

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: LAND USE, ZONING, & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 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	5 Abstained	0 Recused

RE: World Trade Center Site 5 – Project Approval Considerations by Agency Boards

WHEREAS: World Trade Center Site 5 (5 WTC) is the former site of the Deutsche Bank Building at 130 Liberty Street and is currently owned by the joint New York City-New York State corporation known as the Lower Manhattan Development Corporation (LMDC), which utilized a federal Housing and Urban Development (HUD) block grant to purchase the property, remediate the building, and clear the site. 5 WTC is now the last available development site on the World Trade Center Campus; and

WHEREAS: Pursuant to a memorandum of understanding between LMDC and the Port Authority of New York and New Jersey (the Port Authority), the Port Authority agreed to convey parcels it owned at the heart of the WTC campus, including the original WTC tower footprints, to the National September 11 Memorial & Museum and the World Trade Center Performing Arts Center (PAC) in exchange for 5 WTC and adjacent parcels owned by LMDC; and

WHEREAS: The boards of directors of several public entities, including LMDC, Empire State Development (ESD) and the Port Authority, are set to approve this month a 99-year lease of the 5 WTC site to a joint development venture, to be called 5WTC LLC, between development partners Brookfield Properties, Silverstein Properties, Omni New York LLC, and Dabar Development Partners (the Developers), where the Developers intend to build approximately 900 units of market-rate luxury housing in an 80-story tower on the site; and

WHEREAS: The agencies and Developers of 5 WTC originally proposed a residential building comprised of 1,200 total units, including 300 affordable housing units (25% of the building) at varying bands of Area Median Income (AMI) averaging 50% of AMI; and

- WHEREAS: Development of affordable housing at the 5 WTC development site has been the subject of prior resolutions of Manhattan Community Board 1 (CB1), including for example, a resolution of the CB1 Land Use, Zoning & Economic Development (LZE) Committee dated January 25, 2022¹; and
- WHEREAS: For at least the past two years, CB1, elected officials, housing organizations, area residents, and others including the 100% Affordable 5WTC Coalition (the Coalition) have been on record urging LMDC, ESD, and the Port Authority not to simply add more market-rate housing in Community District 1 (CD1) but to substantially increase the number of affordable housing units at 5 WTC from the original project development plan; and
- WHEREAS: CB1, elected officials representing CD1, and other community leaders have asked for 5 WTC to prioritize affordable housing specifically for 9/11 survivors and first responders who rebuilt this area after 9/11 but who can no longer afford to live in it; and
- WHEREAS: The severe shortage of truly, meaningfully affordable housing is a problem City wide. Just in the areas of CD1 surrounding the WTC site, the community has lost thousands of affordable housing units since 9/11. And according to the Manhattan Borough President’s Office, the areas of CD1 surrounding the WTC site correspondingly have become some of the most expensive housing markets in New York City, with a median monthly rental rate of nearly \$12,000 per month in Tribeca alone, for example²; and
- WHEREAS: New York Governor Kathy Hochul recently proposed the “[New York Housing Compact](#)” to build affordable housing in communities near transportation, but LMDC, ESD and the Port Authority have largely ignored the pleas of this community to make build more affordable housing than originally planned at 5 WTC, a State-owned site next to a major transportation hub with excellent resources, as would be consistent with the Governor’s Compact; and
- WHEREAS: CB1 understands the Coalition provided LMDC, ESD and the Port Authority with an independent “Feasibility Study for 100% Permanently Affordable Housing at Site 5 of the World Trade Center,” which shows how the Developers of 5 WTC could substantially increase the number of affordable units at the development, while requiring far less funding than ESD and other agencies have suggested; and

¹ CB1 also adopted Resolutions on January 25, 2022, relating to 5 WTC, from the following CB1 Committees: (1) Environmental Protection Committee, regarding 5 WTC “Finding of No Significant Impact (FONSI)/Environmental Assessment (EA)”; (2) Youth & Education Committee, regarding recreation space at the 5 WTC development site, and; (3) Quality of Life & Service Delivery Committee, regarding 5 WTC affordability amidst the greater context of unaffordability in Lower Manhattan.

² See, [Housing Manhattanites: A Report on Where and How to Build the Housing We Need](#), at p. 36.

WHEREAS: At a meeting of the ESD-WTC Site 5 Community Advisory Council (CAC) on May 3, 2023, representatives of ESD previewed a revised minimum affordable housing component for the 5 WTC development. At the CAC meeting, ESD representatives also addressed the Coalition's Feasibility Study and CB1's demands that LMDC, ESD, the Port Authority and the Developers explore and exhaust all potential means of funding and subsidies to increase the amount of affordable housing at 5 WTC. ESD representatives advised that, for example, the agencies and Developers did request funding subsidies from the Battery Park City Authority (BPCA) Joint Settlement Fund, which funds flow to the City and are earmarked specifically for affordable housing, but that the agencies did not follow up with the New York City Comptroller (who administers the BPCA Joint Settlement Fund) to confirm any response to the requested funds. ESD representatives indicated during the May 3rd CAC meeting that the Developers will consider increasing the number of affordable housing units at the 5 WTC development *if* the community can identify and ascertain specific additional sources of subsidies by April 2024; and

WHEREAS: CB1, elected officials, CAC members, and others have asked the Developers and the agencies to provide more detail on their project financial modeling so the public can determine whether the Developers might be asked to revise their profit margins to allocate more funding towards affordable housing; and

WHEREAS: At the May 8, 2023 meeting to CB1's LZE Committee, ESD presented the Developers' revised proposed project with increased affordability, with a minimum of 30% of affordable units, *i.e.*, 360 affordable units out of the 1,200-unit building (up from 25% of affordable units), and with higher bands of AMI averaging 85% (up from 50% average AMI). While ESD representatives indicated the Developers are open to increased numbers of affordable units at 5 WTC, ESD made clear that (1) the Developers would only do so if a source(s) of additional subsidy can be identified and committed by April 2024, and (2) regardless, it would not hold up forthcoming consideration and potential approvals by the boards of LMDC, ESD and the Port Authority; and

WHEREAS: The Developers' and agencies' position that they will forge ahead with the 5 WTC development project and provide for additional affordable units only if additional subsidies can be identified and committed by April 2024 has effectively shifted the burden for sourcing additional funds for affordable housing onto the public and elected officials, as opposed to the Developers and agencies; and

WHEREAS: Given widely-reported cost overruns of prior Port Authority development projects at other portions of the WTC site³, this community is now effectively being

³ See, [Port Authority Audit Reveals Nearly \\$4B Cost Overrun for World Trade Center](#), NJ.com, Feb. 8, 2012.

forced to forsake long-fought-for affordable housing to effectively subsidize billions of dollars in cost overruns elsewhere by at least one of the agencies; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 demands that LMDC, ESD and the Port Authority not proceed with the consideration or approval process of the 5 WTC development project unless and until the agencies and Developers have received actual responses—and not simply silence or non-responses—from sources of potential additional affordable housing subsidies, including but not limited to the BPCA Joint Settlement Fund; and

BE IT
FURTHER
RESOLVED

THAT: CB1 also demands that agencies and Developers actively collaborate with elected officials and the community in seeking additional subsidy funding to provide for additional affordable housing from sources including, but not limited to, remaining unencumbered LMDC funds, the BPCA Joint Settlement Fund, Federal Section 8 vouchers, Port Authority land value compensation, and additional contributions from the Developers group,

BE IT
FURTHER
RESOLVED

THAT: CB1 further demands that the agencies and Developers provide full access to all supporting information and assumptions, including financial models, to allow the public and community representatives to fully understand the additional subsidies that the agencies and Developers assert would be necessary (by April 2024 or otherwise) to increase the number of affordable units.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: LAND USE, ZONING, & ECONOMIC DEVELOPMENT

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	5 Abstained	0 Recused

RE: 346 Broadway/108 Leonard Street, Board of Standards and Appeals Renewal of Use District Exception to Allow Use of Basement Level as a Parking Garage

WHEREAS: An application was filed by Kramer Levin Naftalis & Frankel LLP on behalf of the Board of Managers of the 108 Leonard Condominium with the Board of Standards and Appeals (BSA) for the renewal of a Use District Exception (the “Exception”) previously granted pursuant to Section 7(f) of the pre-1961 Zoning Resolution, which allowed the use of the basement level of a 14-story building currently located in an C6-4A district as a parking garage; and

WHEREAS: The building is a full block site bounded by Broadway, Leonard Street, Lafayette Street, and Catherine Lane; and

WHEREAS: The building is 14 stories and is designated as an individual landmark and portions (not including the Garage) are designated as an interior landmark; and

WHEREAS: The use district exception was originally granted in 1956 to allow the cellar and basement of the building to be used as a parking garage for more than give motor vehicles and to permit the use of a ramp instead of vehicle elevators; and

WHEREAS: The Exception expired in 1971, but was reinstated, amended and extended in 2013, and Manhattan Community Board 1 (CB1) communicated to the BSA that it did not wish to weigh in at that time; and

WHEREAS: In 2017, without consulting or seeking the input of CB1, the BSA issued a letter of substation compliance, reducing the number of parking spaces in the building from 110 to 33; and

WHEREAS: The 2017 reduction in parking allowed the building owners to convert the Cellar level from a garage into accessory amenity space for the residential units of the building; and

WHEREAS: The applicant acknowledged at the meeting that while the building owner could technically offer the parking spaces to the public, the current use of those spaces is solely as an accessory amenity to the residents of the building; and

WHEREAS: The elimination of this Exception would likely drive the 33 currently permitted vehicles that use this garage to seek street parking or compete with the users of other garages in the area; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 does not see any evidence that this garage is out of compliance with the previous BSA approvals and supports the requested renewal to extend the approval term by another 10 years; and

BE IT

FURTHER

RESOLVED

THAT: CB1 urges the owners of this garage to make safety their priority and make sure that engineers have reviewed the structural integrity of this garage in light of rising vehicle weights and the critical location of this parking level above a building amenity space and below 14 floors of housing.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	5 Abstained	0 Recused

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 applicant has represented that all patrons will enter and exit the establishment directly from the West Street ground-level entrance. There is no patron access to the premises from any other way, nor is there direct access to the terrace from the street; 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 restaurant and golf simulator experience, with a total of 21,283 square feet which includes the 1st floor, 2nd floor terrace, golf simulator, lounge area, 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 intends to have 75 seats on the 2nd floor terrace; 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 represented that there will be no music on the terrace; 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 has been advised that it is considered a “large venue” and has agreed through signed stipulation to 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: MAY 23, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	5 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	2 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	3 Opposed	7 Abstained	0 Recused

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 indicated that the hotel has a limited rewards program that will target a limited number of frequent guests who will have exclusive access in any of the Hotel Barrier Hotels in New York and Europe, to preferential bookings and certain amenities without having to necessarily book a room. One of these amenities include access to the rooftop; and

WHEREAS: The community has expressed strong concerns about the rooftop regarding excessive noise and the ability of management to control the noise and the occupancy of the rooftop.

WHEREAS: The applicant has assured the community that there are no exclusive membership zones within the hotel; and

WHEREAS: The applicant has agreed that the rooftop will accommodate no more than 46 persons and will be closed 9:00PM on Sunday to Thursday and 9:30PM on Friday and Saturday; and

WHEREAS: The applicant has agreed with the committee and community residents to operate the rooftop for 6 months and then have it operation and hours reviewed by the committee at the end of those 6 months; and

WHEREAS: The applicant has indicated that the 46 persons on the rooftop will be monitored by rooftop staff who will be managing the service bar and serving guests ordering from a menu; and

WHEREAS: The applicant has represented that there **will** be live, recorded music played at background level from Bose sound equipment recessed in the ceiling of the indoor venue only; and

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

WHEREAS: The establishment intends to apply for a DOT open restaurant sidewalk café permit, with 24 seats, with no music, closing at 8:00 PM on Sunday - Thursday and 9:00 PM on Friday and Saturday; and

WHEREAS: The applicant has agreed to keep the windows closed; and

WHEREAS: The residents were advised by the community board to report any violations to the stipulation and quality of life issues to 311 and to community board 1; and

WHEREAS: The establishment has been advised that they are 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.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	5 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	1 Opposed	5 Abstained	0 Recused

RE: **388 Greenwich St, Floor 14**, application for a new application for catering liquor license for Restaurant Associates Inc.

WHEREAS: The applicant, Restaurant Associates Inc. at 388 Greenwich St, Floor 14, is applying for a new on-premise full service catering 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 catering company on the 14th floor of the CitiGroup Building, with a total of 14,211 square feet, it will have a public capacity of 240 people, 51 tables and 189 seats, two stand up bars and a window food counter on the terrace which will only accommodate a maximum of 40 persons; and

WHEREAS: The applicant has indicated that any events with a capacity over 40 persons will be moved from the 14th floor to one of the lower floors in the building that are also licensed; and

WHEREAS: The hours of operation will be for CitiGroup corporate employees and guest only Mon – Fri: 6pm-10pm, closed Saturday and Sunday; and

WHEREAS: The applicant has agreed to utilize building security as well as put up signs when there are large events, informing the event attendees to order their car services on either side of the building and not to the front of the building; and

WHEREAS: The applicant has indicated that there **will** be live, recorded, DJ and background music, from 8 ceiling speakers at 6.6 amp each and no tvs; and

WHEREAS: The applicant has agreed that there will be no dancing and no scheduled performances as this catering company only serves the workers within CitiGroup during weekdays; and

WHEREAS: The applicant has indicated there will be no open windows; and

WHEREAS: The applicant has indicated that deliveries are expected 7:00 AM to 2:00PM; and

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

WHEREAS: The establishment has been advised that they are 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 Restaurant Associates Inc. at 388 Greenwich St, Floor 14, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	5 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	1 Opposed	5 Abstained	0 Recused

RE: **388 Greenwich St, Floor 1- 4**, application for an alteration on a full service catering liquor license for Restaurant Associates Inc.

WHEREAS: The applicant, Restaurant Associates Inc. at 388 Greenwich St, Floor 1-4, is applying for a alteration of an on-premise full service catering liquor license to include Meeting hall, auditorium and dining room on 1st floor, Cafeteria on the 2nd floor, Conference rooms on third floor and Dining on 4th floor; 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 catering company on the first, second, third and fourth floors of the CitiGroup Building, with a total of 968,000 square feet, it will have a total public capacity of 4243 people, 58 tables and 538 seats, two stand up bars; and

WHEREAS: The hours of operation will be Mon – Fri: 6pm-10pm, closed Saturday and Sunday; and

WHEREAS: The applicant has agreed to utilize building security as well as put up signs when there are large events, informing the event attendees to order their car services on either side and not to the front of the building; and

WHEREAS: The applicant has indicated that there **will** be live, recorded, DJ and background music, from 8 ceiling speakers at 6.6 amp each and no tvs; and

WHEREAS: The applicant has agreed that there will be no dancing and no scheduled performances as this catering company only serves the workers within CitiGroup during weekdays; and

WHEREAS: The applicant has indicated there will be no open windows; and

WHEREAS: The applicant has indicated that deliveries are expected 7:00 AM to 2:00PM; and

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

WHEREAS: The establishment has been advised that they are 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 as agreed to manage traffic and parking issues for large events; 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 Restaurant Associates Inc. at 388 Greenwich St, Floors 1- 4, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 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	4 Abstained	0 Recused

RE: **6 York Street/35 Avenue of the Americas**, new application for a full service liquor license for Botte Tribeca LLC d/b/a Botte Tribeca.

WHEREAS: The applicant, Botte tribeca LLC at 6 York Street/35 Avenue of the Americas, is applying for a 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 establishment is an Italian Restaurant on the ground floor in a hotel, license to include cellar for storage, with a total of 4500 square feet, it will have a total public capacity of 199 people, 65 tables and 150 seats, one stand up bars; and

WHEREAS: The hours of operation will be Mon – Fri: 6pm-11pm, Saturday and Sunday 7pm-11pm; and

WHEREAS: The applicant has indicated that there **will** be recorded background music, from standard sound equipment and 4 tvs; and

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

WHEREAS: The applicant has indicated that the windows will be open from 9am to 9pm; and

WHEREAS: The applicant has indicated that deliveries are expected 9:00 AM to 2:00PM; and

WHEREAS: The applicant has indicated that they do intend to apply for a sidewalk cafe license, not before one year, and will notify CB1; and

WHEREAS: The establishment has been advised that it 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 Botte Tribeca LLC d/b/a Botte Tribeca at **6 York Street**/35 Avenue of the Americas, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
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DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 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	4 Abstained	0 Recused

RE: **39 Avenue of the Americas**, application for an alteration on a full service liquor license for York Street Lessee DE LLC, York Street LLC and Hersha Hospitality Management LLC.

WHEREAS: The applicant, York Street Lessee DE LLC, York Street LLC and Hersha Hospitality Management LLC d/b/a Hilton Garden Inn Tribeca at **39 Avenue of the Americas**, is applying for an alteration of an on-premise full service liquor license to remove the license of the restaurant in the building which is to be licensed separately; 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 6 floor hotel, with a total of 65660 square feet, removing from the hotel licensed premises, the ground floor restaurant which currently has 65 tables and 150 seats and two (2) customer bars with a total of 22 bar seats. The new restaurant operator is filing for its own on-premises liquor license; and

WHEREAS: The applicant has indicated that there **will** be recorded background music, from 3 speakers at 20 watts each and no tvs; and

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

WHEREAS: The applicant has indicated there will be no open windows; and

WHEREAS: The applicant has indicated that deliveries are expected 5:00 AM to 10:00AM; and

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

WHEREAS: The establishment has been advised that it 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 York Street Lessee DE LLC, York Street LLC and Hersha Hospitality Management LLC. at **39 Avenue of the Americas** unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 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:	34 In Favor	1 Opposed	6 Abstained	0 Recused

RE: **133 Duane Street**, new application for a full service liquor license for The Spice Route Company LLC d/b/a Musaafer

WHEREAS: The applicant, The Spice Route Company LLC at **133 Duane Street**, is applying for a 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 establishment is a fine dining restaurant on the ground floor and cellar, with a total of 10,647 square feet, it will have a total public capacity of 250 people, 57 tables and 230 seats, one stand up bars; and

WHEREAS: The hours of operation will be Mon – Thurs: 11am-11pm, Fri and Sat 11am - 12am, Sun: 10pm;

WHEREAS: The applicant has indicated that there **will** be recorded background music, from restaurant adequate speakers and no tvs; and

WHEREAS: The residents have expressed concerns about the establishment having a DJ on special occasions, drunkenness, partying, crowds, traffic, trash and noise coming out from the courtyard and cellar area due to the way the building has been built over a 100 years ago; and

WHEREAS: The applicant has submitted an extensive sound mitigating work plan and assured the residents and committee that there will be no courtyard use and work plan should mitigate any noise from the skylights, as these have been replaced with new sound insulating double pane windows; and

WHEREAS: The applicant has agreed to opening without having a DJ in the cellar as initially planned and instead wait until after 6 months of operation to come back to the community board to request having DJ in the cellar for special occasions; and

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

WHEREAS: The applicant has agreed that there will be no buyouts for the entire restaurant for at least 1 year, after which the applicant is required to come back before the committee to review; and

WHEREAS: The applicant has indicated that the windows will be open from 9am to 9pm; and

WHEREAS: The applicant has indicated that deliveries are expected 6:00 AM to 10:00 AM; and

WHEREAS: The applicant has indicated that they do intend to apply for a sidewalk cafe license with exterior seating within the property line; and

WHEREAS: The establishment has been advised that they are 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 reminded the residents to utilize the 311 service to report any violations against these stipulations; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes the granting of their new on-premise liquor license for The Spice Route Company LLC d/b/a Musaafer at **133 Duane Street**, unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	5 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	4 Abstained	0 Recused

RE: **140 Broadway, lower lobby**, new application for a full service liquor license for Good Eating Company LLC

WHEREAS: The applicant, Good Eating Company LLC at **140 Broadway, lower lobby**, is applying for a 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 establishment is a restaurant/cafe primarily serving the buildings tenants, with meeting facilities in the lower lobby level, with a total of 12,000 square feet, it will have a total public capacity of 530 people, 19 tables and 86 seats, one stand up bars; and

WHEREAS: The regular hours of operation will be Mon– Fri: 7am-7pm, closed Sat and Sun, with occasional events going until at 11pm no more than twice per month; and

WHEREAS: The applicant has agreed to two buyouts per month and will have traffic control for these events; and

WHEREAS: The applicant has indicated that there **will** be live (jazz or acoustic performer) and recorded background music, from loudspeakers and conference room ceiling speakers and 8 tvs; and

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

WHEREAS: The applicant has indicated that the windows will closed; and

WHEREAS: The applicant has agreed to employ security personnel, in addition to building security anytime there is an event with over 75 persons; and

WHEREAS: The applicant has indicated that deliveries are expected 7:00PM to 8:00PM; and

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

WHEREAS: The establishment has been advised that they are 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 Good Eating Company LLC at **140 Broadway, lower lobby, unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 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	4 Abstained	0 Recused

RE: **3 World Trade Center/175 Greenwich Street**, new application for a full service liquor license for Restaurants Associates LLC

WHEREAS: The applicant, Restaurants Associates LLC at **3 World Trade Center/175 Greenwich Street**, is applying for a 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 establishment is a catering service, where the applicant will provide food and beverage services for employees of McKinsey & Co. and will also provide catering services to include alcoholic beverages for private, invitee only events; and

WHEREAS: The establishment is in a corporate office building on the 60 to 64th floors, with a total of 184,409 square feet, it will have a total public capacity of 999 people; and

WHEREAS: The hours of operation for the indoor space and terrace will be Sun – Sat 7:30am - 8pm; and

WHEREAS: The applicant has indicated that for the indoor space and terrace, there **will** be no music, no dancing and no scheduled performances, and 4 tvs; and

WHEREAS: The terrace will host no more than 50 persons at a time, guests will be able to consume alcohol on the terrace but there will be no bars serving on the terrace; and

WHEREAS: The applicant has indicated that the windows will be closed; and

WHEREAS: The applicant has indicated that deliveries are expected 7:00 AM to 4:00PM; and

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

WHEREAS: The applicant understands that there is no parking available around the building and their guests will have to take public transportation or meet their car service at an adjacent block; and

WHEREAS: The establishment has been advised that they are 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 Restaurants Associates LLC at **3 World Trade Center/175 Greenwich Street**, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	5 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	36 In Favor	1 Opposed	4 Abstained	0 Recused

RE: **45 John Street**, new application for a full service liquor license for Suited Curation LLC d/b/a Suited Curation

WHEREAS: The applicant, Suited Curation LLC d/b/a Suited Curation at **45 John Street**, is applying for a new on-premise full service liquor 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 establishment is a Restaurant/cafe with meeting facilities in the lower lobby level, with a total of 1,000 square feet, it will have 7 tables and 15 seats; and

WHEREAS: The hours of operation will be Mon– Sat: 7am-11pm, Sun: 10am-11pm; and

WHEREAS: The applicant has indicated that there **will** be recorded background music, from a minimal amplifier sound system with 8 speakers and no tvs; and

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

WHEREAS: The applicant has indicated that the windows will closed; and

WHEREAS: The applicant has indicated that deliveries are expected during the day before 5:00PM; and

WHEREAS: The applicant has indicated that they intend to apply for a sidewalk cafe license; and

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

THEREFORE
BE IT
RESOLVED

THAT: CB1 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 Suited Curation LLC d/b/a Suited Curation at **45 John Street**, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	4 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	29 In Favor	5 Opposed	5 Abstained	0 Recused

RE: Aurora Tourism Services LLC bus stop request across from 100 Broadway

WHEREAS: Tourism is continuing to recover in Downtown post-pandemic increasing the use of and need for services and infra-structure; and

WHEREAS: Tour bus operator, Aurora Tourism Services LLC (dba New York Iconic Cruises), a new minority-owned business, has submitted a new bus stop application for a bus stop that they can use in the Financial District (FiDi) neighborhood of Manhattan Community District 1 (MCD1); and

WHEREAS: The location of the bus stop that was assigned by the New York City (NYC) Department of Transportation (DOT) is on the west side of Broadway, north of Trinity Church and across the street from 100 Broadway. The block with this existing bus stop has a bus lane along the entire block and is sign posted No Standing (Monday-Saturday); and

WHEREAS: Aurora Tourism plans to make four daily (Monday-Sunday) trips. The planned bus stop arrivals for pickups and/or drop offs will be: 8:00 AM, 10:00 AM, 4:00 PM and 6:00 PM; and

WHEREAS: One other company, Gray Line New York Tours, Inc., has DOT permission to use the bus stop that New York Iconic Cruises is requesting. Gray Line is permitted to have daily arrivals every 20 minutes from 9:45 AM to 11:56 PM. The DOT reports that the current bus stop length can accommodate two buses and no additional bus can be added to that stop; and

WHEREAS: Two other bus stops are on the south end of the same block near Rector Place. One is an MTA bus stop for the M55. The other is a second tour bus stop and is posted for Big Bus, which operates a daily hop on/hop off service at 10-15 minute intervals. These buses contribute to the demand and would be affected by two hop-off hop-on bus tour companies stopping across from 100 Broadway; and

WHEREAS: Broadway's one lane for through traffic is already a congested without more buses that could slow it further when they have to leave the bus lane in order to get around other buses that are stopped to pick up and drop off passengers in the bus lane; and

WHEREAS: The day after the CB1 transportation committee meeting, buses were observed using that bus lane and bus stop, creating the heavy use and traffic backup that concerns CB1 members; and

WHEREAS: There is concern about the potential for sidewalk crowding due to people waiting for the bus to arrive and when a group exits the bus although the DOT judges the sidewalk width to be adequate at assigned stop; and

WHEREAS: CB1 supports tourism and new minority owned businesses like Aurora Tourism Services. However, the demand that is being scheduled on that block of Broadway, frequently results in congestion as the buses stop for four to six minutes each to drop off and pick up passengers; and

WHEREAS: Tourism provides significant income for the small businesses, tourist sites and city government so its recovery is an important step in MCD1's recovery post-pandemic. However, there are concerns about crowding and congestion that the DOT needs to reanalyze; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 (MCB1) supports Aurora Tourism Services LLC (dba New York Iconic Cruises) request to make four daily (Monday-Sunday) stops for pick-ups and/or drop offs at: 8:00 AM, 10:00 AM, 4:00 PM and 6:00 PM at the requested bus stop across from 100 Broadway as long as:

- Sidewalk crowding does not become a source of common complaints and
- The buses do not cause traffic backup on Broadway to result or worsen; and

BE IT
FURTHER
RESOLVED

THAT: MCB1 implores the New York City (NYC) Department of Transportation (DOT) to consider assigning Aurora Tourism Services to a bus stop on Trinity Place rather on Broadway in order to avoid CB1's concern about adding to the traffic congestion that is already too common on Broadway.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	3 Abstained	0 Recused

RE: Request to Extend the PATH train to Newark International Airport

WHEREAS: The City of New York (NYC) is virtually alone among the world’s large international business districts without a direct mass transit link to an international airport, a growing disadvantage for companies, cultural institutions, clients and customers;¹ and

WHEREAS: Manhattan Community Board 1 (MCB1) has advocated for a one-seat ride to the airport for well over a decade to benefit residents, workers and visitors to the area;^{2, 3} and

WHEREAS: In February 2014, the Port Authority of New York and New Jersey (PANYNJ) announced a project to extend the World Trade Center (WTC) Port Authority Trans-Hudson (PATH) to Newark Liberty International Airport (EWR), which would have given travelers a one seat ride to/from Manhattan Community District 1 (MCD1) to the airport; and

WHEREAS: The Lower Manhattan business district in MCD1, known as the Financial District (FiDi) or Wall Street, is a global center for commerce, housing Wall Street, the New York Stock Exchange, the Federal Reserve Bank of New York and other major companies representing the real estate, insurance, technology, healthcare, and creative industries; all within walking distance of the WTC PATH station. It is also home to the Performing Arts Center at WTC , a major international cultural institution that will attract audiences across the globe to visit and experience artists in music, theater, opera, and more.

¹ Statement by Ric Clark, Chair and Jessica Lappin, President of the Downtown-Lower Manhattan Association, <https://d-lma.com/2023/03/16/statement-clark-lappin/>, posted March 16, 2023.

²McVay Hughes C speaking for Manhattan CB1; Testimony for the Metropolitan Transit Authority’s (MTA) 2015 – 2019 Capital Program; <https://www.nyc.gov/assets/manhattancb1/downloads/pdf/testimonies/08-07-2014.pdf>, accessed March 13, 2023.

³ <https://www.nyc.gov/assets/manhattancb1/downloads/pdf/district-needs/FY2016.pdf>, pp 8-9.

- WHEREAS: Extending PATH 2.4 miles from Newark Penn Station to Newark Liberty International Airport (EWR) would create a single seat 36 minute ride between the WTC and EWR. In 2019, it was projected to serve 2.5 million riders, growing to 3.6-4.3 million riders over 20 years;⁴ and
- WHEREAS: Currently, PATH trains to/from Newark run around the clock along four routes serving 13 stations. Two routes, one to Lower Manhattan (WTC) and one to Midtown Manhattan (33rd St.), operate weekends, late nights and holidays; and
- WHEREAS: Extending the PATH to Newark Liberty Airport would also benefit passengers to/from Midtown Manhattan, including business and leisure travelers by creating a single fare and single system connection between EWR and 33rd Street, approximately a 10 minute walk away from Penn Station; and
- WHEREAS: The Port Authority has, and uses, a curfew rule that gives them the right to close LaGuardia Airport (LGA) to fixed wing air traffic from 12:01 am to 6:00 am. While this provides noise abatement and allows repairs and cleaning to be done without airport operations occurring, it limits the departure times possible for incoming travelers; and
- WHEREAS: A midnight closure at LGA makes it difficult to fly after work from other time zones in the USA, especially if there are any weather or equipment delays. In contrast, EWR has 24 hour operations that allow business and other in-coming travelers to take evening flights, even with some delays, and still get to Lower or Midtown Manhattan without their flight being rerouted or canceled; and
- WHEREAS: At a March 16, 2023 meeting of the Port Authority Commissioners, it was announced that the PATH Rail Extension Project,⁵ as proposed in the Authority's 2017-2026 Capital Plan, is being deferred to a future capital plan due to a funding shortfall;⁶
- WHEREAS: MCD1 is located in Manhattan's Central Business District (CBD) and will be subject to congestion pricing intended to reduce road congestion and air pollution. Therefore, it is essential that the district has a cost and time effective mass transit option, rather than taxis and shuttle vans, to an international airport; and
- WHEREAS: It is important that extending the PATH continues to be as affordable so no fare increases or surcharges should occur in order to extend the WTC line to EWR; and

⁴ Regional Plan Association (2019); Extending PATH to Newark Airport: Taking the PATH to Newark Airport, <https://rpa.org/work/reports/taking-the-path-to-newark-airport>, accessed April 13, 2023.

⁵ <https://www.panynj.gov/path/en/modernizing-path/extension-project.html>

⁶ <https://www.youtube.com/watch?v=AyWNE0i4IeY>

WHEREAS: MCB1 has been requesting one seat rides to airports for two decades. Progress has already been made toward creating and funding the PATH extension that would create a vital mass transit link between MCD1 and Newark International Airport. The PATH Extension Project needs to be restarted; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 (MCB1) shares the Downtown Alliance's concern about yet another pause in creating a one seat ride between the World Trade Center PATH station in Lower Manhattan and Newark Liberty International Airport (EWR); and

BE IT

FURTHER

RESOLVED

THAT: MCB1 implores:

- Governor Kathy Hochul to work with the New York New Jersey Port Authority (NYNJPA) to reactivate the Port Authority Trans-Hudson (PATH) Extension Project so to seamlessly connect Lower Manhattan and Midtown to Newark Liberty International Airport (EWR);
- Our New York State elected officials to work with the governor to get this project restarted; and
- Congressman Dan Goldman, Senator Chuck Schumer, Senator Kirsten Gillibrand and federal transportation officials to help identify and secure federal funds that can be used to connect Lower Manhattan and Midtown to Newark Liberty International Airport (EWR) via the Port Authority Trans-Hudson (PATH) train.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MAY 23, 2023

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	1 Opposed	2 Abstained	0 Recused

RE: Request for the Formation and Funding of the West Side Resiliency Task Force

WHEREAS: In 1986, a diverse group of 22 stakeholders, elected officials, government agency leaders, came together with the support of former Governor Cuomo and Mayor Koch to form the *West Side Task Force* tasked with creating a plan to transform a decrepit shoreline of deteriorating piers-into the world class open public space that is today, the beloved Hudson River Park; and

WHEREAS: In 2012, the impacts of climate change became a reality with Superstorm Sandy and it was at this time that Manhattan Community Boards 1 and 2 (CB1, 2) along with *Rebuild by Design* began discussions to organize a successor to the 1986 West Side Task Force; and

WHEREAS: The original 1986 *West Side Task Force* presents today's Manhattan coastal communities with an effective and replicable model of how to create new political momentum to solve the effects of climate change, arguably the greatest modern planning crisis of this century; and

WHEREAS: The Mayor's Office of Climate and Environmental Justice (MOCEJ) resiliency plans do not include any resiliency measures– interim or permanent– for the west side of Manhattan, between Chambers Street and 59th Street, leaving proposed measures here to be studied solely by the federal government with the United States Army Corps of Engineers (USACE) New York and New Jersey Tributary Study (HATS); and

WHEREAS: The preliminary HATS was completed in March 2023 and comments on the HATS from all City and State agencies (MOCEJ, DCP, DEC), the City's non for profit environmental community, and all west side Manhattan community boards reflect the urgent need for further study of the west side of Manhattan with most groups on record, rejecting the USACE proposed shore based measures (concrete wall) identified for the west (and east) side in the HATS TRP1 (spell out); and

WHEREAS: On February 14, 2023, The Hudson River Park Advisory Council and Chairs of Manhattan Community Boards 1, 2 and 4 wrote Governor Kathy Hochul and Mayor Eric Adams urging for the formation of a west side waterfront task force which would address “enhancing resilience, restoring the estuary, and redesigning Route 9A...”; and

WHEREAS: On March 16, 2023 Congressman Dan Goldman (NY-11) and CB1 co-hosted a Town Hall endorsing the formation of a West Side Resiliency Task Force to ensure a holistic review and understanding of all federal, state and city resiliency plans; and

WHEREAS: The *West Side Resiliency Task Force* (WSRTF) would be responsible for the study and review of the coastline from Chambers Street, north of the Battery Park City Authority’s jurisdiction up to 59th Street (where Route 9A ceases to run at grade w/ coastal park land) and would , include Manhattan Community Boards, 1, 2, 4 and 5. The western extent of the research area will follow the coastline and the waters that are outside the navigable waterway and the eastern catchment should include the areas that are within the most current FEMA flood maps; and

WHEREAS: The WSRTF would be responsible for comprehensive resiliency planning for the west side of lower and midtown Manhattan and would include an in depth review of all infrastructure including Route 9A (aka West Street), surface and subsurface utilities sewage and drainage systems, automobile and ferry traffic studies, bike paths, pedestrian traffic flow, current and future trends of the roadway, ferry use, etc.; and

WHEREAS: The Task Force would be mandated to review ALL federal, state and city coastal resiliency plans holistically, providing a complete and comprehensive explanation and understanding of the cost benefit of each plan and how each plan would be integrated with all others and their impacts on the all aspects of the affected communities’ quality of life; and

WHEREAS: The Taskforce will work to identify funding sources and timelines and illustrate pathways to deliver funding for the ultimate vision for Manhattan’s west side; and

WHEREAS: The Task Force would ensure that its members are in regular communication with all stakeholders on project finance, design priorities, timing, approvals, deliverables, and implementation, and will present its findings at multiple public engagement events and meetings, ensuring a robust public review process; and

WHEREAS: The Task force membership should include climate and resiliency experts and the key stakeholders of Manhattan’s west side. Included should be city and state officials from the Governor, and Mayor’ staffs; representative s from the offices of the Congressman, Manhattan Borough President, City Council; Commissions and agencies involved at Federal, City and State levels including MOCEJ, HRPT, BPCA, DOT, DEC, DEP, USACE, DCP, EDC; Reps from CB’s 1,2, 4, and 5, and

select non profits including the Hudson River Foundation, preservation groups including GVSHP, High Line, Rebuild by Design, Waterfront Alliance, Tribeca Trust, transportation planner, resiliency experts including an engineer, landscape architect, architect , a legislative affairs person , members from the private sector familiar with the real estate industry, and representatives from Community Boards, 1, 2, 4 and 5; and

WHEREAS: Based on the experience of the original 1986 West Side Task Force, the anticipated time for the research phase is estimated to take 6 months to a year with financing provided from city, state and federal green infrastructure funding programs; now

THEREFORE

BE IT

RESOLVED

THAT: CBI urges Governor Hochul and Mayor Adams to form and fund the *West Side Resiliency Task Force* as soon as possible to ensure effective resiliency measures are carefully, comprehensively and holistically considered for the West Side of Manhattan from Chambers Street to 59th Street.