

Manhattan Community Board 1 Liquor License Stipulations for Large Venue Establishments

A "large venue" as defined by the NYC Department of Building designation on public assembly is an establishment designed to hold 75 persons or more

(1) I will follow the recommendations made by the sound engineer and outlined in the acoustical testing report. I will make sure that noise including sound and bass vibrations cannot be heard outside of the premises of my establishment: _____

(2) I will take the steps outlined in the resolution and in the traffic plan to manage vehicular and pedestrian activity: _____

(3) I will follow and abide by the conditions set forth in the resolution regarding garbage disposal and collection. Garbage will be collected on the follows days and hours: _____

(4) I will have delivery of supplies, goods and services during the hours of _____

(5) Lighting that affects the security of the community and quality of life of nearby residents must be considered, and must be appropriately lit while not attracting unsavory elements (e.g. rodents, flies, mold, hazardous substances, etc.) _____

(6) I understand that I must submit a notice to the community board for a street activity permit for my licensed establishment at least 45 days in advance: _____

(7) I understand that I must appear before the Licensing & Permits Committee if I am applying for an expansion onto municipal property and provide proof of receipt of the 30-day Standardized Notice form, a block plot diagram detailing the municipal space I am expanding to, and documentation confirming the municipal's approval to use the space. I also agree that I must sign the stipulations sheet outlining the conditions that must be adhered to for the roadbed/sidewalk seating: _____

(8) Cameras will be used for viewing the entrance and egress: _____

(9) I agree to follow the conditions outlined in the resolution on securirty oversight of the establishment to prevent noise, congestion and unruly patrons: _____

(10) I will (additionally):

(15) Residents may contact the manager/owner at the below number. Complaints will be addressed immediately and I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Name: _____ Phone Number: _____

Alternate Contact: _____ Phone Number: _____

I hereby certify that the information provided above is truthful and accurate based upon my personal belief.

Signed

Dated

Sworn to this _____ day of _____

Notary Public

Community Board 1 requests that the SLA add these stipulations to the license of the above-mentioned applicant. These stipulations and board resolution shall supersede all other documents.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	6 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	2 Abstained	0 Recused

RE: Request to Include Battery Park City Residents in Discussions for the Formulation of Future Joint Purpose Fund Targets

WHEREAS: The Battery Park City Authority (BPCA) is a NYS public benefit corporation whose mission is to plan, create, coordinate and sustain a balance community of commercial, residential, retail, parks and open space within its designated 92-acre site on the West Side of Lower Manhattan; and

WHEREAS: As part of its operations, the BPCA collects Ground Rents, PILOT and Civic Fees from these commercial, residential and retail entities within Battery Park City (BPC); and

WHEREAS: The BPCA uses these monies to pay for debt service, repair, maintenance and other operating expenses; and

WHEREAS: On or about June 8, 1980, the BPCA, the City of New York, the NYS Urban Development Corporation entered into a SETTLEMENT AGREEMENT whereby the “proportional amount of remaining funds” after payment of debt service, repair, maintenance and other operating expenses, if any, was designated to be split between the NYC General Fund and a Joint Purpose Fund; and

WHEREAS: The “proportional amount” is calculated by comparing the amount of Ground Rent and PILOT collected each year and allocating that same percentage/proportional amount” to that year’s split between the Joint Purpose Fun and NYC General Fund, respectively; and

WHEREAS: The NYC General Fund pays for NYC Department of Education, NYPD, NYC Sanitation, NYC DOT, NYC DHS, NYC Buildings, NYC Department of Finance, Fire Department of NYC; and

WHEREAS: The Joint Purpose Fund is designated for different, specific needs as agreed to by the Mayor of NYC, the Comptroller of NYC and the BPCA; and

WHEREAS: In the years since, this SETTLEMENT AGREEMENT has been periodically amended, with the most recent being the 2010 Amendment, which created 4 Joint Purpose Fund Needs:

1. \$200M for the NYS General Fund;
2. \$200M for the NYC General Fund;
3. \$200M for the NYC Affordable Housing;
4. \$261M for the NYC Capital Fund; and

WHEREAS: The last of the Joint Purpose Fund Needs as identified in the 2010 Amendment, to wit \$261M for the NYC Capital Fund, has been met in Fiscal Year 2021; and

WHEREAS: The time is ripe for the formation of the next iteration of the 2010 Amendment to the 1980 SETTLEMENT AGREEMENT, where the new Joint Purpose Fund Needs are to be identified; and

WHEREAS: It is imperative that the residents of BPC are finally given a seat at the table with the Mayor, Comptroller and BPCA and included in all discussions/negotiations/designations of this 2022 Amendment to the Joint Purpose Fund's different, specific needs going forward; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 calls upon the NYC Mayor, the NYC Comptroller and the BPCA to:

1. Include at least 1 member of Manhattan Community Board 1, and
2. At least 1 person whose primary residence is in Battery Park City in all negotiations of the next iteration of the 2010 Amendment to the 1980 SETTLEMENT AGREEMENT; and

BE IT

FURTHER

RESOLVED

THAT: CB 1 calls upon all parties to these negotiations to commit to transparency.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	6 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	2 Abstained	0 Recused

RE: Request for Legislation to Create a Resident Majority on the Battery Park City Board of Directors

WHEREAS: The Hugh L. Carey Battery Park City Authority (BPCA) is a New York State public benefit corporation whose mission is to plan, create, coordinate and maintain a balanced community of commercial, residential, retail, and park space within its designated 92-acre site on the lower west side of Manhattan; and

WHEREAS: The Battery Park City Authority (BPCA) is governed by a seven-person Board of Directors along with an Executive staff; and

WHEREAS: In January of 2016, Manhattan Community Board 1 (CB 1) called upon then New York State Governor Andrew Cuomo to begin a conversation around requiring residents on the Board of Directors of the BPCA and requiring that those members hold a majority of the seats; and

WHEREAS: In January of 2017, assembly members Glick, Niou and Seawright, and Senator Squadron sponsored bills (A04002 and S00130 respectively) to require that two of the seven members of the BPCA Board of Directors be residents of Battery Park City and CB 1 acknowledged that fact in a second resolution; and

WHEREAS: In June of 2017, both houses of the New York State Legislature passed amended bills, a fact that was recognized in a third resolution from CB; and

WHEREAS: In December of 2017, the bill was delivered to the Governor and signed into law, taking immediate effect; and

WHEREAS: While the 2017 reform was welcomed, CB 1 stands by the original request to legislate a requirement that Battery Park Residents make up a majority of the BPCA Board of Directors; and

WHEREAS: BPCA Board should be comprised of individuals who will view their mandate as extending beyond simply being stewards of public funds, but who will also engage with the community with the objective of maintaining and enhancing the affordability and quality of residential and commercial life; and

WHEREAS: There is now a clear need for income diversity among the members of the BPCA Board of Directors and those who serve and fulfill the requirement for residents should only qualify if Battery Park City is their primary residence; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 calls upon its representatives in the New York State Legislature to introduce bills to require that a majority of the Governor's appointments to the Battery Park City Authority make their primary residence in Battery Park City; and

BE IT

FURTHER

RESOLVED

THAT: There must be income diversity among those BPCA residents who are appointed with at least one member of the Board of Directors with a household income below 165% of the Area Median Income (AMI) as defined by the United States Department of Housing and Urban Development; and

BE IT

FURTHER

RESOLVED

THAT: That New York State legislators New York City Councilmembers representing Battery Park City should be consulted on any appointments to the Board of Directors; and

BE IT

FURTHER

RESOLVED

THAT: CB 1 calls upon Governor Hochul and whomever might one day succeed her to electively create a residential majority on the BPCA Board of Directors as seats become available until such legislation is passed and signed into law.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	14 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Request for Annual Diversity, Inclusion & Equity Trainings

WHEREAS: No public body may truly be effective and representative of a diverse population absent respect to diversity, inclusivity, and equity within its own engagement, deliberation, and outcomes; and

WHEREAS: There is currently no mandate or expectation for community board members to attend trainings about diversity, inclusion, and equity; and

WHEREAS: In November of this year, the Manhattan Borough President sponsored an optional training about the aforementioned subject in response to the urging of many Manhattan community boards, including Community Board 1; and

WHEREAS: It is unclear if such a training will be offered in the future as a mandatory requirement for reappointment, and if so, it is also unclear if it would be an annual occurrence; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 requests that the Office of the Borough President sponsor and require diversity, inclusion, and equity trainings to be part of the required in-service learning for community board members and other appointees of that office; and

BE IT

FURTHER

RESOLVED

THAT: All trainings should be procured with the understanding that the sessions would be recorded so that a second or third day of trainings might be offered for those who are unable to make the first session.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	14 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Extension and Reform of the In-person Quorum Requirement of Open Meetings Law

WHEREAS: The New York State Open Meetings Law, or “Sunshine Law,” requires that any public body conduct its business with sufficient community notice and by providing the public with the ability to interact with said body and witness debates and votes that are conducted during the meetings; and

WHEREAS: As currently written, Open Meetings Law requires that members of the public body be physically present in the room or chamber where any such meeting is conducted in order to count towards quorum for the meeting and to make motions or vote; and

WHEREAS: Community Boards have 50 members and many committees, all of which require physical meeting space to accommodate both those who may vote as well as the public who may be interested in attending a meeting for the purpose of participation or observation; and

WHEREAS: For committee meetings, it is typical that a physical space which generally accommodates the members and public that attend regularly may not be sufficient for meetings where there is a topic that draws more members of the public, such as public hearings or controversial agenda items. This leads to a crowded space, spillover into the hallway or individuals being turned away by building staff once the space’s occupancy is reached; and

WHEREAS: Monthly meetings of the full board are especially challenging as the Community Board is perpetually underfunded and does not have the budget to consistently secure meeting areas that provide sufficient accessibility, staffing, acoustics, seating arrangements, internet, amplified sound, capacity or operating hours; and

WHEREAS: The COVID-19 pandemic and the rise of widespread adoption of remote meeting platforms solved many of the aforementioned challenges by creating a virtual space for meetings that may be accessed from almost any device with an internet connection, and effectively record the proceedings for posterity; and

WHEREAS: There are myriad challenges and barriers to entry that keep members of the community from being able to attend physical meetings, such as child-care, accessibility, unfamiliarity with meeting locations, poor meeting conditions, logistical challenges, and time required to commute to and from meeting

locations. Remote meetings eliminated these barriers and permitted new members of the community to begin attending meetings and participate by allowing people to attend from a location of convenience; and

WHEREAS: The recordings of remote meetings allow for easy transcription, a recording of all presentations, and provide for seamless uploading to video sharing platforms, which allow the public to reference past meetings with ease; and

WHEREAS: An emergency executive order in 2020 by then Governor Cuomo, and a temporary legislative extension requested and enacted by Governor Hochul, allowed community boards to operate on these remote platforms for almost two years with only a short gap of two months in 2021; and

WHEREAS: During the gap where Manhattan Community Board 1 (CB1) was required to meet in-person, the use of remote meeting software continued so that the public could continue to attend and participate on a remote basis; and

WHEREAS: Board members were needlessly placed in harm's way amidst the Delta wave of COVID-19 with our most vulnerable members encouraged to continue to participate remotely, even though doing so would severely restrict their ability to fully conduct their appointed task of representing the community; and

WHEREAS: The current Open Meetings Law allowing Community Boards to conduct business remotely will expire on January 15, 2022; and

WHEREAS: New York is now in the middle of a new variant surge of COVID-19 with a record number of positive tests; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 requests that our state legislators and Governor Hochul permanently reform Open Meetings Law to allow for remote quorum and voting in order to ensure maximum flexibility and accommodate the public and potential community board appointees who may not otherwise be able to serve their communities; and

BE IT

FURTHER

RESOLVED

THAT: CB1 also requests that another temporary legislative extension of the current waiver of in-person quorum be enacted at the beginning of the upcoming legislative session so that public bodies across the State of New York are not forced to go back to convening in person at the height of the Omicron wave.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	0 Opposed	0 Abstained	1 Recused

RE: 195 Application (Notice of Intent to Acquire Office Space): NYPD WTC Command relocation from 19 Varick St to 27 Cliff St (office space) & 80 John St (accessory parking)

WHEREAS: Manhattan Community Board 1 (CB1) has received a Notice of Intent to Acquire Office Space application from the Department of Citywide Administrative Services (DCAS) and the New York City Police Department (NYPD) who seek to acquire approximately 20,597 square feet of office space at 27 Cliff Street, and approximately 6,362 square feet of accessory parking at 80 John Street. This office space and the accessory parking that the City seeks to acquire are needed for the relocation of the NYPD World Trade Center Command (WTCC) from their current location at 19 Varick Street (a/k/a 16 Ericsson Place); and

WHEREAS: The WTCC is a 165-member NYPD unit responsible for public safety, law enforcement, and security activities on the 16-acre World Trade Center Campus, working jointly with the Port Authority Police Department of New York and New Jersey as outlined in the World Trade Center Strategic Security Plan. The WTCC conducts daily deployments meant to detect, deter and disrupt various types of terrorist attacks. Deployments include Heavy Weapons, Canine Incident Containment, Vehicle Screening, Drone Detection and Hostile Surveillance Teams. Each WTCC shift (3 rotations), the officers change into uniforms, pick up necessary equipment and travel to the nearby locations for duty. The WTCC operates 24 hours a day, seven days a week; and

WHEREAS: The existing NYPD WTCC is located at 19 Varick Street within NYPD's 1st Precinct. Since the WTCC's inception in 2011, it has nearly tripled in size and has outgrown the current space that it shares with other NYPD operations at 19 Varick Street. Due to the increase of NYPD staff to the command, the desk work area and the locker rooms at the current WTCC location have become overcrowded. The roll calls are also conducted in the stairway or hallway because of inadequate space. The WTCC equipment and storage needs have also increased exponentially; and

WHEREAS: DCAS and NYPD seek to acquire all the office space (approximately 21,500 square feet) at 27 Cliff Street for the relocation of the NYPD WTCC from their current location within the 1st Precinct station at 19 Varick Street. The office building at 27 Cliff Street is five-stories and is approximately 26,000 square feet. This proposed WTCC relocation site will have a muster room, a conference room, locker rooms, administrative offices, pantry, body worn camera room, an armory, restrooms and a break area for the staff. The building will be ADA compliant. There is no overnight lodging or cell space required for the WTCC; and

- WHEREAS: There is also accessory parking required for this WTCC relocation, which has been identified at 80 John Street. Thus, DCAS and NYPD seek to acquire approximately 6,362 square feet of garage space at 80 John Street building to park official NYPD sedans, marked vans and a few SUVs equipped for radiation detection. The proposed accessory parking location at 80 John Street is approximately 552 feet in distance from the proposed office space location at 27 Cliff Street. The entrance to the garage is on Platt Street; and
- WHEREAS: DCAS surveyed the target area for available office spaces and identified 27 Cliff Street building and the 80 John Street accessory parking as the most suitable in the catchment area for the NYPD WTCC relocation; and
- WHEREAS: The applicants have stated that moving the WTCC will allow for more space for the existing NYPD operations at the 1st Precinct, as well as more room for community use and community meetings. The applicants have also confirmed that the 1st Precinct building use will remain the same for the foreseeable future, and that the community would be notified immediately upon any planned change of use; and
- WHEREAS: There are currently 161 members assigned to the WTCC, and the number could go up to 181 members; and
- WHEREAS: The parking at 80 John Street is strictly for work vehicles. The WTCC currently has 24 total vehicles (19 marked vehicles and 5 unmarked vehicles consisting of sedans, SUVs and specialty vehicles). The applicants have stated that any overflow parking of WTCC vehicles will be at the 1st Precinct and that no overflow work vehicles will be parked on the street; and
- WHEREAS: Applicants have stated that there are currently 147 placards issued for private vehicles in connection with the WTCC and that the placards are issued not specifically for commuting, but also for parking at other precincts, the Police Academy and NYPD training locations. They estimate that approximately 60%-70% of WTCC officers take public transit to work, and that the number is likely to go up after congestion pricing is implemented. The new WTCC will also be in close proximity to Police Headquarters which has ample parking, and NYPD will encourage WTCC personnel to take public transit to work; and
- WHEREAS: Manhattan Community Board 1 (CB1) members expressed ample concern over the fact that the area's streets are very narrow with existing congestion and placard parking abuse, and over the potential of WTCC personnel with placards parking on the street; and
- WHEREAS: NYPD representatives stated that they will monitor daily for illegal placard parking, and that a phone number will be provided where a human is reachable 24/7 to report illegal placard parking; and
- WHEREAS: The NYPD has stated that they are cognizant that the area has many residents, they will not be using sirens and will minimize disruptions in order to be good neighbors. They are also aware that the area has very narrow streets with existing congestion and parking issues; and

WHEREAS: The residents of 80 John have expressed concerns over the proposed parking, and that garage access is critical because the garage is used for deliveries, moving in and out, and is one of the building's main ADA access points. The Board of 80 John Street has discussed this proposal with the NYPD, and NYPD has agreed that the garage access will continue and that they are responsive to the resident's concern; now

THEREFORE
BE IT
RESOLVED

THAT: Regarding the proposal to relocate the WTCC out of the 1st Precinct at 19 Varick Street and into 27 Cliff Street (office space) and 80 John Street (accessory parking), Manhattan Community Board 1 (CB1) views this use as an asset to the community. However, serious concerns were expressed surrounding the use of 80 John Street as accessory parking and potential placard parking on surrounding streets. CB1 recommends approval of this application, conditional that:

1. As agreed by NYPD representatives, in consideration of nearby residents, there are no use of sirens and disruptions to the community are minimized.
2. No WTCC or private vehicles of personnel are parked on the street at all, and especially in illegal spots (fire hydrants, cross walks, etc.)
3. As agreed by the NYPD, a phone number is made available where a human representative can be reached 24/7 to report illegal placard parking.
4. The applicants work with the Residential Board at 80 John Street to ensure that there is no materially adverse impact to residents in their ability to access the residential building through the parking area at 80 John Street
5. The Department of Transportation and NYPD should reduce the number of placard parking permits for the location surrounding the 1st Precinct by the number of placards that are moving; and

BE IT
FURTHER
RESOLVED

THAT: Additionally, CB1 requests a pledge from the Parking Enforcement Unit that they will ticket and tow any car, even with a placard, if it is parked illegally.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Manhattan Detention Complex Construction Update & Sally Port Public Design Commission Application

WHEREAS: A Public Design Commission application is before Manhattan Community Board 1 (CB1) for an interim sally port at the Manhattan Criminal Courthouse building at 100 Centre Street; and

WHEREAS: The applicants have stated that the sally port is required to continue transporting detainees to court during the demolition of the existing detention facility, and construction of the new detention facility. The interim sally port is anticipated to be in place until 2027 when the new detention facility is completed; and

WHEREAS: In the interim facility, the buses will back into the sally port. The buses will release the people in custody who will be taken by ramp into the court building; and

WHEREAS: The sally port's proposed location is directly in front of the north tower of the New York Criminal Court Building, a NYS National Registry eligible building, determined to merit Landmark review by the NYC Landmarks Preservation Commission in 2019. The sally port is where people in custody are taken into the building and the sally port will get them from drop-off into the facility itself; and

WHEREAS: The sally port will also contain a bail payment center in order to fulfill a legal requirement for citing this service within ½ mile from the courthouse ; and

WHEREAS: The materials will be primarily metal panel and glass. The glass has a privacy film on it for discretion during bail payment. The metal panels are specifically chosen to work with granite at the base of the existing facility. The glass itself has a Level 3 ballistic rating; and

WHEREAS: The interim sally port is planned to be constructed prior to the start of demolition of the existing detention facility; and

WHEREAS: The sally port will extend 29' onto the sidewalk and leave 13' of clearance. CB1 members and members of the public have expressed great concern over the significant loss of sidewalk space due to the sally port, but also maneuvering space for vehicles coming in and out of the sally port. Detailed information was not provided to CB1 regarding how many vehicles will be entering and exiting per day, how much space will be needed for vehicles to maneuver, and if/what vehicular safety measures would be implemented, or how the project will be

implemented in the context of the ongoing work across Centre Street. There is concern over both the loss of space for pedestrians, and also the safety of pedestrians; and

WHEREAS: The proposed sally port is 16'-11" high and will obscure a portion of the north entry to the Criminal Court, the windows on the ground level of the north tower and will incorporate over a 1/4 of the of the interior space in the north entrance hall to the court; and

WHEREAS: Detailed architectural drawings were not provided to CB1 in advance. Some architectural drawings were shown during the meeting upon request. During the 12/13 Land Use, Zoning & Economic Development Committee meeting the applicants agreed to send CB1 the architectural drawings that they could after a vetting for security, but they were not received by CB1 until 90 minutes before the full board meeting on 12/21, giving members no time to review the updated materials before voting on this proposal; and

WHEREAS: CB1 and community members have expressed that the presentation and materials provided for review in connection with this PDC application are woefully incomplete and do not provide enough information to comment on the application at this time. The presentation to the community included no architectural site plan, architectural floor plan or architectural details; and

WHEREAS: Additionally, CB1 and members of the public also expressed that they are not equipped to comment on the PDC application for the sally port without having information on the demolition of the detention facility as there will be further obstructions and impacts on the sidewalk and immediate area; and

WHEREAS: CB1 members and members of the public did not support the design of the interim sally port itself, noting that it was "bland," "sad" and "depressing," and that in no way respected the context and beauty of the criminal courthouse that serves as its backdrop; and

WHEREAS: Members from the public, including residents, business owners and community organizations, reported that no outreach has been done among the community regarding the plan for the interim sally port or broader demolition plans; and

WHEREAS: The presentation did not include information on ADA access for detainees and family members, or for the bail payment center; and

WHEREAS: This proposal is in violation of the Borough Based Jails Points of Agreement (POA) section on preservation of sidewalk and trees; and

WHEREAS: At this time, applicants plan to go to PDC for review on January 18, 2021; now

THEREFORE
BE IT
RESOLVED

THAT : CB1 urges PDC to delay taking action on this application until the applicant returns to CB1 with a full presentation including details on design, vehicular use and impacts from demolition. If PDC chooses to proceed with this application, CB1 urges PDC to reject the application based on the overwhelming opposition expressed by the community at this stage of review; and

BE IT
FURTHER
RESOLVED

THAT: If the application is not delayed to satisfy the above request, in the absence of full information needed in order to consider and opine on this PDC application, CB1 fully opposes the proposal for the interim sally port.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	0 Opposed	1 Abstained	0 Recused

RE: 55 North Moore Street, application for storefront renovation of glass and doors, shutters, and louvers to be refinished in reference to neighborhood and historic conditions

WHEREAS: A new display window in place of the existing non-original door should match the adjacent existing to remain show windows; and

WHEREAS: The proposed double-doors in stainless steel and glass in place of the non-original display window are acceptable; and

WHEREAS: Even though this was not originally part of the application, ADA accessibility should be considered for this project; and

WHEREAS: The existing fire-shutters will remain in place with the paint stripped and sealed (for weatherproofing); now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1, Manhattan recommends that the Landmarks Preservation Commission approve this application.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	2 Abstained	0 Recused

RE: Adoption of Stipulations for Large Venue Establishments

THEREFORE

BE IT

RESOLVED

THAT: CB1 recommends the adoption of the following stipulations sheet for large venue establishments into our existing Licensing & Permits Committee Liquor License Application Guidelines (attached).

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 62 Thomas Street, application to obtain New Year’s Eve Permit for liquor license for Elmwood Ventures LLC d/b/a Buddha Bar

WHEREAS: The applicant, Elmwood Ventures LLC, submitted a 45-day notice to our office for a special event permit to sell alcoholic beverages from 10PM to 4AM; and

WHEREAS: The counsel represented that the establishment will be hosting a pre-fixed, pre-sitting dinner event on New Year’s Eve. Tickets are pre-sold; and

WHEREAS: The Counsel inquired as to whether the establishment comprised of two separate restaurants, one d/b/a Buddha Bar and the other d/b/a Assunta Madre, according to what was represented by the same counsel at their last appearance in September 2019 for a new liquor license application for the premises; and

WHEREAS: The counsel responded that there were to be two restaurants; however, due to the lengthy construction process of the Buddha Bar portion, the principal’s Italian partners withdrew from the ownership and thus the Assunta Madre restaurant; and

WHEREAS: The premises are now one large establishment that covers the basement and ground floor; and

WHEREAS: The event will have three sittings: 10PM, 12AM and 1:30AM. Each sitting is a 2-hour dinner that includes unlimited alcoholic consumption. There will be no dancing or partying allowed; and

WHEREAS: The counsel represented that the maximum public capacity for the basement and ground floor combined totals 150 persons and confirmed that they do not anticipate that number of customers on the night of the event. In any event, Buddha Bar is considered a large venue; and

WHEREAS: The counsel confirmed that there will be an additional 2 security guards to the six security guards that will already be employed, after 1AM to oversee the premises and ensure business orderly operations, preventing any kind of quality of life issue including littering, rowdiness, drunken patrons, and noise disturbances; and

WHEREAS: After discussion among Committee members concerning the potential traffic congestion problems from vehicles incoming and dropping off between the times of the sittings, the Committee proposed that there be two sittings instead of three, and the establishment can remain open until the requested 4AM closing time; and

WHEREAS: The counsel understood the Committee's concerns and accepted the request; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of an All Night Permit for the liquor license from 10PM until 4AM, with two two-hour dinner sittings and unlimited alcoholic consumption for each sitting for Elmwood Ventures LLC d/b/a Buddha Bar at 62 Thomas Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 28 Liberty Street, application for liquor license for Alamo Liberty Buyer, LLC
d/b/a Alamo Drafthouse Cinema

WHEREAS: The applicant, Alamo Liberty Buyer, LLC , is applying for an on-premise liquor license; and

WHEREAS: The applicant initially appeared at the November 2018 Licensing & Permits Committee meeting with a resolution and stipulations adopted in favor of granting a liquor license for their establishment d/b/a (see attached). The applicant filed their application with the SLA and obtained the agency’s approval; and

WHEREAS: When COVID-19 hit, the pandemic severely impacted the movie industry, and as a result Alamo Drafthouse Cinema did not open its doors. There was delay in starting the business due to the pandemic and the financial uncertainty, and caused the ownership to file for bankruptcy; and

WHEREAS: The establishment reopened, but as a result of the bankruptcy, the corporate ownership was restructured. The existing liquor license is currently licensed to Alamo Liberty LLC, which will be selling its assets to Alamo Liberty Buyer, LLC. The two main founders/owners will remain under this corporate structure, with additional new corporate officers: and

WHEREAS: Because a new entity with new tax ID number will be operating the licensed space, the applicant is required to file for a transfer/new license application for Alamo Liberty Buyer, LLC instead of filing a corporate change for Alamo Liberty, LLC, which is why the applicant returned to the Committee upon request; and

WHEREAS: The counsel represented that the only changes to the original application are the change in the seating, which is as follows: 575 seats in the auditoriums instead of the initial 614 seats, and 63 seats in the bar area instead of the initial 84, as well as the elimination of the Video Vortex concept for the bar and restaurant portion of the space where people could rent DVD/VHS videos. The bar area is now called “The Press Room”, which will display selections from an archive of over 50,000 letterpress film advertising plates spanning from the 1930s through the 1980s: and

WHEREAS: The counsel represented that no other changes have been made to the method of operation and the conditions that were agreed upon in November 2018, and has confirmed that the applicant will continue to adhere to the approved stipulations; and

WHEREAS: The counsel represented that there is no planned or intended use of the outdoor portion of the premises, as their lease does not grant them any rights to any outdoor space; and

WHEREAS: The applicant has signed and re-notarized the November 2018 stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a transfer of an on-premise liquor license from Alamo Liberty, LLC to Alamo Liberty Buyer, LLC d/b/a Alamo Draffhouse Cinema at 28 Liberty Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 30 Broad Street, application for liquor license for Serafina To Go 30 Broad LLC d/b/a TBD

WHEREAS: The applicant, Serafina To Go 30 Broad LLC, is applying for an on-premise beer and wine license; and

WHEREAS: The applicant has represented that the establishment will be a high-end Italian food to-go restaurant, with a quick serve concept and a menu that consists of paninis, pastas, salads, and single serve wine/canned or bottled beer; 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: There are 0 residential units within the property, with approximately 2 residential buildings neighboring or across the street from the premises; and

WHEREAS: The applicant has represented that there is no seating outside the premises; and

WHEREAS: The establishment is a 2,138 square foot establishment with a public assembly capacity of 30 persons, and a 1,029 square foot dining area with 14 tables and 30 seats, and a 451 square foot bar area, and a 658 square foot kitchen area, and one 3'x5' rectangular shaped POS counter located on the ground floor; and

WHEREAS: The establishment will be located on the ground floor of a 48-story commercial building; and

WHEREAS: The hours of operation, food service and bar service will be from 11AM until 10PM Sunday through Thursday, and 11AM until 11PM Fridays and Saturdays; and

WHEREAS: The counsel has represented that there will be recorded background music, no live music, no DJ, no non-musical entertainment, no dancing, and no TV monitor; and

WHEREAS: Delivery of supplies, goods and services will be made from 11AM until 10PM; and

WHEREAS: Windows will be closed; and

WHEREAS: The applicant does not intend to have bicycle delivery personnel; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of an on-premise beer and wine license for Serafina To Go 30 Broad LLC d/b/a TBD at 30 Broad Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Building 110, Andes Road, Governors Island, application for liquor license for Lower Manhattan Cultural Council Inc. d/b/a LMCC

WHEREAS: The applicant, Lower Manhattan Cultural Council Inc., is applying for an on-premise beer and wine license; and

WHEREAS: The applicant has represented that the establishment will be a cafe with a light-fare menu, consisting of small bite foods and coffee; 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 not three or more establishments with on- premises liquor licenses within 500 feet of this establishment; and

WHEREAS: There are 0 residential units within the property, with approximately 0 residential buildings neighboring or across the street from the premises; and

WHEREAS: The establishment is a 26,711 square foot establishment with a public assembly capacity of 423 persons, and a 1,765 square foot dining area with 10 tables and 40 seats, and a 635 square foot kitchen area, and lower/upper galleries with studios totaling 24,311 square feet, and one 7 foot stand-up bar located on the ground floor, and no food counter; and

WHEREAS: The establishment will be located on the ground floor and second floor of the building, where the first floor will be used for the cafe and art gallery, and the second floor will be used for the gallery, art studio and event space; and

WHEREAS: The hours of operation, food service and bar service will be from 10AM until 6PM all days of the week; and

WHEREAS: The counsel has represented that there will be recorded background music, live music in the form of bands, string and jazz duos, no DJ, no non-musical entertainment, no dancing, and no TV monitor; and

WHEREAS: Delivery of supplies, goods and services will be made from 8AM until 10AM;
and

WHEREAS: Windows will be closed; and

WHEREAS: The applicant does not intend to have bicycle delivery personnel; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of an on-premise beer and wine license for Lower Manhattan Cultural Council Inc. d/b/a LMCC at Building 110, Andes Road, Governors Island unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 2 Hay Park, Governors Island, application for seasonal winter license for Salmon East Seven Corp. d/b/a TBD

WHEREAS: The applicant, Salmon East Seven Corp., is applying for a seasonal winter on-premise liquor license; and

WHEREAS: The applicant has represented that the establishment will be similar to that of a food kiosk, with an outdoor seating area right next to the proposed space, serving American grill fare, soft drinks and alcoholic beverages including mulled wine, rose, pilsner and canned beer; and

WHEREAS: The applicant currently operates two other licensed seasonal establishments on the Island, and due to their positive relationship with the Trust for Governors Island, was selected among other operators to anchor a new venue to be located on the new ice skating rink on Colonel's Row; 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 not three or more establishments with on- premises liquor licenses within 500 feet of this establishment; and

WHEREAS: There are 0 residential units within the property, with approximately 0 residential buildings neighboring or across the street from the premises; and

WHEREAS: The establishment is a 4,000 square foot container space with a public assembly capacity of to be provided (pending per Trust for Governors Island), and a 3,840 square foot dining area with 20 tables and 120 seats, and no bar area, and a 160 square foot kitchen area, and a food counter where food is served out of a heated container. There are two service windows: customers order from the point of sale window and move to the pick-up window; and

WHEREAS: The establishment will be located within an 8x20 ft container space which is one ground floor with a beer garden; and

WHEREAS: The hours of operation, food service and bar service will be from 11AM until 6PM all days of the week; and

WHEREAS: The counsel has represented that there will be recorded background music, no live music, no DJ, no non-musical entertainment, no dancing, and no TV monitor; and

WHEREAS: Delivery of supplies, goods and services will be made during the morning before 10AM when the park opens; and

WHEREAS: Windows will be closed; and

WHEREAS: The applicant does not intend to have bicycle delivery personnel; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a seasonal winter on-premise liquor license for Salmon East Seven Corp. d/b/a TBD at 2 Hay Park, Governors Island unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: NEW BUSINESS

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

RE: Public Design Commission Application for Preserving Existing Art at Manhattan Detention Complex Site

WHEREAS: A Public Design Commission (PDC) application is before Manhattan Community Board 1 (CB1) for the Manhattan Detention Complex (MDC) Artwork Removal Plan; and

WHEREAS: The dismantling of the existing MDC facility is expected to begin in 2022 and be completed by mid-2023. The new facility design/construction is expected to begin in the first quarter of 2023 and be completed in 2027; and

WHEREAS: There are seven pieces of public art that are part of the existing MDC facility:

1. Solomon’s Throne - Kit-Yin Snyder (1992): Sculpture on roof of pedestrian bridge
2. The Seven Columns of the Temple of Wisdom - Kit-Yin Snyder (1992): Seven sculptures on terrace and sidewalk
3. Pavement Design (Upright) - Kit-Yin Snyder (1992): Paving pattern on White Street
4. Immigration on the Lower East Side of New York - Richard Haas (1989-1997): Seven painted mural panels on second story of building exterior
5. The Judgements of Solomon and Pao Kung - Richard Haas (1989): Four cast cement relief medallions at exterior corners of pedestrian bridge
6. Enlightenment - Rene Chambellan (1940): Cast bronze relief panel
7. Arms of the City of New York - Rene Chambellan (1940): Cast bronze relief panel

WHEREAS: In 1982, Local Law 65, the Percent for Art Law was passed, which states that 1% of the capital funds appropriated for newly constructed or reconstructed City-owned buildings or sites must be allocated for works of art; and

WHEREAS: Some of these existing artworks are in poor condition. Regarding the Kit-Yin Snyder piece Pavement Design (Upright), viewing the artwork is impeded by parked cars and yellow spray painted demarcations, and there are missing pavers. The design is compromised by non-conforming pavers throughout and pink

pavers are randomly scattered among gray pavers outside of the original artwork design; and

WHEREAS: The piece by Richard Haas, Immigration on the Lower East Side of New York, is fading, damaged, and flaking paint. There is also atmospheric soiling, some staining, some hairline cracks and some concrete spills and damage from tree abrasions; and

WHEREAS: Also, by Richard Haas, the piece titled Judgements of Solomon and Pao Kung has faded paint, grime and biological growth, staining, and peeling caulk; and

WHEREAS: Of the Rene Chambellan pieces, the bronze Arms of the City of New York has been painted over with dark paint. With the Enlightenment piece, oxidation on bronze surface has created a greenish patina; and

WHEREAS: The artwork removal planning and review process entails: archival research and documentation, consulting with artists, consulting with art conservator investigators, review by the Community Board, and finally review and determination by the Public Design Commission; and

WHEREAS: The proposed artwork removal and storage plan involves removing and storing the five artworks that can be removed from the site intact and reinstalled later, as part of the new Borough Based Jails (BBJ) Manhattan site, or at a suitable alternative location. These five pieces include: Solomon's Throne, The Seven Columns of the Temple of Wisdom, The Judgements of Solomon and Pao Kung, Enlightenment, and Arms of the City of New York; and

WHEREAS: The applicants propose that the remaining artworks, Immigration on the Lower East Side of New York, and Pavement Design (Upright), are thoroughly documented and deaccessioned; and

WHEREAS: The applicants have stated that after consideration, the removal and reinstallation of the Immigration on the Lower East Side of New York mural in its current form was determined not to be feasible due to the following reasons: the material is brittle and cannot be detached without breaking it, removal would require extracting the entire building wall assembly, the size and shape of the mural panels limits the adaptability of the panels to other spaces, there is significant potential for damage or destruction of the mural during attempted extraction, the cost would be significantly more than the artwork after removal, and, in consultation with the artist or artist's estate, it was determined that the design could be recreated by others again in the future; and

WHEREAS: The applicants have stated that after consideration, salvage of the pavers that make up the existing Pavement Design (Upright) installation is not proposed for the following reasons: the materials used to create the design are standard, are of little value on their own, and were not created by the artist; the pavers are in poor

condition overall; the City is in possession of the artist's original design drawings with dimensions and in consultation with the artist or the artists estate, the design could be recreated in the future; and the artist supports reproducing the design in new materials instead of salvaging the existing pavers; and

WHEREAS: The timeline for new Percent for Art artworks involves: meeting with the Community Board, temporary artwork to include the community, first artist-selection panel to select artists, second artist-selection panel to review proposals, and presenting the selected proposal to the Community Board; and

WHEREAS: PDC Preliminary review of artwork removal and storage proposal is expected to occur December 2021 - January 2022. Artwork removal is expected to take place between January - April 2022. The selected Design-Builder's conservator will be responsible for managing the careful removal, crating and labeling of the pieces approved for salvage and overseeing their transport to storage. Between 2022-2027, the artworks will be stored in custom crates inside of a shipping container on City property on Rikers Island. Between 2023-2027, the City will consider opportunities for reinstalling some or all artworks on site or at alternative locations, and new artworks will be commissioned for the facility through the Percent for Art Program. In 2027, artworks approved by PDC for reinstallation will be cleaned and restored by professional conservators before being installed at the new Manhattan facility or at an alternative location; and

WHEREAS: Because this project is being built under a design-build model, there is not yet a design for the building. While conceptual guidelines have been prepared, the City is in the process of procuring teams that will ultimately design and construct the facility. The design-build process presents major challenges, as it is impossible to consider segments of the plan like this without the larger context of the dismantling process or information on design and programming of the future building; and

WHEREAS: The applicants have stated that the term "dismantle" is being used intentionally as opposed to "demolish," as the dismantling will be a slower, floor-by-floor process in an enclosed environment that minimizes noise and dust and will recycle as many materials as possible. The applicant team has offered to attend a January CB1 meeting to present the specific dismantling plans; and

WHEREAS: There was resounding response from both Community Board members and the public that there has been insufficient engagement and notice surrounding the plan for the art, and the broader plans for dismantling which are inextricably linked, and that it is not possible to comment on segmented pieces of this project without full contextual knowledge of all components and how they work together; and

WHEREAS: CB1 understands that there are only two Percent for Art art pieces in Chinatown, and that they will be removed via the proposed project; and

WHEREAS: Kim Snyder, daughter of artist Kit-Yin Snyder, attended CB1's December 2021 full board meeting to provide a statement including the following: Artist Kit-Yin Snyder was contracted for her art pieces in 1987 for the new detention facility. Kit-Yin Snyder has been greatly saddened that the public artwork she created is soon to be dismantled and the possibility that it won't be incorporated in the newly designed building. She spent many years designing, building and installing the sculpture. The artworks create a spatial and thematic environment for the site as well as a bridge between different communities. The pavement artwork has been "butchered" by the parking lot. It is unclear if the art pieces will be worked into the new facility, but it is their hope that it will be; and

WHEREAS: Artist Richard Haas also attended the December 2021 full board meeting. Mr. Haas said that both he and Kit-Yin Snyder are upset and saddened by the loss of the art. Also, he does not want to see his art end up in a parking lot, or on Rikers Island in storage; and

WHEREAS: CB1 is deeply disheartened by how the art has been neglected and left to deteriorate. Or in the case of Pavement Design (Upright), actively destroyed by parking lot use; and

WHEREAS: More time is needed for engagement with those within the facility, those who work and utilize the facility, residents and community groups to assess what the purpose of the art is, and whether it fits the new proposed facility; and

WHEREAS: More discussion is also needed to review and consider whether the exterior architectural sculptural panels by Rene Chambellan on the north tower of the Criminal Court Building (the Tombs), a building which is eligible for Landmark status, must be removed; and

WHEREAS: Applicants have indicated that they plan to go to PDC for review on January 18, 2021 and have thus far declined to delay the project in order to pursue more engagement. Overwhelming sentiment among Community Board members and the public is that this project is being rushed through and that there has not been sufficient engagement; now

THEREFORE
BE IT
RESOLVED

THAT: For these reasons, CB1 opposes the proposal for art at the Manhattan Detention Complex site as presented and requests the following:

- 1) This project must be paused until the community has ample opportunity to review and understand the various plans related to the dismantling and rebuild of the jail facility, and to consider these art pieces and where they should go.

- 2) The “dismantling” process has been described as being a slow and intentional process meant to minimize disruption and potential damage, yet no plans have been provided as to how this will be accomplished. Consistent with this interest in “dismantling”, CB1 urges that none of the art should be destroyed, and there should be maximum preservation and restoration of the art.
- 3) The artists should be considered, deeply involved in the process and integral to any decision-making.
- 4) Art installed in the new site should be maintained and not disrespected by future use. CB1 requests a plan on how art installed in the new facility will be maintained and preserved.
- 5) If relocated, the art should remain in the immediate community.
- 6) CB1 requests more specificity on where/how the art will be stored, how the art will be protected while in storage, and whether the amount of time in storage can be reduced.
- 7) CB1 requests a review of whether the art can be used currently on different sites, and what those sites are.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: QUALITY OF LIFE & DELIVERY SERVICES

COMMITTEE VOTE:	8 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	4 Abstained	0 Recused

RE: 5 WTC Affordability

WHEREAS: The Lower Manhattan Development Corporation (LMDC) and Empire State Development (ESD), have proposed a mixed-use residential and commercial building on “Site 5” of the World Trade Center. (5 WTC), with approximately 75% of the 1,300 apartments priced at market-rate; and

WHEREAS: There is a desperate need for housing that is socio-economically inclusive, represents the diversity of the entire City, and includes deep affordability; housing for essential workers; public servants; and for 9/11 survivors and first responders; and

WHEREAS: After 9/11, Lower Manhattan lost much of its limited stock of affordable apartments while public money was used to subsidize market-rate apartments; and

WHEREAS: 1,300 units of new affordable housing will provide much-needed economic and racial diversity to our community, and would help to close huge existing gaps in both racial and economic diversity within the CB1 population; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 supports that any residential building at the 5 WTC site comprise 100% affordable housing.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: QUALITY OF LIFE & DELIVERY SERVICES

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Temporary Protection for Feral Cats on Property Under EDC Jurisdiction

WHEREAS: A number of feral or community cats are taking shelter on the former site of the New Market Building (now demolished) in the Historic South Street Seaport area on the East Side of Manhattan Community District 1, adjacent to the East River; and

WHEREAS: The site is currently under the jurisdiction of the New York City Economic Development Corporation (EDC), which is taking the lead in East Side Resiliency and redevelopment of the remaining city-owned sites in the Seaport area; and

WHEREAS: The cats are all fixed, but have yet to be captured and relocated by the Neighborhood Cats organization; and

WHEREAS: During the summer months the cats are mostly self-sufficient, but as the weather turns cold these animals are not likely to survive without shelter; and

WHEREAS: The most dangerous conditions are likely to persist until the end of April; and

WHEREAS: The Neighborhood Cats organization is prepared to provide the EDC with four purpose-built cat shelters to save these cats by providing temporary protection; and

WHEREAS: The leadership of Neighborhood Cats began discussing an action plan with EDC officials, who began conferring internally with legal counsel to find a pathway to approval, but in the meantime encouraged the advocates to consult with Manhattan Community Board 1 (CB1) to solicit community support; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 supports the mission and expertise of Neighborhood Cats and urges the EDC to keep feral cats on their properties warm over winter, away from active construction; and

BE IT
FURTHER
RESOLVED

THAT: CB1 requests that the EDC accept no fewer than four shelters to place on site according to best practices until the end of April; and

BE IT
FURTHER
RESOLVED

THAT: CB1 applauds EDC for encouraging organizations that are requesting use of public lands within CD1 to consult with and solicit support from the community via our committee meeting process.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMITS

COMMITTEE VOTE:	4 In Favor	1 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	19 In Favor	3 Opposed	15 Abstained	0 Rescued

RE: Local Control Of Traffic Enforcement Cameras

WHEREAS: Injuries to pedestrians are among the top 10 causes of injury-related hospital admissions and deaths for almost all age groups in New York State. Approximately 300 pedestrians are killed, 3,00 are hospitalized and 15,000 are injured by motor vehicles each year;¹ and

WHEREAS: At least 189 people — including 87 pedestrians and 12 cyclists — have been killed by crashes on New York City (NYC) streets through Sept. 14, 2021. Every three days on average, a car kills another pedestrian;² and

WHEREAS: In 2013, the New York State Legislature and Governor Cuomo granted New York City the authority to pilot an automated speed enforcement program to deter speeding in 20 school speed zones; and

WHEREAS: Currently, state law only allows speed cameras to be on from 6 a.m. to 10 p.m. on weekdays and the cameras can only be located in 750 designated school zones and fine drivers who travel more than 10 mph above the speed limit; and

WHEREAS: NYC Department of Transportation (DOT) is authorized to deploy speed cameras on any street within a quarter-mile radius of the 750 school zones, which allows NYC DOT some discretion in placing the devices; and

WHEREAS: In 2020, the 950 cameras located in school zones logged more than 4 million fines, roughly double the 2019 tally; and

WHEREAS: DOT data show the effectiveness of the speed cameras: they reduced speeding by 71.5%, and injuries by 16.9%. Two-thirds of vehicles cited by speed cameras did not receive another violation in the same calendar year;³ and

¹ www.health.ny.gov/prevention/injury_prevention/pedestrians.htm, accessed November 8, 2021..

² Hu W, “De Blasio Vowed to Make City Streets Safer. They have Turned more Deadly.” *The New York Times* September 30, 2021, www.nytimes.com/2021/09/30/nyregion/traffic-deaths-nyc.html.

³ *New York City Automated Speed Enforcement Program: 2014-2020 Report* <https://www1.nyc.gov/html/dot/downloads/pdf/speed-camera-report.pdf>

WHEREAS: Seventy-five percent of NYC traffic fatalities happened in places, or at times, when no speed camera was in operation;⁴ and

WHEREAS: In 2020, 35.5 percent of all non-highway traffic fatalities in NYC took place in school speed zones with cameras, but at times when those cameras were not legally permitted to operate;⁵ and

WHEREAS: Reducing speed is important as according to the DOT, a pedestrian struck by a driver traveling at 30 mph is twice as likely to be killed as a pedestrian struck by a driver going 25 mph; and

WHEREAS: In addition to being effective, use of cameras for automated traffic enforcement removes unjust ticket issuance as well as ticket fixing; both long-standing problems at the New York Police Department (NYPD);⁶and

WHEREAS: In December 2020, Mayor De Blasio asked the state legislature to pass a law that would allow the city to keep speed cameras on 24 hours a day, seven days a week; and

WHEREAS: In December 2021, the *NYC Streets Plan* lists “dramatically increase automated enforcement” as a transformative idea to help meet the program goals ; and

WHEREAS: An expansion of the hours of operation of the speed camera program to seven days a week, twenty-four hours a day, would further reduce the incidence of speeding, serious injuries and fatalities in NYC; and

WHEREAS: Local governments having the authority to determine how to most effectively place and use cameras to improve road safety while reducing the reliance on law enforcement officers would make enforcement more equitable; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 (MCB1) implores Governor Hochul and our state legislators to allow local control of traffic enforcement cameras in New York City.

⁴ New York City Automated Speed Enforcement Program: 2014-2020 Report, <https://www1.nyc.gov/html/dot/downloads/pdf/speed-camera-report.pdf>

⁵ Robbins C, “De Blasio to Albany: Let NYC Turn Speed Cameras on 24/7”, Gothamist, December 22, 2020, <https://gothamist.com/news/de-blasio-albany-let-nyc-turn-speed-cameras-247>

⁶ Pearson J, “NYPD officers on a Secret Watchlist Jeopardize Prosecutions, *The City*, November 8, 2021, www.propublica.org/article/a-union-scandal-landed-hundreds-of-nypd-officers-on-a-secret-watchlist-that-hasnt-stopped-some-from-jeopardizing-cases

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2021

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	2 Abstained	1 Recused

RE: LMC/CSA New Street Closure Effort

WHEREAS: 26 Broadway is a building that houses a total of four schools and over 1200 students; and

WHEREAS: The New York City Department of Education (NYCDOE) is the building's largest tenant, administering all schools within the property¹; and

WHEREAS: Two of the schools, Lower Manhattan Community School (LMC) and NYC Charter School of the Arts (CSA), constitute more than half of the student population of the building at 26 Broadway and utilize 75 and 81 New Street, respectively, for entry and egress; and

WHEREAS: For the past several years, LMC and CSA have had exclusive use of the one block length of New Street between Exchange Place and Beaver Street for the safety of their students, families, staff, and faculty during arrival and dismissal; and

WHEREAS: The building is a vertical campus with a shared gymnasium, no play yard, or outdoor space of any kind; and

WHEREAS: The CDC recommends that schools use spaces outside of the cafeteria for mealtime, such as outdoor seating, to maximize physical distance as much as possible², because children are less likely to be exposed to COVID-19 during outdoor activities, even without the use of masks³; and

WHEREAS: LMC students have the option to go out for lunch on certain days, the majority of LMC's 385 students congregate in the cafeteria, which cannot support the CDC-recommended social distancing guidelines for that many students; and

¹ https://en.wikipedia.org/wiki/26_Broadway

² <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html>

³ <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/outdoor-activities.html>

WHEREAS: In response to 9/11, Active Vehicle Barriers (AVB) were installed throughout Lower Manhattan; and

WHEREAS: New Street has two AVBs, one at the southern end of the street just north of Beaver Street and another directly in front of the LMC entrance; and

WHEREAS: Nearly 700 students travel New Street to access their schools three times each school day, in the morning, mid-afternoon, and late afternoon; and

WHEREAS: Just one car triggers the AVBs to rise several feet above the ground with little notice to those standing or walking in proximity, forcing students, parents, and caregivers to cram together on narrow sidewalks so they don't fall into the cavern of the AVB or get hit by the car; and

WHEREAS: There has been a substantial increase in thru-traffic and construction activity - all activating the AVBs to rise and fall again and again since the beginning of the school year, forcing students, parents, faculty, and staff to dodge large forklifts, heavy-duty flatbed trucks, drivers, and hard-hats making deliveries to a nearby office building just to get access to the schools; and

WHEREAS: This constant activity, and the resulting scarcity of space, have caused conflict on two occasions when workers have verbally attacked students as young as 10 years old; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 strongly recommends that the New York City Department of Transportation close New Street to vehicles during the hours of 7:30am-8:30am for student arrival, 11:30am-12:30pm lunch, and 2:15pm-3:30pm for dismissal, for the safety of their students, families, staff, and faculty.