

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	3 Abstained	0 Recused

RE: Manhattan Community Board 1 Comment on the Tier 1 Environmental Impact Study of the United States Army of Corps of Engineers New York/ New Jersey Harbors and Tributaries Feasibility Study

WHEREAS: On November 22, 2022, Manhattan Community Board 1 (CB 1) requested that the United States Army Corps of Engineers (USACE) extend “the public comment period” and allow both this board and other elected officials, community groups, and individuals across the region to provide critical feedback of the “Tentatively Selected Plan” (TSP), 3B; and

WHEREAS: The USACE extended the comment window, which allowed CB 1 to reconvene and explore the TSP and collect input at the February 22, 2022 meeting of the Environmental Protection Committee; and

WHEREAS: CB 1’s Environmental Protection Committee has nearly a decade of experience in reviewing many temporary and permanent resilience measures proposed for lower Manhattan, evaluating how they are proposed to be integrated within the urban environment in one of the most densely populated districts of the largest city in the United States of America; and

WHEREAS: CB1 has assembled a list of the following comments on the USACE New York/ New Jersey Harbors and Tributaries Feasibility Study (HATS) Tier 1 Environmental Impact Statement (EIS) which are categorized as Public Engagement Considerations, Design Considerations and Cost Benefit Analysis Considerations:

Public Engagement Considerations

- Need current and local up-to- date data incorporated into next phase of review; data used from 2010 is no longer useful
- Need for coordinated communication among all federal, state and city agencies involved with oversight of the coastal resiliency plans in lower Manhattan
- Need for more frequent and robust local public participation in the review process

- Need for holistic review of the west side of Manhattan and specifically route 9A with the participation of all stakeholders including : USACE, New York State Department of Transportation, New York City Department of Transportation, Hudson River Park Trust (HRPT), Mayor’s Office of Climate and Environmental Justice (MOCEJ) and the Battery Park City Authority (BPCA)
- Need for local task force in each region to work with regional and local not-for-profits and agencies to allow for the local community to provide input and stay better apprised
- Need for review and clear presentation of how project will affect the Lower Manhattan Coastal Resiliency (LMCR) plans
- Need for study to include the harbor islands in Community District 1, specifically Governors Island, Liberty Island, and Ellis Island
- Need for local experts, including engineers, architects and landscape architects to be engaged to inform the plan and to provide presentations which help define the pros and cons of the plans, including the flood gates
- Need for more scientific input to inform the feasibility of the presented models
- Need For a supplemental local EIS to address many of unique local situations at the community level

Design Considerations

- Need to study and implement interim measures to protect the acutely vulnerable west side of Lower Manhattan while a final plan is being considered
- Need to clarify precise location, materials and details of proposed Shore Based Measures (SBM). Proposed SBM’s, particularly flood walls, preclude visual and physical access to the water. Almost all community members do not favor the SBM’s as currently presented, particularly in CB1’s neighborhoods where the coastal edges are highly developed
- Nature based solutions must be examined thoroughly as an alternative showing the full “tool kit” of possible solutions, including levees, sea walls, dunes, and revetments rather than solely flood walls along Manhattan’s lower west side
- The proposed USACE plans should adhere to New York City’s resiliency design principles, as set forth by the Mayor’s Office of Climate and Environmental Justice (MOCEJ) which underline the importance of nature based solutions
- Study needs to show the inclusion of combined sewer outfalls and the potential for generating more or fewer combined sewage overflows (CSO’s) from normal rain events as well as major storms
- Study needs to show effects of sea level rise and could bursts as well as storm surge and the study needs to include all types of infrastructure supportive of resiliency as part of the plan

- Study needs to incorporate more appropriate projections for coastal flooding and updated sea level rise regional data. Plans need to clarify how storm surge meets w/ sea level rise
- Study needs to prioritize the impacts the alternative will have on the human-scale quality of life experience at the shore. There is great concern that the SBM flood walls, some proposed to be 24' high, do not address the impacts on the community's open space, view corridors, access to the waterfront, pedestrian and bike circulation, etc.
- Study should provide examples of similar and successful projects both nationally and internationally
- Plans need to address emergency access, bicycle transportation, trash collection, snow removal, drainage, location of trees and green infrastructure
- Design should be multi-purpose and adaptable
- The final plans need to include all waterfront recreation and attractions including the new Hudson River Park Trust (HRPT) Estuarium, planned for Pier 26
- The USACE did not consider the design implications of reappropriating land within the public right of way of Route 9A, commonly referred to as West Street to accommodate resiliency measures that require wider alignments such as a more natural berm-styled levy

Cost-Benefit Analysis Considerations

- Public health impacts of being "walled in" by a flood wall in the TSP will generate negative externalities that must be included in the cost-benefit analysis
- The TSP 3B flood wall will create real impacts to real estate, tourism, and access to open space and these negative externalities must be included in the cost-benefit analysis
- The pump station that is currently being contemplated as part of the Fidi/Seaport Master Plan is designed to accommodate the inland major storm precipitation for the projects that are proposed or are in construction by the City and State of New York. It is unclear if the USACE has incorporated the cost of expanding the throughput potential of this system to also accommodate the precipitation that is unable to naturally run back to the Hudson River with the seawall design in 3B
- The current cost model does not reflect the costs necessary to integrate the stormwall interventions with the existing built environment
- The current cost model for 3B does not include the costs of adding resiliency measures to harbor islands that include, but are not limited to Liberty (Bedloes) Island, Governors Island, and Ellis Island. All of these islands contain significant public assets and must be protected by the USACE efforts
- The USACE must discount the current planning and construction efforts that are underway for broad Lower Manhattan resiliency protections in their selection model that currently states that CD 1 will stand completely unprotected for alternatives with a longer construction period

- The HATS study does not appear to include the costs of integrating project design work to integrate the TSP with planned resiliency measures under the aegis of the BPCA; and

WHEREAS: CB1 thanks the Rebuild by Design and Waterfront Alliance’s Rise2Resilience teams for their participation in our meetings, correspondence, and recent series of teach-ins for the public, which benefited our community greatly (meetings are recorded and available to view online); and

WHEREAS: There are many groups that will be providing comment on the March 7, 2023 deadline for the USACE EIS, among those the Hudson River Park Advisory Council has submitted a letter to NY Governor Kathy Hochul and Mayor Eric Adams (dated February 14, 23) which asks to create a West Side Resiliency Task Force to review all west side coastal resiliency measures holistically; now

THEREFORE
BE IT
RESOLVED

THAT: CB 1 urges Governor Hochul and Mayor Adams to call together representatives, experts, and stakeholders from all levels of government to convene and coordinate the City’s response to this Federal planning effort; and

BE IT
FURTHER
RESOLVED

THAT: CB 1 calls for the USACE to revisit the various alternatives presented in the current EIS to give more consideration to nature-based alternatives, to the potential costs of not protecting our harbor islands, to the impacts of extensive flood walls located between the residential neighborhoods and waterfront parks, and to the City’s and State’s resiliency projects that are already in the pipeline; and

BE IT
FURTHER
RESOLVED

THAT: CB 1 calls on the USACE to revisit the data, assumptions, timelines, and costs as elaborated above and recalculate the cost-benefit analysis of the various resiliency alternatives; and

BE IT
FURTHER
RESOLVED

THAT: CB1 enthusiastically endorses the Hudson River Park Advisory Council’s recommendation to create a West Side Resiliency Task Force to “craft a bold vision to complete West Side revitalization by coordinating the efforts of the Hudson River Park Trust, US Army Corps of Engineers, and relevant city and state environmental and transportation agencies to capture this once in a lifetime opportunity.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	2 Abstained	0 Recused

RE: Manhattan Community Board 1 Comment on the proposed redistricting plan for the New York State Assembly

WHEREAS: The Supreme Court of New York County in his opinion of September 29, 2022 (as amended on October 12, 2022) the New York State Independent Redistricting Commission (IRC) voted to release another draft Assembly plan to the public; and

WHEREAS: The draft redistricting plan, was published on December 1, 2022 and is available online at nyirc.gov for the public to review and was presented and reviewed with Manhattan Community Board 1 (CB 1) on February 23, 2023; and

WHEREAS: The newer draft redistricting plan, published on December 1, 2022 fits better than the last map in meeting the Natural Boundaries of our Community; and

WHEREAS: The newer draft redistricting plan is supported for the following reasons:

1. Retains the Asian Population in CB 1 together with Chinatown; and
2. Retains the Financial District area with its neighbors; and
3. Retains Natural Community Boundaries within School Districts; and
4. Lower Manhattan does not have symmetry with Staten Island in terms of housing density or typology or socio-economic interests; and
5. Battery Park City is closely aligned with the surrounding neighborhoods of Tribeca and the Financial District both geographically and socio-economically not with Staten Island; and
6. Battery Park City is run by the Battery Park City Authority which is only able to partner with neighboring local interest groups not with Staten Island; and
7. Battery Park City residents share the majority of transportation concerns and street safety along the state highway (9A) with the residents across West Street; and
8. Resiliency plans for Battery Park City, The Battery, and Tribeca being planned and implemented by BPCA work with in conjunction with the NYC Mayor's Office of Climate and Environmental Justice (MOCEJ) for the Fidi Seaport Master plan, the societal concerns are linked together and fit with the new maps for one holistic approach; and

9. Primary community concerns of Lower Manhattan are symmetrical throughout the area for diminishing affordability, congestion pricing, bus routes, bridge and tunnel traffic issues, ferry and boat noise near residential housing, historic districts; landmarked buildings; and
10. Governors Island must remain as listed in the new Assembly maps as it is under the jurisdiction of Manhattan, Manhattan City Council members and CB 1, it shares its primary access to the island with the Seaport District; The Senatorial Maps incorrectly assigned the island into a Brooklyn District cutting it off from the elected offices who govern it; and
11. Lower Manhattan looks to retain its natural boundaries and not be divided into other boroughs including Staten Island or Brooklyn; and
12. The last map divided Lower Manhattan and connected parts of it with Staten Island in a way that denied fair or effective representation for the residents of Battery Park City and parts of the Financial District as residents would max at 30% of the lines drawn in the last map; the new map retains the opportunity for effective and fair representation for the entire district; and
13. Part of Ellis Island and the entirety of Liberty Island are legally a part of New York State under the purview of CB 1; and

WHEREAS: The most recent draft redistricting plan is being assembled with solicited written and oral testimony suggesting how Assembly Districts should be redrawn; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 supports the newest Draft Assembly Map; and

BE IT
FURTHER
RESOLVED

THAT: Manhattan Community Board 1 calls for the return of Governors Island to a State Senate district that is coterminous with Manhattan Community District 1.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	0 Abstained	0 Recused

RE: 251 Fulton Street/1 Liberty Plaza, application for a new application and temporary retail permit for full-service liquor license for World Trade Center Performing Arts Center Inc.

WHEREAS: The applicant, World Trade Center Performing Arts Center Inc at 251 Fulton Street/1 Liberty Plaza, is applying for a new application and temporary retail permit for full-service liquor license; and

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

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

WHEREAS: The establishment is a full service restaurant with a bar on the 2nd floor of the Performing Arts Center which will be closed at midnight. 4th floor space to be used occasionally for catered events and a refreshment space for intermissions, it has 11,500 square feet and a customer capacity of 1919 people 200 seats, additionally, the theaters will seat 450 to 850 people; and

WHEREAS: The establishment is considered a large venue as defined by the NYC Department of Building designation on public assembly as it is designed to hold 75 persons or more; and

WHEREAS: The applicant currently has the hours of operation from 8:00AM - 2:00AM Monday to Sunday; and

WHEREAS: The applicant will have live and recorded background music and DJs, non-musical entertainment will include poetry, dramatic readings and plays and occasional dance performances. Sound equipment includes DBX DriveRack PA2, speakers and amperage to follow the sound study provided to the CB; and

WHEREAS: The applicant has indicated that there is a terrace on 2nd floor, there will be no live music or DJs outside, only light background music according to

recommendations of acoustic engineer, if there are DJs and live music indoors the terrace doors will be closed, and they must be closed by 11pm; and

WHEREAS: There will be security personnel, pre-registered (for the WTC system) access a ride vehicle will be available for pickup and drop off in front of the establishment, all transit info will be available on the website in accordance with DOT; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their alteration of on-premise liquor license for World Trade Center Performing Arts Center Inc at 251 Fulton Street/1 Liberty Plaza unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	0 Abstained	0 Recused

RE: 56 Beaver Street, new application for a liquor license for DRG Hospitality Group Inc., d/b/a Delmonicos

WHEREAS: The applicant, DRG Hospitality Group Inc., d/b/a Delmonicos at 56 Beaver Street is applying for a new application for a liquor license for their restaurant; and

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

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

WHEREAS: The establishment has space of 5000 square feet and a customer capacity of 260 people; and

WHEREAS: The establishment is considered a large venue as defined by the NYC Department of Building designation on public assembly as it is designed to hold 75 persons or more; and

WHEREAS: The applicant did not fill out the questionnaire in full and was given (and completed) until the Friday after the committee meeting to provide completed application materials and has also agreed to provide a traffic pattern and security; and

WHEREAS: The applicant currently has the hours of operation from Monday to Thursday 12:00PM to 1:00AM, Friday and Saturday 12:00PM to 2:00AM, Sunday 12:00PM to 12:00AM; and

WHEREAS: The applicant will have live and recorded background music, 2 TVs and 10 Sonos speakers throughout dining area, no subwoofers and

WHEREAS: The applicant has agreed that there will be no dancing, or non-musical entertainment and buyouts are limited to 2 per month to be reviewed in 6 months; and

WHEREAS: The community will be notified ahead of time regarding any filming; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

WHEREAS: The applicant has represented those deliveries will occur between 7am and 10am; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of a new application for on-premise liquor license for DRG Hospitality Group Inc., d/b/a Delmonicos at 56 Beaver Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 123 Washington Street, application for method of operation change of hours of operation for liquor license for 123W Hospitality Group LTD d/b/a Skinos Mediterranean Cuisine

WHEREAS: The applicant, 123W Hospitality Group LTD d/b/a Skinos Mediterranean Cuisine, at 123 Washington Street, is applying for a method of operation change to extend closing hours from 2a.m to 4am for their restaurant establishment; and

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

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

WHEREAS: The establishment has a total of 7,500 square feet and a customer capacity of 216 people, 58 tables and 188 seats; and

WHEREAS: The establishment is considered a large venue as defined by the NYC Department of Building designation on public assembly as it is designed to hold 75 persons or more; and

WHEREAS: The applicant is requesting hours of operation from Sunday to Thursday 8:00AM to 12:00AM and Friday to Saturday 8:00AM to 4:00 AM which is located inside the W Downtown Hotel and Residences hotel; and

WHEREAS: The applicant has established that the hotel guests have been complaining about the lack of access to the bar, which is the reason for the requested extended hours on Friday and Saturday only; and

WHEREAS: There were 311 noise complaints due to outdoor speakers after which the applicant removed and is committed to working with the local precinct to be a good neighbor, they also have the support of their neighbors; and

WHEREAS: The applicant has agreed not to have outdoor speakers and there will be no buyouts, there will be recorded background music from 10 speakers, no TVs nor subwoofers; and

WHEREAS: The applicant has agreed that there will be no dancing, or non-musical entertainment; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

WHEREAS: The applicant has represented those deliveries will be accepted only through the hotel loading dock; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their method of operation change of on-premise liquor license for 123W Hospitality Group LTD d/b/a Skinos Mediterranean Cuisine, at 123 Washington Street **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	0 Abstained	0 Recused

RE: 96 South Street, application for alteration of liquor license for Fulton Seafood market LLC & Creative Culinary Management Company LLC

WHEREAS: The applicant, Fulton Seafood market LLC & Creative Culinary Management Company LLC at 96 South Street, is applying for an alteration to restaurant liquor license, converting food counter to stand up bar for their restaurant food hall; and

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

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

WHEREAS: The establishment is a seasonal cafe with a total of 54494 square feet and a customer capacity of 1189 people, 186 tables and 650 seats; and

WHEREAS: The establishment is considered a large venue as defined by the NYC Department of Building designation on public assembly as it is designed to hold 75 persons or more; and

WHEREAS: The applicant will be converting one existing food counter (25 ft 2 inches) to serve as a standup bar; and

WHEREAS: The applicant currently has the hours of operation from Sunday to Wednesday 6:00 AM to 1:00 AM and Thursday to Saturday 6:00 AM to 2:00 AM; and

WHEREAS: The applicant will have live and recorded background music, as well as independent DJs and jukebox music and 6 TVs, 70 Volt music system with 204, 6 inch and 8 inch, 7.5 W speakers throughout the facility but no subwoofers.

WHEREAS: The applicant has agreed that there will be no dancing, but there will be non-musical entertainment such as live cooking shows being filmed live with an audience and broadcasted; and

WHEREAS: The CB has not received any complaints regarding excessive noise at this location; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their alteration of on-premise liquor license for Fulton Seafood market LLC & Creative Culinary Management Company LLC at 96 South Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	0 Abstained	0 Recused

RE: 161 Water Street 5th and 6th floor, application for a new and temporary retail permit for private event catering full liquor license for WSA Community Arts LLC

WHEREAS: The applicant, WSA Community Arts LLC at 161 Water Street 5th and 6th floor, is applying for application for a new application and temporary retail permit for private event catering full liquor cabaret license; and

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

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

WHEREAS: The establishment is a fine art gallery and special events venue with a total of 5th floor: 11,980 sq ft & 6th floor: 8,490 sq ft and a customer capacity of 660 people; and

WHEREAS: The establishment is considered a large venue as defined by the NYC Department of Building designation on public assembly as it is designed to hold 75 persons or more; and

WHEREAS: The applicant has indicated that this space will be used as an Art Gallery that the public can visit outside of private events, where those private events may require a cover charge to enter since this will be the only time when alcohol will be served; and

WHEREAS: The applicant currently has the hours of operation from 10:00AM - 9:00PM Monday to Sunday; and

WHEREAS: The applicant will have live and recorded background music, and DJ as well as 60 watt speakers arranged at 1 per 100 sq ft, and subwoofer, and no TVs

WHEREAS: The applicant has agreed that there will be dancing, and non-musical entertainment, specifically art exhibitions, performances and panel discussions; and

WHEREAS: The applicant will have security personnel stationed throughout the building, paid events will have pre sold tickets at an hourly basis within established time limits and as such there are no expected lines; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license within the next year; and

WHEREAS: The applicant has represented those deliveries will occur between 7am and 10am via the loading dock service elevators and they are aware that vehicular traffic on Water and John Street is of concern to the community and understand the need to have traffic personnel for large events; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their new application and temporary retail permit on-premise liquor license for WSA Community Arts LLC at 161 Water Street 5th and 6th floor unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	0 Abstained	0 Recused

RE: 161 Water Street,10th floor, application for a new application and temporary retail permit liquor license for Lets Pow Wow LLC

WHEREAS: The applicant, Lets Pow Wow LLC at 161 Water Street,10th floor is applying for a new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider License for their for bar/tavern; and

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

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

WHEREAS: The establishment is a seasonal cafe with a total, indoor & outdoor space of 14,850 square feet, 230 tables and 240 seats; and

WHEREAS: The establishment is considered a large venue as defined by the NYC Department of Building designation on public assembly as it is designed to hold 75 persons or more; and

WHEREAS: The applicant currently has the hours of operation from 8:00AM - 12:00AM Sunday to Wednesday and 8:00AM to 1:00 AM Thursday to Saturday; and

WHEREAS: The applicant will have live and recorded background music, and DJ as well as 60 watt speakers arranged at 1 per 100 sq ft, and subwoofer, and TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, or non-musical entertainment; and

WHEREAS: The applicant has represented those deliveries will occur between 7am and 10am via the loading dock service elevators and they are aware that vehicular traffic on Water and John Street is of concern to the community and understand the need to have traffic personnel for large events; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT

CB1 opposes the granting of their new liquor license and temporary retail permit on-premise liquor license for Lets Pow Wow LLC at 161 Water Street, 10th floor, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	0 Abstained	0 Recused

RE: 161 Water Street 15th floor, application for a new and temporary retail permit liquor license for Culinary Pursuits LLC

WHEREAS: The applicant, Culinary Pursuits LLC at 161 Water Street 15th floor is applying for application for a new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider License for their restaurant establishment; and

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

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

WHEREAS: The establishment is a restaurant with a total of 3340 square feet, 17 tables 70 seats; and

WHEREAS: The applicant currently has the hours of operation from 8:00AM - 12:00AM Sunday to Wednesday and 8:00AM to 1:00AM Thursday to Saturday; and

WHEREAS: The applicant will have recorded background music from 60 watt speakers arranged at 1 per 100 sq ft, and subwoofer, and TVs, but no DJs; and

WHEREAS: The applicant has agreed that there will be no dancing, or non-musical entertainment; and

WHEREAS: The applicant has represented those deliveries will occur between 7am and 10am via the loading dock service elevators and they are aware that vehicular traffic on Water and John Street is of concern to the community and understand the need to have traffic personnel for large events; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their new liquor license and temporary retail permit for on-premise liquor license for Culinary Pursuits LLC. at 161 Water Street 15th floor unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	0 Abstained	0 Recused

RE: 161 Water Street 16th through 18th floor, application for a new and temporary retail permit cabaret liquor license for Culinary Pursuits LLC

WHEREAS: The applicant, Culinary Pursuits LLC at 161 Water Street 16th through 18th floor is applying is applying for application for a new application and temporary retail permit for on-premise cabaret, Liquor, Wine, Beer and Cider License for their restaurant establishment; and

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

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

WHEREAS: The establishment has a total, space of 16th floor: 15,070 sq ft, 17th floor: 11250 sq ft, 18th floor: 12,130 sq ft, a customer capacity of 1012 people, 133 tables and 480 seats; and

WHEREAS: The establishment is considered a large venue as defined by the NYC Department of Building designation on public assembly as it is designed to hold 75 persons or more; and

WHEREAS: The applicant has indicated that these floors are considered a private space, only for tenants or those who have booked the space. Specifically, the 16th floor is an extension of the 15th floor restaurant, while the 17th and 18th floors are fully private spaces; and

WHEREAS: The applicant currently has the hours of operation from Sunday to Wednesday 7:00AM - 12:00AM. Thursday to Saturday 7:00AM - 1:00AM.; and

WHEREAS: The applicant will have live and recorded background music from 60 watt speakers arranged at 1 per 100 sq ft, as well as a DJ and subwoofer, and TVs; and

WHEREAS: The applicant has agreed that they are to be permitted dancing, and non-musical entertainment and buyouts are limited to 2 per month; and

WHEREAS: The applicant has represented those deliveries will occur between 7am and 10am via the loading dock service elevators and they are aware that vehicular traffic on Water and John Street is of concern to the community and understand the need to have traffic personnel for large events; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT

CB1 opposes the granting of their new liquor license and temporary retail permit for on-premise liquor license for Culinary Pursuits LLC at 161 Water Street 16th through 18th floor, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 57 Murray Street, application for method of operation change that was resolved in May 2019 but was never submitted to SLA, for Murray 57 LLC d/b/a Monk McGinns

WHEREAS: The applicant, Murray 57 LLC d/b/a Monk McGinns at 57 Murray Street, is applying for method of operation change that was resolved in May 2019 but was never submitted to SLA, for their on-premise Liquor, Wine, Beer and Cider License for their restaurant establishment; and

WHEREAS: The applicant is requesting that the stipulations from their May 28th, 2019 resolutions for alteration to increase closing hours for which the committee granted is extended. The applicant did not file with the SLA in time after the resolution was passed and the pandemic followed further preventing the implementation of the agreed upon alterations by the committee; and

WHEREAS: The applicant has agreed to abide by all whereas outlined in the May 2019 resolution and provide a signed stipulation sheet accordingly; and

WHEREAS: The applicant currently has the hours of operation from 10:00AM - 9:00PM Monday to Sunday; and

WHEREAS: The Manhattan community board agreed to the following hours of operation Sunday 10:00 am to 12am, Monday 11am to 12am, Tuesday to Thursday 11:00 am to 1:00 am Friday 11am to 2am and Saturday 10:00am to 2:00am

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests; and

BE IT
FURTHER
RESOLVED
THAT

CB1 opposes the granting of their method of operation change of on-premise liquor license for Murray 57 LLC d/b/a Monk McGinns at 57 Murray Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: 86 Warren Street, application for a new liquor license for Warren Street Hotel LLC

WHEREAS: The applicant, Warren Street Hotel LLC, is applying for a new on-premise Liquor, Wine, Beer and Cider License for their hotel establishment; and

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

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

WHEREAS: The establishment is a seasonal cafe with a total, indoor & outdoor space of 74878 square feet and a customer capacity of 227 people, 36 tables, 100 seats; and

WHEREAS: The establishment is considered a large venue as defined by the NYC Department of Building designation on public assembly as it is designed to hold 75 persons or more; and

WHEREAS: The applicant currently has the hours of operation from 7:00AM - 12:00AM Monday to Sunday; and

WHEREAS: The applicant will have live and recorded background music from Cube physical music digital player, with approx. 9 11” low profile ceiling mounted speakers with 20 amp and a subwoofer but no TVs, DJs or subwoofers; and

WHEREAS: The applicant has indicated music will take place in the restaurant and on the rooftop only loud enough to be heard by guests and there will be no open windows or doors open on the first floor; and

WHEREAS: This was (for many years) a parking lot that has been developed into a “ boutique hotel” with rooftop and outdoor suite terrace spaces; and

WHEREAS: The community attended the meeting with many concerns about the outdoor noise levels from the outside spaces and received verbal considerations and assurances from the applicant to be a good neighbor, and

WHEREAS: The applicant has agreed that there will be no dancing, or non-musical entertainment; and

WHEREAS: The applicant has indicated that they **do** intend to apply for a sidewalk cafe license in the future; and

WHEREAS: The applicant has represented those deliveries will occur between 6am and 5pm; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests against large venue stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their new hotel on-premise liquor license for Warren Street Hotel LLC, at 86 Warren Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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	0 Abstained	0 Recused

RE: 266 Canal Street, west store, application for a new liquor license for August Gatherings NYC Corp d/b/a August Gatherings

WHEREAS: The applicant, August Gatherings NYC Corp, d/b/a August Gatherings is applying for a new application and temporary permit to update the corporate name only with no changes to method of operation for the restaurant on-premise liquor license; and

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

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

WHEREAS: The establishment is a restaurant, located on the ground floor basement with a total, space of 1953 square feet and a customer capacity of 74 people; and

WHEREAS: The applicant has provided that the current corporation is selling to the new corporation both of which are owned by Xin Chi Tang, sole shareholder; and

WHEREAS: The applicant currently has the hours of operation from 11:00AM - 10:00PM Monday to Sunday; and

WHEREAS: The applicant will have recorded background music from ipod and 8 small speakers, but no DJ nor TVs or subwoofers; and

WHEREAS: The applicant has agreed that there will be no dancing, or non-musical entertainment; and

WHEREAS: The CB has not received any complaints regarding excessive noise at this location; and

WHEREAS: The applicant has indicated that they **do not** intend to apply for a sidewalk cafe license in the future; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 will evaluate any alteration and/or renewal requests; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their new on-premise liquor license for August Gatherings NYC Corp, at 266 Canal Street, west store **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: FEBRUARY 28, 2023

COMMITTEE OF ORIGIN: NEW BUSINESS

BOARD VOTE: 34 In Favor 2 Opposed 2 Abstained 0 Recused

RE: Protected Interior and Exterior Landmark Status for 60 Wall Street

WHEREAS: The following organizations and advocates are organizing to send a letter to NYC Landmarks Preservation Commission Chair Sarah Carrol a letter advocating for extending individual landmark protection to the exterior and interior elements of 60 Wall Street in Lower Manhattan:

- Docomomo US
- Historic Districts Council
- Manhattan Community Board 1
- New York City Council Member Christopher Marte (District 1)
- New York State Assemblymember Grace Lee (District 65)
- Municipal Art Society
- New York Landmarks Conservancy
- Preservation League of New York State
- Human Scale NYC
- Tribeca Trust
- Deborah Berke
- Adam Nathaniel Furman
- Paul Goldberger
- Rock Herzog (Cocaine Decor)
- Alexandra Lange
- Eeva-Liisa Pelkonen
- Robert A.M. Stern; and

WHEREAS: The advocates note that “The iconic design of 60 Wall Street retains a high degree of integrity on the exterior and appropriately complements the architectural fabric and rhythm of its neighbor at 55 Wall Street”; and

WHEREAS: In a May 2022 Resolution, CB 1 noted that earlier proposed changes to the exterior of 60 Wall Street were not seen as “harmonious” to the neighboring individual landmark at 55 Wall Street; and¹

¹ Website Accessed 4/4/2003. “<https://www.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/22-05-24.pdf>”

WHEREAS: The letter will also state that “The interior, which continues to operate as a significant and accessible public amenity, currently retains a high degree of integrity”; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 supports the councilmember and preservation advocates in requesting that the Landmarks Preservation Commission to calendar 60 Wall Street in Manhattan in consideration for individual interior and exterior landmark status with all due urgency.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: FEBRAURY 28, 2023

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:	36 In Favor	0 Opposed	1 Abstained	0 Recused

RE: A proposal to identify new individual and historic districts within the boundaries of Community Board One - Manhattan

WHEREAS: On 2013 February 9, 2023 CB1 members of the landmarks committee reviewed examples of interior and exterior landmark worthy buildings within CB1 which are neither individually landmark buildings nor located within an LPC designate historic district presented by Jason Friedman, and

WHEREAS: The following is a list submitted through google link to CB1 by the committee chair as examples of landmark worthy buildings: 90 Church Street, 350 Canal Street, 100 Centre Street, 139 Centre Street, 137 Centre Street, 285 Broadway, 46 Cliff Street Substation, 41 Broad Street, 160 Broadway, 174 Broadway, 42 Broadway, 29 Broadway, 35-39 Broadway, 50 Broadway, 94-96 Broadway, 60 Wall Street, Historic Broadway Office District, and

WHEREAS: The landmarks committee agreed to continue researching, possibly set-up a task force and at least meet again to vote on a final list of buildings or districts to support LPC applications request for evaluations, now

THEREFORE
BE IT
RESOLVED

THAT: CB1's landmark committee will propose a list of special historic buildings and sites that are worthy of New York City landmark status and follow-up with RFE(s).