

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

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:	33 In Favor	4 Opposed	4 Abstained	0 Recused

RE: Chinatown Connections Project, as Managed by EDC

WHEREAS: Chinatown Connections is a \$55M Project with The City’s project scope covering 3 Key Components: Renovating Kimlau Square, Beautifying the Park Row Connection to Chinatown (Street Improvement Project (SIP) and Creating a Chinatown Welcome Gateway; and

WHEREAS: In 2008, NYC Agencies presented the Chatham Square Redesign for this area, CB1 went on record to unanimously oppose the plan (resolution dated 12/16/2008)¹; and

WHEREAS: Now, in 2024, 18 years later, the community remains adamant in their urging that the planned traffic studies be created to provide up to date comprehensive analysis of the impacts on the businesses, residents and tourists including the concept for the reopening Park Row to all forms of traffic and asks that the study not be created or targeted to support the previous 2008 design; and

WHEREAS: EDC presented slides with an underlying plan based on the 2008 Chatham Square Redesign. CB1 urges that findings from the new studies be incorporated into creating new plans which should take into account the many changes that have taken place in the immediate neighborhood and general area over the last 18 years and the known future projects including but not limited to the future impacts associated with Congestion Pricing, the new Manhattan Detention Center Borough Based Jail, Canal Street and the possibility for reopening of Park Row; and

WHEREAS: CB1 notes that the neighborhood Context & Strategy includes circulation patterns for Peds, Bikes, and Transit but omits cars, emergency vehicles and commercial deliveries and needs to be included; and

WHEREAS: The Summer 2024 Traffic Study listed intersections for study; CB1 requests to add three more study points: Pearl Street South of the Brooklyn Bridge at Dover and Peck Slip as well as the impacts on the flow and traffic at Canal Street where it intersects with Bowery; and

WHEREAS: CB1 requests that the 2024 Traffic study be modified to include:

- Increase the length of the study to include the real impacts of Congestion Pricing, with an extension through the fall/winter
- Include impacts of schools being in session in the fall
- Include Park Row open for regular vehicular traffic during the study; at some point during the study - nights and weekends or days as possible
- Review the NYC Dining Out impacts and the reduction of commercial parking and loading areas, needs of space for containerized garbage
- Impacts on Canal Street (one block north of the study zone)
- Impacts of the temporary Bicycle Greenway rerouting into the Traffic Study Zone and the placement of traffic agents at each intersection - separate out the bicycle counts from the detoured route²
- Alternative methods to accurately determine traffic speed and travel times along the detoured Greenway Route²
- Include predictions for Cargo Bikes and other modes of alternative commercial delivery options
- Consider the impacts of Park Row vehicular traffic on the most vulnerable
- A fully new study that does not use 2008/2009 as a base and only as a comparison point for data; and

WHEREAS: CB1 requests that study and subsequent designs maximize the widths of the sidewalks on all streets in the study and curb cuts for every intersection; and

WHEREAS: CB1 requests for the Park Row SIP: add more trees, improve lighting on the street and Brooklyn Bridge steps, widen and, add where missing, sidewalks and remove ALL of the placard and NYPD parking and focus on the most vulnerable; and

WHEREAS: CB1 asks EDC to include more than one local person for the Artist Working Group that focuses on the Chinatown Welcome Gateway Program and the group is socio-economically diverse to include multi generational artists; and

WHEREAS: CB1 requests that Art for the Gateway Program be open to interpretation and diverse proposals; and

WHEREAS: CB1 requests that The Chinatown Connections Working Group Membership be expanded to include Pace, more DRI applicants and Lower Manhattan Hospital in the group itself even though EDC confirmed there will be smaller focus groups for constituent stakeholders along the south side and CB1 will help EDC convene the stakeholders; and

WHEREAS: EDC has indicated their intention to host numerous public engagement meetings and will return to community board 1 and 3 in the future with updates; and

WHEREAS: EDC stated the State has a strong preference for DRI projects to break ground within 2 years and have substantial completion by 5 years by 2029. CB1 feels the extension of the Traffic Study and other asks would not delay the project but enhance the data and inclusivity; now

THEREFORE

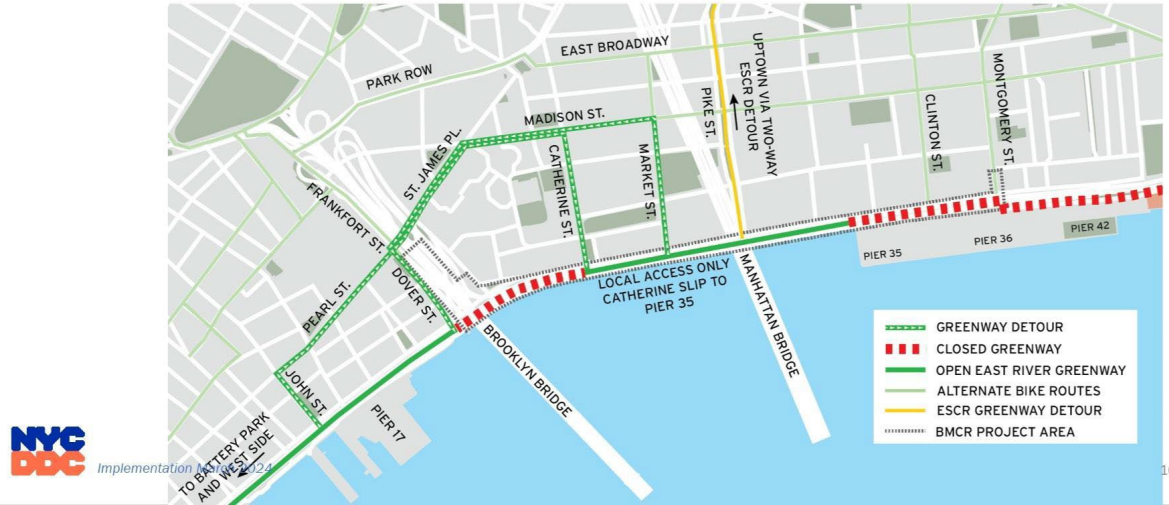
BE IT

RESOLVED

THAT: CB1 is excited to support EDC, the State and City Agencies for the Traffic Study, redesign and reconnection of Park Row with Chinatown Connections as noted with the conditions set forth above.

BMCR | Greenway Closure and Bike Detour

ALL WORK IS SUBJECT TO CHANGE



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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:	39 In Favor	0 Opposed	2 Abstained	0 Recused

RE: OCM Budget Language Changes

WHEREAS: OCM and the Governor have admitted the roll out of Legal Cannabis Stores and the Enforcement of Illegal stores has not been as efficient or robust as needed; and

WHEREAS: OCM has already provided licenses and has published a running list of legal dispensaries; and

WHEREAS: The public reports illegal stores though the State's online portal for OCM but receives no confirmation or follow ups; and

WHEREAS: 311 system exists in NYC to report complaints and illegal tobacco stores; and

WHEREAS: Any store operating that is not on the licensed list does not need to be cross checked or as directed by OCM; and

WHEREAS: The Senate One House proposal modifies the Governor's budget language that would strengthen the ability of enforcement agencies to take actions against unlicensed sale of cannabis; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 requests the following changes and additions to the language in the State Budget and actionable items:

1. Establish a formal process for responding to public complaints, with a mandated 30 day response on what action is being taken, and trackable case number.
2. Establish a more significant penalty for any site selling illegally and increase further for those knowingly sold to minors or have designed their shops in a manner that would reasonably be seen to entice a minor.
3. Publish a running list of shops that have been the subject of adverse actions against them.
4. Add "religious and/or charitable organizations" to the list of types of potential responsible parties, to avoid any such type of loophole.

5. Add employees to the list of designated responsible parties if they knowingly work in an illegal location as a way to discourage employment and avoid murky ownership arguments.
6. Add “members, partners, and/or investors” in any partnership, LLP, LLC, or corporation to the list of responsible parties.
7. Add in “landlords” and “leaseholders” to other responsible parties. [idea is to hold landlords accountable and also avoid situations where the leaseholder and operating company are bifurcated].
8. Add additional penalties for repeat offenders, and/or those who act in violation of an order.
9. Eliminate the proposed carve out for de minimus sales — there needs to be clear lines of what to follow: a venue can either sell it, or they cannot sell it.
10. Change the enforcement from “have been requested by OCM” to or any local government authorized pursuant to subdivision eight of this section that have been reported to 311 or **any county attorney, corporation counsel, or local government**” as well as **any police officer or peace officer with jurisdiction..., and**

BE IT
FURTHER
RESOLVED
THAT:

CB1 calls on the State to provide greater transparency of information, clarity and follow up for reporting and enforcement of illegal cannabis operators.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: March 26, 2024

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

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 105 Duane Street Special Permit Renewal Non-ULURP

WHEREAS: An application was previously submitted to the Department of City Planning (DCP) by Tribeca Equity Partners, L.P. (the Applicant) for a special permit and for a City Planning Commission (CPC) special permit and certification to facilitate the legalization of prior modifications and certain future design changes to an existing approximately 9,405 square-foot plaza (the Southern Plaza) located at 105 Duane Street. That application did not include changes to the North Plaza (Thomas Street Plaza); and

WHEREAS: In a resolution dated September 24, 2019 (a copy of which is attached), Manhattan Community Board CB1 (CB1) did not oppose the Applicant’s request for a special permit and for a CPC certification for design changes within an existing POPS, on the conditions that (1) the Applicant assures that acoustical dampening around air vents will mitigate the excessive noise, and (2) the bike rack is moved to another location besides the sidewalk; and

WHEREAS: The CPC approved the special permit application in January 2020, but because of the COVID-19 global pandemic related delays, construction work was postponed and the special permit lapsed in January 2024; and

WHEREAS: The Applicant seeks to renew the special permit, which will extend the special permit for three years to January 2027, affording the Applicant time to complete the previously-approved plaza renovations. The Applicant represents that the facts upon which the 2020 special permit was granted have not changed, except that the Applicant will address acoustical dampening around the air vents in response to CB1’s concerns from 2019; and

WHEREAS: To facilitate a renewal of the special permit, the Applicant filed a new application package with DCP. The entire application is available on the NYC Department of City Planning’s (DCP) Zoning Application Portal at <https://zap.planning.nyc.gov/projects/2024M0140>; and

WHEREAS: As renewed, the project would involve the following plaza design changes: replace backless benches with backed benches and add one new backed bench;

add 5 movable tables and 20 movable chairs; replace existing planter wall caps with new bluestone wall caps; replace existing ground pavers with new, darker-colored ground pavers; replace plantings near center-rear of plaza with new groundcover plantings; add new trees for screening between plaza and Flea Theater site; fix lighting in planters and add new electrical outlets; relocate bicycle racks to sidewalks; replace existing and add new trash receptacles; relocate water fountain; and replace existing POPS signage with new zoning-compliant public space, hours of access, and prohibition signage¹; and

WHEREAS: DCP certified the application and, on March 8, 2024, referred it to Manhattan CB1 for a 45-day review period; and

WHEREAS: The Land Use, Zoning and Economic Development (LZE) Committee of CB1 reviewed the application at the LZE Committee’s March 11, 2024 meeting, where Committee members asked questions and expressed concerns around certain aspects of the plaza design modifications and requested that the Applicant update CB1 on what is happening with the Thomas Street Plaza; and

WHEREAS: Following its review and discussion of the application, the LZE Committee voted to recommend that the application for a renewal of the special permit be approved with conditions; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 recommends that the application for a renewal of the special permit be approved with the following conditions:

1. That the Applicant explore alternatives to the trash receptacles which would be better for rat control; and
2. That, due to the fact that there have been no complaints about the location of the bike racks over the past 32 years (as confirmed by the Applicant’s representative at the LZE meeting), the bike racks remain where they are currently located; and
3. That efflorescence present in the brick walls be cleaned or repaired and that water damage to the walls is remedied; and

¹ The January 2020 special permit legalized the following prior plaza design changes: planters beneath the canopy piers at building entranceway; metallic mesh screening around canopy piers at building entryway; location and metallic mesh screening of flue pipe and air intake vents in certain planters; and replacement of existing illuminated parking sign with new accessory LED illuminated parking sign.

4. That, in line with the Applicant's representations at the LZE meeting, the movable tables and chairs not be placed adjacent to or under the building residents' window-side but on the other side of the plaza (closer to Trimble Place), and that the movable tables and chairs not be left out after hours; and
5. That the Applicant return to the LZE Committee to provide specific information as to what are the noise dampening measures being undertaken with respect to the air vents or flue.

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COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: DOT Dining Out program hours, sale, and delivery of to-go cocktails

WHEREAS: Renewal applicants have indicated their interest in applying for the DOT Dining Out program and the Community Board would like the record to show the approved closing hours for the sidewalk cafe and roadbed seating in CB1 as well as limits regarding to-go cocktails; and

WHEREAS: The Lam Platt Street Hotel LLC & Sichuan Fish Inc dba Four Points by Sheraton Downtown Financial District at 4-10 Platt Street have had numerous noise complaints to 311 and as such have agreed rooftop closing hours of Monday to Thursday 10PM, Friday and Saturday 12AM and Sunday 10PM; and

WHEREAS: Tribeca FB Project LLC d/b/a Warren Peace at 77 Warren Street, have been advertising operating hours that differ from their stipulation agreement and have since provided a letter to the CB and copy of the updated advertising to reflecting the correct hours; and

WHEREAS: The following applicants have agreed to the conditions listed below:

- 32 Cedar Street, Farida Group Corp d/b/a Farida, wine, beer, cider license
- 57 Murray Street, Murray 57 LLC dba Monk McGinns, full liquor license
- 228 Front Street, Jason Holin, full liquor license
- 77 Warren Street, Tribeca FB Project LLC d/b/a WarrenPeace, full liquor license
- 4-10 Platt Street aka 6 Platt Street, Lam Platt Street Hotel LLC & Sichuan Fish Inc dba Four Points by Sheraton Downtown Financial District, full liquor license; and

WHEREAS: All applicants named above have agreed, not to serve *to-go alcohol* after 10:00PM Sunday to Thursday and 11PM Friday and Saturday and not allow *to-go alcohol* patrons to occupy outdoor seating after these hours; and

WHEREAS: All applicants named above have agreed to Sidewalk Cafe closing hours of 10PM Sunday to Thursday; 11PM Friday and Saturday and Roadbed seating closing hours of 10PM Sunday and Saturday, outdoor opening hours will be the same as indoor opening hours; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 urges the State Liquor Authority to evaluate outdoor liquor license requests based on the upcoming DOT Dining Out NYC program according to these requirement; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes the granting of any future outdoor liquor license for the DOT Dining out program **unless** the applicants comply with the limitations and conditions set forth above.

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DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **111 Reade Street**, application for a new application and temporary retail permit for a full-service liquor license for Yards NYC LLC

WHEREAS: The applicant, Yards NYC LLC at 111 Reade Street, is applying for a new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider license; and

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

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

WHEREAS: The establishment is a seafood and burger restaurant on the ground floor and basement, with a total of 2500 square feet, there will be a public capacity of 74 people with 7 tables, 36 seats, 1 stand up bar, 3 bathrooms, one of which is ADA compliant; and

WHEREAS: The establishment is ADA accessible and has 1 ADA bathroom out of 3 total bathrooms, and

WHEREAS: The applicant requested the following hours of operation 11:30AM - 10:00PM Sunday, 11:30AM - 2:00AM Monday to Wednesday, 11:30AM - 3:00AM Thursday to Saturday; and

WHEREAS: The community board approved the following hours of operation 11:30AM - 10:00PM Sunday, 11:30AM - 12:00AM Monday to Thursday, 11:30AM - 1:00AM Friday to Saturday; and

WHEREAS: The applicant represented that they did outreach to the building tenants which includes 4 residential units and 7 buildings across the street, and 6 on the block neighboring the proposed premises and they received no response; and

- WHEREAS: Community residents attending the meeting represented that the applicant's requested hours of operation would be detrimental to quality of life in the community and requested closing hours of 10PM on Sunday through Thursday; and
- WHEREAS: The Community residents attending the meeting provided the following information to support their request: That all the neighboring restaurants and bars close between 9:30PM to 10:00PM Sunday through Thursday with one exception, Holywater across the street from this proposed establishment which has closing hours of 1AM; and
- WHEREAS: The community residents also have noise concerns regarding the lack of soundproofing in the space based on recent temporary tenant activity (a pop-up clothing store) at the location which included light music at a reasonable volume that was still heard from the street and the vibrations felt throughout the building raising concerns for the families residing there; and
- WHEREAS: The applicant has represented that they will have recorded background music from several small basic speakers in the ceiling, power amp and iPod; and
- WHEREAS: The applicant has represented that they **do not** intend to apply for the DOT Dining Out NYC Program; and
- WHEREAS: The applicant has indicated that they do not plan to have bicycle delivery personnel, but delivery of regular goods and supplies will be conducted daily between 9:00AM and 4:00PM; and
- WHEREAS: The applicant has indicated that garbage pickup will be daily, during early morning hours; and
- WHEREAS: The applicant has indicated that there will be one security person stationed at the front entrance on weekends; and
- WHEREAS: The applicant stated that they have a contingency with the lease for specific hours and in the midst of trying to negotiate an agreement on hours, the applicant announced that they plan to **withdraw** the application and has **NOT** signed and notarized a stipulations sheet; and
- WHEREAS: The applicant has since indicated their intention to come back to the community board in the following month or in the future with an updated application; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 accepts the applicants decision to withdraw, this new application for a temporary retail permit for on-premise Liquor, Wine, Beer and Cider license for Yards NYC LLC at 111 Read Street, at this time and their intention to resubmit another application at another time.

COMMUNITY BOARD 1 – MANHATTAN
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DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **126 Chambers Street**, application for a corporate change for a liquor, wine, beer and cider license for Captain Mike's Seafood Rest Inc d/b/a Mudville 9 by Mudville LLC

WHEREAS: The applicant, Mudville LLC is applying for a corporate change for on-premises Liquor, Wine, Beer and Cider license from Captain Mike's Seafood Rest Inc d/b/a Mudville 9 at 126 Chambers Street; and

WHEREAS: The applicant, Mudville LLC (Vip Manchada) is purchasing 200 shares of the company from Eric Schwimmer; 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, basement, and sub-basement, with a total of 1800 square feet, a public capacity of 74 people with 18 tables with 71 seats; and

WHEREAS: The hours of operation will continue the same from original approval at 11:30AM - 4:00AM Monday to Sunday; and

WHEREAS: The applicant has represented that there is recorded background music from 8 speakers and 12 TVs; and

WHEREAS: The applicant has indicated that they do not have bicycle delivery personnel, but delivery of goods and services is conducted daily between 9:00AM - 2:00PM; and

WHEREAS: The applicant has indicated that daily garbage pickup is at 11PM; and

WHEREAS: The applicant **intends to apply** for DOT Dining Out program for both roadbed and sidewalk seating. Applicant has agreed to end roadbed alcohol service at

10PM daily and end sidewalk alcohol service at 10:00PM Sunday to Thursday and 11:00PM Friday and Saturday; and

WHEREAS: The applicant has represented that there will no TV monitors or music in the outdoor areas; and

WHEREAS: The applicant has agreed to sign and notarize the stipulations documents; 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 a corporate change for on-premise Liquor, Wine, Beer and Cider license for Captain Mike's Seafood Rest Inc d/b/a Mudville 9 at 126 Chambers Street, **unless** the applicant complies with the limitations and conditions set forth above.

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COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **77 Worth Street**, application for a new application and a temporary retail permit for a wine, beer and cider license for RBC Bar Inc dba Atera

WHEREAS: The applicant, RBC Bar Inc dba Atera at 77 Worth Street, is applying for a new application and a temporary retail permit for on-premises 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 and basement, with a total of 1228 square feet, there will be a public capacity of 30 people with 1 table and 25 seats; and

WHEREAS: The establishment is ADA accessible and has 1 ADA Bathroom of a total of 2 bathrooms, and

WHEREAS: The hours of operation will be 5:00PM - 12:30AM Monday- Saturday, 5:00PM - 12:00AM Sunday; and

WHEREAS: The applicant has indicated that there will be recorded background music from 4 speakers in the ceiling, controlled by an iPad. Soundproof panels have been installed and there is 1 TV monitor; and

WHEREAS: The applicant has indicated that they do not plan to have bicycle delivery personnel, but delivery of goods and services will be daily between 9:00AM-5:00PM; and

WHEREAS: The applicant has indicated that garbage pickup will be daily at 5:00 PM; and

WHEREAS: The applicant **does not intend** to apply for the DOT Dining Out program for outdoor seating; and

WHEREAS: The applicant has agreed to sign and notarize the stipulations documents; 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 a new application and a temporary retail permit for on-premises Wine, Beer and Cider license for RBC Bar Inc dba Atera at 77 Worth Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **41 Murray Street**, application for a method of operation change for a full-service liquor license for Murray 41 LLC dba Boss Tweed

WHEREAS: The applicant, Murray 41 LLC dba Boss Tweed at 41 Murray Street, is applying for a method of operation change for on-premises 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, occupying the ground floor, basement, and sub-basement, with a total of 1780 square feet, there will be a public capacity of 175 people with 30 tables with 107 seats and 2 stand up bars; and

WHEREAS: The new hours of operation will be 10:00AM - 1:00AM Monday to Thursday, 10:00AM - 2:00AM Friday and Saturday, 10:00AM - 11:00PM Sunday; and

WHEREAS: The applicant has represented that there will be recorded background music; and

WHEREAS: The applicant has represented that a doorman will be present Thursday to Saturday; and

WHEREAS: The applicant has agreed to no more than 12 buyouts per year; and

WHEREAS: The applicant has agreed to close windows and doors at 10PM every day; and

WHEREAS: The applicant has indicated that they do not plan to have bicycle delivery personnel, but delivery of goods and services will be 10:00AM- 5:00PM daily; and

WHEREAS: The applicant has represented that they **do not** intend to apply for the DOT Dining Out NYC Program; 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; and

WHEREAS: The applicant has agreed to sign and notarize the stipulations documents; 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 a method of operation change for on-premises Liquor, Wine, Beer and Cider license for Murray 41 LLC dba Boss Tweed at 41 Murray Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
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COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

RE: **100 Cedar Street - Unit 005, 002 & 100, aka 97 Trinity Place aka 115 Broadway**, application for a new application for a full-service liquor license for La Grande Boucherie FiDi LLC d/b/a La Grande Boucherie/ Omakase Room

WHEREAS: The applicant, La Grande Boucherie FiDi LLC d/b/a La Grande Boucherie/ Omakase Room at 100 Cedar Street - Unit 005, 002 & 100, is applying for a new application for on-premises Liquor, Wine, Beer and Cider license; and

WHEREAS: The applicant has represented that there are buildings used exclusively as schools, churches, synagogue,s or other places of worship within 200 feet of this establishment. Namely, High School of Economics & Finance located at 100 Trinity Place; However, this location has a 200-foot rule waiver granted in 2022; and

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

WHEREAS: The establishment is an upscale French restaurant with an Omakase room on the 1st & 2nd floor, with a total of 16,014 square feet, there is an estimated public capacity of 494 people, 7 bathrooms, 5 of which are ADA compliant, with 18 tables with 88 seats and 3 stand up bars; and

WHEREAS: The hours of operation will be 8:00AM - 12:00AM Monday to Thursday, 8:00AM - 1:00AM Friday, 10:00AM - 1:00AM Saturday and 10:00AM - 12:00AM on Sunday; and

WHEREAS: The applicant **intends** to apply for DOT Dining Out NYC Program for sidewalk seating on Trinity Place and on Thames Street when a Pedestrian Plaza; and

WHEREAS: The applicant has confirmed they have no plans for outdoor seating on Cedar street which hosts the main entrance to the establishment; and

- WHEREAS: As of March 26, Thames Street has not been finally approved as a pedestrian plaza under the NYC DOT Program and the rules for Dining Out NYC Program in Public Plazas and Pedestrian Plazas have not been finalized; and
- WHEREAS: CB1 is on record asking that Thames Street not have exclusive privatized seating. CB cannot consider any outdoor seating on Thames Street until the rules for the NYC DOT Dining Out Program in Plazas are finalized and a Pedestrian Plaza concessionaire agreement is in place; and
- WHEREAS: Building owner stated the primary ADA access to the establishment is through the loading dock on Thames Street and Thames Street will be under construction for two years; and
- WHEREAS: There are 3 entrances on Trinity Street and planned outdoor seating but there is no ADA access to the establishment on Trinity or Broadway; and
- WHEREAS: The applicant has agreed to outdoor hours of 10:00AM - 10:00PM Sunday, 8:00AM - 10:00PM Monday to Thursday and 8:00AM - 10:00PM Friday and 10:00AM - 10:00PM Saturday; and
- WHEREAS: The applicant has represented that there will be live and recorded background music, from 45 speakers, RFK/Bose equipment, as well as acoustic jazz; and
- WHEREAS: The applicant has agreed to open window hours of 10:00AM - 10:00PM Sunday to Thursday and 10:00AM to 11:00PM Friday to Saturday; and
- WHEREAS: The applicant has indicated that they do not plan to have bicycle delivery personnel, but delivery of goods and services will be daily between 8AM - 4PM; and
- WHEREAS: The applicant has indicated that daily garbage pickup will be 8AM - 10AM; 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; and
- WHEREAS: The applicant has agreed to sign and notarize the stipulations documents; 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 a new on-premises Liquor, Wine, Beer and Cider license for La Grande Boucherie FiDi LLC d/b/a La Grande Boucherie/Omakase Room at 100 Cedar Street - Unit 005, 002 & 100, aka 97 Trinity Place aka 115 Broadway, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **62 William Street**, application for a new application for a wine, beer and cider license for Sanmiwago 62 Inc d/b/a Sanmiwago

WHEREAS: The applicant, Sanmiwago 62 Inc d/b/a Sanmiwago at 62 William Street, is applying for a new application for on-premises 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 an Asian restaurant on the ground floor, with a total of 4200 square feet, there is an estimated public capacity of 90 people with 22 tables with 4 seats and one food counter; and

WHEREAS: The establishment is ADA accessible and has 1 ADA Bathroom of a total of 2 bathrooms; and

WHEREAS: The hours of operation will be 7:00AM - 12:00AM Monday to Thursday, 7:00AM - 12:00AM Friday and Saturday, 7:00AM - 12:00AM Sunday; and

WHEREAS: The applicant has represented that there will not be any music; and

WHEREAS: The applicant has indicated that they do not plan to have bicycle delivery personnel, but delivery of goods and services will be daily 11am-4pm Mon- Fri; and

WHEREAS: The applicant has indicated that daily garbage pickup will be 10pm-11pm Monday to Sunday, except for Saturdays and holidays; and

WHEREAS: The applicant indicated that they DO NOT intend to apply for DOT Dining Out NYC Program; 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; and

WHEREAS: The applicant has agreed to sign and notarize the stipulations documents; 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 a new on-premises Wine, Beer and Cider license for Sanmiwago 62 Inc. d/b/a Sanmiwago at 62 William Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **225 Liberty Street, Store 251** application for a new application and temporary retail permit for a wine, beer and cider license for AV Liberty LLC d/b/a All' Antico Vinaio

WHEREAS: The applicant, AV Liberty LLC d/b/a All' Antico Vinaio at 225 Liberty Street, is applying for a new application for on-premises 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 Kiosk within a food hall serving Italian sandwiches, with a total of 796 square feet, with one service bar and one food counter; and

WHEREAS: The hours of operation will be 7:00AM - 9:00PM Monday to Thursday, 10:00AM - 9:00PM Friday and Saturday, 11:00AM - 7:00PM Sunday; and

WHEREAS: The applicant has represented that there recorded background music from 2 small speakers on the left and right corners of the interior of the kiosk; and

WHEREAS: The applicant has indicated that they **do** plan to have bicycle delivery personnel; and

WHEREAS: The applicant will have delivery of goods and services will between 7am-12pm daily via the building's loading dock on the sub-level; and

WHEREAS: The applicant has indicated that garbage pickup will be 7am-10pm daily via a private carting company; and

WHEREAS: The applicant indicated that they DO NOT intend to apply for DOT Dining Out NYC Program; and

WHEREAS: The applicant has agreed to sign and notarize the stipulations documents; 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 a new on-premises Wine, Beer and Cider license and temporary retail permit for AV Liberty LLC d/b/a All' Antico Vinaio at 225 Liberty Street, Store 251, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **26 Ann Street**, application for a corporate change for a full-service liquor license for AB Fulton Nominee LLC, Hersha Hospitality management LP and 26 Ann FB LLC d/b/a Moxy NYC Downtown

WHEREAS: The applicant, AB Fulton Nominee LLC, Hersha Hospitality management LP and 26 Ann FB LLC d/b/a Moxy NYC Downtown at 26 Ann Street, is applying for a corporate change for on-premises Liquor, Wine, Beer and Cider license; and

WHEREAS: 26 Ann FB LLC is owned 100% by Gilded Group LLC and in turn Concrete Hospitality Group LLC owns 60% of Gilded Group LLC. Concrete Hospitality Group LLC will acquire the remaining 40% ownership interest of the three companies that own Gilded Group LLC. In turn, Gilded Group LLC will be dissolved, and Concrete Hospitality Group LLC will then own the co-licensee 26 Ann FB LLC 100%; and

WHEREAS: The establishment is a seafood and burger restaurant on the ground floor and basement, within a mixed-use residential building with 4 residential units and adjacent to 6 other residential buildings. Premises is a total of 2500 square feet, there will be a public capacity of 74 people with 7 tables with 36 seats and 1 stand up bar; and

WHEREAS: The hours of alcohol service remain the same at 8:00AM - 2:00AM Monday to Saturday and 10:00AM - 2:00AM Sunday; and

WHEREAS: The applicant has represented that there will be recorded background music from several small basic speakers in the ceiling, power amp and iPod; and

WHEREAS: The applicant has represented that they **do not** intend to apply for the DOT Dining Out NYC Program; and

WHEREAS: The applicant has indicated that they do not plan to have bicycle delivery personnel, but delivery of regular goods and supplies will be conducted daily between 9:00AM and 4:00PM; and

WHEREAS: The applicant has indicated that garbage pickup will be daily, during early morning hours; and

WHEREAS: The applicant has indicated that there will be one security person stationed at the front entrance on weekends; 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; and

WHEREAS: The applicant has agreed to sign and notarize the stipulations documents; 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 a corporate change for on-premises Liquor, Wine, Beer and Cider license for AB Fulton Nominee LLC, Hersha Hospitality management LP and 26 Ann FB LLC d/b/a Moxy NYC Downtown at 26 Ann Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	4 In Favor	2 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	29 In Favor	10 Opposed	3 Abstained	0 Recused

RE: Docket number - LPC-24-06401-City Hall Park Deliverista Hub/Kiosk/ Battery Charging Station with Seating- Disapproval

WHEREAS: This proposal is to demolish and fully replace an existing newsstand located on the sidewalk on the east side of Broadway, adjacent to City Hall Park, with a new building to accommodate electric bike battery storage, charging stations and delivery workers' seating; and

WHEREAS: The existing newsstand (built c. 1980) was designed to complement the historic architectural style of City Hall and City Hall Park and is in fine condition and has been vacant since Covid-19 although licenses are only for a 2 year period; and

WHEREAS: Newsstands are designed to serve the public and draw in pedestrians. Per The Department of Consumer and Worker Protection (DCWP)a newsstand “is a business that will operate a stand or booth on a public sidewalk that is not readily removable and is primarily used for the sale of newspapers and periodicals. A newsstand may sell cigarettes, lottery tickets, and prepackaged snacks...”; and

WHEREAS: The applicant alleges that newsstands are obsolete in NY, yet on March 14, CB1 received a letter of interest to lease the existing City Hall kiosk from Shaizak Corporation¹ requesting leasing information from Department of Parks and Recreation; and

WHEREAS: The proposed location does not have direct access from a bike lane, and NYC DOT has confirmed there are no current proposals for any new bike facilities on Broadway either as part of the Deliverista Hub proposal or as standalone project; and

WHEREAS: The proposed battery storage building, called a “Deliverista Street Hub” is a modular system which is 21’ long, and 14’ wide, approximately 33%

¹ See attached

larger than the existing City Hall kiosk; and

WHEREAS: The proposed new battery storage and charging building location will force bicycle traffic to either travel north on the granite sidewalks from the southern tip of City Hall Park to the kiosk or travel the wrong direction (north) against traffic on Broadway because the bike lane is on the East Side of City Hall Park at Park Row; and

WHEREAS: The proposed design did not show or include bike parking for those waiting to charge in the parking spaces taken from street cars; and

WHEREAS: The proposed approximately 300 sf permanent structure greatly diminishes this highly trafficked pedestrian space at this important civic site at City Hall frequented by workers, residents, tourists, and protesters; and

WHEREAS: On March 13th, CB1 received a letter from The New York Landmarks Conservancy², stating the currently proposed design “does not attempt to be contextual with the historic district or City Hall Park” and “The structure’s curved shape and cantilevered canopy would draw a conspicuous amount of attention to itself. ...nor does it attempt to be inconspicuous.”; and

WHEREAS: On March 25, CB1 received a letter from City Hall Park Conservancy³ supporting the idea of the battery charging stations but recommending the City work collaboratively with the community to find another suitable and prominent location within City Hall Park and noted by email suggested alterations in scope and location that would better serve the community; and

WHEREAS: CB1 would like to collaborate with the applicant on a review of alternate locations for battery storage stations in CB1, such as, but not limited to, the CB1 and LPC approved kiosk site in 2017 at 1 Centre Street that is not located within the public pedestrian right of way; and

WHEREAS: The proposed demolition contradicts the City’s commitment to sustainability by not adaptively re-using the existing vacant newstands as originally proposed by Mayor Adams and Senator Shumer in 2022 when the program promised to “renovate and transform underutilized structures on city properties”’s <https://www.nyc.gov/office-of-the-mayor/news/715-22/mayor-adams-majority-leader-schumer-first-in-nation-street-deliveristas-hubs-serve#0>; and

WHEREAS: The proposed new contemporary building design does not complement the existing 19th century historic style fencing and subway entrances currently surrounding City

² See attached

³ See attached

Hall Park; and

WHEREAS: CB1 fully supports the need for public battery storage areas in NYC, however, CB1 does not support a test case for this type of new permanent structure with its new use to be located on the heavily trafficked sidewalk leading to one of the City's most important historic buildings and park at City Hall , now

THEREFORE

BE IT

RESOLVED

THAT: CB1 recommends the Landmarks Preservation Commission **disapprove** the proposal to demolish the existing newsstand and replace it with a new Hub/Kiosk/ or any other structure as designed and presented.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE:	8 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: Class Size Working Group and compliance with the new class size law

WHEREAS: In 2003, the New York Court of Appeals in the Campaign for Fiscal Equity case determined that NYC public school class sizes were too large to provide students with their constitutional right to a sound basic education; and

WHEREAS: Following that decision, class sizes in NYC schools increased, and to this day, remain far larger than they are in the rest of the state; and

WHEREAS: Smaller classes have been shown through research to improve school culture with teachers better able to address the needs of their students both academically and holistically; and

WHEREAS: Many studies show that class size reduction leads to better student outcomes in every way that can be measured, including better grades and test scores, fewer behavior problems, greater likelihood to graduate from high school on time and enroll in college; and

WHEREAS: Every year in the DOE parent surveys, smaller classes are the top priority of District 2 parents among 12 choices when asked what change they would most like to see in their children's schools; and

WHEREAS: In June 2022, the NY Legislature overwhelmingly passed [Education Law 211-D](#) by a vote of 59-4 in the State Senate and 147-2 in the Assembly, requiring that NYC implement a five-year phase-in of smaller classes beginning in the fall of 2022 to fulfill the promise of CFE; and

WHEREAS: On Sept. 8, 2022, Gov. Kathy Hochul signed the bill into law, based upon an amendment that the five-year phase-in of smaller classes would begin instead in Sept. 2023; and

WHEREAS: The law calls for class sizes to be limited to no more than 20 students per class in grades K-3, no more than 23 students per class in grades 4th-8th, and no more than 25 students per class in high school, with physical education and performing art classes capped at forty students per class; and

WHEREAS: Instead of taking any positive steps to lower class size since the law was passed, the DOE's actions have resulted in average class sizes increasing citywide this fall, including in District 2; for elementary and middle school grades this was the second year in a row of increases; and

WHEREAS: The percentage of classes that complied with these caps citywide fell at all grade levels; and

- WHEREAS: In District 2, the percentage of classes in grades K-3 in compliance with the caps fell from 27.7% to 21.8, in HS fell from 50.5% to 43.5%, and for grades 4-8 remained stagnant at only about 21.0%; and
- WHEREAS: Since taking office, Mayor Adams has repeatedly cut school budgets, and plans to cut them even more next year; and
- WHEREAS: These budget cuts have occurred despite more than \$1.3 billion in additional annual state aid provided to NYC schools over the last three years, as a result of the CFE settlement; and
- WHEREAS: The Independent Budget Office recently reported that they expect next year's City budget will have a [\\$3.3 billion surplus](#); and
- WHEREAS: If enacted, the proposed budget cuts for DOE of more than \$500 million for each of the next four years will likely lead to even sharper increases in class size; and
- WHEREAS: The DOE has already shrunk the K12 teaching force by 4,000 from FY 2019-FY 2023, and the city's [Jan. 2024 Financial plan](#) projects another loss of nearly 3,000 full time teachers over next two years; and
- WHEREAS: Principals at overcrowded schools were also told that this fall they cannot ask for their schools' enrollments to be capped at lower levels to enable them to lower class size; and
- WHEREAS: Since the class size law passed, the DOE has proposed that more than \$2 billion be cut from school construction and expansion, which would likely make it impossible for schools in the most overcrowded communities to have sufficient classroom space to lower class size; and
- WHEREAS: The new proposed five-year capital plan for 2025-2009 cuts more than twenty thousand school seats compared to the current five-year plan; and
- WHEREAS: The proposed five-year plan also fails to identify the locations for 77% of the seats funded, as well as their grade levels, and instead declares that this information will only be provided after school sites have been acquired and the design process has begun; and
- WHEREAS: This unprecedented lack of transparency would leave parents, Community Education Councils, Community Boards, and local officials in the dark, and unable to provide any input about where schools are needed and should be built; and
- WHEREAS: This change appears to violate [Education Law 2590-o](#), which requires the Chancellor to annually prepare an "educational facilities master plan...including a list of prioritized projects to the extent ascertainable and [to] list each proposed new educational facility and set forth a justification, including demographic data, documenting the long term need therefor"; and
- WHEREAS: This change also violates [the class size law](#), which states that the DOE must submit an "annual capital plan for school construction and leasing to show how many classrooms will be added in each year and in which schools and districts to achieve the class size targets"; and

WHEREAS: Given current trends, it is questionable whether the DOE will meet the legal mandate next year that 40% of classes must achieve the class size caps, and extremely unlikely that the mandates of 50% to 100% will be met in years three to five; and

WHEREAS: The Class Size Working Group, appointed by the Chancellor, has proposed a variety of actionable and effective policies that would enable the DOE to lower class sizes to the mandated levels starting next year and beyond, including changes in enrollment, budgeting, and the capital plan; and

WHEREAS: The Working Group has proposed that no changes in school utilization be pushed forward by the DOE without an analysis that there will be sufficient space in existing schools to lower class size to mandated levels; and

WHEREAS: Despite this, the DOE has continued to propose changes in school utilization that assume current class sizes in the schools affected by these proposals will remain forever, even when schools have many classes above the mandated levels; and

WHEREAS: The Working Group has also proposed that Community Education Councils be involved in the advisory process as Community Boards are currently when the city is considering approving large scale development projects, to try to ensure that schools are built along with housing; and

WHEREAS: Despite the administration's claim that the class size law is somehow inequitable, since most high need schools already have small enough classes, if schools are analyzed according to the state weighted need formula that takes into account both the percentage and number of high needs students in each school, those [schools with the highest weighted need](#) are the least likely to have smaller classes; and

WHEREAS: Class size reduction is one of the most equitable of reforms because as the research shows, the [benefits for high needs students](#) are about twice as large as those to lower needs students, and thus is one of only a very few policies shown to narrow the opportunity gap; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 in Manhattan urges the DOE not to propose any changes in school utilization without an analysis in the Educational Impact Statement that the change will not prevent the existing schools as well as nearby schools from lowering class size to the levels required by the law; and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 in Manhattan calls on the Mayor and the Chancellor to refrain from cutting school budgets and/or the capital plan, but instead to increase funding for both to ensure that schools are able to lower class sizes to the levels required by the law; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 in Manhattan demands that DOE and the School Construction Authority specify in the proposed capital plan where new schools are needed and where they will be built, and demonstrate how this will provide enough space in every district to lower class size to mandated levels; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 in Manhattan urges the Mayor and the Chancellor and immediately adopt the Class Size Working Group's proposals, so that NYC students are able to benefit from the personalized feedback necessary for them to have a better chance to learn; and

BE IT
FURTHER
RESOLVED

THAT: Should the Mayor and the Chancellor fail to take these necessary steps, the Community Board 1 in Manhattan urges the State Education Department to require them to devise and implement an effective class size reduction plan as soon as possible to achieve these goals.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: QUALITY OF LIFE & DELIVERY SERVICES

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	33 In Favor	4 Opposed	4 Abstained	0 Recused

RE: Resolution in Support of Increased Tenant Protections in the New York State Budget

WHEREAS: Manhattan Community District 1 (CD1) has already suffered large losses of affordable housing with unchecked increases in CD1 market rents further exacerbating the City’s critical housing shortage; and

WHEREAS: The erosion of housing security within our district is leading to a further reduction in socioeconomic diversity and stability; and

WHEREAS: Market rate tenants lack adequate protections against unreasonable rent increases, leaving them vulnerable to displacement and housing insecurity, unsure if they will be able to afford to remain in their homes; and

WHEREAS: The disruptive consequences of unaffordable housing, including the displacement of families, disruption in education, increased transiency and the grueling process of finding alternative housing, impact the well-being and stability of our community; and

WHEREAS: CB1, in its FY 2025 Capital Budget Priorities and Requests statement, listed providing more housing for extremely low- and low-income households as its number two priority for the district; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 urges the New York State Legislature to prioritize the implementation of robust tenant protections and increasing and preserving the supply of affordable housing in the upcoming State budget, including provisions that prohibit eviction without good cause, which safeguard tenants against unchecked rent increases and unjust evictions. This is a critical step towards mitigating the affordable housing crisis and fostering a more equitable and sustainable housing landscape within our community and State.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Washington Market School’s Annual Request for a Street Activity Permit

WHEREAS: Washington Market School (WMS) is a non-profit early childhood center founded in 1976 that provides preschool, kindergarten and afterschool at 55 Hudson Street, between Jay and Duane Streets. It currently serves 250 families; and

WHEREAS: The proposed annual street fair will close Duane Street between Greenwich Street and Hudson Street from 9:00 AM to 5:00 PM on Saturday June 1, 2024. Fair activities will take place from 11:00 AM-3:00 PM with setup from 9:00-11:00 AM and dismantling and cleaning from 3:00-5:00 PM; and

WHEREAS: WMS began holding annual street fairs for fundraisers in Tribeca on June 8th, 1986 when Phillippe Petit walked across a tightrope in front of their former site at Greenwich Street to raise money for financial aid. Annual street fairs have been held since, although COVID caused a two year pause; and

WHEREAS: The street fair will include arts and crafts run by each classroom, -sponsored food vendors, and children's entertainment including a magician, live music, and an inflatable slide; and

WHEREAS: The funds are raised to support their scholarship program; and

WHEREAS: WMS again volunteers to:

- Hand-deliver a letter to all of our neighbors on Duane Street to introduce the school and the event and invite them to attend;
- Continue communication with the Friends of Duane Park to ensure that they adhere to any rules/guidelines and that they coordinate any activities as needed;
- Make the bathrooms at their school site (55 Hudson St) available for all attendees to use.
- Have 2-3 dedicated cleaners from the school’s supplier on-site for the entirety of the fair to ensure that garbage cans are emptied and recycling is managed;
- Work with their school security supplier to have 2-3 security guards present on-site to monitor activity at the school and at the street fair;

- Provide their contact information for any questions or concerns from the community; and

WHEREAS: The WMS has a history of actively coordinating their setup, activities and cleanup with the Friends of Duane Park as well as working with the neighboring businesses so that they are informed and included in the Street Fair; and

WHEREAS: There are concerns about climate change, the harms caused by traffic and how the cost of congestion pricing could discourage participation in community events. Therefore, CB1 requests that anyone requesting support for a street activity permit include information on their website and all of their promotional materials regarding the closest bus routes and stops, subway lines and stations, Citi bike stations and ferry docks; and

WHEREAS: The funds raised help to make much needed childcare and early education more affordable in Tribeca; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 supports Washington Market School's request for a street activity permit for a street fair on May 7th as long as they coordinate their activities with The Friends of Duane Park.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 2024 9/11 Memorial & Museum 5K Run/Walk

WHEREAS: The 9/11 Memorial & Museum is a 501(c)(3) charity organization “that relies on the generosity of its donors and visitors to fulfill its mission to commemorate, educate, and inspire”¹; and

WHEREAS: Each year, the 9/11 Memorial & Museum organizes the 5K Run/Walk. All funds raised from the event help maintain the 9/11 Memorial & Museum and grow their education programs, ensuring that new generations understand the context, lessons, and ongoing impact of September 11, 2001; and

WHEREAS: The 12th annual 9/11 Memorial & Museum 5K Run/Walk, presented by RXR, will take place on Sunday April 28, 2024 with up to 5,000 walkers and runners; and

WHEREAS: Manhattan Community Board One (MCB1) has a long history of supporting the 9/11 Memorial & Museum, which commemorates a significant event in our community; and

WHEREAS: The event’s participants will arrive immediately north and east of North Cove Marina starting at 7:00 AM. Six speakers will be used for the speaker program that starts at 8:00 AM. None of the speakers, nor the stage, will be near or directed toward a residence or the Conrad Hotel; and

WHEREAS: The event will start at Brookfield Place (North End Avenue near Vesey Street). The runners will leave at 8:10 and the walkers at 8:20 AM. Both groups will head north on North End Avenue, left onto River Terrace, right onto Chambers Street, left onto the plaza that is east of Stuyvesant High School, then north into Hudson River Park. Runners will use the bike lanes and walkers will use the esplanade north to Lighthouse Point, where both groups will turn around and head south on the esplanade to South Cove. The participants will then travel east on 2nd Place, then

¹ <https://www.911memorial.org/>

south on Battery Place, north on Greenwich Street and finish by approximately 9:45 AM at the 9/11 Memorial Plaza on Greenwich Street between Cortland Way and Dey Street; and

WHEREAS: Participants will use the sidewalks except for in Hudson River Park (where walkers will use the esplanade and runners will use the bike lane) and on Battery Place, south of 2nd Place, to Greenwich Street, and

WHEREAS: The event organizers plan to allow batches of cyclists, directed by event marshalls, to use the bike lane between Chambers and Laight Streets. If the NYPD requires closure while the runners are using the bike path, it would reopen by 8:40 AM. Marshalls and posted signs are planned for guiding the cyclists; and

WHEREAS: Due to closures for the South Battery Park City Resiliency Project, participants will travel east on 2nd Place and turn onto Battery Place where they will travel south, then east to Greenwich Street. Runners will use the roadway so it will be closed to southbound traffic from 8:00-9:15 AM; and

WHEREAS: A finish line experience will take place on Fulton Street between Greenwich and Church Streets next to the 9/11 Museum pavilion on the World Trade Center campus. There will be entertainment, which the public is welcome to enjoy. The event will end at 11:00 AM so that all setups can be removed; and

WHEREAS: The organizers have agreed to share letters about the event with the Museum of Jewish Heritage, as well as businesses and residences along the route; and

WHEREAS: The event organizers will have six porta-potties available for participants on the northside of North Cove Marina; and

WHEREAS: The website for the 2024 race “strongly encourages” the use of mass transit, MCB1 also urges street activity permit applicants to include detailed information about the closest mass transit stops, Citi bike stations and ferry docks on the event website and all promotional materials; and

WHEREAS: The funds raised from this 5K Run/Walk will support education regarding terror attacks and their aftermath, an issue that is important to MCB1; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 (MCB1) approves the annual 9/11 Memorial & Museum 5K Run/Walk as long as they provide cyclists with information about where to go while the Greenway bike lane is closed for use by runners; and

BE IT
FURTHER
RESOLVED

THAT: MCB1 appreciates the race organizers work to respect the community and requests that:

- Flyers be placed and outreach to businesses and residences be done before Passover starts on April 22,
- Staff setting up for the race be instructed and reminded to limit their noise, including, but not limited to by: not shouting, not using bullhorns and not using amplified sound or exceeding 80 decibels at any location before 9:00 AM,
- Any speakers be angled away from residential buildings; and
- On the day of the race, a dedicated staff member is assigned to ensure that all stipulations agreed on with the community are adhered to.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	39 In Favor	1 Opposed	1 Abstained	0 Recused

RE: [Int 0024-2024](#) Permitting vending within two feet of the curb

WHEREAS: [Int 0024-2024](#), a Local Law to amend the administrative code of the City of New York (NYC), would permit street vendors to vend within two feet, verses about the curb,² or 18 inches from the curb.³ The change is intended to improve the safety of vendors so that they don't need to exit their carts onto the street, and potentially, into oncoming traffic. The bill currently has 17 sponsors; and

WHEREAS: The issue of increasing the distance from the curb (or 18 inches) to two feet in order to improve vendor safety is viewed as acceptable as long as at least a twelve-foot clear pedestrian path is available and the functions of street furniture, bike racks, etc. are maintained. The bill would need to specify that the clear pedestrian path must be level, smooth and completely, unobstructed including by scaffolding, sidewalk cafes, etc. that are near the buildings; and

WHEREAS: The changes proposed by Int. 0024 would allow vendors to operate in front of "obstructions," a term that is not defined, but needs to be and should include bike racks, planters, security devices including bollards, tree pits, bus stops and shelter, scaffolding, street furniture, etc. This would represent a significant change to our streetscape without enough consideration of clear path requirements; and

WHEREAS: The legislation defines a clear pedestrian path as being "measured from the boundary of any private property to any obstruction in or on the sidewalk." However, it does not factor in the space taken up by sidewalk cafes, scaffolding or other obstructions near buildings, or what is needed to provide access to, and use of obstructions such as street furniture, bus stops and bus shelters even though they would reduce the space that is available for walking, an important, sustainable means of mobility; and

² NYC Code §20-465(a) 12

³ Testimony by the DSNY to city council regarding Int 0024-2024, January 31, 2024

WHEREAS: The legislation states that “No pushcart shall be placed upon any sidewalk unless said sidewalk has at least a twelve-foot clear pedestrian path.” A clear pedestrian path is defined as the distance from “the boundary of any private property to any obstruction in or on the sidewalk.” Given these definitions, scaffolding, sidewalk cafes, clutter near buildings, access space around sidewalk obstructions such as for bus stop lines and uneven sidewalk surfaces could be counted as being part of the clear pedestrian path; and

WHEREAS: In 2023, the Downtown Alliance, which serves the area south of the Brooklyn Bridge (and east of West Street), reported over 2,900 food and general vending violations to 311. Even though a twelve-foot clear path is supposed to be maintained, non-compliant vendors set up regardless of the clear path rule;⁴ and

WHEREAS: Neither of the two vendor siting changes in Int 0024-2024, vending two feet from the curb nor allowing vendors to place their push carts as close as possible to any sidewalk obstruction, are among the recommendations made in the Street Vendor Advisory Board Report dated May 2022;⁵ and

WHEREAS: Testimony given to the City Council by street vendors and their advocates regarding [Int 1253-2023](#), and after the bill’s reintroduction as Int 0024-2024, support allowing vendors to be two feet from the curb, but none mention any support for allowing vendors to operate in front of obstructions; and

WHEREAS: Allowing carts to be placed as close as possible to an obstruction is not needed for vendor safety, but rather would expand the number of possible vending locations at the expense of space for pedestrians or other uses; and

WHEREAS: The mission of [Trees for Tribeca](#) is to promote the installation of trees, usually in containers due to the vaulted neighborhood sidewalks which are common in CB1 neighborhoods. The trees are meant to provide shade in summer, help clean the air, and be a pleasure to look at all year long. The vending that Int 0024-2024 would allow to occur in front of them, and other trees, would diminish their intended purpose and impair pedestrian movement near them; and

WHEREAS: The website [Sidewalk Widths NYC](#) relies on unconfirmed public data, however, they found that 80.6% of NYC streets are less than 12 feet wide from building to curb. The 19.4% that are at least 12 feet wide still have many obstacles and uses, including cafe dining that isn’t addressed by the bill; and

⁴Testimony given to City Council on package of vending bills, January 31, 2024.

⁵ Street Vending in NYC: Overview and Recommendations from the Street Vendor Advisory Board, May 2022. <https://www.nyc.gov/assets/dca/downloads/pdf/partners/SVAB-Report-2022.pdf>

WHEREAS: Vesey Street between Goldman Alley and North End Avenue in Battery Park City is given as being 17.3 feet wide. However, the sidewalk cafes and the uneven cobblestone furnishing zone end up leaving less than five feet of unobstructed, level, smooth pedestrian path. When food carts have been set up here, pedestrians with strollers, wheelchairs or delivery carts can only move single file past them and their customers standing in front of the cart. This is unacceptable; and

WHEREAS: Manhattan Community Board One's (MCB1) district draws millions of visitors annually who, along with residents, employees, commuters, street furniture, and vendors create extremely congested sidewalks and many competing uses; and

WHEREAS: Sidewalks need to be accessible and passable in order to ensure pedestrian safety and walkability in NYC. The bill's language raises questions about how sidewalk space is used. Vendor siting changes must be a part of a larger conversation on how our public space is used and must not simply be allocated to vendors, a private use of public sidewalk space; and

WHEREAS: Sidewalks are a precious commodity and are becoming increasingly crowded. They are for public use and not for private use absent appropriate input, stakeholder notification, and agency review; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board One (MCB1) opposes [Int 0024-2024](#), a Local Law to amend the administrative code of the City of New York (NYC) to permit street vendors to place their pushcarts as close as possible to any obstruction that is in, or on, the sidewalk. As currently written, it would allow vendors and their customers to be in the [pedestrian walk lane and clear path](#) as defined by the NYC Department of Transportation (DOT); an unacceptable situation; and

BE IT

FURTHER

RESOLVED

THAT: CB1 demands amendments to Int 0024-2024 to address the concerns noted above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 26, 2024

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

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	1 Opposed	0 Abstained	0 Recused

RE: [Int 0022-2024](#) Vending on bridges

WHEREAS: Int 022-2024 would prohibit general vending and mobile food vending on a bridge approach and would restrict all general vending and mobile food vending on bridges to elevated pedestrian walkways that have at least a sixteen-foot clear pedestrian path. It would prohibit vending within 20 feet of another pushcart operating on a bridge;⁶ and

WHEREAS: The bill would prohibit general vending and mobile food vending on a bridge approach so is consistent with the January 3, 2024 Department of Transportation (DOT) rule change⁷ that amended the City of New York (NYC) Traffic Rules. However, the bill would reverse the new rule’s clarification that an elevated pedestrian walkway or a bicycle lane on a bridge or a bridge approach may not be used for the vending of merchandise or service; and

WHEREAS: Public comments from tour guides, local residents, pedestrian commuters between Manhattan and Brooklyn and local politicians overwhelmingly supported a prohibition of vending on a bridge or its approach. Most comments specifically mentioned opposition to having vendors on the Brooklyn Bridge; and

WHEREAS: Local residents have long complained about vending on the Brooklyn bridge, especially the crowding, trash and loss of views that result. There is no confidence that allowing any vendors back on the bridge is something that could be controlled; and

WHEREAS: In 2023, the Downtown Alliance, which serves the area south of the Brooklyn Bridge (and east of West Street), reported over 2,900 food and general vending violations to 311. Even though a twelve-foot clear path is supposed to be maintained, non-compliant vendors set up regardless of the clear path rule;⁸ and

⁶<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6495035&GUID=DA9B6BA0-A57C-4C49-8DEC-346EB29A2900&Options=ID%7CText%7C&Search=vending>

⁷<https://rules.cityofnewyork.us/rule/prohibition-of-vending-on-elevated-pedestrian-walkways-bicycle-lane-on-a-bridge-or-bridge-approaches/>

⁸Testimony given to City Council on package of vending bills, January 31, 2024.

WHEREAS: About 34,000 pedestrians crossed the Brooklyn Bridge on a typical fall weekend day in 2022, compared to about 17,000 pedestrians in 2021. Given these high pedestrian counts, vending along the walkway creates unsafe conditions, including cases where people unsafely climb over the fencing to walk on the separated bike lane to escape the overcrowded walkway; and

WHEREAS: The Brooklyn Bridge is a critical link in and out of Manhattan and at times has extremely high numbers of pedestrians, such as during emergencies and protests, where the safe egress of pedestrians is crucial; and

WHEREAS: The NYPD closed the Brooklyn Bridge to pedestrians on December 29, 2023 when the crowding was so dense that there was a concern about the potential for a pedestrian "crush" situation. The bridge's popularity is a major factor in the NYPD designating it as a high-threat counterterrorism target; and

WHEREAS: Manhattan Community Board One's (MCB1) district has been the site of multiple terrorist attacks and has had multiple occasions when the bridge was needed for a large-scale evacuation so CB1 is particularly sensitive to NYPD's concerns about the extreme crowding that occurs on the Brooklyn Bridge and how vending on the bridge adds to that concern; and

WHEREAS: The NYPD reports that from 2019 through 2023, there were at least 6,340 911-calls for service on the Brooklyn Bridge pedestrian and bike paths: 1,301 were for an ambulance response, including 130 for jumpers; 230 for crimes in progress; 9 for a suspected explosive device or threat; 68 for hazardous materials, including suspicious packages; and 89 for fires; and

WHEREAS: Int 0024-2024 appears to be an attempt to reintroduce vending for a small number of vendors and to site them so that they will be unobstructive, but the lack of continuous enforcement on the Brooklyn Bridge, the large number of 911 complaints about vendors and the growing number of pedestrians crowding the bridge makes a return of any vendors impractical and unsafe; and

WHEREAS: Vending has an important role in NYC, places should be identified by city agencies where vendors can be safely accommodated, but the Brooklyn Bridge walkway is already crowded, especially on weekends and would be an unsafe location; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board One (MCB1) opposes passage of Int 022-2024, because it would reintroduce vending on the Brooklyn Bridge. The Brooklyn Bridge is a popular landmark in our district and an important evacuation route that sadly has been needed on multiple occasions. The Brooklyn Bridge elevated

walkway should be a safe, scenic pedestrian route between Manhattan and Brooklyn. It is not an appropriate place for vending.