as to how they may be used for regulation of crowds, and

WHEREAS: Cameras installed in the past at problem establishments have done little to stop noise because the SLA's authority over outside street disturbances is limited by the requirement to prove the licensee has "suffered and permitted" such disturbances, an almost impossible hurdle, now

THEREFORE

BE IT

RESOLVED

THAT: The city must recognize its actions do not happen in a vacuum, and that coordination with the State Liquor Authority and community boards is imperative, and any attempt to eliminate the cabaret law should include provisions to not only monitor and guard the interiors for safety, as recommended in the bill, but to protect the neighborhoods outside from the crowds and street disturbances that as demonstrated in the past will inevitably follow, and

BE IT

FURTHER

RESOLVED

THAT: There must be clearer and more easily enforceable city regulations, particularly on noise, that will protect the neighborhoods, and the NYC police must be given clear directives and more funding to enable enforcement of those regulations, and

BE IT

FURTHER

RESOLVED

THAT: If the city does in fact shift a further burden onto the communities and the SLA it is imperative that the city must also work with the state and the elected officials to help increase funding for more SLA enforcement agents, and to finally give the SLA general as well as specific authority to promulgate laws and regulations to control disruptive actions outside of licensed establishments.

BE IT

FURTHER

RESOLVED

THAT: If the current cabaret law is repealed there should continue to be some official mechanism contained within the new law for residential and community board input to vet and make recommendations to the "licensing" government entities as to whether or not dancing should be permitted or is appropriate at a particular location.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEE OF ORIGIN: NEW BUSINESS

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

RE: Traffic Calming Measure(s) for South Williams Street Near Millennium HS

WHEREAS: A student from Millennium High School (75 Broad Street) was struck by a car during the 2016-17 school year and suffered injuries requiring medical and dental attention which resulted in numerous healthcare procedures, and

WHEREAS: Members of the Youth and Education Committee did a walk through of the South Williams Street near Millennium HS in March of 2017 and found the curvature of the one lane, one way street to provide difficult sight lines for both drivers and pedestrians, and

WHEREAS: The school zone signs in the area of the school are often obscured by parking on the north side of South Williams and are unable to be enforced due to a lack of NYPD resources therefore unacceptable as a traffic calming measure, and

WHEREAS: The NYCDOT, when petitioned over this past summer to add a speed bump near Millennium's entrance, replied "that the curve in the roadway and the multiple driveways/curb cuts on this street renders it unsuitable for a speed hump installation" by NYC DOT, and

WHEREAS: Millennium has a population of nearly 700 students and staff, many of whom understandably cross South Williams Street toward Stone Street each day multiple times, being that the school entrance is 300 feet from the corner of Broad and South Williams Streets where the nearest crosswalk is located and the Stone Street Plaza is where Millennium students congregate before school, during lunch, and after school while awaiting friends, and

WHEREAS: We have yet to have a solution offered by the NYCDOT for this urgent and dangerous situation, now

THEREFORE
BE IT
RESOLVED

THAT: CB1 respectfully requires the NYCDOT to put in place the outlined above for traffic calming measures near the entrance to Millennium High School on South Williams Street in lower Manhattan to ensure the safety of schools many students and staff members.