

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

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

RE: Strengthening Voting Rights in New York State

WHEREAS: A strong democracy depends on consistent and robust participation of eligible voters in every election; and

WHEREAS: The New York State Senate passed a comprehensive package of bills to reduce boundaries to voting and create additional protections against voter disenfranchisement; and

WHEREAS: All these bills were passed by the Senate, and all but one is waiting on passage in the New York State Assembly; and

WHEREAS: State Senate Bill S.264, sponsored by Senator Zellnor Myrie, sets deadline for absentee ballot applications sent by mail to 15 days before the election, up from 7 days, to better allow for voters timely receiving their absentee ballot; and

WHEREAS: State Senate Bill S.360, sponsored by Senator Leroy Comrie, amends the State Constitution to allow for any voter to vote by absentee without an excuse; and

WHEREAS: State Senate Bill S.631, sponsored by Senator Julia Salazar, permits Boards of Elections to receive absentee ballot applications earlier than thirty days before the applicable Election Day by making permanent Chapter 138 of the Laws of 2020, which sunset on December 31, 2020; and

WHEREAS: State Senate Bill S.516, sponsored by Deputy Majority Leader Michael Gianaris, establishes a mandatory timeframe for processing of absentee ballot applications and ballots by Boards of Elections based on when the application was received; and

WHEREAS: State Senate Bill S.632, sponsored by Senator Robert Jackson, permanently allows voters to apply for absentee ballots online and allows absentee ballots postmarked through Election Day by making permanent Chapter 91 of the Laws of 2020, which sunset on December 31, 2020. Under current Election Law, applications may only be made by mail or fax; and

WHEREAS: State Senate Bill S.1028, sponsored by Senator Leroy Comrie, ensures that all voters in the state have access to absentee ballot tracking by requiring the New York State Board of Elections to create a statewide absentee ballot tracking system for absentee voters ensure that their vote is counted in the election while allowing counties and the New York City Board of Elections to also maintain their own absentee tracking systems; and

WHEREAS: State Senate Bill S.492, sponsored by Senator Brad Hoylman, authorizes the Board of Elections to establish absentee ballot drop-off locations or drop-boxes to provide voters with a convenient and secure option for delivering their absentee ballots; and

WHEREAS: State Senate Bill S.253, sponsored by Senate Elections Committee Chair, Senator Zellnor Myrie, prohibits voiding absentee ballots on technicalities where intent of voters is clear, and the law has been substantially complied with, including where there are stray marks, or the ballot is undated but is time stamped by the Board of Elections.; and

WHEREAS: State Senate Bill S.1027, sponsored by Deputy Majority Leader Senator Michael Gianaris, amends various provisions of the Election Law in order to allow for expedited review and canvassing of absentee ballots without compromising the integrity of elections.; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 calls upon the New York State Assembly to follow the New York State Senate's lead and pass the remaining counterpart bills; and

BE IT
FURTHER
RESOLVED

THAT: Manhattan Community Board 1 calls upon the New York Governor to sign the bills without delay as soon as they are delivered, so that not one more election passes by without these protections in place.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2021

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	6 Abstained	0 Recused

RE: Status on COVID-19 vaccines for NYC educators

WHEREAS: CB1 passed a resolution asking that teachers be prioritized for a COVID-19 vaccination; and

WHEREAS: Teachers were prioritized, and the city worked with the UFT to set up sites for them to be vaccinated; one in Queens and one in Staten Island. They were also able to sign up online at the various vaccination sites used by all New Yorkers; and

WHEREAS: Many teachers had difficulty either getting to the UFT-provided sites or getting an appointment at the other sites; and

WHEREAS: There are roughly 75,000 teachers in the city schools, and about 150,000 DOE staff overall. Of those only 38,000 had been vaccinated as of February 24 (*); and

WHEREAS: High schools are reopening for blended learning on March 22, 2021; and

WHEREAS: We need to ensure that all of our teachers are vaccinated as soon as possible so that we can open our schools fully as soon as possible; and

WHEREAS: Teachers are given only a short window of time off from work during the day to get their vaccines; and

WHEREAS: Vaccines have become more plentiful in the past weeks, with over 100,000 administered by the Javits Center alone since opening its pilot in early March (*1); now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 urges that teachers use their school IDs and those who do not have school IDs be given vouchers that they can present at any vaccination site city-wide and walk to the front of the line to receive their vaccines; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 calls upon the City to regularly track how many teachers and DOE employees have been vaccinated so they can determine how many teachers were able to get the vaccine that wanted it.

*WSJ, 2/24/21

*1 NY1, 3/6/21

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2021

COMMITTEE OF ORIGIN: QUALITY OF LIFE & DELIVERY SERVICES

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	11 Abstained	0 Recused

RE: COVID-19 Relief for Residential Condominiums and Cooperatives

WHEREAS: Cooperatives (coops) and condominiums (condos) are multifamily developments with a form of collective ownership structure with an emphasis on tenants having control over their individual domicile though investor or institutionally-owned units are not uncommon; and

WHEREAS: Congress passed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), which was signed into law on March 27, 2020, to address some of the economic effects of the COVID-19 pandemic; and

WHEREAS: Section 4022 of the CARES Act provides single-family homeowners, who are experiencing financial hardship due to the COVID-19 pandemic, the right to forbearance for up to 180 days (which can be extended for another 180 days) from making mortgage payments on loans owned or securitized” by the Federal National Mortgage Association (“Fannie-Mae”) and the Federal Home Loan Mortgage Corporation (“Freddie-Mac”); and

WHEREAS: The CARES Act provides for rent relief, mortgage forbearance, and moratoriums on evictions and foreclosures, but does not address certain adverse pandemic impacts on that are specific to coop and condo apartment owners; and

WHEREAS: Condos or coops that meet the Qualified Lending Requirements of Fannie Mae and Freddie Mac are considered “Warrantable”. Prospective buyers of coops and condos look to purchase a “Warrantable” coop or condo apartment because only then will said Buyers have access to these government-backed lending options, which have preferable terms when compared to unsecured lending products; and

WHEREAS: The pandemic gutted housing markets in New York City and the sudden drop in demand deprived the leadership of many coop and condo apartment buildings from adjusting budget strategies to accommodate for the loss in unit sales-based revenues, which has led to subsequent increased assessment charges on owners and shareholders, many of whom are on fixed incomes or have lost their incomes due to the pandemic and are not able to absorb unexpected housing-related charges; and

WHEREAS: In addition to loss of sales-based revenues, the pandemic's adverse economic impact on many coop and condo owners has caused many such owners to fall behind in their assessment-payment obligations, further placing budgetary pressure on the managements of coop and condo buildings; and

WHEREAS: Such pandemic-related impacts have caused many coop and condo buildings to fail to meet the fiscal operating reserve requirements set by Fannie Mae or Freddie Mac when determining Warrantability; while still being financially sound; and

WHEREAS: Lack of affordable government-backed mortgages for such coop and condo buildings effectively prevent coop and condo owners from selling their units as a means of obtaining relief from unaffordable assessment obligations; or regular monthly common charges; and

WHEREAS: If left unchecked, the precipitous drop in revenues supporting coop and condo buildings' operating budgets could lead to a "death spiral," in which the lack of mortgage availability further dampens demand, which leads to a larger sales-related income deficit for coops or condos, pushing them further out of compliance with Fannie Mae and Freddie Mac requirements, which places additional constraints on mortgages; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 calls on our elected officials to work at the federal, state, and local levels to provide regulatory relief where appropriate by relaxing prohibitions or requirements on commercial entities that govern coops or condos in terms of budget flexibility, to prevent burdensome assessments; and

BE IT
FURTHER
RESOLVED

THAT: CB 1 also requests that our congressional delegation pass legislation to address financial shortfalls not currently provided for in the Cares Act so that there is parity between single family homeowners and those who collectively contribute to the success of a multi-family development as a cooperative or condominium; and

BE IT
FURTHER
RESOLVED

THAT: CB1 calls on all elected officials to prevail upon Fannie Mae and Freddie Mac, for the duration of the pandemic to modify the Warrantability requirements so as not to penalize residential units for sale in buildings that fail Warrantability requirements for reasons that are specifically attributable to the temporary economic effects of the pandemic.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2021

COMMITTEE OF ORIGIN: QUALITY OF LIFE & SERVICE DELIVERY

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	1 Opposed	0 Abstained	0 Recused

RE: Addressing the surge in Anti-Asian Violence post-COVID-19

WHEREAS: President Trump and other leaders with a national platform repeatedly referred to COVID-19 as the China Virus, Kung Flu and multiple other derogatory names that linked Asian-Americans to the pandemic, resulting in rising anger and mobilizing supporters; and

WHEREAS: One-third of Americans report that they have personally witnessed other individuals blame Asians for the outbreak;¹ and

WHEREAS: Between February and May 2020, the New York City Commission on Human Rights (NYCCHR) received 389 reports of coronavirus-related hate incidents;² and

WHEREAS: Between January 1 and November 1, 2020, 24 coronavirus-related hate crimes against Asians were reported to the New York Police Department (NYPD), which is eight times the number of hate crimes reported against Asians during the same period in 2019;³ and

WHEREAS: The impact of the pandemic on the Asian-American community in New York City (NYC) has been particularly profound due to their greater unemployment, high rate of severe COVID outcomes, disruption to education and being wrongly blamed for the pandemic, which has led to verbal and physical violence against the community;⁴ and

¹ Alex Ellerbeck, *Over 30 Percent of Americans Have Witnessed COVID-19 Bias Against Asians, Poll Says*, NBC NEWS (Apr. 28, 2020), <https://www.nbcnews.com/news/asian-america/over-30-americans-have-witnessed-covid-19-bias-against-asians-n1193901>

² Kay Dervishi, *Coronavirus Pandemic Drives a New Wave of Hate Crimes*, CITY & STATE NEW YORK (July 27, 2020), <https://www.cityandstateny.com/articles/politics/new-york-city/coronavirus-pandemic-drives-new-wave-hate-crimes.html-0>.

³ NYPD Announces Citywide Crime Statistics for October 2020 (Nov. 2, 2020), <https://www1.nyc.gov/site/nypd/news/p1102a/nypd-citywide-crime-statistics-october-2020>.

⁴ Paul Weiss, *A Rising Tide of Hate and Violence against Asian Americans in New York During COVID-19: Impact, Causes and Solutions*, Asian American Bar Association of New York, and Paul, Weiss, Rifkind, Wharton & Garrison LLP (2021)

WHEREAS: In May 2020, 25 NYPD detectives of Asian heritage voluntarily formed the Asian Hate Crimes Task Force, the country's first, so that there was a group that had the language skills and cultural sensitivity to deal with the spike in hate crimes and the Asian community's hesitance to report them; and

WHEREAS: Work on the task force is voluntary, its members need to do their work with the Asian community and setting up a system to better deal with hate crimes, is done while performing their full-time police duties; which is a grossly inadequate allotment of manpower for such a serious continuing problem; and

WHEREAS: Asian community members complained at the March 2021 CB 1 Quality of Life & Service Delivery Committee meeting that they are revictimized when they are endlessly questioned or when the District Attorney's Office either drops hate charges, purportedly due to insufficient evidence of racial animosity, or fails to prosecute crimes against Asians; and

WHEREAS: Members of the non-profit community and the voluntary task force emphasize the importance of creating a "one-stop shop" for victims reporting hate crimes to reduce the trauma of having to repeat their story, and to have direct access to the language and culturally-sensitive support and needed follow-up services; and

WHEREAS: Prosecution of hate crimes is not perceived as being a priority or successful at bringing justice, especially when weighed against a fear of retribution for reporting the crime; and

WHEREAS: The 116th Congress passed House Resolution 908 condemning all forms of anti Asian sentiment as related to COVID-19 in September 2020; and

WHEREAS: On January 26, 2021, President Biden signed a Presidential Memorandum to address anti-Asian sentiment and hate crimes against the Asian-American community, as well as language and cultural barriers in COVID-19 response and recovery; and

WHEREAS: Senator Chuck Schumer on the March 19, 2021 Late Show with Steven Colbert, called for more effort to stop the violence against Asians because "an attack against any of us is an attack against all of us"; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 calls on Mayor de Blasio to immediately and fully fund a permanent task force to manage complaints of violence against Asians and Asian-Americans; and

BE IT
FURTHER
RESOLVED

THAT: The District Attorney's Office is implored to work with the taskforce to coordinate best practices that will maximize successful arrests, prosecutions and victim satisfaction; and

BE IT
FURTHER
RESOLVED

THAT: Mental Health and social services support be identified and introduced to all victims of violence so that their trauma from the violence as well as the legal processes are minimized and dealt with as needed in a culturally sensitive way.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2021

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 401 Greenwich Street, proposal to alter facade and add architectural detail and storefront cladding with steel and aluminum composite

WHEREAS: In 2005, 401 Greenwich Street was built in a style that blends well into the context of other historic facades within the Tribeca Historic District in part to its thoughtful curtain wall design; and

WHEREAS: The proposed modifications to paint the existing façade's aluminum window frames and trim from the second to fifth floors are unnecessary; and

WHEREAS: The painting and covering up of the existing opaque glass panels will create a flatter (less interesting) facade; and

WHEREAS: The proposed modifications to the storefront doors and intercom system are acceptable; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 reluctantly approves the modifications because they are non-controversial and unnecessary and recommends that the Landmarks Preservation Commission approve this application.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: March 23, 2021

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	8 Opposed	2 Abstained	0 Recused

RE: 250 Water Street, revised application to construct a new building on the 250 Water Street parking lot

WHEREAS: Regarding 250 Water Street, the current, revised proposal calls for the construction within the South Street Historic District of a 27-story, 345-foot tower encompassing more than half a million square feet; and

WHEREAS: The South Street Seaport Historic District was designated in 1977, the first in Lower Manhattan. It is a small 11-block district “consisting primarily of small-scale brick buildings which contrast dramatically with the soaring skyscrapers nearby” according to the LPC designation report. Many of the structures are dated from the 18th century. The average-sized building in this historic district is 4-5 stories in height; and**

WHEREAS: LPC rejected many proposed buildings over a roughly 25-year period for 250 Water St and used very similar language in these rejections indicating that “the proposed scale, size, mass and volume of the high-rise building would dominate and overwhelm the neighboring buildings in this low scale district, thus visually confusing the clear boundary of the district”; and**

WHEREAS: LPC’s clear and unambiguous precedent for a quarter of a century regarding this site has remained consistent in directive and language; and**

WHEREAS: If the current application is approved in its current form or modified form, then we would ask that LPC to be clear about the reasoning behind reversing decades of its own stated parameters and precedents; and

WHEREAS: The National Trust for Historic Preservation listed the South Street Seaport as one of the 11 Most Endangered Historic Places in 2015 due to the threat of inappropriate and out-of-scale development in this modest and deeply historic New York City neighborhood. The Seaport’s restored 19th-century commercial buildings are a unique environment in Manhattan, significant for its continuous relationship to the waterfront and its status as the focal point of the early maritime industry in New York City; and**

WHEREAS: It has always been the stated LPC directive to communities that there are no “transitional” blocks, only designated landmarked buildings and non-designated buildings and districts. The Howard Hughes Corporation is asking for 250 Water Street to be considered a “transitional” district, an argument that LPC has rejected here and all over the city, in principle and in law. Anything regarding the appropriateness of this application must be judged in the context of the historic district in which it is located, not in regard to the vast city beyond. For example, in 1986 LPC wrote “that the size of the thirty story tower would cause an abrupt change in scale within the district, disrupting the district’s homogeneous, low-scale quality; that the design of the proposed thirty story tower, which is located at the western boundary of the district, would relate more closely in scale and massing to the buildings outside the historic district rather than those within, thus visually confusing the clear boundary of the district. **The current proposal is exactly three stories lower;** and

WHEREAS: In 1991 LPC did approve on 250 Water Street an eleven-story office building. The developer/owner of the site, Milstein Properties, chose NOT to build this building and continued trying to gain approval for taller buildings rejected by LPC. So it remains a parking lot only because the owner refused to abide by the development limits that do come with being in a historic district; and

WHEREAS: After years of these unsuccessful efforts to gain approval of a high-rise building at 250 Water Street, CB1 led a successful effort with elected in 2003 to rezone the Seaport Historic District to C6-2A with a maximum height of 120 feet. This rezoning had the support of local elected officials, the Downtown Alliance, the South Street Seaport Museum, the Municipal Arts Society, Seaman’s Church Institute and local developers including Frank Sciame who restored 11 buildings on Front Street keeping them well below 120 feet in height; and**

WHEREAS: Other developers in the Seaport Historic District and in historic districts throughout CB1 and the City have constructed buildings that comply with LPC guidelines and are economically profitable; and**

WHEREAS: CB1 has no particular love for a parking lot. It has said consistently said that it welcomes a new building at 250 Water Street that is within LPC and zoning guidelines, longstanding and carefully defined guidelines; and**

WHEREAS: If the Howard Hughes Corporation is allowed to transfer air rights to the site and construct a building over 120 feet, it would negate this hard fought and correct action to preserve the unique character of the South Street Seaport Historic District; and**

WHEREAS: The Seaport Historic District development rights zoning transfer mechanism was established specifically so that unused development rights could be transferred to sites *outside* the historic district in order to preserve the area’s low-scale character. CB1 and the community strongly urge the City and EDC to work with

us to preserve this successful formula and expand the number of “receiving sites” outside of the historic district to sell these air rights. In addition, the funds raised by selling these air rights should be used to help the Seaport Museum, to build additional affordable housing in CB1, and for other needed local amenities; and**

WHEREAS: 250 Water Street is currently in use as a parking lot. The applicant suggests that this use does not currently serve a historic district, describing 250 Water Street as an “edge location,” “vacant for decades,” and a “large full block.” The revised presentation prepared for LPC and the Community Board detailing the proposal continues to include photos of the surrounding context with views of Beekman Street, Pearl Street/Southbridge Towers, Water Street, and PS 343 Peck Slip. While the Beekman Street and Southbridge Towers views include large towers, these buildings are located *outside* of the Seaport Historic District. The applicant also focuses on both applications as one development proposal, indicating that the development rights transfer and towers at 250 Water Street are necessary to preserve the Seaport Museum; and

WHEREAS: We also need to remind LPC that it is supposed to determine the appropriateness of a proposed new building without considering the amenity package that may accompany such a proposal. CB1 has chosen not to comment substantially on those elements of the HHC 250 Water Street proposal for that reason; and

WHEREAS: It goes without saying that the 1977 designation report included 250 Water Street in the historic district, and also noted the “small-scale brick buildings which contrast dramatically with the soaring skyscrapers nearby.” Those nearby skyscrapers were not in the historic district, and for a good, obvious and explicit reason. The proposal to construct a “skyscraper” within the historic district is directly contrary to the designation report, which instead expects development that will complement the “early 19th-century character” of the district; and**

WHEREAS: If ever there were a landmarks-busting proposal, it is this one; and**

WHEREAS: Its relationship to the South Street Seaport Museum’s ever-failing financial straits is irrelevant, and it turns out that there is no legal or otherwise guaranteed stipulation that 250 Water Street would “save” the South Street Seaport Museum, or even the proposed museum addition, presented as a corollary to this application, will ever be built; and**

WHEREAS: Landmarks Preservation Commission Chair Sarah Carroll made the latter point explicitly clear in the recent hearing on Howard Hughes Corporation’s previous proposal, when she said that, while saving the South Street Seaport is a worthy cause, it and similar considerations do not bear upon the appropriateness of this application; and

WHEREAS: This revised proposal's podium is more articulated, with a more appropriate street wall, and is the full amount of height allowed as-of-right. It would make a good and complete building for this site; and

WHEREAS: The gigantic tower above the podium is illegal; and

WHEREAS: While the structure may be more contextual on three sides, except Pearl Street, and the tower's bulk may be pushed off the center of the block, it is all irrelevant; and

WHEREAS: As an addendum, when something is built on the site someday, something conforming to zoning and Landmarks regulations, extra care must be taken to secure the surrounding fragile, small 18th and 19th century structures; now

THEREFORE

BE IT

RESOLVED

THAT: A 27-story, 345-foot high, 550,000-square-foot self-evidently and completely out of scale skyscraper is inappropriate and shattering in the South Street Seaport Historic District and should not be approved by LPC; and

BE IT

FURTHER

RESOLVED

THAT: Given that LPC under 4 different Chairs rejected so many buildings proposed for this site, smaller than the one before you now, we strongly believe that LPC must respect its own precedent; and

BE IT

FURTHER

RESOLVED

THAT: There are better ways to help the Seaport Museum without destroying this historic district and the City should fully explore all potential solutions to generate funds for the museum; and**

BE IT

FURTHER

RESOLVED

THAT: We reject the implication in the Howard Hughes presentation that 250 Water Street included in this historic district since its designation, is anything but an integral part of the Historic District, as does the LPC historically. The Administrative Code empowers LPC to delineate a historic district boundary that embodies a "distinct section of the city"; and

BE IT
FURTHER
RESOLVED

THAT: The Landmarks & Preservation Committee of CB 1 urges the Landmarks
Preservation Commission to reject this application.

** = As presented previously

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: March 23, 2021

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	2 Recused

RE: 173-69 John Street, revised application to construct a new building for the South Street Seaport Museum

WHEREAS: The revised application for the proposed South Street Museum extension applies primarily to the bulkhead, and includes very few other incidentals to the initial application; and

WHEREAS: Manhattan Community Board 1 approved the prior application; now

THEREFORE

BE IT

RESOLVED

THAT: The Landmarks & Preservation Committee of CB 1 recommends that the Landmarks Preservation Commission approve this application.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: Pier 16, 89 South Street, application for liquor license for VB Pier 16 LLC d/b/a TBD

WHEREAS: The applicant, VB Pier 16 LLC, is applying for an on-premise liquor license for TBD; and

WHEREAS: The establishment is a restaurant serving seaport-style cuisine; 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 establishment is an approximately 3,200 square foot restaurant and a public assembly capacity of 185 persons, and a 2,900 square foot dining area with 40 tables and 160 seats which will be located outside of the premises, and a 160 square foot bar area with 0 tables, 6 bar stools and 6 counter seats, and a 160 square foot kitchen area, and one 20'x4' straight stand-up bar located on the ground floor and a food counter located on the opposite side of the bar, and no service bars; and

WHEREAS: The establishment will be located on the ground floor pier of a one-story steel building, and the pier will be used for dining, bar, kitchen and restrooms; and

WHEREAS: The hours of operation will be from 9AM opening to 1AM closing all days of the week, and hours for food service will be the same as the hours of operation, and bar service hours will be from 11AM opening to 1AM closing all days of the week; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJs, no non-musical entertainment, no dancing and no TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be between 7AM and 9AM; and

WHEREAS: Windows will be open during all hours of operation; and

WHEREAS: The applicant will employ three licensed security guards to oversee crowd control and keep day-to-day business in order; and

WHEREAS: There will be no outdoor dining; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; 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 VB Pier 16 LLC d/b/a TBD at Pier 16, 89 South Street unless the applicant complies with the limitations and conditions set forth above

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 185 Greenwich Street, application for liquor license for Tower 4 Liberty Market LLC d/b/a Gansevoort Liberty Market

WHEREAS: The applicant, Tower 4 Liberty Market LLC, is applying for an on-premise liquor license for Gansevoort Liberty Market; and

WHEREAS: The establishment is a food hall serving different food cuisines including pizza, mediterranean, sushi, sandwiches and burgers; 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 establishment is an approximately 11,000 square foot restaurant and a public assembly capacity of 188 persons, and an approximately 6,000 square foot dining area with 54 tables and 148 seats and an approximately 80 square foot bar area with no tables or seating, and an approximately 3,200 square foot kitchen area, and one L-shaped 8'2"x8'4" service bar located on the rear right end of the establishment, and no stand-up bars and no food counters; and

WHEREAS: The establishment will be located on the lower level of a multi-story retail and transportation hub steel building; and

WHEREAS: The hours of operation will be from 11AM opening to 12AM closing all days of the week, and hours for food service and bar service will be the same as the hours of operation; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJs, no non-musical entertainment, no dancing and no TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be done during all hours of operation; and

WHEREAS: The applicant will employ neither bicycle delivery personnel nor security personnel; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; 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 Tower 4 Liberty Market LLC d/b/a Gansevoort Liberty Market at 185 Greenwich Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 41 Murray Street, application for liquor license for Barry Lipsitz or an Entity to be Formed d/b/a TBD

WHEREAS: The applicant, Barry Lipsitz or an Entity to be Formed, is applying for an on-premise liquor license for TBD; and

WHEREAS: The establishment is a restaurant and sports bar serving American-style food; 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 establishment is an approximately 1,250 square foot area in the ground floor and basement, and 500 square feet in the sub cellar portion, and a public assembly capacity of 110 persons for the ground floor and 65 persons for the basement, and a 1,875 square foot dining area on the ground floor with 21 tables and 75 seats, and a 1,000 square foot dining area in the basement with 9 tables and 30 seats, and a 375 square foot bar area on the ground floor with 25 seats and a 250 square foot bar area in the basement with 12 seats, and a 1,000 square foot kitchen area, and two service bars: one 50 foot rectangle-shaped located in the ground floor and the other a 24 foot rectangle-shaped located in the basement, and no service bars or food counters; and

WHEREAS: The establishment will be located on the ground floor, basement, and sub cellar mixed four-story building, and the use of each floor is as follows: ground floor used for dining and bar, basement used for dining, bar, kitchen and bathrooms, sub-cellar used for storage; and

WHEREAS: The hours of operation will be from 12PM opening to 1AM Sunday through Thursday and 2AM Fridays and Saturdays, and hours for food service and bar service will be the same as the hours of operation. This was impart given past problems on the street and complaints by neighbors; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJs, no non-musical entertainment, no dancing and six TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be between 10AM to 2PM; and

WHEREAS: The applicant will not employ bicycle delivery personnel and intends to employ one security guard; and

WHEREAS: Windows will be closed at all times; and

WHEREAS: After further discussion, the applicant stated that they did not agree to the hours determined by the Committee because he wanted a 3AM closing; and

WHEREAS: The Committee had concerns regarding the posting of notice to the community because the 15-day period was not adhered to; and

WHEREAS: The Committee felt that the 1AM and 2AM closing times were a fair compromise given the absence of the required Petition of Support and any community representation at the meeting, and even though the Tribeca guidelines for establishments located on side streets recommend 12AM closing on weekdays and 1AM closing on weekends; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license and does not have rooftop dining; and

WHEREAS: The Committee explained that after one year of commencing operation, if the applicant wishes to seek longer hours, the Committee will consider review if there have been no issues within the community; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to Barry Lipsitz or an Entity to be Formed d/b/a TBD at 41 Murray Street unless the applicant complies with the limitations and conditions set forth by the Licensing & Permits Committee.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 6 Stone Street, application for liquor license for More Peas LLC d/b/a TBD

WHEREAS: The applicant, More Peas LLC, is applying for an on-premise liquor license for TBD; and

WHEREAS: The establishment is a gastropub serving American-style food; 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 establishment is a 3,376 square foot restaurant with a public assembly capacity of 74 persons, and a 1,243 square foot dining area with 19 tables and 47 seats, and a 210 square foot bar area with 0 tables and 15 bar stools, and a 309.5 square foot kitchen area, and one 47'8" horseshoe-shaped stand-up bar located on the ground floor, and no service bars or food counters; and

WHEREAS: The establishment will be located on the ground floor and basement of a five-story building, and the use of each floor is as follows: ground floor used for dining, bar and restrooms, and basement used for storage, laundry and mechanical functions; and

WHEREAS: The applicant has represented that after commencing operations, the applicant will return to the Committee at a future date for an alteration to license the second floor of the establishment; and

WHEREAS: The hours of operation will be from 11AM opening to 2AM closing Sunday through Thursday, and 11AM opening to 4AM closing Fridays and Saturdays, and the hours for food service and bar service will be the same as the hours of operation; and

WHEREAS: The attorney represented that the premises has been continuously licensed since 1980 and the prior owners of that time held a liquor license with bar service hours until 4AM, and that the premises is located on a block that's almost entirely commercial; and

WHEREAS: The Committee allowed for these hours given the standard of other businesses on Stone Street; and

WHEREAS: There is only one front window that will be open weather-permitting from noon to 9PM; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJs, no non-musical entertainment, no dancing and six TV monitors; and

WHEREAS: Delivery of supplies, goods and services will be between 7AM to 9AM; and

WHEREAS: The applicant will not employ bicycle delivery personnel and intends to have the manager and employees monitor crowd control; and

WHEREAS: The owners seeking this new liquor license do not and will not own the building that the establishment resides within, and they do not have any business relationship with the previous tenant DBA Murphy's Pub; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license and does not have rooftop dining, and will utilize open streets for outdoor dining space through the Open Restaurants program per City guidelines; 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 More Peas LLC d/b/a TBD at 6 Stone Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	0 Opposed	1 Abstained	0 Recused

RE: 78-82 Reade Street, application for alteration of current on-premise liquor license for Balcony Cafe Inc. d/b/a 1803 to add an additional bar

WHEREAS: The applicant, Balcony Cafe Inc., is applying for an on-premise liquor license for 1803 to add an additional bar in the basement as well as apply for a method of operation change to play live music; and

WHEREAS: The Committee approves the addition of a 9’x14” rectangular bar that will be located in the basement level; and

WHEREAS: There were past complaints from residents regarding the volume of the music that was played outside the restaurant during the pandemic, and the applicant followed through the City’s issuing of shutting down the music; and

WHEREAS: The applicant played live music on the balcony of the establishment and prior resolutions stipulate that only background music can be played; and

WHEREAS: The restaurant does not have windows; and

WHEREAS: Live music will be played mainly for happy hour from 6PM to 9PM non-amplified, unless for other reasons such as a musician needing to connect an electrical guitar to an amplifier; and

WHEREAS: The applicant has agreed to submit the required petitions and letters of support from residents upon Committee approval of the proposed method of operation change to include live music; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes the granting of a liquor license to Balcony Cafe Inc. d/b/a 1803 d/b/a 1803 at 78-82 Reade Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 23, 2021

COMMITTEE OF ORIGIN: WATERFRONT, PARKS & CULTURAL

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

RE: +Pool (East River Swim Facility)

WHEREAS: Manhattan Community Board 1 (CB1) has been a longtime supporter of the concept of +Pool. Specifically, CB1 has advocated that +Pool be located within Community District 1 (CD1) on the East side; and

WHEREAS: CB1 has long desired a greater enhancement of our East River area. The heart of this area is home to the origin of our great city, the South Street Seaport. Over the past two decades we have seen significant and consistent residential growth, with both families and seniors, yet community services and amenities are sorely lacking. Howard Hughes Corporation (HHC) has spent considerable resources on redeveloping Pier 17, some upland sites along Fulton Street and the Tin Building, but their focus is commercial, and we must be focused on quality of life for residents, workers and visitors; and

WHEREAS: Other Community Districts have multiple pools available for public use, but there are none within CD1; and

WHEREAS: In October 2019, +Pool installed a plus-shaped visual installation into the East River between Pier 17 and the Brooklyn Bridge. The installation was not for swimming but was a visual installation which changed color depending on water quality. The project garnered a lot of attention and interest among the community; and

WHEREAS: In January 2019, former CB1 Chairperson Anthony Notaro sent a letter of support to +Pool Managing Director Kara Meyer. The letter regarded +Pool as a potential key factor in the completion of the East River Esplanade, and stated intent to continue working on how to integrate +Pool into our objective of making the East side of CD1 “a place that welcomes all and can sustain our community and all of New York;” and

WHEREAS: In addition, CB1 adopted a resolution in February 2019 regarding the Brooklyn Bridge Esplanade (formerly the Brooklyn Bridge Beach), stating that CB1 supports efforts to locate +Pool into the East River in the area between the Brooklyn Bridge and Pier 17 and the design of the esplanade should allow for the future incorporation of +Pool; and

WHEREAS: Despite this support and enthusiasm for +Pool among the community, in September 2019 the NYC Economic Development Corporation (EDC) released a Request for Expressions of Interest (RFEI) for an in-river East River Swim

Facility which notably excluded CD1 and listed the project area as “in the East River between the northeast side of the Brooklyn Bridge and the southwest side of Pier 35;” and

WHEREAS: Surrounding the release of the RFEI, CB1 expressed disappointment over the fact that the CD1 area was excluded, and has continued following up with EDC to advocate for inclusion and inquire about the status of the project; and

WHEREAS: In March 2021, CB1 received an update from EDC on +Pool stating that EDC had not been able to amend the procurement to include the section south of the Brooklyn Bridge, and that the project had been on hold for some time due to COVID but EDC is getting back to work on the project. Additionally, EDC cited considerations over equitable distribution of programming along the East River Waterfront Esplanade, and that following Superstorm Sandy building codes have been changed which would make construction of required upland facilities infeasible; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 reiterates its support for placing a +Pool or other such in-river swimming facility on the East side of CD1. While we are conscious of the need for equitable distribution of programming, there is established need within CD1 and a dearth of community facilities to accommodate the growing residential population that must be satisfied.