

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: ENVIRONMENTAL PROTECTION

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

RE: Resolution to support Community Composting in Lower Manhattan

WHEREAS: The impact of the proposed 2024 Budget has led the City of New York to defund community composting in NYC (\$3M) which will impact the NYC Compost Project; and

WHEREAS: The NYC Compost Project funds 7 community compost programs that provide over 200 food scrap drop off sites throughout the city, whose scraps are then composted for use in community green space; and

WHEREAS: The loss of funding will result in the elimination of 115 local jobs in NYC; and

WHEREAS: Earth Matter, a non-profit organization based in lower Manhattan, that collects and processes compost and distributes to parks and green spaces in NYC including The Trust for Governors Island, the Battery Conservancy, BPCA, The High Line, Downtown Alliance, and the Central Park Conservancy, will be impacted by this loss of funding (half of their staff will be laid off by December 31, 2023); and

WHEREAS: The local community compost programs provide local compost processing capacity and are critical to educating NYC residents on how and why to compost; and

WHEREAS: Community supports the diversion of 35% of the NYC municipal solid waste stream that goes to landfill ; and

WHEREAS: Community composting supports soil health; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 advocates for the restoration of funding for the NYC Compost Project within the DSNY budget.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	0 Abstained	0 Recused

RE: **66 Pearl Street**, application for a new license and a temporary retail permit for a full service liquor license for 787 Coffee Roasters LLC dba 787 Coffee

WHEREAS: The applicant, 787 Coffee Roasters LLC dba 787 Coffee at 66 Pearl Street, is applying for a new license and a 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 establishment is a restaurant on the ground floor, with a total of 3235 square feet, there will be a public capacity of 74 people with 8 tables with 43 seats; and

WHEREAS: The hours of operation will be 7:00AM - 10:00PM Monday to Sunday; and

WHEREAS: The applicant has represented that there will be recorded background music from 1 TV monitor, no subwoofer; 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 8:00AM - 7:00PM; and

WHEREAS: The applicant has agreed to consult with other area business and try to coordinate garbage pickup after 5:00 PM daily; and

WHEREAS: The applicant intends to notify the community board when they intend to have a sidewalk cafe through the DOT Dining Out program when it becomes available and has agreed to the same hours of operation for the sidewalk cafe; 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 stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their new license and a temporary retail permit for on-premise Liquor, Wine, Beer and Cider license for 787 Coffee Roasters LLC dba 787 Coffee at 66 Pearl Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	0 Abstained	0 Recused

RE: **3 World Trade Center**, 40 Cortlandt Way, Tower 3, Space 1340, application for a new license and a temporary retail permit for a full service liquor license for Fogo de Chao Churrascaria (NYWTC) LLC dba Fogo de Chao

WHEREAS: The applicant, Fogo de Chao Churrascaria (NYWTC) LLC dba Fogo de Chao at 3 World Trade Center, 40 Cortlandt Way, Tower 3, Space 1340, is applying for a new license and a 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 establishment is a restaurant on the 1st floor, with a total of 5000 square feet, there will be a public capacity of 197 people with 46 tables with 126 seats and 4 bathrooms; and

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

WHEREAS: The applicant has represented that there will be recorded background music from 25, Bose Professional sound speakers, no subwoofer and 2 TV monitors; and

WHEREAS: The applicant will notify the community board when they intend to have a sidewalk cafe through the DOT Dining Out program when it becomes available and has agreed to the same hours of operation for the sidewalk cafe; 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 service/ personnel and that delivery of restaurant supplies will be conducted during 8:00AM to 11:00 AM and/or 2:00PM to 5:00PM; and

WHEREAS: The establishment has been advised that a public capacity of 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation is considered a “large venue” by the community board and will be subject to additional stipulations if capacity is exceeded; 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 license and a temporary retail permit for on-premise Liquor, Wine, Beer and Cider license for Fogo de Chao Churrascaria (NYWTC) LLC dba Fogo de Chao at 3 World Trade Center, 40 Cortlandt Way, Tower 3, Space 1340, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	0 Abstained	0 Recused

RE: **111 Broadway**, application for a new license and a temporary retail permit for a full service liquor license for La Noxe Trinity LLC

WHEREAS: The applicant, La Noxe Trinity LLC at 111 Broadway, is applying for a new license and a 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 establishment is a tavern on the ground floor, with a total of 1600 square feet, there will be a public capacity of 74 people with 15 tables with 62 seats; and

WHEREAS: The hours of operation will be 2:00PM - 1:00AM Monday to Saturday, 2:00PM - 12:00AM Sunday, the applicant may come back to the community board to review these hours after 12 months of operation; and

WHEREAS: The applicant has represented that there will be recorded background music from 8 speakers suspended from the ceiling controlled by a computer system, no subwoofer and 0 TV monitors;and

WHEREAS: The applicant has indicated windows will only be open 2:00PM - 10:00PM; and

WHEREAS: The applicant will have one security guard; and

WHEREAS: The applicant has indicated that they do not plan to have bicycle delivery personnel and delivery of goods and supplies will be during the hours of 9:00 AM - 4:00 PM; and

WHEREAS: The applicant has agreed to consult with other area business for carting services about having garbage pickup at 3:00 PM daily; and

WHEREAS: The applicant does not intend to have sidewalk or roadbed seating; 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 stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their new license and a temporary retail permit for on-premise Liquor, Wine, Beer and Cider license for La Noxe Trinity LLC at 111 Broadway, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 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	0 Abstained	0 Recused

RE: **78 Franklin Street**, application for a new license and a temporary retail permit for a wine, beer and cider license for 78 Franklin CI LLC

WHEREAS: The applicant, 78 Franklin CI LLC at 78 Franklin Street, is applying for a new license and a temporary retail permit for 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 converted bath house with a cafe (in to a SPA with a lounge and classes) on the ground floor, cellar and sub cellar with a total of 5000 square feet, to include a Cafe with capacity of 40 people with 5 tables with 25 seats; and

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

WHEREAS: No membership is required, the establishment is open to the public but there is an entrance fee required to access the amenities which includes the cafe; and

WHEREAS: The applicant has represented that there will be recorded background music from small speakers in the ceiling, no subwoofer, no TV monitors; and

WHEREAS: The applicant has agreed to hire security for special events; and

WHEREAS: The applicant has agreed to close the windows and consult with other businesses for garbage pick up coordination and;

WHEREAS: The applicant has indicated that they do not plan to have bicycle delivery services and delivery of supplies will between 7:00AM and 10:00AM; 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 stipulation requirements; and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the granting of their new license and a temporary retail permit for on-premise Liquor, Wine, Beer and Cider license for 78 Franklin CI LLC at 78 Franklin Street Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

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

COMMITTEE VOTE:	11 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	0 Abstained	0 Recused

RE: Application number C 240122 PPM submitted by the Department of Citywide Administrative Services, Pursuant to Section 197-c of New York City Charter, for the Disposition of One City-Owned Property, Located at 7 North Moore Street

WHEREAS: On October 13, 2023, the NYC Department of Citywide Administrative Services (DCAS) filed an application with the NYC Department of City Planning (DCP), seeking approval under the Uniform Land Use Review Procedure (ULURP) at Section 197-c of the New York City Charter for the disposition of City-owned real property located at 7 North Moore Street (Block 190, Lot 47) in Community District 1 (CD1). The full application package is available on the DCP’s Zoning Application Portal at <https://zap.planning.nyc.gov/projects/2023M0412>; and

WHEREAS: According to the application, the 7 North Moore property is currently under the jurisdiction of the NYC Department of Sanitation (DSNY), which used the site from 1905 until 2015 for various uses, including as a “section house” in the current structure (built in 1939), which provided DSNY field personnel with break rooms, locker rooms, administrative offices, and bathrooms with showers. Since 2015, when DSNY operational units were relocated including to the newly built Spring Street Garage, the building has remained vacant; and

WHEREAS: The application states that the purpose of the ULURP disposition now is the following: “After the relocation of the District Garage and PIU staff, DSNY had considered repurposing the 7 North Moore Street building for other DSNY operational functions, but the anticipated high redevelopment costs for this relatively small property had deterred the agency from moving forward with a plan for reuse. DSNY has determined that this surplus property no longer meets any of their needs and has requested that DCAS seek disposition approval”; and

WHEREAS: DCP certified the application for public review on November 13, 2023, and according to the DCP’s Notice of Certification referring the application, the 45-day period for review by Manhattan Community Board 1 (CB1) begins on November 22, 2023 and must be completed by January 22, 2024; and

WHEREAS: According to DCAS’s Project Description of the Site (Project ID: 2023M0412) for 7 North Moore, “The back room of the first floor has water damage which has

led to some tiles from the drop ceiling to fall out (and) has led to some mold on the wall and ceiling in the same room”; and

WHEREAS: The Land Use, Zoning, and Economic Development (LZE) Committee of CB1 reviewed the application at the Committee’s December 11, 2023 meeting, where the applicant addressed questions concerning options for repurposing the property for public use or benefit and how or why the property was allowed to fall into disrepair; and

WHEREAS: The Honorable Christopher Marte, NYC Council Member (District 1), attended the meeting and participated with the LZE Committee in its review and questioning of the applicant; and

WHEREAS: The LZE Committee expressed deep concerns about simply disposing of the property by, for example, selling it to the highest-bidding private developer, when CD1 and the City generally have other great needs for public uses or benefits, including but not limited to additional affordable housing in the District; and

WHEREAS: During the LZE Committee meeting, the applicant conceded there was no particular rush to complete the ULURP process and agreed that it was within the applicant’s authority to waylay the application while the applicant, in conjunction with CB1, conducts additional review of possible alternative uses of the property, including through potential deeper discussions with the NYC Department of Housing Preservation & Development (HPD); and

WHEREAS: The LZE Committee expressed to the applicant that, while the process of further review and possible repurposing of the property by the City for public use or benefit plays out, the 7 North Moore property should be inspected for current structural integrity, then repaired and maintained at a minimum; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 **opposes** the 7 North Moore ULURP application **unless and until** the applicant satisfactorily demonstrates to CB1 that the applicant, in conjunction with CB1, has conducted and fully exhausted additional review of possible alternative uses of the property, including through potential further discussions with HPD; and

BE IT
FURTHER
RESOLVED

THAT: While the process of further review and potential repurposing of the property by the City for public use or benefit plays out, the 7 North Moore property should be inspected for current structural integrity, then repaired and maintained at a minimum.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: PERSONNEL

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

RE: Land Use Consultant for CB 1

WHEREAS: CB1 had a part time Land Use Consultant in the past plus a full time Director of Land Use and Planning city employee; and

WHEREAS: CB1 currently does not have a full time or part time Land Use Consultant nor Director of Land Use and Planning; and

WHEREAS: The consultant will be paid through our fundraising account; and

WHEREAS: The maximum compensation to be paid to the consultant for any six-month period, including all fees and cost, shall be limited to \$15,000.00. Weekly hours can be adjusted with agendas and months off when office is closed; and

WHEREAS: The Personnel Committee will meet again with the Consultant following the first six months of the agreement to discuss whether to renew the agreement; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 will hire a part time consultant for 2024 as needed.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: STREET FAIR TASK FORCE

COMMITTEE VOTE: 4 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Extending the Street Fair Task Force to be a regular standing committee

WHEREAS: CB 1 adopted a resolution on January 17, 2006 establishing procedures to follow in connection with its future use of street fairs for fundraising; and

WHEREAS: The Chair of CB1 appointed a task force of the Board (the “Street Fair Task Force”) in 2006 to implement the new procedures; and

WHEREAS: In order for the Street Fairs Task Force to begin implementing the procedures for the following year, CB 1 must first vote affirmatively to raise funds by sponsoring street fairs in that following year; and

WHEREAS: The total amount raised by street fairs in 2023 and used by CB1 to support its work was \$14,500 and we hope to exceed this number in 2024; and

WHEREAS: The new committee will hold a minimum of two meetings per year and a maximum of four meetings per year; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 hereby (1) authorizes the sponsorship of street fairs by CB1 in 2024 to raise funds to support the work of the organization, (2) the Task Force becomes a standing committee, and (3) grants the new committee the authority to determine whether it is appropriate to solicit bids from street fair promoters for the 2025 street fairs sponsored by CB1, following an evaluation by the Street Fair committee of (a) the manner in which the current promoter has performed its obligations with respect to the post-pandemic street fairs and (b) any proposal that promoter may choose to make to conduct the 2024 street fairs.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: STREET FAIR TASK FORCE

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Renewal Mardi Gras Productions Contract for 2024

WHEREAS: Mardi Gras has been promoting CB 1’s street fairs for fundraising since 2006;
and

WHEREAS: Street Fairs Task Force determining it was not necessary to solicit other
promoters; and

WHEREAS: CB 1 has been satisfied within these years with the profits we have received from
Mardi Gras Productions; and

WHEREAS: Mardi Gras Productions in conjunction with our regular two multi-block and two
single-block street fairs, along with sidewalk sales, all of which generated
\$14,500; and

WHEREAS: 2023 holiday market at Liberty between Broadway and Church needed to be
canceled due to low vendor participation and we hope to find a new location for a
2024 holiday market; and

WHEREAS: CB1 would like to review additional opportunities to increase funds; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 has decided to renew its relationship with Mardi Gras
Productions for 2024.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	8 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	27 In Favor	4 Opposed	5 Abstained	0 Recused

RE: Green Rides Initiative

WHEREAS: On November 29, 2023, the Taxi and Limousine Commission (“TLC”) promulgated rules to establish a so-called Green Rides Initiative, which “aims to increase the number of zero emission vehicles and wheelchair accessible vehicles in the high-volume for-hire fleets”; and

WHEREAS: The overarching goal of the Green Rides Initiative is to convert all existing for-hire vehicles (“FHV”) to fully electric or wheelchair accessible vehicles by 2030. The rules will, among other things, lift the cap on FHV that can receive licenses from the TLC, but only for electric and wheelchair accessible vehicles; and

WHEREAS: In 2018, Mayor Bill De Blasio’s administration instituted a similar exemption, but in 2021, the TLC revoked it after Revel announced a FHV fleet that relied entirely on Teslas;¹ and

WHEREAS: The Green Rides Initiative is the subject of pending litigation in the New York Supreme Court.² On November 13, 2023, the court issued a temporary restraining order prohibiting the TLC from issuing any new FHV licenses for electric vehicles;³ and

WHEREAS: The explosive growth of the FHV sector in New York City (“NYC”), which tripled from fewer than 40,000 vehicles in 2010 to over 120,000 in 2019, has been a significant contributor to increased traffic congestion;⁴ and

¹ Caroline Spivack, *A legal battle emerges over the city’s new electric vehicle licenses*, Crain’s New York Business (Nov. 6, 2023),

<https://www.craigslist.com/transportation/legal-battle-emerges-over-nycs-new-electric-vehicle-licenses>.

² *New York Taxi Workers Alliance et al v. David Do et al*, Index. No. 160795/2023 (the “Action”).

³ See Action, *Interim Order*, NYSCEF Doc. No. 54.

⁴ *Improving Efficiency and Managing Growth in New York’s For-Hire Vehicle Sector*, New York City Department of Transportation (June 2019), https://www.nyc.gov/assets/tlc/downloads/pdf/fhv_congestion_study_report.pdf.

WHEREAS: Traffic experts have concluded that lifting the FHV cap for electric and wheelchair accessible vehicles will have a variety of negative effects, including:⁵

- Increased number of vehicles, and total number of miles traveled, on NYC streets;
- Reduced travel speeds;
- Increased total emissions of carbon dioxide, due to expected decreases in total travel speeds and increased “stop-and-go” driving by combustion vehicles; and
- Increased frequencies of traffic-related accidents; and

WHEREAS: The rule does not include incentives or a timeline for the accessible vehicles to be replaced by electric vehicles; and

WHEREAS: The rule does not address the distribution of the new FHV licenses, making it likely that new electric and wheelchair accessible vehicles will flock to already congested areas, rather than to underserved areas that could use more access to FHV; and

WHEREAS: After Uber and other rideshare companies entered the industry in the 2010s, yellow cab medallion prices crashed, falling from more than \$1 million dollars to around \$150,000 in a matter of years.⁶ Lifting the cap on FHV; will likely exacerbate this trend; and

WHEREAS: The New York Taxi Workers Association claims the elimination of a cap on rideshare license plates “will flood the market with competition and the streets with cars” and “have a disastrous impact on driver income”;⁷ and

WHEREAS: Converting the existing FHV fleets to fully-electric or wheelchair accessible vehicles is a worthwhile goal. However, increasing the total number of FHV; on NYC streets will undermine efforts to reduce congestion without providing any significant benefits to NYC residents, visitors, taxi drivers, commuters or pedestrians; now

⁵ Stephen Nessen, *NYC lifts cap on electric for-hire vehicles, but experts fear it could undermine congestion pricing*, Gothamist (Oct. 18, 2023), <https://gothamist.com/news/nyc-lifts-cap-on-electric-for-hire-vehicles-but-experts-fear-it-could-undermine-congestion-pricing>; Action, *Affidavit of Charles Komanoff*, NYSCEF Doc. No. 40; *Improving Efficiency and Managing Growth in New York’s For-Hire Vehicle Sector*, New York City Department of Transportation (June 2019), https://www.nyc.gov/assets/tlc/downloads/pdf/fhv_congestion_study_report.pdf.

⁶ *Distressed Drivers: Solving the New York City Taxi Medallion Debt Crisis*, Columbia Human Rights Law Review (Mar. 16, 2022), <https://hrlr.law.columbia.edu/hrlr-online/distressed-drivers-solving-the-new-york-city-taxi-medallion-debt-crisis/>.

⁷ Evan Simko-Bednarski, *NYC Taxi Workers Alliance sues to stop unlimited licensing of electric rideshare cars*, New York Daily News (Nov. 6, 2023), <https://www.nydailynews.com/2023/11/06/nyc-taxi-workers-alliance-sues-to-stop-unlimited-licensing-of-electric-rideshare-cars/>.

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 urges the Taxi and Limousine Commission to reimpose the cap on for-hire vehicle licenses.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	7 In Favor	1 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Request to develop historic streetscape design guidelines

WHEREAS: The cobblestone¹ roadbeds in Manhattan Community District One's (MCD1) landmarked districts have long been a source of complaints; and

WHEREAS: In 2009, the City of New York honored a request from Manhattan Community Board One (CB1) to rebuild or repair the cobblestones on the following streets:

- Greenwich Street from Canal Street to Hubert Street
- Hubert Street from Greenwich Street to Hudson Street
- N. Moore Street from Greenwich Street to Hudson Street
- Harrison Street from Greenwich Street to West Street
- Jay Street from Greenwich Street to Hudson Street; and
- Leonard Street from Hudson to Varick Street
- Varick Street from Canal Street to Laight Street; and

WHEREAS: Almost immediately, it became apparent that the cobblestone installation on parts of these streets was poor because they soon deteriorated in unacceptable ways including loose blocks, disintegrating mortar, and emerging depressions; and

WHEREAS: Other cobblestone roads, including Beach, Collister, Staple and Duane Streets, also generate complaints to the CB1 Office although they were not necessarily rebuilt during the same time period; and

WHEREAS: Properly installed and maintained cobblestone roads are an important part of the character of CB1's historic districts so it is important that the historic context provided by the streets is preserved; and

WHEREAS: Since 2012, CB 1 has repeatedly called for safety interventions and reconstruction of the above-named streets and others through its budget priorities and resolutions; and

WHEREAS: The maintenance and repair work done to subsurface utilities has led to emergency use of asphalt or poorly restored areas of cobblestones, creating a cycle of road disrepair even where the initial installation was acceptable; and

¹ The term cobblestone is used here to refer to the Belgian blocks used by the NYC DOT

WHEREAS: Cobblestone roads create safety problems for people with mobility impairments and/or devices. The Americans with Disabilities Act (ADA) protects their right to safety and inclusion; things that the current cobblestone surfaces, especially those in disrepair or with more than a quarter of an inch in vertical variation, do not provide; and

WHEREAS: The uneven surfaces of cobblestone streets challenge the stability, hence balance of pedestrians, micro mobility users and cyclists, which have caused residents and visitors to suffer numerous injuries, including one death. Even when in good repair, the uneven surface causes vibrations and stresses the frames of wheelchairs, scooters and bicycles, which greatly increases the need for costly repairs and replacements; and

WHEREAS: Due to the urgent need to reduce carbon emissions and road congestion, there is an increase in the use of walking, biking and deliveries using cargo e-bikes. The current state of our cobblestone roads make these modes difficult; and

WHEREAS: In 2017 Jeremy Woodoff of the City of New York (NYC) Department of Design and Construction (DDC)'s historic-preservation office, cobblestones were left exposed on most NYC streets up until the 1930s. After the city stopped installing the cobblestones, the crews with experience with that work eventually disappeared;² and

WHEREAS: In 2017 the NYC Historic Districts Council (HDC) published a study entitled "[Toward Accessible Historic Streetscapes: A study of NYC's Belgian block Heritage](#)", which concluded that most cobblestone roads in NYC didn't meet the 2011 accessibility standards;³ and

WHEREAS: The accessibility standard used in the HDC study included Americans with Disabilities Act (ADA) and Access Board guidelines, which constitute widely accepted accessibility best practices. The key standards defined for paving surfaces are: (1) surfaces should be firm, stable, and slip-resistant (ADA and Access Board), (2) changes in vertical surface level must be 1/4 inch maximum (ADA and Access Board), (3) horizontal surface discontinuities, such as gaps, must be 1/2 inch maximum; while this standard is intended for surfaces with openings such as grates, it can generally be applied to gaps between paving stones (ADA and Access Board), (4) the clear width of accessible routes must be a minimum of 3 feet (ADA) or 4 feet (Access Board) and (5) surfaces should be smooth, having minimal gaps, rough textures, and vibration-causing features (Access Board);⁴ and

²https://www.crainsnewyork.com/article/20170728/REAL_ESTATE/170729885/meatpacking-district-s-cobblestones-get-a-makeover-as-the-water-mains-get-replaced-in-the-historic-neighborho; accessed August 2023

³ https://hdc.org/wp-content/uploads/2017/08/HDC_Historic-Streetscape-Study-Lo-Res.pdf, pp 10-12, accessed August 2023

⁴ https://hdc.org/wp-content/uploads/2017/08/HDC_Historic-Streetscape-Study-Lo-Res.pdf, pp 10-11.

WHEREAS: On July 8, 2023, the U.S. Access Board “published new guidelines under the ADA and the Architectural Barriers Act (ABA) that address access to sidewalks and streets, crosswalks, curb ramps, pedestrian signals, on-street parking, and other components of public right-of-way. These guidelines also review shared use paths, which are designed primarily for use by bicyclists and pedestrians for transportation and recreation purposes.” These update the 2011 guidelines used in the HDC study mentioned above;⁵ and

WHEREAS: The HDC study acknowledged that in most of NYC’s cobblestone streets, new paving surfaces will be needed for accessible routes, but recommend that the existing Belgian blocks be retained and rehabilitated where possible. CB1 agrees; and

WHEREAS: Specifications need to be looked at as there are many new innovative products that are readily available and can facilitate the safety, affordability and sustainability of cobblestone installations while maintaining the historic appearance of our historic district streets; and

WHEREAS: According to the NYC DOT besides safety concerns, the high cost of installation and maintenance and a shortage of masons experienced with cobblestone; road surfaces in landmarked areas cannot be changed due to a Landmarks Preservation Commission policy;⁶ and

WHEREAS: CB1 agrees with the HDC study which advocates that Design guidelines be developed through multi-agency collaboration that includes the NYC DOT, DDC, Landmarks Preservation Commission (LPC), City Council, community members and accessibility and preservation experts to develop a comprehensive plan that would bring clarity and predictability to interventions in historic streets; and

WHEREAS: Effective street design guidelines, policies and processes are needed to address both the special design needs and context of historic streets and the accessibility and safety needs of all users and modes of transportation; and

WHEREAS: In its FY 2024 district budget, CB1 requested that the DOT develop street design guidelines, policies and processes for our historic streets. The DOT agreed with the request, but stated that “the funding decision follows a different budget process (i.e. RFP, local level decision)”;

WHEREAS: Comprehensive plans need to be developed for each historic district in MCD1 with local input regarding the priority streets and travel paths, as well as the materials to be used; and

⁵ <https://www.access-board.gov/prowag/>, accessed August 2023

⁶ <https://www.youtube.com/watch?v=gvd5z0G6vI>, Manhattan Borough DOT Commissioner Ed Pincar at the MCB1 Quality of Life and Service Delivery Committee May 2022 meeting.

WHEREAS: MCD1 has ten historic districts and a history of unsafe conditions and non-contextual repairs of its cobblestone (i.e., Belgian block) streets. Historic streetscape design guidelines need to be developed so that there is clarity, longevity and predictability regarding building and maintaining our historic streets; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board One (MCB1) urges the New York City (NYC) Department of Transportation (DOT), Landmarks Preservation Commission (LPC), Public Design Commission (PDC) and Department of Design and Construction (DDC) to work together to develop historic streetscape design guidelines to ensure clarity and predictability, which should be enforced, regarding building and maintaining historic streets; and

BE IT
FURTHER
RESOLVED

THAT: MCB1 implores the DOT to develop a comprehensive plan for streetscape preservation for each of the historic districts in Manhattan Community District One (MCD1) in order to restore historic integrity while making them safe and accessible for pedestrians, cyclists and vehicles; and

BE IT
FURTHER
RESOLVED

THAT: MCB1 urges our elected officials to seek funding that will facilitate the creation of historic streetscape design guidelines and support the development of a comprehensive plan for restoring or rebuilding the historic streets in MCD1 that have long been in a state of disrepair.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

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

TABLED

RE: 83-85 Chambers Street aka 65-63 Reade Street: Continuous (not built at the same time) block-through 19th century loft buildings. Proposal to remove fire escapes, replace storefront infill, replace second floor special window, replace center windows (all floors of 85 Chambers), new ground floor canopies, and additional accessory bulk on both roofs

WHEREAS: The removal of the fire escapes is appropriate, and

WHEREAS: Most of the existing storefront infill is not original and all existing original (including those materials that are covered by 20th century coverings) shall be retained and refurbished (ie cast-iron columns, vaults, detailing), and

WHEREAS: The proposed storefront is well-proportioned, however the average height of bulkheads is too low and painted wood would be a better choice of material for gigantic new storefront along the historic Chambers Street corridor, and

WHEREAS: The proposed double-hung central windows on 85 Chambers Street floors 3-5 do not reference the original configurations and therefore a missed opportunity, and

WHEREAS: The proposed second floor special window configurations are mediocre but acceptable, and

WHEREAS: Visibility of the additional bulk is minimal, and

WHEREAS: Visibility mock-ups were not in place at the CB-1 committee meeting the additional bulk, as presented in renderings, looked minimal and possibly acceptable (but you know renderings), and

WHEREAS: The storefront canopies are not historically appropriate and disrupt the vistas looking east-west on Reade and Chambers Street, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 recommends the Landmarks Preservation Commission **approve** the proposal without canopies **AND** no approval should be granted until a mock-up is installed, photographed, and sent to CB-1 Attention Lucy Mujica Diaz.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	6 Opposed	3 Abstained	0 Recused

RE: Cannabis Guidelines for CB1

WHEREAS: Manhattan Community Board 1 (“CB1”) seeks to ensure and maintain a high quality of life for those who reside, work, and visit Manhattan Community District 1, while also creating a welcoming and inclusive environment for those seeking to open and operate new legal cannabis businesses here, consistent with the goal of balancing the interests and needs of the entire community; and

WHEREAS: N.Y. Cannabis Law § 76[2] requires that applicants seeking an Adult-Use Retail Dispensary, Registered Organization, and/or On-Site Consumption license whose premises are to be located within the boundaries of Community Board 1, provide written notice to CB1 of the applicant’s intent to file an application for licensure; and

WHEREAS: N.Y. Cannabis Law § 76[1] requires that such written notice be provided not less than thirty days nor more than two hundred seventy days before filing an application for licensure; and

WHEREAS: N.Y. Cannabis Law § 76[2](b) grants Manhattan Community Board 1 the explicit authority to receive such a notice of an applicant’s intent to file an application for an Adult-Use Retail Dispensary, Registered Organization, and/or On-Site Consumption license within the boundaries of the District; and

WHEREAS: N.Y. Cannabis Law § 76[2](b) further grants Manhattan Community Board 1 the explicit authority to express an opinion to the Office of Cannabis Management for or against the granting of such registration, license or permit application, as a critical part of the licensure process; and

WHEREAS: Community Board 1 will evaluate each Prospective Cannabis Licensee’s application for its strict compliance with N.Y. Cannabis Law § 72 and guided by N.Y. Educ. Law § 409 [2] as a critical threshold factor in its evaluation; and

WHEREAS: N.Y. Cannabis Law § 72 makes clear that “No cannabis retail licensee shall locate a storefront within five hundred feet of a school grounds as such term is defined in the education law or within two hundred feet of a house of worship”; and

WHEREAS: N.Y. Educ. Law § 409 [2] further clarifies that “school grounds” includes “...any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property...”; and

WHEREAS: The Office of Cannabis Management’s Guidance only disqualifies a proposed Adult-Use Retail Dispensary location due to its proximity to “school grounds” if such grounds are “occupied exclusively” by a school and on the “same road”; and

WHEREAS: The OCM’s “occupied exclusively” and on the “same road” standard lacks support within both the New York Cannabis Law and OCM’s own adopted Regulations; and

WHEREAS: CB1 rejects any such “exclusive use” and “same road” criteria regarding a proposed Adult-Use Retail Dispensary’s proximity to “school grounds” due to its lack of support in the law and its inconsistency with the plain language of the statute; and

WHEREAS: The New York Supreme Court has held that any expression of an opinion for or against the granting of such registration, license or permit application by a Community Board “can include negative recommendations or contingent requirements placed by the community upon the... licensee.”¹; and

WHEREAS: CB1 adopts additional distancing preferences in its analysis of the site appropriateness for a prospective applicant’s cannabis-related business premises, and CB1 will favorably view, as one factor in its analysis, any applicant who complies with the following distance preferences:

- 1,000 feet from an existing cannabis establishment; and
- 1,000 feet from a playground; and
- 500 feet from a public youth facility; and
- 500 feet from a park or open public space; and
- 500 feet from a harm reduction facility; and

WHEREAS: N.Y. Cannabis Law § 76[4] requires that any such expression of an opinion by Community Board 1 for or against the granting of such registration, license or permit application, become part of the record upon which the Office of Cannabis Management makes its recommendation to the Cannabis Control Board to grant or deny the application; and

WHEREAS: N.Y. Cannabis Law § 76[4] requires that the Cannabis Control Board must respond in writing to the Community Board with an explanation of how the Community Board’s opinion was considered in the granting or denial of an application.

¹ 153804/2023 125TH STREET BUSINESS DISTRICT MAGMT ASSOC V NY STATE OFFICE OF CANNABIS MGMT ET AL

WHEREAS: The Community Board serves a vital role in the Cannabis-related application process, oftentimes offering the sole meaningful opportunity for the public to be heard before a license has been granted; and

WHEREAS: As the Cannabis Control Board maintains discretion to receive further testimony from the Community Board in making its final determination on any application; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 implores the Cannabis Control Board to exercise such discretion and invite Community Board 1 to further testify as needed, particularly in instances where Community Board 1 has rendered an opinion forcefully urging against the granting of any such registration, license or permit application.²; and

BE IT

FURTHER

RESOLVED

THAT: Cannabis applicants shall execute and deliver a legally-binding affidavit, whereby the applicant shall: Represent, for each area of the proposed licensed premises (a) the square footage, (b) the capacity, (c) the "method of operation," and (d) other details that the Community Board considers relevant; and Agree to all conditions and stipulations as required by CB1 as a condition to approval of the application; and

BE IT

FURTHER

RESOLVED

THAT: CB1 urges the Office of Cannabis Management and the Cannabis Control Board to honor and enforce the substance of any such affidavit as a critical and inextricably required element of any such applicant's approved license; and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 urges the OCM and CCB to apply great deference to the written opinions submitted by Community Board 1, and to treat any such opinion submitted that forcefully urges against the granting of any registration, license or permit application as a presumptive denial by the Cannabis Control Board requiring a successful rebuttal by the applicant to the in order to prevail.

² 125th ST BID VS NY OCM ET AL: "The Board may then take any of several measures, including hearing from...the Community Board, before making its final determination"

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	26 In Favor	6 Opposed	5 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **NY Retail 2 Inc.** at **378 Broadway**

WHEREAS: NY Retail 2 Inc. is seeking an adult use retail dispensary license on the premises at 378 Broadway in New York, New York; and

WHEREAS: The applicant appeared before Community Board 1 on December 12, 2023, to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: The applicant provided no petitions of support to the community board for the proposed location; and

WHEREAS: The applicant only provided public notice in english even though the building has a large monolingual chinese language population; and

WHEREAS: The proposed premise is immediately adjacent to a privately-owned public space (POPS) which has public seating and carries the the risk that customers will use the POPS as a space to use purchased products; and

THEREFORE
BE IT
RESOLVED

THAT: CB1 **opposes** the granting of a new application for an adult use retail dispensary license and recommends a **denial** for **NY Retail 2 Inc.** at **378 Broadway** due to the above reasons.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

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	0 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **X GreenLeaf LLC** at **161 Hudson**

WHEREAS: The applicant, **X GreenLeaf LLC** has filed a new application for an adult use retail dispensary license at **161 Hudson Street**; and

WHEREAS: The proposed site is located in one of two retail condominium spaces within a nine-story building featuring 24 residential condominium units above it; constructed from 1910-1912, 161 Hudson Street sits within the bounds of the Tribeca North Historic District; and

WHEREAS: The community board received significant opposition for this location from members of the community, including in-person appearances from 34 individuals and approximately 25 participants online, all in opposition; and

WHEREAS: The applicant stated at the public Full Board Meeting of Manhattan Community Board 1, on December 20th, 2023, that they no longer wanted to operate at 161 Hudson Street due to the overwhelming public opposition to the license at the location, and were only continuing to pursue the license to ensure they received their deposit back; and

WHEREAS: The proposed location at 161 Hudson Street is within 500 feet of two schools: Tribeca Community School located at 124 Hudson Street and Bright Horizons, a NYC DOE 3-K and Pre-K provider at 129 Hudson Street, both are registered with the NYC Department of Health as pre-schools, consistent with the definitions under N.Y. Cannabis Law § 72 and further elucidated by N.Y. Educ. Law § 409, respectively; and

WHEREAS: The community board also received a signed petition from 30 residents of 161 Hudson Street opposed to this location, along with individual letters from multiple area residential condo boards including the boards of 161 Hudson Street, 169 Hudson Street, and 34 Laight Street, as well as a representative of Tribeca Community School (an area pre-school, located less than 500 feet away), over a dozen individual area residents, and three neighboring Hudson Street retail stores, all in opposition; and

- WHEREAS: The applicant provided a supporting petition which included the signatures of several interested parties, including the landlord, the landlord's family members, and several residents of buildings outside of the immediate area, and as a result, signatures from no greater than five qualifying signers in support of the proposed location; and
- WHEREAS: The community board raised significant concerns to the applicant about the proposed location's proximity to two schools located within 500 feet; and
- WHEREAS: N.Y. Cannabis Law § 72 [6] states that "No cannabis retail licensee shall locate a storefront within five hundred feet of a school grounds as such term is defined in the education law or within two hundred feet of a house of worship"; and
- WHEREAS: N.Y. Educ. Law § 409 [2] further defines "school grounds" as "...any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property..."; and
- WHEREAS: CB1 raised further concerns with the applicant regarding access for those members of the community with physical disabilities given the existence of multiple steps and absence of a ramp at the site's principal entrance; and
- WHEREAS: CB1 raised site compliance issues with N.Y. Cannabis Law § 72 (5), which requires in part that an Adult-Use Retail Dispensary's "...principal entrance...shall be from the street level..."; and
- WHEREAS: The proposed location's primary entrance is located approximately 3-feet above street level and accessible only via a pair of stairs built into an elevated steel loading dock-like platform, which at present lacks a ramp for handicapped access; and
- WHEREAS: The proposed location's lone handicapped-accessible entrance is via an internal entrance located within the building's main lobby, which is the sole and primary method of access to the building's residences, and by way of a mechanical lift not staffed on a full-time basis; significant signage and assistance would be required to direct a disabled customer to this separate entrance and gain access to it; and
- WHEREAS: 161 Hudson Street is located within the Tribeca North Historic District, which necessarily requires that any modification to the facade be preceded by an application to the NYC Landmarks Preservation Commission and the Landmarks and Preservation Committee of this board, as well as revocable consent from the NYC Department of Transportation; and
- WHEREAS: CB1 raised further concerns to the applicant about the proposed site's effect on pedestrian and vehicular traffic given its location on a pervasively gridlocked

roadway that has been the specific target of significant community board, constituent, and DOT attention and an ongoing effort to improve the area traffic conditions; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 **opposes** the granting of a new application for an adult use retail dispensary license and recommends a **denial** for **X GreenLeaf LLC at 161 Hudson Street** due to the above reasons, and

BE IT
FURTHER
RESOLVED

THAT: CB1 implores the Cannabis Control Board to exercise its discretion to receive further testimony from the local community and the Community Board in making its final determination on this application, if necessary.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

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	0 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **Free Thinkers LLC** at **2 Coenties Slip**

WHEREAS: The applicant Free Thinkers LLC is seeking an adult use retail dispensary license on the premises of 2 Coenties Slip in New York, New York; and

WHEREAS: The applicant appeared before Community Board 1 on December 12, 2023 to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: CB1 raised concerns with the applicant regarding access for those members of the community with physical disabilities given the existence of three steps and absence of a ramp at the site's sole entrance and lack of adequate sidewalk space to install an appropriate ramp; and

WHEREAS: CB1 raised site compliance issues with N.Y. Cannabis Law § 72 (5) which requires in part that an Adult-use Retail Dispensary's "...principal entrance...shall be from the street level..."; and

WHEREAS: The community board raised significant concerns to the applicant about the proposed location's proximity to a school located within 500 feet of the proposed dispensary site; and

WHEREAS: N.Y. Cannabis Law § 72 [6] states that "No cannabis retail licensee shall locate a storefront within five hundred feet of a school grounds as such term is defined in the education law or within two hundred feet of a house of worship"; and

WHEREAS: N.Y. Educ. Law § 409 [2] further defines "school grounds" as including "...any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property..."; and

WHEREAS: The proposed location at 2 Coenties Slip is within 500 feet of a school as defined under N.Y. Cannabis Law § 72 and further elucidated by N.Y. Educ. Law § 409, located at 75 Broad Street; and

WHEREAS: The current location has been raided and closed down due to illegal Cannabis and Tobacco Sales and the landlord has allowed the business to operate there for over a year; and

WHEREAS: The Community Board has received opposition from the residents in the building and surrounding neighbors; and

WHEREAS: The Community Board serves a vital role in the Cannabis-related application process, offering a meaningful opportunity for the public to be heard before a license has been granted; and

WHEREAS: The Cannabis Control Board maintains discretion to receive further testimony from the Community Board in making its final determination on any application; and

WHEREAS: CB1 implores the Cannabis Control Board to exercise such discretion and invite CB1 to further testify as needed, particularly in instances such as this where CB1 has rendered an opinion forcefully urging against the granting of any such registration, license or permit application; and

WHEREAS: CB1 urges the OCM and CCB to apply great deference to the written opinions submitted by CB1, and to treat any such opinion submitted that forcefully urges against the granting of any registration, license or permit application as a presumptive denial by the Cannabis Control Board, requiring a successful rebuttal by the applicant in order to prevail; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 **opposes** the granting of a new application for an adult use retail dispensary license and recommends a **denial** for Free Thinkers LLC at 2 Coenties Slip due to the location's proximity to a school and current lack of ADA accessibility.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	1 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	17 In Favor	12 Opposed	7 Abstained	0 Recused

RESOLUTION FAILED TO PASS

RE: **Approval** of cannabis retail dispensary license application for **Blackmark LLC** at **16 Murray Street**

WHEREAS: The Blackmark LLC is seeking an adult use retail dispensary license on the premises at 16 Murray Street in New York, New York; and

WHEREAS: The applicant appeared before Community Board 1 on December 12, 2023 to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: The Community Board found no significant objection to the application; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 recommends the application for an Adult-Use Retail Dispensary for Blackmark LLC, for the premises located at 16 Murray Street, New York, NY 10007 provided that the applicant agrees to the following signed notarized stipulations that it will:

- 1) Operate within the hours of 11am to 9pm, 7 days a week
- 2) Return to Community Board 1 for approval before operating outside the agreed hours
- 3) Ensure the elevator to the residential section of the building will not be used
- 4) Ensure any queuing happens inside the business
- 5) Hold no special events
- 6) Have no music emanating from the business.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **APA Dispensary LLC** at **25 Ann Street**

WHEREAS: The applicant APA Dispensary is seeking an adult use retail dispensary license on the premises of 25 Ann Street in New York, New York; and

WHEREAS: The applicant appeared before Community Board 1 on December 12, 2023 to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: The condo board of the building represented that the applicant did not provide proper notification and posting of the meeting. It was posted on the same day of the meeting in violation of the CB community notification guidelines and they oppose the siting of the business in their building; and

WHEREAS: The applicant confirmed they did not do outreach to any of the residents in the building; and

WHEREAS: There are nine reported but uninvestigated or closed illegal cannabis shops within 1000 feet of the proposed dispensary site; and

WHEREAS: The community board raised significant concerns to the applicant about the proposed locations proximity to a school located within 500 feet of the proposed dispensary site; and

WHEREAS: N.Y. Cannabis Law § 72 [6] states that “No cannabis retail licensee shall locate a storefront within five hundred feet of a school grounds as such term is defined in the education law or within two hundred feet of a house of worship”; and

WHEREAS: N.Y. Educ. Law § 409 [2] further defines “school grounds” as including “...any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property...”; and

WHEREAS: The proposed location at 25 Ann Street is within 500 feet of a school as defined under N.Y. Cannabis Law § 72 and further elucidated by N.Y. Educ. Law § 409, Tribeca Prep, located at 109 Nassau Street; and

WHEREAS: The Community Board serves a vital role in the cannabis-related application process, offering a meaningful opportunity for the public to be heard before a license has been granted; and

WHEREAS: The Cannabis Control Board maintains discretion to receive further testimony from the Community Board in making its final determination on any application; and

WHEREAS: CB1 implores the Cannabis Control Board to exercise such discretion and invite CB1 to further testify as needed, particularly in instances such as this where CB1 has rendered an opinion forcefully urging against the granting of any such registration, license or permit application; and

WHEREAS: CB1 urges the OCM and CCB to apply great deference to the written opinions submitted by CB1, and to treat any such opinion submitted that forcefully urges against the granting of any registration, license or permit application as a presumptive denial by the Cannabis Control Board, requiring a successful rebuttal by the applicant in order to prevail; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 **opposes** the granting of a new application for an adult-use retail dispensary license and recommends a **denial** for **APA Dispensary LLC at 25 Ann Street** due to the location's proximity to a school, failure to notify the community of the meeting and failure to get local community support on the petition.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	1 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	23 In Favor	10 Opposed	3 Abstained	0 Recused

RE: **Approval of cannabis retail dispensary license application for Got Your Six Dispensary LLC at t 53 Stone Street**

WHEREAS: The applicant Got Your Six LLC is seeking an adult use retail dispensary license on the premises of 53 Stone Street in New York, New York; and

WHEREAS: The applicant appeared before Community Board 1 on December 12, 2023, to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: The Community Board found no significant objection to the application; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 recommends the application for an Adult-Use Retail Dispensary for Got Your Six LLC, for the premises located at 53 Stone Street, New York, NY 10004 provided that the applicant agrees to the following signed notarized stipulations that it will:

- 1) Operate within the hours of 11am to 8pm Monday through Wednesday, 11:30am to 11:30pm Thursday through Saturday and 12pm to 7pm on Sunday
- 2) Return to Community Board 1 for approval before operating outside the agreed hours
- 3) Provide no public access to the business from South William Street, for delivery, staff, customers, etc.
- 4) Remove the current kitchen
- 5) Comply with ADA accessibility requirements
- 6) There will be no consumption or growing of cannabis products nor cannabis events inside this location.
- 7) All delivery bikes will be stored inside the premises.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

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	0 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **Fidi Cannabis Dispensary at 93 Nassau Street**

WHEREAS: The applicant Fidi Cannabis is seeking an adult use retail dispensary license on the premises of 93 Nassau Street in New York, New York; and

WHEREAS: The applicant appeared before Community Board 1 on December 12, 2023, to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: The community board raised significant concerns to the applicant about the proposed location's proximity to a school located within 500 feet of the proposed dispensary site; and

WHEREAS: N.Y. Cannabis Law § 72 [6] states that "No cannabis retail licensee shall locate a storefront within five hundred feet of a school grounds as such term is defined in the education law or within two hundred feet of a house of worship"; and

WHEREAS: N.Y. Educ. Law § 409 [2] further defines "school grounds" as including "...any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property..."; and

WHEREAS: The proposed location at 93 Nassau is within 500 feet of a school as defined under N.Y. Cannabis Law § 72 and further elucidated by N.Y. Educ. Law § 409, Tribeca Prep located at 109 Nassau Street; and

WHEREAS: The applicant failed to submit the required forms and questionnaires to the Community Board prior to the meeting to allow the Community Board the information it needed in the Cannabis-related application process which allows for the public to be heard before a license has been granted; and

WHEREAS: The Applicant was not knowledgeable about the process, could not confirm business details to modify or respond to the questions about hours (suggested

M-Fr 10:30am - 8pm, Sat/Sun 10am to 9pm), location information or without repeatedly needing to step out of the room and call his attorney; and

WHEREAS: The Applicant did not provide any security plan, did not provide a signage plan for the Landmark Building, could not speak to modify or respond to the questions without repeatedly needing to step out of the room and call his attorney; and

WHEREAS: The current location has had an illegal cannabis business operating onsite; and

WHEREAS: The applicant is a CAURD license holder, and the CB suggested he find a location not near a school so we can support his business; and

WHEREAS: CB1 implores the Cannabis Control Board to exercise such discretion and invite CB1 to further testify as needed, particularly in instances such as this where CB1 has rendered an opinion forcefully urging against the granting of any such registration, license or permit application; and

WHEREAS: CB1 urges the OCM and CCB to apply great deference to the written opinions submitted by CB1, and to treat any such opinion submitted that forcefully urges against the granting of any registration, license or permit application as a presumptive denial by the Cannabis Control Board, requiring a successful rebuttal by the applicant in order to prevail; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 **opposes** the granting of a new application for an adult use retail dispensary license and recommends a **denial** for **Fidi Cannabis Dispensary at 93 Nassau Street** due to the location's proximity to a school, the applicant's failure to provide timely community notice of the hearing, failure to provide paperwork prior to the meeting, and failure to execute paperwork.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

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

RE: **Denial of 99 Chambers Street**, application for a new application for an adult use retail dispensary license for **His and Hers Cannabis Corp.**

WHEREAS: The applicant appeared before Community Board 1 on December 12, 2023, to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: The applicant provided no petitions of support to the community board for the proposed location; and

WHEREAS: The community board raised significant concerns to the applicant about the proposed location's proximity to a school located within 500 feet of the proposed dispensary site; and

WHEREAS: N.Y. Cannabis Law § 72 [6] states that "No cannabis retail licensee shall locate a storefront within five hundred feet of a school grounds as such term is defined in the education law or within two hundred feet of a house of worship"; and

WHEREAS: N.Y. Educ. Law § 409 [2] further defines "school grounds" as including "...any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property..."; and

WHEREAS: The proposed location at 99 Chambers is within 500 feet of a school as defined under N.Y. Cannabis Law § 72 and further elucidated by N.Y. Educ. Law § 409, Reade Street Prep, located at 77 Reade Street; and

THEREFORE
BE IT
RESOLVED

THAT: CB1 **opposes** the granting of a new application for an adult use retail dispensary license and recommends a **denial** for **His and Hers Cannabis Corp.** at **99 Chambers Street** due to the above reasons.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 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	0 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **Leaf NY LLC. at 101 Reade Street**

WHEREAS: The applicant Leaf NY LLC is seeking an adult use retail dispensary license on the premises of 101 Reade Street in New York, New York; and

WHEREAS: The applicant appeared before Community Board 1 on December 12, 2023, to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: The community board raised significant concerns to the applicant about the proposed location's proximity to two schools located within 500 feet of the proposed dispensary site, including a pre-k on the same street; and

WHEREAS: N.Y. Cannabis Law § 72 [6] states that "No cannabis retail licensee shall locate a storefront within five hundred feet of a school grounds as such term is defined in the education law or within two hundred feet of a house of worship"; and

WHEREAS: N.Y. Educ. Law § 409 [2] further defines "school grounds" as including "...any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property..."; and

WHEREAS: The proposed location at 101 Reade Street is within 500 feet of a school as defined under N.Y. Cannabis Law § 72 and further elucidated by N.Y. Educ. Law § 409, Reade Street Prep located at 77 Reade Street; and

WHEREAS: The Community Board serves a vital role in the Cannabis-related application process, offering a meaningful opportunity for the public to be heard before a license has been granted; and

WHEREAS: The Cannabis Control Board maintains discretion to receive further testimony from the Community Board in making its final determination on any application; and

WHEREAS: CB1 implores the Cannabis Control Board to exercise such discretion and invite CB1 to further testify as needed, particularly in instances such as this where CB1 has rendered an opinion forcefully urging against the granting of any such registration, license or permit application; and

WHEREAS: CB1 urges the OCM and CCB to apply great deference to the written opinions submitted by CB1, and to treat any such opinion submitted that forcefully urges against the granting of any registration, license or permit application as a presumptive denial by the Cannabis Control Board, requiring a successful rebuttal by the applicant in order to prevail; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 **opposes** the granting of a new application for an adult-use retail dispensary license and recommends a **denial** for Leaf NY LLC at 101 Reade Street due to the location's proximity to more than one school.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	5 In Favor	1 Opposed	4 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	22 In Favor	9 Opposed	5 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **Savo Group Inc. at 110 Chambers Street**

WHEREAS: The applicant Savo Group Inc. is seeking an adult use retail dispensary license on the premises of 110 Chambers Street in New York, New York; and

WHEREAS: The applicant appeared before Community Board 1 on December 12, 2023, to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: The community board raised significant concerns to the applicant about the proposed location's proximity to a school located within 500 feet of the proposed dispensary site; and

WHEREAS: N.Y. Cannabis Law § 72 [6] states that "No cannabis retail licensee shall locate a storefront within five hundred feet of a school grounds as such term is defined in the education law or within two hundred feet of a house of worship"; and

WHEREAS: N.Y. Educ. Law § 409 [2] further defines "school grounds" as including "...any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property..."; and

WHEREAS: The proposed location at 110 Chambers Street is within 500 feet of a school as defined under N.Y. Cannabis Law § 72 and further elucidated by N.Y. Educ. Law § 409, Reade Street Prep, located at 77 Reade Street; and

WHEREAS: The Community Board serves a vital role in the Cannabis-related application process, offering a meaningful opportunity for the public to be heard before a license has been granted; and

WHEREAS: The Cannabis Control Board maintains discretion to receive further testimony from the Community Board in making its final determination on any application; and

WHEREAS: CB1 implores the Cannabis Control Board to exercise such discretion and invite CB1 to further testify as needed, particularly in instances such as this where CB1 has rendered an opinion forcefully urging against the granting of any such registration, license or permit application; and

WHEREAS: CB1 urges the OCM and CCB to apply great deference to the written opinions submitted by CB1, and to treat any such opinion submitted that forcefully urges against the granting of any registration, license or permit application as a presumptive denial by the Cannabis Control Board, requiring a successful rebuttal by the applicant in order to prevail; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 **opposes** the granting of a new application for an adult-use retail dispensary license and recommends a **denial** for Savo Group Inc. at 110 Chambers Street due to the location's proximity to a school.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	25 In Favor	6 Opposed	5 Abstained	0 Recused

RE: **Approval** of cannabis retail dispensary license application for **NY Green Collective Corp at 256 Broadway**

WHEREAS: NY Green Collective Corp is seeking an adult use retail dispensary license on the premises at 256 Broadway in New York, New York; and

WHEREAS: The applicant appeared before Community Board 1 on December 12, 2023, to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: The Community Board found no significant objection to the application; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 recommends the application for an Adult-Use Retail NY Green Collective, for the premises located at 256 Broadway, New York, NY 10007 provided that the applicant agrees to the following signed notarized stipulations that it will:

- 1) Operate within the hours of 10am to 7pm, 7 days a week
- 2) Return to Community Board 1 for approval before operating outside the agreed hours
- 3) Only do customer deliveries within the hours of 12pm to 6pm
- 4) Hold no special events
- 5) Deliveries for the store through loading dock - do not block bus lane or bus stops on Broadway
- 6) All window bays on Broadway will not be blacked out or darkened - use lighting as possible to not create a darkened storefront
- 7) All queueing will be internal to the store - not outside

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 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	0 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **Statis Holdings LLC.**
at **111 Fulton Street**

WHEREAS: The applicant Statis Holdings LLC is seeking an adult use retail dispensary license on the premises of 111 Fulton Street in New York, New York; and

WHEREAS: The applicant appeared before Community Board 1 on December 12, 2023, to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: The community board raised significant concerns to the applicant about the proposed location's proximity to a school located within 500 feet of the proposed dispensary site; and

WHEREAS: N.Y. Cannabis Law § 72 [6] states that "No cannabis retail licensee shall locate a storefront within five hundred feet of a school grounds as such term is defined in the education law or within two hundred feet of a house of worship"; and

WHEREAS: N.Y. Educ. Law § 409 [2] further defines "school grounds" as including "...any building, structure and surrounding outdoor grounds, including entrances or exits, contained within a public or private pre-school, nursery school, elementary or secondary school's legally defined property..."; and

WHEREAS: The proposed location at 111 Fulton Street is within 500 feet of a school as defined under N.Y. Cannabis Law § 72 and further elucidated by N.Y. Educ. Law § 409, The Downtown Little School located at 15 Dutch Street; and

WHEREAS: The Community Board serves a vital role in the Cannabis-related application process, offering a meaningful opportunity for the public to be heard before a license has been granted; and

WHEREAS: The Cannabis Control Board maintains discretion to receive further testimony from the Community Board in making its final determination on any application; and

WHEREAS: CB1 implores the Cannabis Control Board to exercise such discretion and invite CB1 to further testify as needed, particularly in instances such as this where CB1 has rendered an opinion forcefully urging against the granting of any such registration, license or permit application; and

WHEREAS: CB1 urges the OCM and CCB to apply great deference to the written opinions submitted by CB1, and to treat any such opinion submitted that forcefully urges against the granting of any registration, license or permit application as a presumptive denial by the Cannabis Control Board, requiring a successful rebuttal by the applicant in order to prevail; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 **opposes** the granting of a new application for an adult-use retail dispensary license and recommends a **denial** for Statis Holdings LLC at 111 Fulton Street due to the location's proximity to a school.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 20, 2023

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	10 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	0 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license applications for the following businesses at the proposed locations:

1. 16 Murray Street, 212 Partners LLC
2. 35 Wall Street, Nickle House Development
3. 130 Water Street, Friendly Flower 1, Inc.
4. 356 Broadway, STR8 Gas, LLC
5. 135 William Street, New Jubilee News II, Inc.
6. 139 Centre Street, Dream Bay World Cannabis Corp.
7. 356 Broadway, Get Yo Chronic GYC, LLC
8. 34 Cliff Street, Haven Ventures Corp.

WHEREAS: The above applicants are seeking adult use retail dispensary licenses in the premises at the corresponding locations in New York, New York; and

WHEREAS: These applicants failed to appear before Community Board 1 on December 12, 2023; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 recommends the **denial** of these applications due to nonappearance.