

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 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:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **120 Broadway**, application for a method of operation change for an on-premise full service liquor license for Great Performances/Artists as Waitresses, Inc.

WHEREAS: The applicant, Great Performances/Artists as Waitresses, Inc, at 120 Broadway is applying for a method of operation change to update their hours of operation for their restaurant's 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 current hours of operation is from 8:00AM - 9:00PM Monday to Friday indoors and 8:00AM - 8:30PM Monday to Friday outdoors. The method of operation change will update new hours of operation for the bar to 8:00AM - 12:00AM Monday to Friday indoors and 8:00AM - 11:00PM outdoors, closed Saturday and Sundays; and

WHEREAS: The establishment is a restaurant on the 40th floor with a total of 6,887 square feet which includes the Dining area, Rooftop terrace, and Kitchen Area there will be a public capacity of 434 people with 24 tables and 132 seats, and 1 stand-up bar; and

WHEREAS: The applicant has represented that there will be recorded background music from 16, Creston PD8T pendant ceiling speakers, no subwoofers and 2 TV monitors and the applicant has agreed to abide by the CB1 definition of background music, such that no sound will be heard outside by neighbors; 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 they do not plan to have bicycle delivery personnel but delivery services will be conducted during 6:00AM - 10:00PM; and

WHEREAS: The applicant has indicated that they intend to uphold all other previous agreements made with the Community Board regarding the method of operation as per the previous resolution dated, May 28th, 2019; 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, and agrees to post a copy of that stipulation agreement near their liquor license; 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, Wine, Beer and Cider license for Great Performances/Artists as Waitresses, Inc at 120 Broadway, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 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:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **New Amsterdam Pavilion, Peter Minuit Plaza**, application for a new application and temporary retail permit for a wine, beer and cider license for Belgo CRT LLC

WHEREAS: The applicant, Belgo CRT LLC, at New Amsterdam Pavilion, Peter Minuit Plaza is applying for a new application and temporary retail permit on-premise 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 establishment is a tavern with a total of 2600 square feet which includes a pavilion with only one floor. North wing used for food and drink, west wing for dessert, there will be a public capacity of 74 people with 22 tables with 62 seats; and

WHEREAS: The applicant has represented that there will be live and recorded background music from small sonos speakers on poles around seating area, no TVs or monitors; and

WHEREAS: The hours of operation will be 9:00AM - 10:00PM Sunday to Wednesday, 9:00AM - 12:00AM Thursday to Saturday; and

WHEREAS: The applicant has represented that the live music will be May to October, only on Friday and Saturdays during the hours of operation and until 6PM on Sundays; and

WHEREAS: The applicant has represented that their staff along with Battery Park security will ensure that capacity is not exceeded; and

WHEREAS: The applicant has indicated that they do not plan to have bicycle delivery personnel but will receive delivery services at 8:00AM; and

WHEREAS: The applicant has signed and notarized a stipulations sheet, and agrees to post a copy of that stipulation agreement near their liquor license; now

THEREFORE

BE IT

RESOLVED

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

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider license for Belgo CRT LLC at New Amsterdam Pavilion, Peter Minuit Plaza, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 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:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **185 Greenwich Street**, application for a new application and temporary retail permit for a wine, beer and cider license for Legends Hospitality, LLC

WHEREAS: The applicant, Legends Hospitality, LLC, at 185 Greenwich Street, Legends Hospitality, LLC is applying for a new application and temporary retail permit on-premise Wine, Beer and Cider license

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 10:00AM - 10:00PM Monday to Sundays; and

WHEREAS: The establishment is a holiday popup during the winter seasons, November to February, with a total of 1930 square feet on the first floor, there will be 10 tables with 75 seats, and 1 service bar; and

WHEREAS: The applicant has represented that there will be recorded background music and a DJ, no subwoofers from Oculus Audio System 10, and no TVs or monitors; and

WHEREAS: The applicant has represented that DJs will be independent and they will also engage security personnel for the establishment; and

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

WHEREAS: The applicant has indicated that they do not plan to have bicycle delivery personnel but will receive delivery services between 8:00AM - 5:00PM; 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 large venue stipulations sheet, and agrees to post a copy of both stipulation agreements with their liquor license; 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 Wine, Beer and Cider license for Legends Hospitality, LLC at 185 Greenwich Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **21 Dey Street**, application for a new application and temporary retail permit for a wine, beer, cider license for Legends Hospitality, LLC

WHEREAS: The applicant, Legends Hospitality, LLC, at 21 Dey Street is applying for a new application and temporary retail permit on-premise Wine, Beer and Cider license

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 10:00AM - 10:00PM Monday to Sundays; and

WHEREAS: The establishment is a tavern utilizing the cellar, first, second and third floor, featuring art and tech exhibits with a total of 12,358 square feet, a public capacity of 1017 people with 8 tables and 32 seats, and 2 food counters; and

WHEREAS: The applicant has indicated that there will be live and recorded background music, as well as a DJ. Sound equipment includes Sonance, Holoplot, 4Dsound and Brown Innovations, no TVs or monitors; and

WHEREAS: The applicant has agreed to no more than 48 buyouts per year, at 4 per month but with the ability to borrow for December. Capacity will be under 550 persons for the buyouts; and

WHEREAS: The applicant has represented that there will be fiberglass insulation and acoustic curtains for soundproofing; and

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

WHEREAS: There will be an average of 4 security guards and 1 security supervisor; and

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

WHEREAS: There will be no bicycle delivery but will receive delivery services between 6:00AM - 10:00AM; and

WHEREAS: The applicant will use the existing carting company that Century 21 uses; and

WHEREAS: The applicant has agreed to provide the CB with a traffic plan for their events, which includes, designated pick up/drop off areas and personnel to ensure that the flow of vehicular and pedestrian traffic is not impeded and will also encourage the use of public transportation on any event invites, posters, notices, etc; 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 large venue stipulations sheet, and agrees to post a copy of both stipulation agreements with their liquor license; 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 Wine, Beer and Cider license for Legends Hospitality, LLC at 21 Dey Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 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:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **136 William Street**, application for a new application and temporary retail permit for a wine, beer, cider license for Koba Fidi Corp

WHEREAS: The applicant, Koba Fidi Corp, at 136 William Street, is applying for a new application and temporary retail permit on-premise 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 11:00AM - 9:00PM Monday to Saturday; and 12:00PM - 9:00PM on Sundays; and

WHEREAS: The establishment is a restaurant with a total of 2500 square feet which includes the Dining area, and Kitchen Area there will be a public capacity of 40 people with 8 tables and 20 seats; and

WHEREAS: The applicant has represented that there will be recorded background music from 6 speakers in final hall and no subwoofers; and

WHEREAS: The applicant has represented that there will be live and recorded music along with a DJ

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

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

WHEREAS: The applicant has indicated that they will have bicycle delivery personnel and inform them of the DOT bicycle rules; and

WHEREAS: The applicant has indicated that they will have delivery services will be conducted during 12:00PM - 8:00PM; and

WHEREAS: The applicant has signed and notarized a stipulations sheet, and agrees to post a copy of the stipulation agreement along with their liquor license; now

THEREFORE

BE IT

RESOLVED

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

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their new application and temporary retail permit for on-premise Wine, Beer and Cider license for Koba Fidi Corp, at 136 William Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 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:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **1 Fulton Street**, application for an alternation for a full service liquor license for HHC Fulton Retail LLC, Snack Out | Bar Snack | The Lawn Club

WHEREAS: The applicant, HHC Fulton Retail LLC, Snack Out | Bar Snack | The Lawn Club, at 1 Fulton Street, is applying for an alteration of on-premise Liquor, Wine, Beer and Cider license, to reduce seating to make room for more games; 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 remains the same, 8:00AM to 2:00AM Monday to Saturday and 10:00AM - 1:00AM Sunday; and

WHEREAS: The Community Board previously approved the addition of an adjacent space, addition of two stand up bars and one service bar in the new adjacent space, that plan was since modified to include the same adjacent space but with only one stand up bar and the service bar, with an addition of relocation of the old/existing horseshoe bar in the same adjacent space; and

WHEREAS: The establishment is a restaurant with comfort food and indoor lawn games and will retain operational capacity of 200 persons per previous resolution; and

WHEREAS: The applicant has represented that there will be recorded background music, live music in the form of local act/jazz band, all indoors only, no DJs, no promoted events, non- non-musical entertainment, buyouts are two per year, all as per the previous resolutions; and

WHEREAS: There will be no other method of operation changes made and applicant as agreed to abide by the previous resolutions dated September 30, 2021 and May 22, 2018; and

WHEREAS: The establishment does not intend to apply for a DOT open restaurant sidewalk;
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 large venue stipulations sheet, and agrees to post a copy of both stipulation agreements with their liquor license; now

THEREFORE

BE IT

RESOLVED

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

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their alteration for on-premise Liquor, Wine, Beer and Cider license for HHC Fulton Retail LLC, Snack Out | Bar Snack | The Lawn Club at 1 Fulton Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 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:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **127 John Street**, application for a class change to upgrade to a full service liquor license for Hey Thai Inc

WHEREAS: The applicant, Hey Thai Inc, at 127 John Street, is applying for an class change for to upgrade to 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 11:00AM - 11:00PM Sunday to Thursday, 11:00AM -12:00AM Friday and Saturday; and

WHEREAS: The establishment is a restaurant on the ground floor with a total of 1300 square feet which includes the Dining area, Bar Area, and Kitchen Area with 16 tables with 42 seats, and 1 bar; and

WHEREAS: The applicant has represented that there will be recorded background music from small speakers at the bar and CD player; and no TVs or monitors; and

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

WHEREAS: The applicant has indicated that the will have third party food delivery personnel, that they will make sure the service complies with all regulations especially for “E bikes”; and

WHEREAS: The applicant has indicated that they will receive delivery services between 3:00PM - 5:00PM Monday to Saturday; and

WHEREAS: The applicant has signed and notarized a stipulations sheet, and agrees to post a copy of that stipulation agreement near their liquor license; now

THEREFORE

BE IT

RESOLVED

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

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their class change for on-premise Liquor, Wine, Beer and Cider license for Hey Thai Inc at 127 John Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	2 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **89 South Street**, application for method of operation change for a full service liquor license for VB Pier 16 LLC, Cobblefish

WHEREAS: The applicant, VB Pier 16 LLC, Cobblefish, at 89 South Street, is applying for a method of operation change as there will be no roof, add a DJ and dancing and operate year round instead of seasonal, for on-premise Liquor, Wine, Beer and Cider license

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 is currently 9:00AM - 1:00AM Monday to Sundays and there are to be no changes; and

WHEREAS: The establishment is a casual eatery on Pier 16 with a total of 3200 square feet which includes the Dining area, Bar Area, and Kitchen Area there will be a public capacity of 185 people with 40 tables and 160 seats, and 1 bar with 6 additional seats; and

WHEREAS: The applicant has represented that there will be a DJ, live and recorded background music from low wattage speakers, no TVs or monitors; and

WHEREAS: The applicant has represented that they will have dancing and employ 3 licensed security personnel to maintain order and crowd control from 7PM to 1AM, 7 days per week; and

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

WHEREAS: The applicant has indicated that they will receive delivery services between 6:00AM - 9:00AM; 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 large venue stipulations sheet, and agrees to post a copy of both stipulation agreements with their liquor license; 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, Wine, Beer and Cider license for VB Pier 16 LLC, Cobblefish at 89 South Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: **200 Church Street**, application for a new application and temporary retail permit for a full service liquor license for 200 church HBM LLC, d/b/a Rafael

WHEREAS: The applicant, 200 church HBM LLC at 200 Church Street, is applying for a new application and temporary retail permit for an 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 9:00AM - 10:00PM Sunday, 9:00AM - 12:00AM Friday to Saturday & 9:00AM - 11:00PM Monday to Thursday; and

WHEREAS: The establishment is a mediterranean restaurant with a sidewalk cafe, with a total of 3,500 square feet which includes the ground floor, mezzanine, second floor and basement, there will be a public capacity of 174 people with 53 tables with 114 seats, 2 stand up bars; and

WHEREAS: The establishment intends to have seating on the terrace and has agreed to terrace seating only on Duane Street and none on Church Street and has agreed to close the windows; and

WHEREAS: The applicant has represented that there **will only** be recorded background music from 12, 5 inch, 0.9 amperage speakers that are small computer generated speakers, no Tvs, no DJs, no subwoofers and no music outside; and

WHEREAS: The residents of the building expressed their concerns to the applicant regarding the assessment of music and noise levels in the restaurant so as not to impact the apartments above and requested additional soundproofing if the volume was not within an acceptable range; and

WHEREAS: The establishment intends to apply for sidewalk café license; and

WHEREAS: The applicant has indicated that deliveries are conducted via Uber eats or Grubhub services on premise between 8:00AM and 12:00 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 large venue stipulations sheet, and agrees to post a copy of both stipulation agreements with their liquor license; 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, Wine, Beer and Cider License for Rafael Hasid, d/b/a Miriam at 200 church St **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: **81 Warren Street**, application for a new application and temporary retail permit for a full service liquor license for TAQ New York LLC

WHEREAS: The applicant, TAQ New York LLC at 81 Warren Street, is applying for a new application and temporary retail permit for an 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 - 10:00PM Monday to Sunday; and

WHEREAS: The establishment is a taco restaurant on the first floor, with a total of 1,500 square feet which includes the dining area, kitchen area and bathroom with 12 tables with 40 seats, 1 bar with 15 additional seats for a total of 55 seats; and

WHEREAS: The applicant has represented that there **will only** be recorded background music from 4 wall mounted JBL speakers, 250 watt, and no TVs; and

WHEREAS: The establishment intends to apply for sidewalk café license; and

WHEREAS: The applicant has indicated that windows will be open 12:00 PM - 10:00 PM weather permitting and security will be employed on premises during these hours 7 days a week; and

WHEREAS: The applicant has indicated that deliveries will be received between 9:00AM to 5:00 PM; and

WHEREAS: The applicant has signed and notarized a large venue stipulations sheet, and agrees to post a copy of both stipulation agreements with their liquor license; now

THEREFORE
BE IT
RESOLVED

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

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes the granting of their new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider License for TAQ New York LLC at 81 Warren Street **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Holland Tunnel Rotary Park Resiliency Project



rotary as sponge
in three phases:

1: SPONGE AT ROTARY CENTER

30% greenscape
70% Hardscape

EASY

2: SPONGE AT PERIMETER

60% greenscape
40% Hardscape

MEDIUM

3: PERMEABLE PAVEMENT AT ROADWAY

100% greenscape
0% Hardscape

HARD

WHEREAS: CB1 passed a resolution on 12/22/2020 (attached) in support of concept plans to create a new public space at the Holland Park Rotary in North Tribeca, requesting the designers and founders of Rotary Park, Peter Ballman and Dasha Khapalova consider incorporation of resiliency measures to address the acute environmental challenges at that location; and

WHEREAS: The designers have modified their original proposal and presented a new design for the 5.5 acre area which includes, during the first phase of development, the transformation of the central 1.5 acre area of the Rotary (70% of which is covered in hardscape) into a resilient greenscape, referred to as a “sponge” to be planted with resilient materials including native shrubs and grasses, and in a later phase of development, the perimeter transformed into accessible, resilient, greenscape; and

WHEREAS: The Rotary is under multiple jurisdictions including the Port Authority of New York and New Jersey (PANYNJ) at the Rotary Center and the NYC Department of Transportation and Department of Parks and Recreation at the perimeter requiring the transformation of this area to have agreement from all agencies, all of whom the designers confirm are aware of the Rotary Park proposal; and

WHEREAS: Committee members raised questions about the financing of the project and whether PANYNJ will allow for the development of the central portion of the Rotary which is currently used as a staging ground; and

WHEREAS: A Committee member recommended the designers consider the use of high density plantings called miniforests (referred to as Miyawaki Forests, named after Akira Miyawaki) which are considered highly beneficial for air quality issues and flooding; and

WHEREAS: Committee members suggested at the presentation in 12/'20 and again at the recent EPC meeting that the underground area below the central existing Rotary (which is approximately 3 to 4' higher than the adjacent perimeter area) be used as a catch basin for potential area flooding which the designers are exploring for a later phase of development; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 supports the laudable goal to transform the Holland Rotary into an “environmental asset, a public amenity and piece of vibrant green infrastructure” as stated by the designers, and supports the concept plans to transform the Rotary into a resilient greenscape; and

BE IT

FURTHER

RESOLVED

THAT: CB1 looks forward to inviting the Rotary Park team to return to CB1 to present the further developments and financing ideas for this excellent and much needed project.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 22, 2020

COMMITTEE OF ORIGIN: WATERFRONT, PARKS & CULTURAL

COMMITTEE VOTE:	10 In Favor	1 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: Holland Tunnel Rotary Park

WHEREAS: Architects Dasha Khapalova and Peter Ballman have presented a vision for a potential new park that would occupy the Holland Tunnel Rotary and presented their innovative proposal to the Community Board 1 (CB1) Waterfront, Parks and Cultural Committee for feedback on December 15th; and

WHEREAS: Their plan which sinks the park beneath the ramps would enable the public to use this large open space that has been off limits to the public for almost 100 years and provide Tribeca with another needed park; and

WHEREAS: Their preliminary plan offered a range of possible active and passive uses along with possibly 70,000 sf of indoor space for dining or other uses; and

WHEREAS: Most members of the committee were pleased and even excited by this concept that would create more function and beauty in this space and in the course of our discussion many also wanted to see if was possible to incorporate resiliency measures since the rotary is located in a section of Tribeca flooded during Superstorm Sandy; and

WHEREAS: The architects agreed to take back that recommendation and others that arose to refine their plans; and

WHEREAS: This project does not have funding or clear cost estimates at this stage nor the endorsement of the Port Authority (PA) which owns the property but we were informed that the PA is aware of this plan and they appear to be circulating it internally at this stage; and

WHEREAS: Both the architects and the committee would like to see more community engagement and feedback; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 supports the concept of a park and resiliency resource at this location; and

BE IT
FURTHER
RESOLVED

THAT: CB1 applauds, encourages and supports the effort that has been made thus far; and

BE IT
FURTHER
RESOLVED

THAT: Before CB1 can endorse any specific design, we would want to see more public engagement with relevant stakeholders; and

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

COMMITTEE VOTE:	11 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	1 Opposed	5 Abstained	0 Recused

RE: Battery Park City North West Resiliency Project at Phase of 30% Completion



Public Engagement

WHEREAS: The Battery Park City Authority (BPCA) hosted a community meeting reviewing the North West Battery Park City Resiliency Project (NWBPCR) at 30% design completion on 6/26/23 attended by 230 participants, and had previously hosted 4 workshops looking at 2 areas (referred to as “Reaches”) at each meeting including, including Rockefeller Park and Belvedere Plaza (2/8/23), Tribeca and North Esplanade (2/16/23), South Esplanade and South Cove (3/6/23) and North Cove (3/15/23), with all meetings held remotely and in person at Stuyvesant High School in lower Manhattan; and

WHEREAS: To date BPCA has not provided a presentation to CB1 on the NWBPCR Project as was provided at the 6/26 community meeting at Stuyvesant High School; and

WHEREAS: BPCA set the deadline to receive public comments on the plans presented at the 6/6/23 Community Meeting for 9/30/23, and to date BPCA has not provided answers to the outstanding questions posed by the community which were to be provided to CB1 by 9/22/23; and

WHEREAS: BPCA confirmed at CB1's Environmental Protection Committee (EPC) meeting on 9/18/23 that a public meeting will be scheduled in November this year after the close of the current public comment period and confirmed that the presented designs in November will be less than 60% complete, assuring that public comments may still affect modifications to the design; and

WHEREAS: BPCA confirmed that Reach 1 (Tribeca/Borough of Manhattan Community College/Hudson River Park (HRP)), Reach 2 (North Esplanade) and Reach 5 (North Cove) are areas which have not yet reached 30% design and that the Authority will return to the community with the design alternatives for these areas this year; and

WHEREAS: BPCA confirmed they will provide site walking tours of the NWBPCR Project area on two weekdays and one weekend date by the end of October '23; and

WHEREAS: BPCA confirmed they will provide a presentation to CB1 in October '23 which will include answers to all questions posed to the Authority thus far on the Reaches which have been summarized in a document entitled "Unanswered Questions from the NWBPCR Project (attached and included as part of this resolution); and

WHEREAS: BPCA confirmed their presentation to CB1 in October '23 will include a presentation on the Park's drainage plans where engineers will be present to address additional questions about water velocity's effect on the park; and

Public Comments (to date)

WHEREAS: CB1 issued a resolution on the NWBPCR Project Draft Scope of Work on 12/21/22 which includes important comments on what the community would like to see as part of the project going forward; and
See attached documents.

WHEREAS: CB1 and the community at large have since posed many questions to BPCA on the NWBPCR Project as noted online on the BPC website and summarized in the CB1 document entitled *Unanswered Questions from the NWBPCR Project*, August 2023 (attached and included as part of this resolution); and

WHEREAS: CB 1 has supported via resolution (5/23/23) the formation of a *West Side Resiliency Task Force* (WSRTF) to review all federal, state, and city coastal

resiliency plans along the west side of Manhattan to “ensure effective resiliency measures are carefully, comprehensively and holistically considered...”; and

WHEREAS: CB1 has compiled a summary of primary public concerns to be addressed which include (and are not limited) to the following:

- 1) **need to provide a holistic understanding of the resiliency plans for the entirety of the park clarifying how each area (Reach) ties to the next and how the NWBPCR Project plans interface with the U.S. Army Corps of Engineers’ (USACE) and the city’s resiliency plans;**
- 2) **need to address all quality- of- life concerns prioritizing the maintenance of all “green” natural elements of the park and prioritizing access to adequate air, light and views;**
- 3) **need to preserve and enhance the character, accessibility, including universal access, of the park while prioritizing resiliency;**
- 4) **need to clarify and minimize the impacts the plans will have on open space, playgrounds, tree coverage, bike and pedestrian access;**
- 5) **need to better understand the plan’s impact on traffic patterns, parking, pedestrians and bikers at different times of the day inclusive of providing data with future projections;**
- 6) **need to better understand the schedule and timelines of the project;**
- 7) **need to better understand the cost of the project and funding sources;**
- 8) **need for clearer presentations and walking tours of the site;**
- 9) **need for more advance communication regarding dates of meetings with better advertising offline through various communication channels including quarterly BPCA program booklets, multilingual signage; ads in local papers, etc.; now**

THEREFORE
BE IT
RESOLVED

THAT: That the aforementioned summary of primary public concerns (in **bold** above) be addressed at an upcoming meeting at CB1 to be scheduled this fall and that this presentation include answers to all outstanding questions prior to moving past the 30% design phase of the NWBPCR project; and

BE IT
RESOLVED
FURTHER

THAT: CB1 requests BPCA extend the deadline for receipt of public comments on Reaches 3, 4 and 6 until after the site walking tours are provided in October '23 and that the public comment deadline for Reaches 1, 5, and 7 be determined after the BPCA promised updates on these Reaches are provided in November; and

BE IT
FURTHER
RESOLVED

THAT: CB1 requests all site walking tours include effective microphones and that the site tours be videotaped and shared with the general public and that tours be scheduled in the morning and afternoon; and

BE IT
FURTHER
RESOLVED

THAT: CB1 requests BPCA provide as part of their next public presentation a description of what changes have and have not been incorporated in the updated designs based on the public's comments to date; and

BE IT
FURTHER
RESOLVED

THAT: CB1 requests that all presentation materials include: legible drawings with colors coded to better identify the difference between permanent flood walls, deployable walls and gates; wall heights identified at high and low points; perspectives from both east and west at ground level; 3-dimensional models and fly throughs inclusive of bike paths; and

BE IT
FURTHER
RESOLVED

THAT: CB1 requests BPCA clarify: which deployable are necessary where passive solutions cannot be utilized and why; who will be responsible for deployment and what the deployment will look like; and

BE IT
FURTHER
RESOLVED

THAT: CB1 requests that transportation studies be provided which include bike paths on the esplanades and that these studies be done prior to completion of the Draft Environmental Impact Study (DEIS) to better integrate impacts to the design; and

BE IT
FURTHER
RESOLVED

THAT: CB1 requests that the BPCA adhere to the BPCA, City and CB1's adopted Resiliency Design Principles which include minimizing the use of flood walls and utilizing passive green infrastructure without compromising resiliency needs; and

BE IT
FURTHER
RESOLVED

THAT: CB1 requests that the seaward side of flood walls be designed to withstand all impacts ensuring minimal damage to landscape and amenities; and

BE IT
FURTHER
RESOLVED

THAT: CB1 urges the BPCA work with USACE to review and potentially receive a variance from the need to apply the federally required 15' Vegetation Free Zone between trees and flood barriers allowing for the potential reduction of tree removal in BPC; and

BE IT
FURTHER
RESOLVED

THAT: CB1 urges the BPCA to work closely with USACE, the Mayor's Office of Climate and Environmental Justice, Hudson River Park Trust and all other federal, state and city agencies working on resiliency measures in NYC to ensure a holistic understanding and approach is applied to lower Manhattan's resiliency planning; and

BE IT
FURTHER
RESOLVED

THAT: It has been 11 years since Superstorm Sandy devastated the coastal areas of New York City and to date there are few protections in place.
CB1 recognizes the urgency of responding to the realities of climate change as soon as possible and looks forward to being a helpful partner in the critical goal of bringing resiliency measures to lower Manhattan.

To: Tammy Meltzer
Alice Blank
Wendy Chapman

From: Nancy Viggiano

August 30, 2023

Re: Unanswered Questions from the North/West Battery Park City Resiliency Project
Reaches 3-4 and 6-7

Enclosed are the questions pulled from the comments sent to me by Lauren, the Community Board's summer intern. She highlighted the questions she found in the comments on the PDFs I received. I added a few more from those documents.

The original questions are included in the attachments as "Unanswered Questions: Reaches 3 and 4," "Unanswered Questions: Reach 6," and "Unanswered Questions: Reach 7."

In what I have labeled Appendix A and Appendix B, I tried to condense the list of questions by culling duplicates and combining topics, where possible.

My general impression is that residents, having received information in different sessions, were exposed to different topics. As a result, they do not have a clear understanding of the entire project. In the words of one participant: *How do the projects link up? We need to understand the vocabulary at a minimum. We need transparency to foster good will. We don't feel we have all the information to have an informed opinion.*

Several participants asked for a visual to scale so that they can better understand the proposals. The more accurate the model or comprehensive the computer renderings can be made; the more comfortable residents may become with what is to happen to their neighborhood.

In general, the participants seemed most concerned with:

- the need to maintain the "green" nature of the area, as well as access to air and light;
- the actual height of the flood barrier walls, which the schematics seem to show at varying heights at different places;
- the fate of the trees, open spaces, and playgrounds;
- the plan's effect on traffic patterns and parking;
- the schedule for the project;
- how much the project will cost and who is responsible for paying for it.

There were multiple questions about the timing and duration of the planned construction. In addition, residents were concerned about how the changes would affect the art on the property, as well as the effect on the Irish Hunger Memorial. The changed orientation of the ferry terminal was also mentioned.

Reading through the lists of questions will give you a better sense of what issues were raised. I hope my observations are helpful. I'm sure with your depth of experience, you'll be able to draw additional understanding from the concerns expressed.

Appendix A: Unanswered Questions
North/West Battery ark City Resiliency Project
Reaches 3 and 4

General

- Is USACE still considering the wave attenuators within the river itself in lieu of structural resiliency efforts on or near land?
- If USACE coastal resiliency is finally developed on the mid-term, protecting NY Bay as a whole, would the current system be redundant, and therefore not needed? Will the barriers be demolished after USACE builds their system?
- What if any other section of the Big U is not executed, or constructed much later than BPC sections? Would BPC still be protected?
- Is the project protecting against rain events, and water coming from “the backyard,” specifically Canal Street or the Battery Tunnel?
- Would it be possible to have all the options for each reach on one large document with side-by-side views of renderings?
- How high will the wall be? Can a rendering be produced to scale so that the it is easier to judge the actual result?
- Were the latest studies used to estimate the water level predictions? How reliable are the current models for future conditions? Is this project scalable?
- Please explain more about the “wave attenuating features” for general project understanding.

Trees

- Please explain why FEMA wants 15-ft between trees and the flood wall?
- Will the trees be relocated?
- Are the trees in the street resilient to brackish water?
- Can the work be done in winter?
- How far could the sidewalks be extended in option 1?
- In the 2-wall option, how do you keep the gap between the 2 walls clean?
- Can an exception be made for the 15’ rule at top of wall along River Terrace to not have to extend so far into RT to remove 1-2 lanes?
- How big are the average trees along the streets?
- Can the large canopy be saved?

Playground

- How long will the playground be closed under each option?
- Will playground equipment be replaced with new equipment?
- What are the timelines for the playground options?
- Will the playground be separated from the park? [The playground must not be separated from the park.]
- Is the playground going to be elevated? If so, how will you get in?

Wall/ Wall Height

- How long will the walls take to build?
- Will a taller wall that is solid create an unsafe environment on River Terrace – lack of air, light, ability to see into the park?
- Will the air be able to circulate? Are there heat mitigation plans?
- Can the wall be green with view options, not solid? Can they be living walls?
- Will higher wall make the street darker? What can be done about that?
- Why can't the existing wall be made higher to avoid street demolition?
- Will the wall be 4' or 6' high? The group felt that the height is key to making design decisions.
- Can you raise the sidewalks to reduce the apparent height of the wall?
- Can the barrier be built along the building or can the building be used as the flood barrier?
- Where along the street can pedestrians see over the flood wall and where can't they anymore?
- Is the wall height the same everywhere?
- Is the structural functionality of the flood wall different for the different options?
- How deep is the physical depth of the barrier?

Traffic Changes/Parking

- Will this option keep the parking lane? Are the traffic patterns changing?
- Are the parking options changing? How many lanes will be taken away?
- How will this plan affect traffic congestion?
- Can the width of River Terrace be changed? Can it be made one way?
- How far into River Terrace will the project go? And reduce the size of the street? What are DOT impacts?

Cost/Construction

- How will the logistics work for all of the options?
- What are the costs and schedule?
- How long will the playground and park be closed?
- How long will the project take to complete?
- Who is paying for the project? How will it affect rents and maintenance costs at BPC? Which option costs the least?

Flood Barrier System

- What are the wall height variations along the alignment?
- Can the new FBS be installed in place of the existing walls?

MISC

- Is the lawn going to be elevated?
- How will the drainage work? What happens to flood water? Where will the water go?
- Will there be more gardening opportunities in the passive berm with partial concealed flood wall?

Additional Questions in Relation to Reach 4

- Can wall height be reduced here? Grade up?
- Can alignment go behind IHM?
- Who will contact the architect and Irish Community?
- How can the tripping hazard posed by the gate tracking in the sidewalk be handled?
Concerned about children playing, elderly/disabled.
- What fills the void in the tracks? Will the system “leak”?
- Can berm be expanded to hide wall? Will saltwater kill all vegetation just beyond the wall?
- Can resiliency measures be done along the mercantile exchange vs. adding separate wall in the park?
- Can the walls be see-through?
- Why can't the wall be higher next to the lily pond?
- Can gate openings be extended?
- What, if any, mechanical parts are exposed?

Lily Pond

- If the Lily Pond is moved, could it be enlarged?
- Is the depth of the pond important for attracting birds?

Irish Hunger Memorial

- Could the sidewalks be raised to reduce the wall height with the priority to reduce the impact of the view from the Irish Hunger Memorial?
- Can the community be shown visualizations of the view from the Irish Hunger Memorial for each option, a perspective from the top of the memorial?

Heating/Cooling

- Can the cool water intake at the Bloomfield be reverting from elsewhere?

Ferry Terminal

- Is it feasible to move the terminal south?
- Will there be a foot traffic, boat traffic study? If so, can it be shared with the community?
- Why does the platform need to be replaced?
- Why can't the existing bulkhead wall in front of 300 Vesey be used?
- Is there any realistic way to get a congressional approval to change the ferry location?
- Could we turn the Ferry Terminal 45 degrees?

- Losing connection to North End Avenue and to the water along the bulkhead would be a potential issue if required – how long would that be?
- Can the terminal go back to the way it was prior to running parallel to the Hudson?
- Can terminal traffic be rerouted?

Unanswered Questions
North/West Battery ark City Resiliency
Project Reach 7

General Comments

Can the public see models?

Is there consistency to approaches across this project, specifically compared to what is being done in Wagner Park at Pier A?

Maintain Existing Features

Will any previous repair work done by the Authority be left as is or redone?

For apartments with privacy walls and gardens, will those be kept as is or added to?

Outreach

How do the projects link up? We need to understand the vocabulary at a minimum. [We need transparency to foster good will. We don't feel we have all the information to have an informed opinion.]

Can we see side by side comparisons: What the walls are now and what they will look like when installed?

Can we see 3D models or simulation videos to understand function and see how the whole project fits together.

South Cove/Lower Esplanade

What will be the material of the new northern edge of South Cove?

Is the South Cove more vulnerable than the Esplanade?

Third Place

What happens if you do not do anything? Where does the water come to? How much does it cost to always be prepared? Electrical? Manpower?

Nature Features

Has there been any discussion on the project team of proposing nature-based solutions in the water?

Appearance/Views

Are we adding new walls in place of privacy walls at apartments that have them?

Flood Barrier System

Where does the raising of the grade stop? Consider flip-up at South End Avenue if you are already raising the grade.

Can flood gates be wider?

Could oysters/grasses be added? Can they refine the impact of the wall along this corridor?

Can floating beds/other strategies be used to absorb wave impact?

Do we have information on current sea level rise?

Is this only supposed to last until 2050? Can we do more so it lasts longer? Will the system last?

Are you pushing the flood higher to other locations?

Who benefits from deployables?

Is this design based on the risk of flooding/vulnerability?

Wall

If the wall is farther away from the water, does that mean it can be lower?

How deep underground does the wall have to go?

Who determines the Flood Wall height?

How long does it take to install the stop log wall?

When would you close the deployables?

What color would the walls be?

Unanswered Questions
North/West Battery ark City Resiliency
Project Reaches 3 and 4: General Comments

HATS Study

Is USACE still considering the wave attenuators within the river itself in lieu of structural resiliency efforts on or near land?

If USACE coastal resiliency is finally developed on the mid-term, protecting NY Bay as a whole, would the current system be redundant, and therefore not needed? Will the barriers be demolished after USACE builds their system?

Other Projects

What if any other section of the Big U is not executed, or constructed much later than BPC sections? Would BPC still be protected?

Is the project protecting against rain events, and water coming from “the backyard,” specifically Canal Street or the Battery Tunnel?

Outreach

Would it be possible to have all the options for each reach on one large document with side-by-side views of renderings?

How high will the wall be? Can a rendering be produced to scale so that the it is easier to judge the actual result?

Climate Change/Modeling

Were the latest studies used to estimate the water level predictions?

Is this project scalable? How reliable are the current models for future conditions?

Budget

Who is paying for the project? How will it affect rents and maintenance costs at BPC?

Which option costs the least?

FEMA Guideline / Trees

Please explain why FEMA wants 15-ft between trees and the flood wall?

Will the trees be relocated?

Option 1

Can the work be done in winter?

Will this option keep the parking lane? Are the traffic patterns changing?

Are the parking options changing? How many lanes will be taken away?

How far could the sidewalks be extended in option 1?

In the 2-wall option, how do you keep the gap between the 2 walls clean?

Are the trees in the street resilient to brackish water?

How long will the walls take to build?

How long will the playground be closed under each option?

Will a taller wall that is solid create an unsafe environment on River Terrace – lack of air, light, ability to see into the park?

Is relocating trees an option?

Can the wall be green with view options, not solid?

How far into River Terrace will the project go? And reduce the size of the street? What are DOT impacts?

Can an exception be made for the 15' rule at top of wall along River Terrace to not have to extend so far into RT to remove 1-2 lanes?

Will higher wall make the street darker? What can be done about that?

Why can't the existing wall be made higher to avoid street demolition?

Please explain more about the "wave attenuating features" for general project understanding.

Options 2/ 3

Will playground equipment be replaced in Options 2 and 3 with new equipment?

What are the timelines for the playground options?

Will the playground be separated from the park? [The playground must not be separated from the park.] Will the air be able to circulate? Are there heat mitigation plans?

Wall/ Wall Height

Will the wall be 4' or 6' high? The group felt that the height is key to making design decisions.

Can you raise the sidewalks to reduce the apparent height of the wall?

Can the barrier be built along the building or can the building be used as the flood barrier?

Where along the street can pedestrians see over the flood wall and where can't they anymore?

Is the wall height the same everywhere?

Is the structural functionality of the flood wall different for the three options?

How deep is the physical depth of the barrier?

Trees

How big are the average trees along the streets?

Can the large canopy be saved?

MISC

Can the width of River Terrace be changed? Can it be made one way?

Is the lawn going to be elevated?

Is the playground going to be elevated? If so, how will you get in?

Cost/Construction

How will the logistics work for all of the options?

What are the costs and schedule?

How long will the playground and park be closed?

How long will the project take to complete?

Flood Barrier System

What are the wall height variations along the alignment?

Can the new FBS be installed in place of the existing walls?

Reach 4 Questions

Option 1

Can wall height be reduced here? Grade up?

Can alignment go behind IHM?

Who will contact the architect and Irish Community?

How can the tripping hazard posed by the gate tracking in the sidewalk be handled? Concerned about children playing, elderly/disabled.

What fills the void in the tracks? Will the system "leak"?

Can berm be expanded to hide wall? Will saltwater kill all vegetation just beyond the wall?

Can resiliency measures be done along the mercantile exchange vs. adding separate wall in the park?

Can the walls be see-through?

Why can't the wall be higher next to the lily pond?

Option 2

Can the wall be treated with green to soften the look?

How will the drainage work for options 1 and 2? Where will the water go?

Can the walls be living walls?

Option 3

What happens to flood water?

How will this plan affect traffic congestion?

Lily Pond

If the Lily Pond is moved, could it be enlarged?

Is the depth of the pond important for attracting birds?

Irish Hunger Memorial

Could the sidewalks be raised to reduce the wall height in Options 1 and 2 with the priority to reduce the impact of the view from the Irish Hunger Memorial?

Can the community be shown visualizations of the view from the Irish Hunger Memorial for each option, a perspective from the top of the memorial?

Ferry Terminal

Is it feasible to move the terminal south?

Will there be a foot traffic, boat traffic study? If so, can it be shared with the community?

Why does the platform need to be replaced?

Why can't the existing bulkhead wall in front of 300 Vesey be used?

Is there any realistic way to get a congressional approval to change the ferry location? Could we turn the Ferry Terminal 45 degrees?

Losing connection to North End Avenue and to the water along the bulkhead would be a potential issue if required – how long would that be?

Can the terminal go back to the way it was prior to running parallel to the Hudson?

Can terminal traffic be rerouted?

Flood Barrier System

Can gate openings be extended?

What, if any mechanical parts are exposed?

Are tracks essential?

How many walls can be living walls, how green can we make it?

Heating/Cooling

Can the cool water intake at the Bloomfield be reverting from elsewhere?

Will there be more gardening opportunities in the passive berm with partial concealed flood wall?

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 21, 2022

COMMITTEE OF ORIGIN: BATTERY PARK CITY

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

RE: Manhattan Community Board 1 Comment on the Draft Scope of Work for the North West Battery Park City Resiliency Project

WHEREAS: On October 19th, the Battery Park City Authority (BPCA) released its Draft Scope of Work to Prepare an Environmental Impact Statement for the North/West Battery Park City Resiliency Project; and

WHEREAS: The scope of work ultimately defines what must be studied and analyzed for the forthcoming environmental review process, which culminates in an Environmental Impact Statement as required by state and municipal law; and

WHEREAS: This environmental review process comes on the heels of the recently completed South Battery Park City Resiliency Project environmental review; and

WHEREAS: At Manhattan Community Board 1's (CB 1) request, the BPCA recently extended the public comment period to December 31st; and

WHEREAS: The BPCA and a team of consultant professionals attended the Battery Park City Committee meeting on December 7th, 2022 to walk the board members and public through illustrative design examples meant to evoke a discussion for the purposes of this resolution; and

WHEREAS: CB 1's Battery Park City Committee took this opportunity to record reactions to the presentation to formulate an official comment to submit to the BPCA during the current comment period; and

WHEREAS: In addition to comments about potential impacts for study, the meeting also included a hearty discussion of design principles, which CB 1 and the BPCA noted for future discussion; and

WHEREAS: One particular design question was whether wave action and flooding attenuation measure could reduce the Design Flood Elevation (DFE) of the flood barrier, resulting in a more modest flood barrier height; and

WHEREAS: Another question centered around preventing the need to rebuild a children's playground in Reach 3 if the flood barrier were instead moved between the play area in question and River Terrace; and

WHEREAS: Their design for Reach 4 - Belvedere Plaza that was previewed depicted a water feature replacing what is known as the Lily Pond or Duck Pond, which evoked a significant negative response from much of the committee and community members present; and

WHEREAS: There were a large number of attendees who opposed moving the ferry pier northwards; and

WHEREAS: Much of Battery Park City sits on a platform over the waters of the Hudson River, and the rationale as well as the implications of establishing a sub-surface flood wall to protect infrastructure that is between West Street and the pier line is not intuitive to the general public, especially considering that the elimination of below-pier habitat for sensitive organisms might be accommodated with new habitat alternatives in the final design; and

WHEREAS: It was also duly noted that the wetlands intervention that was installed at Pier 26 in Hudson River Park was not performing as well as was hoped; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 values the current design and use of the Lily Pond/Duck Pond in Reach 4 - Belvedere Plaza, and believes that this important community amenity can be preserved in the final design of the resiliency project; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 urges the Port Authority of New York and New Jersey, the BPCA and Brookfield Properties to come to an agreement to move the ferry terminal south during construction, which appears to be the preferred temporary location for Battery Park City residents; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 asks the BPCA to consider the design options to potentially reduce the DFE through attenuation measure and to move the flood wall to the east of the existing playground in Reach 3, Rockefeller Park, to prevent the need to take it offline for the duration of floodwall construction; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 will submit the following comment to the Battery Park City Authority with the understanding that it will give it serious consideration and expand the draft scope of work accordingly.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	13 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	3 Opposed	0 Abstained	0 Recused

RE: **Revised Hybrid Meetings and Compliance with Open Meetings Law**

WHEREAS: New York State Open Meeting Law Chapter 56 of the Laws of 2022 amended Section 103(c) and adds Section 103-a of Public Officers Law (“the Open Meetings Law”, which will be effective June 9, 2022 and will sunset July, 2024); and

WHEREAS: On May 24, 2022, Community Board 1 held a Public Hearing and passed a resolution with Amended Meeting procedures Under the Updated Open Meetings Law and Allowance for Virtual Meetings* ;and

WHEREAS: In July 2023, the MBPO has provided further guidance on the updated Open Meeting Laws as it applies to Community Board Meetings; and

WHEREAS: Community Board 1 has been holding hybrid meetings in 2023 as allowed by the law; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 is following Open Meeting amended procedures provided by New York State Open Meeting Law Chapter 56 of the Laws of 2022 as set forth in this resolution to permit modified hybrid meetings.¹

1. Procedures will apply to committees and task forces as well as the full board.
2. ALL Meetings will be held with all board members attending in-person, per OML quorum is only counted by in-person attendance.
3. The circumstances or specific circumstances or conditions under which members will be permitted to participate from remote locations are as follows:
 1. Circumstances should qualify as “extraordinary.”
 2. Unexpected: disability, illness, caregiving responsibilities, unexpected work travel, and weather conditions that prevent safe travel conditions for those with accessibility needs will permit a member to attend remotely.
 1. Note: above items are for unexpected not routine conditions
 3. The MBPO has issued a sample self-certification for a Qualifying Disability . This applies for board members who request to participate remotely pursuant to OML section 103-a(2)(c) and thus include the member toward quorum and are able to attend remotely or virtually.
 4. Remote Participation requirements remain the same criteria:

5. All virtual board members must be heard, seen, identified and will be able to exercise their rights and responsibilities, while the meeting is being conducted, including, but not limited to any motions, proposals, resolutions, or any other matter formally discussed or voted upon.
6. Any participating member appearing virtually must at all times be able to be “heard, seen and identified.” In other words, they must be continually visible on video with identification.
7. All Board Members that join a committee meeting virtually where they are not assigned may be moved to a panelist and will be called on in the same manner that the public participates.
8. All applicants or presenters seeking an action by the Community Board are required to have representatives in-person for committee meetings.
9. Presenters that are not seeking an action from the board may attend virtually but all presentations should be sent to the CB Office prior to the start of the meeting.
10. The public is welcome to attend in person or virtually; now

BE IT
FURTHER
RESOLVED
THAT:

Manhattan CB1 authorizes its Chair, or in the event of documented incapacitation of its Chair, its Vice Chair, to make a determination that in the event of a declared state or city disaster emergency, said disaster emergency impedes Manhattan CB1’s ability to meet in-person and thus permits and requires Manhattan CB1 and all its committees, subcommittees, and task forces to conduct entirely virtual meetings in compliance with the relevant portions of the New York State Open Meetings Law; and

BE IT
FURTHER
RESOLVED
THAT:

Manhattan CB1 urges the Governor and its State Assemblymembers and State Senators to continue to improve the Open Meetings Law’s provisions for videoconferencing by reconsidering the requirement of a full in-person quorum; and

BE IT
FURTHER
RESOLVED
THAT:

Manhattan Community Board 1 urges the Mayor, its City Councilmembers, and the Manhattan Borough President to allocate additional funding and resources to better support virtual and hybrid meetings and the resources and technical support required to sustain such practices.



The City of New York
Manhattan Community Board 1

**Request for Remote Participation Pursuant to NY Public Officers Law section 103-a(2)(c) and
Self-Certification of Qualifying Disability**

I, _____, request to participate in Manhattan Community Board 1
_____ Committee and _____ Committee OR _____ Full Board meetings
remotely pursuant to New York Public Officers Law section 103-a(2)(c).

I certify that I have a physical or mental impairment that prevents me from attending MCB1
Committee and Full Board meetings in-person and otherwise meets the definition of disability
found in section 292 of the New York Executive law.¹

The above-referenced disability is permanent.

The above-referenced disability is not permanent. I anticipate that I will be able to
resume participating in Community Board meetings in-person beginning
_____.

Signature: _____

Name: _____

Date: _____

“The term “disability” means (a) a physical, mental or medical impairment resulting from anatomical, physiological, genetic or neurological conditions which prevents the exercise of a normal bodily function or is demonstrable by medically accepted clinical or laboratory diagnostic techniques or (b) a record of such an impairment or (c) a condition regarded by others as such an impairment, provided, however, that in all provisions of this article dealing with employment, the term shall be limited to disabilities which, upon the provision of reasonable accommodations, do not prevent the complainant from performing in a reasonable manner the activities involved in the job or occupation sought or held.” NY Exec Law § 292(21).

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

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

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Application by CP IV 15 Cliff Street, LLC for Certification Pursuant to Section 37-73(c) of the Zoning Resolution to Allow the Existing Open-Air Café, Operated by Hole in the Wall, to Continue in the Plaza as a Permitted Obstruction

WHEREAS: On July 14, 2023, CP IV 15 Cliff, LLP filed an application with the New York City Department of City Planning (DCP), seeking a certification from the Chairperson of the City Planning Commission (CPC), pursuant to Section 37-73(c) of the Zoning Resolution of the City of New York, to facilitate the continued operation of the open-air café (*i.e.*, Hole in the Wall) as a permitted obstruction in the plaza. The entire application package is available on the DCP’s Zoning Application Portal at <https://zap.planning.nyc.gov/projects/2023M0334>; and

WHEREAS: The application notes that, as part of a 2016 design change and upgrade to the plaza at 15 Cliff Street, on July 4, 2016, CPC approved “the 297 sf Cliff Street Café as a permitted obstruction within the 3,565 sf Cliff Street Plaza, for a term of three years.” Upon expiration of the three-year term, the permitted obstruction was again certified on February 1, 2020 for another three-year term. The applicant now seeks another CPC Chair certification to continue the permitted obstruction to operate the open-air café known as Hole in the Wall; and

WHEREAS: The Land Use, Zoning, and Economic Development (LZE) Committee of Manhattan Community Board 1 (CB1) reviewed the application at the Committee’s September 11, 2023 meeting, where the applicant addressed questions concerning the application and LZE Committee members noted that Hole in the Wall has been a positive presence in the neighborhood. The LZE Committee thus voted that the application for certification be Approved; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 recommends that the Chairperson of the CPC approve the 15 Cliff Street application for certification to allow the continued operation of the open-air café known as Hole in the Wall as a permitted obstruction in the plaza.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

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

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

RE: Proposed Legislation to Toll Community Board Referral Periods Between July 1-
July 31 or August 1-August 31 Each Year

WHEREAS: Chapter 70 (Sections 2800-2801) of the New York City Charter, titled “City
Government in the Community” provides for the creation, duties and operation of
the current 59 community boards throughout New York City; and

WHEREAS: Regarding the frequency of meetings of community boards, Section 2800 of the
Charter provides, in relevant part:

*h. Except during the months of July and August, each community board shall meet
at least once each month within the community district and conduct at least one
public hearing each month. Notwithstanding the foregoing, a community board
shall be required to meet for purposes of reviewing the scope or design of a
capital project located within such community board’s district when such scope
or design is presented to the community board. Such review shall be completed
within thirty days after receipt of such scope or design. ...*

WHEREAS: Most community boards, like Manhattan Community Board 1 (CB1) do not meet
or conduct business during the month of August (though, under the Charter, other
community boards evidently are permitted to be closed during the month of July
instead); and

WHEREAS: Over the years, CB1 has received various applications, including for capital or
land use projects affecting the community district and other referrals, in late July
or in August, such that a significant portion of the time-period for review or the
deadline for concluding a review occurs during August when CB1 does not meet
to conduct business. Sometimes CB1 has been able to negotiate extensions of
review time with applicants or relevant agencies, but it is not always the case and
extensions are not guaranteed; and

WHEREAS: At its September 11, 2023 meeting, CB1’s Land Use, Zoning and Economic
Development (LZE) Committee reviewed the current Charter language and
considered the problem where community boards are sometimes faced with the
choice of either calling an emergency business meeting during the August break

to review and comment on a particular application or to forgo a timely review and comment of the application; and

WHEREAS: To afford CB1 and other community boards their Charter-allotted break from meeting to conduct business in August (or July, if the case may be), CB1's LZE Committee proposes that Chapter 70 of the Charter be amended to provide for tolling—a legal term which effectively means the clock is paused—during the period of August (or July, as the case may be) when a community board does not meet to conduct business; and

WHEREAS: CB1's LZE Committee suggests such amendments might include, but not necessarily be limited to, the following underscored additions to Sections 2800(d)(14) and 2800(h) of the Charter:

Section 2800. Community boards.

d. Each community board shall:

(14) Assist in the planning of individual capital projects funded in the capital budget to be located in the community district and review scopes of projects and designs for each capital project provided, however, that such review shall be completed within thirty days after receipt of such scopes or designs; and provided further, however, that the time period for such community board's review of any capital project or any other application presented to such community board shall be tolled for the period of time during the months of July and August during which such community board does not meet to conduct business.

h. Except during the months of July and August, each community board shall meet at least once each month within the community district and conduct at least one public hearing each month. Notwithstanding the foregoing, a community board shall be required to meet for purposes of reviewing the scope or design of a capital project located within such community board's district when such scope or design is presented to the community board. Such review shall be completed within thirty days after receipt of such scope or design; provided, however, that the time period for such community board's review of any capital project or any other application presented to such community board shall be tolled for the period of time during the months of July and August during which such community board does not meet to conduct business. Each board shall give adequate public notice of its meetings and hearings and shall make such meetings and hearings available for broadcasting and cablecasting. At each public meeting, the board shall set aside time to hear from the public. The borough president shall provide each board with a meeting place if requested by the board.

WHEREAS: CB1's LZE Committee noted that this proposed tolling language is not intended to stop agency review or certification / referral of applications; but rather, the

proposed tolling language is intended to provide a logical solution to the practical inconsistency that currently exists in the Charter language and agency / applicant practice; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 urges its City elected officials—namely Council Member Marte and Manhattan Borough President Levine—to introduce proposed legislation in the New York City Council to amend applicable provisions of the Charter to toll the time-period for any required community board review of any type of application or proposal during the July or August period in which a particular community board does not meet to conduct business.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 384 Broadway, ground floor exterior work on Broadway and Cortlandt Alley located within the Tribeca East Historic District

WHEREAS: The Broadway elevation storefront replacement entrance work is in keeping with the materials and design of original Tribeca storefronts, and

WHEREAS: The plan for keeping the non-original, 20th century transom windows is appreciated, and

WHEREAS: On Cortland Alley where the overall condition of the first floor is poor, the proposed replacement window and infill between the original cast iron columns is also appropriate and beneficial to the presence of this building on the Alley, and

WHEREAS: The design will provide barrier free access to all floors, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 recommends the Landmarks Preservation Commission approve the proposed improvements and restoration.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 38 In Favor 0 Opposed 3 Abstained 0 Recused

RE: 60 Hudson Street aka the Western Union Building; a proposal to modify lighting within an interior landmark lobby

WHEREAS: The proposed lighting improvements for the public hall and reception area ceiling lighting and select floor lamps is thoughtfully designed and appropriate, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 recommends the Landmarks Preservation Commission approve the proposed improvements and reinstatement of exceptionally detailed matching original ceiling pendants.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 40 In Favor 0 Opposed 1 Abstained 0 Recused

RE: 45 Murray Street – Sidewalk replacement for substantially deteriorated sidewalk vault and storefront entry steps.

WHEREAS: The current sidewalk vault conditions at 45 Murray Street poses a clear and present danger to the community and passers-by due to the apparent levels of deterioration presented in the applicant’s existing condition photographs, and

WHEREAS: Little to none of the original sidewalk vaults existing below, and

WHEREAS: The applicant has proposed and agreed with CB1 to replace the sidewalk with concrete and new structural vault framing and painted diamond plate repairs to the entry steps, and

WHEREAS: The applicant will not remove any existing visible cast iron steps, and

WHEREAS: It is long overdue that the City of New York initiate a Sidewalk Vault Inspection and Safety Program (similar to FSIP) in order to prevent these dangerous conditions from developing in buildings throughout our mostly 19th century neighborhoods, now

THEREFORE
BE IT
RESOLVED

THAT: CB1 recommends the Landmarks Preservation Commission approve the proposed sidewalk vault replacement and storefront step refurbishment.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: PERSONNEL

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

RE: Appointment of District Manager

WHEREAS: The Personnel Committee received over 50 applications, many with very direct and relevant experience, and

WHEREAS: The committee met numerous times to review the applications and interview the most qualified candidates, and

WHEREAS: The committee invited all interested Board members to the meetings to participate in the final interviews of candidates, and

WHEREAS: The committee interviewed the candidates noting the excellent credentials of the short-listed applicants and the exceptional quality of their references, and

WHEREAS: The committee unanimously voted that Zach Bommer with his many years supervising experience in both state and city government was the most qualified candidate, now

THEREFORE
BE IT
RESOLVED

THAT: The committee recommends that the Board appoint Zach Bommer as District Manager, and

BE IT
FURTHER
RESOLVED

THAT: Zach Bommer has been asked to start work on Monday, October 16, 2023 at a salary level commensurate with his experience and within the Board's available budget.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2023

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	16 In Favor	17 Opposed	10 Abstained	0 Recused

RE: Aurora Tourism Services LLC bus stop request Battery Place at Washington Street (across from Battery Place)

WHEREAS: Tourism is continuing to recover in Lower Manhattan post-pandemic, increasing the strain on, 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, requests that CB1 support its request to stop on the south side of Battery Place from West Street to State Street, closer to West Street; and

WHEREAS: The signage at the Battery Place and Washington Street bus stop does not name any MTA bus routes, but there are signs for No Standing, MTA Drop Off Only and Charter Buses Pick Up/Drop Off. Other bus stops for shuttle buses are located east and west along Battery Place at West and Greenwich Streets; and

WHEREAS: Aurora Tourism plans to make four daily trips, Monday through Sunday. The planned bus stop arrivals for pick ups and/or drop offs will be: 8:00 AM, 12:00 PM, 2:00 PM and 4:00 PM; and

WHEREAS: Numerous buses and shuttles actively use the curb space between West Street and State Street. However, traffic in the through lane was only observed when illegally parked or standing vehicles blocked curb access so that buses/shuttles could not fully clear the travel lane; and

WHEREAS: The South Battery Park City Resiliency Project (SBPCRP) will begin construction as soon as this month in front of Pier A and along Battery Place to State Street. The details regarding the right-of-way have not been determined yet; and

WHEREAS: The SBPCRP team's stated goal during construction, once permitted, will be to avoid bus stop relocations and minimize impacts to bus routes by performing work at night. They acknowledge that they can't be 100% certain that this will be possible until their test pits and site survey are completed; and

WHEREAS: Aurora Tourism Services represented that there will be no individuals actively soliciting ticket sales in the area. However, the employee facilitating boarding will have the authority to sell tickets if asked by someone that wants to board; and

WHEREAS: All DOT bus stop requests to CB1 should include a full tour route and all of the bus stop locations that are in Manhattan Community District One; and

WHEREAS: CB1 supports tourism and new minority owned businesses such as Aurora Tourism Services. However, there is concern that the SBPCR activities that are anticipated to start this month and run through 2024 could make Battery Place challenging for all users; and

WHEREAS: Tourism provides significant income for the small businesses, tourist sites and city government and its recovery is an important step in MCD1's post-pandemic recovery. However, there are concerns about crowding and congestion that the New York City Department of Transportation (NYCDOT) should evaluate; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board One (MCB1) supports Aurora Tourism Services LLC (dba New York Iconic Cruises) request to use a bus stop on the south side of Battery Place from West to State Streets; and

BE IT

FURTHER

RESOLVED

THAT: MCB1 urges the New York City (NYC) Department of Transportation (DOT) to evaluate and monitor the impact of the resiliency projects on Battery Place so that the bus stops can be repositioned if that is needed to minimize sidewalk crowding, maximizing the safety and movement of pedestrians, bicycles and vehicles.