

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	26 In Favor	7 Opposed	5 Abstained	0 Recused

RE: Int. No. 501-A - Civilian Reporting Of Hazardous Obstruction Violations

WHEREAS: On April 26, 2022, Manhattan Community Board 1 (MCB1) passed a resolution urging our councilmember, the Honorable Christopher Marte, to support and/or reconsider legislation authorizing civilian reporting of hazardous obstruction violations by motor vehicles; and

WHEREAS: On June 2, 2022, Councilmember Lincoln Restler introduced Int. No. 501, which would have amended the administrative code of the City of New York (NYC) to allow civilian complaints to the Department of Transportation (DOT) for illegal parking in bike lanes, bus lanes, and crosswalks, at a fire hydrant and on sidewalks. Violations would have been punishable with a \$175 fine, with 25% awarded to the complainant; and

WHEREAS: At the time it was introduced, 28 members of the City Council, along with the Brooklyn Borough President, signed on as sponsors to Int. No. 501; and

WHEREAS: In its resolution supporting Int. No. 501, MCB1 did not take a position on the 25% incentive payment, but stressed the importance of tackling the burgeoning issue of illegal parking in Manhattan Community District 1 (MCD1) and across the city; and

WHEREAS: On March 3, 2023, the sponsors of Int. No. 501 introduced Int. No. 501-A. The amended legislation includes the following changes:

- It no longer entitles a successful filer to 25% of any fines that are collected.
- Individuals are required to complete a “digital training course ... before they are eligible to file such a complaint.”
- It requires that qualified filers have “a New York state driver’s license, a New York state non-driver identification card, or a New York City identity card.”
- It requires the DOT to “install signage in any area where civilian complaints ... may be filed. In the first year after it takes effect, the revised bill only allows complaints for illegal obstructions in Lower Manhattan and Downtown Brooklyn, with geographic expansion in subsequent years.

- It requires that the car be “unoccupied” when a report is filed.
- It requires the DOT to create a mobile app for citizen reporting.

WHEREAS: Following the introduction of Int. No. 501-A, numerous transportation activists expressed concerns that the revisions will effectively gut the purpose of the bill, drastically reducing the number of complaints filed and, by extension, the bill’s intended effect;¹ and

WHEREAS: MCB1 is concerned that citizen enforcement in this context risks encouraging an unwise citizen-against-citizen dynamic and risks setting a precedent for inappropriate expansion of citizen enforcement beyond the traffic infractions that are the subject of Int. No. 501-A, but these concerns would be mitigated if citizen enforcement were limited to commercial and government vehicles, including vehicles that purport to be in commercial or governmental use; and

WHEREAS: MCB1 believes that changing the law to forbid stopping or standing at a fire hydrant is unwise and not necessary to accomplish the objectives of the legislation; and

WHEREAS: MCB1 believes NYPD should be more diligent in enforcement of existing traffic and parking regulations; and

WHEREAS: MCB1 has endured decades of NYPD not enforcing existing traffic and parking regulations on vehicles with placards and government vehicles²; and

WHEREAS: Existing methods for filing similar parking-related complaints, such as 311 and the already authorized citizen enforcement programs for idling trucks³ and illegally parked taxis⁴ do not require filers to complete a digital course; and

WHEREAS: The requirement that a motor vehicle be unoccupied to file a complaint—a change reportedly aimed at reducing potential conflict⁵—is good; and

WHEREAS: Vehicles that are occupied can still create dangerous obstructions but can also be asked to move; and

¹<https://nyc.streetsblog.org/2023/03/07/outrage-builds-over-watered-down-citizen-reporting-bill/>

²<https://nyc.streetsblog.org/2021/03/11/parking-madness-2021-a-lower-manhattan-clash/>
<https://nyc.streetsblog.org/2022/11/04/congestion-pricing-study-finds-law-enforcement-are-manhattans-most-numerous-car-commuters/>
<https://www.ebroadsheet.com/the-broadsheetdaily-1-10-20-news-of-lower-manhattan/>

<https://www.localize.city/blog/parking-placard-abuse-hot-spots-where-new-yorkers-have-filed-most-complaints/>
<https://www.wnyc.org/story/284275-report-finds-over-half-of-nyc-parking-placards-surveyed-are-either-bogus-or-used-improperly/>

³<https://nyc.streetsblog.org/2021/12/03/cough-cough-cough-city-must-raise-cost-of-idling-tickets-says-progressive-community-board/> (“Eighty-five percent of all idling submission are filed by just 20 people — and four people submitted roughly 50 percent of all idling complaints”).

⁴https://twitter.com/Reported_NYC/status/1624609083549528064?s=20.

⁵<https://nyc.streetsblog.org/2023/03/03/breaking-citizen-reporting-bill-moves-forward-but-in-a-watered-down-form/>

WHEREAS: The requirement for the DOT increasing the distance from a school to define the coverage area is unreasonable due to the saturation of schools and colleges which would mean that all of MCD1 would be subject to the amended law; and

WHEREAS: The requirement that DOT create a mobile app for citizen reporting may be burdensome. Existing methods for filing parking-related complaints - such as 311's web-based platform - should be explored before requiring app development; and

WHEREAS: The amended bill is better than nothing, but some changes in the amended bill are needed in addressing the very serious problems caused by the obstructions by placard and governmental vehicles and perpetuates the inequities that exist amongst street users in NYC; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 (MCB1) urges our councilmember, the Honorable Christopher Marte, to pursue the following amendments to Int. No. 501-A:

- Remove the provisions that change the existing DMV and traffic rules that allow stopping or standing at a fire hydrant by occupied vehicles; and
- Remove the provisions for private vehicles unless they have a placard, official markings or official governmental plates or paraphernalia that purports to be of official use or status in an effort to imitate placards or allowed parking such as but not limited to: construction uniforms, handwritten signage, etc.; and
- Include specific provisions for all government vehicles with and without placards that park illegally to be included.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	2 Abstained	0 Recused
BOARD VOTE:	32 In Favor	2 Opposed	3 Abstained	0 Recused

RE: CB 1 Support for the CUE-UP Community Blueprint for Open Dining

WHEREAS: The New York City Council is currently considering legislation to create a permanent open dining program to serve as a successor to the existing program that exists as a business preservation measure through the Mayor’s Emergency Declaration around the COVID-19 Pandemic; and

WHEREAS: The City of New York has been in the process of drawing down emergency programs as the State and Federal governments have already done, which would, in effect, end the ability for food open dining to take place unless the City Council acts in time; and

WHEREAS: The Coalition United for Equitable Urban Policy (CUEUP) defines itself as “an alliance of neighborhood and block associations, organizations, institutions, businesses, and residents united for collective action and participatory policymaking to ensure the safety, health, and well-being of all New Yorkers”; and

WHEREAS: CUEUP published a list of the following tenets of what it describes as what would be necessary for the city to establish and manage a successful program for allowing food and beverage establishments to place exclusive seating for paying customers within the pedestrian and vehicular rights-of-way⁶:

1. “End roadbed dining now. Take down the sheds, remove the decks. Sanitation street sweepers haven't cleaned restaurant-filled streets in more than two years. The firefighter rank-and-file reports what their bosses can't - that response times are up where dining blocks the streets. Sunset all roadway setups now, then roll out citywide street cleaning and rat abatement programs. Fine non-compliant operators and remove remaining dining setups at their owners' expense.

⁶ CUEUP Community Blueprint: <https://www.cueupny.com/communityblueprint> Accessed April 24, 2023

2. Distribute outdoor dining across the boroughs and neighborhoods equitably. Some neighborhoods have just a few outdoor dining set-ups, while others — Williamsburg, Astoria, the Village, Lower Manhattan and the Lower East Side — are saturated beyond endurance. To avoid saturation in residential areas, ensure no block has more than one or two licenses. Limit the number of cafe licenses in each community board district to 100, or the number pre-pandemic, whichever is greater. This creates 5,900+ outdoor dining sites - 5X the pre-pandemic number of sidewalk cafes - and gives restaurants new incentives to open in the outer boroughs.
3. Stop heating and air-conditioning the outdoors in a climate emergency. New York City declared a climate emergency! So has France, where they've banned all outdoor heaters because of the effect on the climate. We must take climate change seriously and do the same. Seasonal open-air dining makes sense. Heating and cooling the outdoors does not.
4. Restaurants are businesses, not charities. Treat them as such. Let the outdoor dining program pay for itself by getting the fees right for both prime and small neighborhood real estate. All fees and consent agreements should be sliding scale based on fair market value: expensive for most of Manhattan and significantly discounted elsewhere.
5. Quiet the restaurant noise in residential areas. Keep the alcohol-fueled din of outdoor dining out of our homes. Noise is a public health issue. Require bars and restaurants to contain crowd noise and music behind closed doors and windows. In residential & mixed-use areas, outdoor dining should close at sunset. School-age New Yorkers need quiet to do their homework. And all of us need quiet to sleep.
6. Give pedestrians, wheelchair users, and others a clear path of at least 8 feet or 50% of the sidewalk, whichever is greater. On a 12-foot sidewalk that leaves four feet for service and dining. On a 20-foot sidewalk, that leaves 10 feet for service and dining. Limit sidewalk dining in areas with high pedestrian traffic as the sidewalk cafe regulations in the Zoning Resolution did.
7. Regulate the program. Fine and shut down bad operators. The Department of Consumer Affairs (now DCWP) ran a well-managed sidewalk cafe program, while the Department of Transportation has notoriously looked the other way under their emergency "self-certified" program. Bring back the DCWP, provide adequate staffing for the enlarged program, and we'll have a world-class program.

8. Let our community boards do their jobs. The excesses of pandemic-era outdoor dining have created strife between restaurants and their neighbors. Restore a civil process to our communities. Give community boards at least 45 days to review applications and allow neighborhood input.
9. Ensure that New York's outdoor dining program is environmentally sound. Prepare an environmental impact statement to disclose significant environmental impacts so that they can be mitigated.
10. Give public space back to the public. Don't let restaurants cut to the front of the line for curbside and sidewalk use. Consider genuine, non-commercial community needs — loading zones used by all businesses and residents, bike parking for non-rental bikes, new solutions for trash removal, and residential and visitor parking permits. And while we're at it, let's add more trees—our streets can use the shade and the beauty of more trees”; and

WHEREAS: Future rulemaking will likely be necessary once this program is voted and enshrined into law; and

WHEREAS: A recent attempt at rulemaking around Open Streets by the New York City Department of Transportation (DOT) revealed that the agency prefers a 30 day comment period for community boards, which is below the 45 day standard, which is generally preferred by community boards; and

WHEREAS: CB1 in general supports the concepts behind the Blueprint; now

THEREFORE
BE IT
RESOLVED

THAT: While it is always fair to say with any complex program that “the devil is in the detail,” Open Dining has been both the savior of restaurants and a quality of life scourge for many households located on corridors with densities of food and beverage establishments that have engaged in the current emergency open dining program and the CUEUP Community Blueprint is generally an agreeable model that we agree in concept should serve to guide the City Council and Mayor on how to move forward; and

BE IT
FURTHER
RESOLVED

THAT: CB1 insists that community boards should have an active review role in future DOT rules as they have in the past with sidewalk cafes; and

BE IT
FURTHER
RESOLVED

THAT: Community board review needs to be for a minimum of 45 days to be part of the process in accordance with the business timing of Community Board review and comment.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	7 Opposed	2 Abstained	0 Recused

RE: Including Outdoor Seating as Capacity to Determine Bathroom Requirements

WHEREAS: In May 2022, Manhattan Community Board 1 (MCB1) passed a resolution⁷ bemoaning the City of New York’s (NYC) paucity of public bathrooms and calling for more access. Residents and visitors shouldn’t be hindered from enjoying and participating in our public realm due to a lack of bathrooms; and

WHEREAS: The lack of access to clean, safe public toilets is a long-standing and well-documented complaint in New York City (NYC);^{8,9} and

WHEREAS: Public bathroom access is not a nicety, but rather a necessity that allows people to meet a basic human need, to promote public health, to combat public urination and defecation and to advance menstrual justice; and

WHEREAS: All restaurants and bars, as well as other establishments that sell food and beverages to be consumed on their premises, should be required to provide access to safe, well maintained bathroom facilities; and

WHEREAS: In NYC only food service establishments with 20 or more seats and opened after 1977, must provide a toilet for their customers. All other food service establishments are exempt from this requirement.¹⁰ Exempting any food service establishment from providing bathroom access should no longer be allowed; and

WHEREAS: Every seat and square foot of space that is authorized under the new Open Restaurant outdoor dining needs to be included in an establishment’s occupancy load and size; and

WHEREAS: The issue of access to a bathroom for all patrons and visitors, not just for the indoor occupancy load, needs to be required, and enforced, for establishments that

⁷ <https://www.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/22-05-24.pdf>, pp. 38-40.

⁸ Elston A, “No Place to Go: NYC’s public restrooms are scarce and dirty, posing a health and public safety quandary”, *Crain’s*, February 2022, https://www.craigslist.com/special-features/no-place-go-public-bathrooms-nyc?utm_source=editorial-promotion-&utm_medium=email&utm_ca%E2%80%A6

⁹ Carmel J, “No Place to Go When You Need to Go? These New Yorkers have Ideas”, *The New York Times*, July 3, 2021; <https://www.nytimes.com/2021/07/02/nyregion/nyc-bathrooms.html>

¹⁰ <https://portal.311.nyc.gov/article/?kanumber=KA-01351>

operate a sidewalk and/or roadway cafe in the permanent Open Restaurant outdoor dining program - even if the program is seasonal; and

WHEREAS: Section [403.3](#) of the NYC Plumbing Code states that “customers, patrons and visitors shall be provided with public toilet facilities in structures and tenant spaces intended for public utilization”;¹¹ something that should be modified or amended so that other options for access are permitted, especially on streets with multiple outdoor cafes that lack adequate indoor bathroom facilities; and

WHEREAS: Flexibility is needed in how bathroom access is provided in order to address the increased occupancy load created by outdoor dining space and seats, especially if participation is seasonal. Options (e.g., [Throne](#)¹²) for outdoor siting and shared facilities, especially where there are multiple outdoor restaurants on a block, should not be excluded; and

WHEREAS: The Outdoor dining program was created via an emergency order designed to save restaurants by supplanting the indoor seating with the greatest capacity possible. Going forward post-pandemic, the Permanent Outdoor Dining Program’s use of public space for private profits needs to recompense the public, starting with holding participating restaurants fully accountable for their true occupancy; and

WHEREAS: Footnoted for Table [403.1](#) notes that “The occupant load for seasonal outdoor seating and entertainment areas shall be included when determining the minimum number of facilities required.”¹³ It is important that the permanent outdoor dining program has a mechanism for enforcing this when approving or renewing applications, even if participation is seasonal; and

WHEREAS: In a letter to city council representatives, Manhattan CB2 wrote “**There should be a patron bathroom available (indoors) for all outdoor seating.** Current City laws require patron bathrooms only for establishments with more than 20 indoor seats.”;¹⁴ and

WHEREAS: Access to public toilets is inadequate throughout NYC. Therefore, every opportunity must be found to enforce all of the existing requirements and to look for opportunities to expand the mandates for more public toilets; now

¹¹ https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYAdmin/0-0-0-161440#JD_PC403

¹² <https://www.thronelabs.co/>

¹³ <https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYAdmin/0-0-0-161441>

¹⁴ https://cbmanhattan.cityofnewyork.us/cb2/wp-content/uploads/sites/9/2022/11/01-Nov-2022_MCB2_POR_Outdoor_Dining_Letter_final.pdf, November 1, 2022

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 entreats City Councilmember Christopher Marte, any city agency that creates the permanent outdoor dining program's rules and Chief Public Realm Officer, Ya-Ting Liu:

- To ensure that the rules for the permanent outdoor dining program require that sidewalk and roadway cafes are included in a restaurant or bar's occupancy load and footprint when determining the plumbing fixtures required. Verifying that all program participants have or have access to the required number of toilets for their maximal occupancy load is essential; and
- To work with the Department of City Planning (DCP) to amend Section 403.3 of the NYC Administrative Code so that restaurants with a seating capacity of less than 20, provided such establishments are less than 10,000 square feet (929 m²), are no longer exempt from needing to provide access to toilet facilities for guests; and

BE IT
FURTHER
RESOLVED

THAT: All restaurant and bar owners should be required when they file with the Department of Buildings (DOB) for renovations to include the outdoor seating in their drawings and plumbing fixture calculations.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 141 Duane Street, an application to legalize an altered building’s ground floor storefront located within the Tribeca South Historic District

WHEREAS: The 141 Duane Street storefront is part of the 137-141 Duane Street building, and

WHEREAS: Most of all the building’s storefronts are not original infill from the sidewalk to the second floor, and

WHEREAS: Until recently, 141 Duane Street’s storefront did have most of its original transom panels and these were removed and thrown away, and

WHEREAS: To ensure that future improvements to the ground floor storefronts are done in harmony with the entire building and without removal of original fabric, an LPC storefront master plan must be put in place, and

WHEREAS: The current proposals for a grid in front of the storefront louvers, is an appropriate way to bring back what has been lost in the storefront area, now

THEREFORE
BE IT
RESOLVED

THAT: CB1 recommends the Landmarks Preservation Commission approve the proposed alterations and require a master plan be put in place to guide future storefront applications.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

COMMITTEE OF ORIGIN: NEW BUSINESS

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

RE: Request For Proposal (RFP) for the Adaptive ReUse of the Manhattan Detention Center's (MDC) Existing Two Towers at 124 and 125 White Street

WHEREAS: The demolition of the Manhattan Detention Complex (AKA The Tombs) has long been opposed by Manhattan Community Boards 1 and 3 (CB1, 3) , neighborhood non-profit organizations including Neighbors United Below Canal (NUBC), Tribeca Trust, North Tribeca Alliance, civic preservation groups including the Historic Districts Council, elected including NYS Senator Brian Kavanagh, NYS AM Grace Lee, City Council Member Christopher Marte, and many residents, workers and businesses in lower Manhattan; and

WHEREAS: In January 2023, State Senator Brian Kavanagh, State Assemblymember Grace Lee, City Councilmember Christopher Marte and Manhattan Borough President Mark Levine wrote a letter to Deputy Mayor Sheena Wright and Department of Design Commissioner, Thomas Foley urging the City to “seriously explore strategies that might allow for adaptive reuse” of the existing two buildings comprising the existing Manhattan Detention Center, stating “it is crucial that we ensure that every possibility has been fully explored including a serious feasibility study...”; and

WHEREAS: In March 2023 a meeting was held with CB1, NUBC, Mayor's Office of Criminal Justice (MOCJ), the NYC Department of Corrections (DOC), the NYC Department of Design & Constructions (DDC), officials from the Mayor's Office, NYS Senator Brian Kavanagh, NYS Assembly Member Grace Lee, City Council Member Christopher Marte, Manhattan Borough President Mark Levine, representatives from Congressman Daniel Goldmans's office, William Sharples, Principal of SHoP Architects and health experts from NYU Langone Health to discuss the community concerns, status of the pending FOIL requests and the alternative proposal of Adaptive Reuse of the two existing towers of the MDC located at 124 and 125 White Street; and

WHEREAS: At this meeting CB1, the elected officials and community representatives demanded that demolition of the 2 Towers be halted until: 1. Adaptive ReUse be thoroughly explored; 2. The documents requested via FOIL and any and all studies done to date considering adaptive reuse of the existing buildings were forwarded and time given for review; and 3. further discussion could take place; and

- WHEREAS: At this meeting the City promised to promptly respond to all FOIL requests, provide all documents and to consider the option of issuing an RFP for the study of Adaptive Reuse and meet again before moving forward with demolition of the 2 towers; and
- WHEREAS: The *City's Strategic Blueprint for Construction Excellence* describes the need for complex projects to have Capital Project Scope Development (CPSD) studies done prior to the formal initiation of a project and allocation of capital dollars. At the March meeting, CB1 requested for the completed surveys and studies that were used for the MDC CPSD, and has not to date received this information; and
- WHEREAS: City representatives have not yet provided requested documents that accurately demonstrate whether a comprehensive completed feasibility study of whether the carceral criminal justice reforms would be possible through adaptive reuse and an alternative to full demolition and new construction of a replacement facility; and
- WHEREAS: City representatives have not yet provided requested documents indicating that the NYC Landmarks Preservation Commission (LPC) and NY State Historic Preservation Office (SHPO) have met and reviewed the demolition plans of the Tombs, the 4th tower of the Criminal Court House which is a NYC Landmark eligible and NY State Registry-eligible building; and
- WHEREAS: On or about April 17, 2023, the City obtained the permit to move forward with the demolition of the north tower of 124 White Street. This permit was issued without informing all of the elected officials or community members until during the April 19 CB1s Quality of Life (QoL) Committee when Lauren Micir (AECOM - Project Management Team), Rick Peterson (Gramercy Group Inc.) and Jeff Margolies (DDC) were asked whether the NYC Department of Buildings (DOB) had yet issued the demolition permit for the MDC; and
- WHEREAS: At the 4/19/23 CB1 QoL meeting, there was a ground swell of surprise, dismay and outrage at the lack of transparency and communication in learning of the issuing of the DOB demolition permit and great concern that the City had again failed to provide any documentation to prove their assertion that the adaptive reuse of the 2 existing MDC towers was not feasible; and
- WHEREAS: At the QoL meeting, CB1, NYS Senator Brian Kavanagh, NYS Assembly Member Grace Lee, City Council Member Christopher Marte, NUBC and community members all called for an immediate halt to demolition of the two towers and urged that the decision to move forward with demolition be rescinded until an RFP for an independent study on adaptive reuse is provided and reviewed; and
- WHEREAS: On April 21, 2023 Senator Kavanagh's office shared with leadership at CB1 that the Deputy Mayor Meera Joshi committed to "pause for the next two weeks on any action that would be in conflict with adaptive reuse of the existing structure at

124 White Street and to a meeting at City Hall in the coming week to continue the conversation we began on March 2, 2023”; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 believes this upcoming meeting and the current two week pause is insufficient as a response to the community’s clear interest and commitment to ensure the adaptive reuse of the existing MDC; and

BE IT
FURTHER
RESOLVED

THAT: CB1 demands that the City put a pause on the demolition of the Manhattan Detention Center at 124 and 125 White Street until a Request for Proposal to determine the feasibility of adaptive reuse of the 2 towers is completed and reviewed by all stakeholders including the elected officials, CB1, NUBC and the community.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

COMMITTEE OF ORIGIN: QUALITY OF LIFE & DELIVERY SERVICES

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 9/11 Responder and Survivor Health Funding Correction Act of 2023 (H.R. 1294/S. 569)

WHEREAS: With the impending budget shortfall facing the World Trade Center Health Program U.S. Senators Kirsten Gillibrand (D-NY) and U.S. Senate Majority Leader Charles E. Schumer (D-NY), and Andrew Garbarino (R-NY-2), Jerrold Nadler (D-NY-10), Anthony D ’Esposito (R-NY-4), Dan Goldman (D-NY-10) have introduced the bipartisan legislation, “9/11 Responder and Survivor Health Funding Correction Act of 2023 ” (HR.1294/S. 569); and

WHEREAS: Its purpose is to ensure the adequate funding for the World Trade Center Health Program so that it can continue to provide medical and mental health treatment and monitoring to injured and ill 9/11 responders and survivors; and

WHEREAS: Some responders to the Pentagon and Shanksville, including retired military and federal employees cannot join the World Trade Center Health Program denying them care for their 911 injuries; and

WHEREAS: The World Trade Center Health Program was created by Congress in 2010 and was reauthorized in 2015 to remain open until 2090 after years of efforts by 9/11 responders and survivors to get Washington to recognize the health impacts of the toxins at Ground Zero that were impacting thousands (Community Board 1 has supported these efforts with resolutions, including in 2010 and 2015.); and

WHEREAS: In coming years, the World Trade Center Health Program will not have enough funds to provide all the care that is needed for those still suffering the physical and mental health impacts of 9/11. This includes the responders and survivors who will be newly diagnosed in the coming years with 9/11-associated cancers caused by their toxic WTC exposures; and

WHEREAS: The World Trade Center Health Program (WTCHP) currently provides treatment and monitoring for over 122,000 9/11 responders and survivors from the World Trade Center site and Lower Manhattan, the Pentagon, and the Shanksville crash site, who live in every State and 434 out of 435 Congressional Districts; and

WHEREAS: If Congress does not take action this year, to deal with the impending budget shortfall, then starting 2027, the World Trade Center Health Program will have to stop enrolling new members and start imposing additional cuts in services, including cancer care; and

WHEREAS: Among the approximately 360,000 World Trade Center survivors were more than 35,000 people who were children at the time of the 9/11 attacks and the aftermath who resided or attended school or daycare in the NYC disaster area, and were extremely vulnerable to harm from both toxic exposures and psychological trauma, and there are continuing reports of emerging health impacts to this population now that they are adults; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 urges and calls on U.S. House Speaker Kevin McCarthy, and Minority Leader Hakeem Jefferies and U.S. Senate Majority Leader Charles Schumer and Minority Leader Mitch McConnell to pass HR 1294/ S569 that would provide the funding the World Trade Center Health Program needs and that authorizes that all Pentagon and Shanksville responders can be enrolled in the World Trade Center Health Program.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	1 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street Activity Permit for Duane Street Park 2023 Fundraiser

WHEREAS: Duane Park is a triangular shaped park in Tribeca that is bordered to the east by Hudson Street and to the north and south by Duane Street, which bifurcates; and

WHEREAS: Duane Park is the City of New York’s first public parkland having been purchased by the city from Trinity Church in 1797 for \$5; and

WHEREAS: The Friends of Duane Park (FDP) are requesting support for a Street Activity Permit in order to hold a community dinner that will raise funds that will help guarantee future maintenance of Duane Park; and

WHEREAS: The mission of the Friends of Duane Park, an all-volunteer, not-for-profit community group, is to restore, to preserve, and to beautify Duane Park, and to build a community that cares for our park and other public spaces in Tribeca through fundraising, education, outreach, programming, and gardening; and

WHEREAS: The FDP have filed for a Street Activity Permit to close Duane Street between Hudson and Greenwich Streets to facilitate public engagement for FDP’s proposed restoration of the park’s historic footprint by restoring the missing western tip and southern sidewalk; and

WHEREAS: One long, community table for 175 guests will be installed for an evening of neighborhood connections, memorable conversations, and delicious food and wine; and

WHEREAS: The businesses and residents on the block have been notified of the FDP’s fundraising event, will be some of the partners to provide food and wine at the event, and either support or have no objections to what is planned; and

WHEREAS: The FDP plan is: (1) to close Duane Street between Hudson Street and Greenwich Street from 6:00 am to 11:00 pm on September 10; (2) to barricade Staple Street at Duane Street so that vehicles cannot enter Duane Street and (3) to leave the sidewalks open; and

WHEREAS: The daytime portion of the event will be used to seek public engagement for FDP's proposed resiliency and restoration project; and

WHEREAS: There will be a small podium with a microphone and speakers for welcoming remarks and a toast. Background music is planned during the afternoon and evening; and

WHEREAS: The FDP is finalizing backup plans in case of bad weather on September 10th. As in the past, an agreement for nearby indoor space is being worked out; and

WHEREAS: The Friends of Duane Park have been excellent stewards of this much cherished historic park and green space in Manhattan Community District 1 (MCD1) with a long history of problem-free street activities; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 urges the Street Activity Permit Office (SAPO) to approve the Friends of Duane Park's Street activity permit application to close Duane Street between Hudson Street and Greenwich Street and to stop traffic from Staple Street from entering Duane Street for a one-day celebration on September 10, 2023.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

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:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: One Wall/ 3 New Street, application for a new liquor license for Printemps America Inc. d/b/a Printemps

WHEREAS: The applicant, Printemps America Inc at One Wall/ 3 New Street , is applying for a new application on-premise Liquor, Wine, Beer and Cider License; and

WHEREAS: The applicant has represented that there are 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 hours of operation will be Full Printemps Department Store Mon – Sat: 10am-8pm, Sun: 11am-6pm, Floor 1 Brasserie and Lounge Every Day: 8am-11pm, Floor 1 Café Mon – Sat: 8am-8pm, Sun: 11am-6pm, Floor 2 Oyster Bar/Dining and Bar Area Mon – Sat: 10am-8pm, Sun: 11am-6pm, Floor 2 Champagne Bar Mon – Sat: 10am-8pm, Sun: 11am-6pm, Sublevel Vault Private/Special Event Dining and Bar Area Mon – Sat: 10am-8pm, Sun: 11am-6pm; and

WHEREAS: The establishment is a department store with multiple restaurants with a total of 54,413 square feet, it will have a public capacity of 1620 people. The Brasserie & Lounge will have 27 tables and 109 seats, the first floor Cafe will have 12 tables and 25 seats, the second floor Dining Area will have 3 tables and 30 seats, the sublevel Event dining area will have 15 tables and 65 seats, and there will be a total of 5 bars on premises; and

WHEREAS: The applicant has indicated that there **will** be live and recorded background music, as well as an independent DJ and jukebox. There will be a high end distributed audio system for background music and speakers are expected to range 60-75 db, there will be no TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, but they will have Media screenings (TV & film), live interviews, book readings/launches, magazine

launches, stand-up comedy, art exhibitions events and scheduled performances;
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 agreed to close the windows; and

WHEREAS: The applicant has indicated that deliveries are expected 7:00 AM to 10:00PM; and

WHEREAS: The establishment is considered a “large venue” and will operate under guidelines for an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; 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 on-premise liquor license for Printemps America Inc. d/b/a Printemps at One Wall/ 3 New Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

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:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 80 Nassau Street, application for a new wine,beer and cider license for Mekong 88 Inc. d/b/a IMM

WHEREAS: The applicant, Mekong 88 Inc.at 80 Nassau Street, is applying for a new on-premise Liquor, Wine, Beer and Cider 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 beer and wine licenses within 500 feet of this establishment; and

WHEREAS: The hours of operation will be 11:30AM - 9:30PM Monday to Sundays; and

WHEREAS: The establishment is a restaurant serving asian cuisine with a total of 880 square feet, there will be a public capacity of 74 people with 9 tables with 21 seats; and

WHEREAS: The applicant has represented that there **will** be recorded background music from small speakers with low amperage built into ceiling and no TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, events or scheduled performances; 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 agreed to close the windows; 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 on-premise liquor license for Mekong 88 Inc. d/b/a IMM at 80 Nassau Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

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:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 45 West Broadway, application for a new full service liquor license for Barcade West Broadway LLC d/b/a Barcade

WHEREAS: The applicant, Barcade West Broadway LLC at 45 West Broadway, is applying for new on-premise 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 community board supports the hours of operation of **12:00PM - 12:00AM Sunday to Thursday**, and **12:00PM - 1:00AM Friday and Saturday**, and will consider the original proposed closing hours of 1:00AM and 2:00AM respectively after 6 months; and

WHEREAS: The establishment is a full service restaurant with a total of 10,800 square feet, there will be a public capacity of approx 250 people with ground floor having 13 tables with 78 seats and mezzanine having 2 tables and 12 seats, with 1 bar; and

WHEREAS: The applicant has agreed to have no more than **two buyouts per month** and buyouts will not exceed seated capacity; and

WHEREAS: The applicant has represented that there will be recorded background music from consumer grade NAD and ATI amps, klipsch speakers 12/15 ow each and mac computer and no TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, events or scheduled performances but will have arcade games available for patrons; and

WHEREAS: Applicant will employ security personnel for door security, ID check and scan with additional personnel on the weekends; 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 agreed to close the windows; and

WHEREAS: The applicant has indicated that deliveries are expected 9:00 AM to 7:00PM; and

WHEREAS: The establishment is considered a “large venue” and will operate under guidelines for an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; 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 on-premise liquor license for Barcade West Broadway LLC d/b/a Barcade at 45 West Broadway, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

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:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 66 Pearl Street, application for a new application and temporary retail permit for a full service liquor license for 66 Pearl Street LLC

WHEREAS: The applicant, 66 Pearl Street LLC at 66 Pearl Street, is applying for new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider 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 hours of operation will be **12:00PM - 1:00AM Monday to Wednesday, 11:30PM - 2:00AM Thursday to Saturday and 11:30AM - 12:00AM Sundays**; and

WHEREAS: The establishment is a south east asian full service restaurant with a total of 5000 square feet, there will be a public capacity of 135 people with 25 tables with 90 seats and 2 bars ; and

WHEREAS: The applicant has represented that there will be recorded background music from ipod and small speakers suspended from the ceiling and no TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, events or scheduled performances; and

WHEREAS: Applicant will employ 3rd party licensed NYS security personnel for door security and crowd control; and

WHEREAS: The establishment intends to apply for a DOT open restaurant sidewalk café; and

WHEREAS: The applicant has agreed to **close the windows at 10 PM**; and

WHEREAS: The applicant has indicated that deliveries are expected 9:00 AM to 6:00PM; and

WHEREAS: The establishment is considered a “large venue” and will operate under guidelines for an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; 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 application and temporary retail permit for on-premise liquor license for 66 Pearl Street LLC at 66 Pearl Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

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:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 88 Wall Street, application for a method of operation change for a full service liquor license for 88 Wall Manager LLC & JJ Hospitality 1 LLC, to add alcohol service to 14th Floor outdoor until 10 pm for hotel

WHEREAS: The applicant, 88 Wall Manager LLC & JJ Hospitality 1 LLC at 88 Wall Street, is applying for new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider 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 hours of operation will be 8:00AM - 2:00AM indoors, **guests will be able to consume food and beverage on the terrace until 10PM, however, no alcohol nor food will be served on the terrace or near the terrace doors;** and

WHEREAS: The applicant has represented that there will be live, recorded background music and DJ, no dancing, events or scheduled performances and no TVs; and

WHEREAS: The applicant has indicated that **all other methods of operation will remain as per the previous resolutions and stipulations from February 2020;** and

WHEREAS: The establishment is considered a “large venue” and will operate under guidelines for an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; 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 method of operation change for on-premise liquor license for 88 Wall manager LLC & JJ Hospitality 1 LLC at 88 Wall Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

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:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 125 Carder Road, application for a method of operation change for Grupo Gitano LLC & Gitano NYC LLC d/b/a Gitano Island

WHEREAS: The applicant, Grupo Gitano LLC & Gitano NYC LLC at 125 Carder Road, is applying for a method of operation change on for on-premise Liquor, Wine, Beer and Cider 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 no** three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The hours of operation will be **11:00AM - 10:00PM Monday to Thursday and 11:00AM - 11:00PM Friday to Sunday**; and

WHEREAS: The establishment is outdoor bar and restaurant with a total of 27000 square feet, there will be a **public capacity increase from 590 to 950 people with 54 tables with 257 seats and 3 bars** ; and

WHEREAS: The applicant has indicated that there will be live, recorded background music, **not to be heard in the Financial District or lower Manhattan.** from ipod and small speakers suspended from the ceiling; and

WHEREAS: The applicant has agreed that there will be events and scheduled performances but no dancing; and

WHEREAS: In early April 2023, the website of the applicant Gitano.com indicated that the establishment on 125 Carder Rd. On Governors Island included areas that were private, requiring membership for entry. The Governors Island Trust has assured

CB1 that this information on the Gitano website is incorrect and that Gitano has removed any mention of a private club from their website; and

WHEREAS: Gitano is understood to be a public establishment with no private membership or fees required for entry and use of the facilities; and

WHEREAS: The establishment does not intend to apply for sidewalk café; and

WHEREAS: The establishment is considered a “large venue” and will operate under guidelines for an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; 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 for on-premise liquor license for Grupo Gitano LLC & Gitano NYC LLC d/b/a Gitano Island at 125 Carder Road, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

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: TABLED

RE: 200 Liberty Street, application for a new application and temporary retail permit for a full service liquor license for Golfzon Social LLC d/b/a Golfzon Social

WHEREAS: The applicant, Golfzon Social LLC at 200 Liberty Street, is applying for new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider 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 hours of operation will be 7:00PM - 10:00PM Sunday to Thursday, 7:00PM - 12:00AM Friday to Saturday; the 2nd floor terrace will be closed at 10:00PM Monday to Sunday; and

WHEREAS: The establishment is a tavern with indoor golf simulator entertainment with a total of 21,283 square feet, there will be a public capacity of 494 people with 77 tables with 292 seats, 2 bars and a terrace on the 2nd floor; and

WHEREAS: The applicant has represented that there **will only** be recorded background music from 60, 10 inch, 0.9 amperage speakers suspended in the ceiling and 60 TVs; and

WHEREAS: The applicant has agreed that there will be no dancing and no buyouts; and

WHEREAS: The establishment does not intend to apply for a DOT open restaurant sidewalk café; and

WHEREAS: The applicant has agreed to close the windows; and

WHEREAS: The applicant has indicated that deliveries are received via the Brookfield Place loading dock 4am to 9am and trash is kept and collected from an enclosed facility on premise between 10:30 and 11:30 PM; and

WHEREAS: The establishment is considered a “large venue” and will operate under guidelines for an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; 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 application and temporary retail permit for on-premise liquor license for Golfzon Social LLC at 200 Liberty Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

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:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 239 West Broadway, application for a new application and temporary retail permit for a full service liquor license for Chipandtinanyc LLC

WHEREAS: The applicant, Chipandtinanyc LLC at 239 West Broadway, is applying for new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider 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 hours of operation will be 4:00PM - 12:00AM Tuesday to Thursday and closed Sunday and Monday; and

WHEREAS: The establishment is a full service restaurant dinner only with a total of 3500 square feet, there will be a public capacity of 74 people with 18 tables with 58 seats and 1 bars ; and

WHEREAS: The applicant has represented that there **will** be recorded background music from iphone and 2 portable speakers and no TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, events or scheduled performances; and

WHEREAS: The establishment does not intend to apply for a DOT open restaurant sidewalk café; and

WHEREAS: The applicant has agreed to close the windows; and

WHEREAS: The applicant has agreed deliveries are expected prior to hours of operation; and

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

THEREFORE

BE IT

RESOLVED

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

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their new application and temporary retail permit for on-premise liquor license for Chipandtinanyc LLC at 239 West Broadway, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

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:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 396 Broadway, application for a method of operation change to full service liquor license for Bridgeton F&B management LLC, Bridgeton 396 Property master Tenant LLC, Dream Logic Hospitality LLC d/b/a Walker Hotel Tribeca

WHEREAS: The applicant, Bridgeton F&B management LLC, Bridgeton 396 Property master Tenant LLC, Dream Logic Hospitality LLC at 396 Broadway, is applying for a method of operation change on-premise Liquor, Wine, Beer and Cider License; and

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

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

WHEREAS: The applicant is currently following the hours of operation and bar service approved by the SLA for the rooftop bar which closes by 11PM Sunday through Thursday, and 12AM on Friday and Saturday, as per the February 2020 resolution; and

WHEREAS: The extended hours of operation the applicant is requesting of 12:00PM - 1:00AM Monday to Wednesday, 11:30PM - 2:00AM Thursday to Saturday and 11:30AM - 12:00AM Sunday, will **not** be granted, due to the number of residential complaints and concerns that the community board has received and heard at the committee meeting; and

WHEREAS: The establishment is hotel restaurant with a total of 2000 square feet, there will be a public capacity of 150 people with 20 tables with 36 seats and 1 bars ; and

WHEREAS: The applicant has represented that there **will** be recorded background music from ipod and small speakers suspended from the ceiling and no TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, events or scheduled performances; and

WHEREAS: The applicant has agreed to provide the local residential buildings a contact number for the establishment that can be answered promptly so complaints can be addressed in real time; and

WHEREAS: Applicant will employ 3rd party licensed NYS security personnel for door security and crowd control; and

WHEREAS: The establishment intends to apply for a DOT open restaurant sidewalk café; and

WHEREAS: The applicant has agreed to close the windows at 10PM; and

WHEREAS: The applicant has indicated that deliveries are expected 9:00 AM to 6:00PM; and

WHEREAS: The establishment is considered a “large venue” and will operate under guidelines for an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; 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 **denies** the granting of their alteration application for on-premise liquor license for Bridgeton F&B management LLC, Bridgeton 396 Property master Tenant LLC, Dream Logic Hospitality LLC d/b/a Walker Hotel Tribeca at 396 Broadway.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 73 Warren Street, application for a new application and temporary retail permit for a full service liquor license for Carpincho LLC d/b/a OL'DAYS

WHEREAS: The applicant, Carpincho LLC at 73 Warren Street, is applying for new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider License; and

WHEREAS: The hours of operation will be 7:00AM - 11:00PM Sundays to Saturday; and

WHEREAS: The establishment is a restaurant cafe and coffee shop with a total of 3000 square feet, there will be 16 tables with 45 seats ; and

WHEREAS: The applicant has represented that there **will** be recorded background music from 2 portable speakers suspended from the ceiling and no TVs; and

WHEREAS: The applicant has agreed that there will be no dancing, events or scheduled performances; and

WHEREAS: The establishment intends to have a DOT open restaurant sidewalk café, closing hours for this area will be 9:00PM on weekdays and 10:00PM on weekends, with no music; and

WHEREAS: The applicant has agreed to close the windows; and

WHEREAS: The applicant has indicated that deliveries are during hours of operation; 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 application and temporary retail permit for on-premise liquor license for Carpincho LLC d/b/a OL'DAYS at 73 Warren Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 25, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	3 In Favor	1 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	TABLED			

RE: 456 Greenwich Street, application for a method of operation change for a full service liquor license for CBCS Washington Street LP and Hotel Barriere Management USA Company LLC d/b/a Hotel Barriere

WHEREAS: The applicant, CBCS Washington Street LP and Hotel Barriere Management USA Company LLC at 456 Greenwich Street, is applying for method of operation change for on-premise Liquor, Wine, Beer and Cider 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 hours of operation will be 7:00AM to 10:00PM Monday to Friday, 7:00AM to 11:00PM Saturday and Sundays; and

WHEREAS: The establishment is a luxury hotel with food and beverage offerings and multifunctional event spaces with a total of 97,435 square feet, there will be a public capacity for food and beverage of 578 people with 25 tables with 90 seats and 3 bars; and

WHEREAS: The applicant has agreed that the rooftop will accommodate 40 persons and will be closed 8:00PM on weekdays and 9:00PM on weekends, the committee has agreed to review these hours after 6 months; and

WHEREAS: The applicant has represented that there **will** be live, recorded and background music from bose sound equipment recessed in the ceiling; and

WHEREAS: The applicant has agreed that there will be dancing permitted only for private events, there will be a theatre/screening room and no non-musical entertainment; and

WHEREAS: The establishment intends to have a DOT open restaurant sidewalk café, with 24 seats, with no music, closing at 8:00 PM on weekdays and 9:00 PM on weekends; and

WHEREAS: The applicant has agreed to close the windows; and

WHEREAS: The establishment is considered a “large venue” and will operate under guidelines for an establishment designated to hold 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation; 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 application and temporary retail permit for on-premise liquor license for CBCS Washington Street LP and Hotel Barriere Management USA Company LLC at 456 Greenwich Street, **unless** the applicant complies with the limitations and conditions set forth above.