

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

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

COMMITTEE VOTE:	11 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	1 Abstained	0 Recused

RE: 88 Pine Street – Board of Standards and Appeals (BSA) Application Cal. No. 805-79-BZ, Construction of Vestibules in Plaza

WHEREAS: Ownership of 88 Pine Street has submitted an application to the New York City Board of Standards and Appeals (BSA), which has been assigned Application Calendar No. 805-79-BZ, seeking to amend the previously granted variance for the property in order to allow for the construction of two vestibules which will protrude into the privately owned public space (POPS) plaza along Water Street; and

WHEREAS: The proposed project will include the construction of two vestibules in the plaza at 88 Pine, connected by an overhead canopy to complete the redesigned entrance to the building. The Applicant represents that the proposed alteration is needed “to provide compliant handicap access,” which the Applicant claims the property currently does not have, and to bring the building “current” with the 2020 NYC energy conservation code.” The Applicant further represents that the proposed alterations are not part of a larger renovation of the building; and

WHEREAS: The vestibules, according to the applicant, will consume approximately 388 square feet of space in the public plaza; and

WHEREAS: Below is a photo of the existing Water Street entrances to 88 Pine and visual representations the proposed vestibules:



Existing

Proposed



Proposed (Additional View)

WHEREAS: The Applicant appeared virtually at the January 2024 meeting of the Land Use, Zoning and Economic Development (LZE) Committee of Manhattan Community Board 1 (CB1), where LZE Committee members asked the Applicant’s representative to return with additional details including various architectural plans or drawings; and

WHEREAS: The Applicant returned and appeared in person at the April 8, 2024 meeting of the LZE Committee, where Committee members reviewed the application and expressed a number of concerns about the necessity of the proposed alterations, the inclusion of a large “88” sculpture at the entrance as effectively a marketing tool, and the adequacy of the compensating benefit to the community for the loss of public plaza space; and

WHEREAS: A question was posed as to whether the Applicant would commit to upgrades to the south plaza of the property, which the Applicant committed to “take back” to property ownership; and

WHEREAS: CB1 is in full support of energy efficiency and accessibility, but the LZE Committee believes the proposed project here lacks sufficient necessity, because the current entrances are compliant, and lacks sufficient benefit to the community; and

WHEREAS: Following its review and discussion of the application, the LZE Committee voted to recommend that the application to amend the previously granted variance be denied; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 recommends that that the application to amend the previously granted variance be denied.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	30 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Wagner Park Pavilion: Suggestions for the Request For Proposal (RFP) for the Commercial Space

WHEREAS: The Battery Park City Authority (BPCA) is a NYS public benefit corporation whose mission is to plan, create, coordinate and sustain a balanced community of commercial, residential, retail, parks and open space within its designated 92-acre site on the West Side of Lower Manhattan; and

WHEREAS: As part of its operations, the BPCA is working on two interrelated resiliency projects as part of the Lower Manhattan Coastal Resiliency (LMCR) Project to protect Battery Park City and Lower Manhattan from the threats of storm surge and sea level rise; and

WHEREAS: The South Battery Park City Resiliency Project (SBPCR), part of LMCR, will protect the park and the adjacent community against more severe and more frequent storms. The project will create an integrated coastal flood risk management system from the Museum of Jewish Heritage, through Wagner Park, across Pier A Plaza, and along the northern border of the Historic Battery; and

WHEREAS: The North/West Battery Park City Resiliency Project (NWBPCR) contemplates the creation of an integrated coastal flood risk management system from First Place, north along the Battery Park City Esplanade, across to the east side of West Street/Route 9A, and terminate above Chambers Street at a high point on Greenwich Street, and is separated into 7 distinct “Reaches”. Work will proceed through a progressive design-build effort; and

WHEREAS: A third initiative, the BPC Ball Fields & Community Center Resiliency Project, now complete, entailed construction of an independent flood barrier system along the eastern, northern, and southern boundaries of the BPC Ball Fields. This space falls totally within BPC and therefore is not a part of the LMCR; and

WHEREAS: As part of the South Battery Park City Resiliency (“SBPCR”) Project the Battery Park City Authority (BPCA) is constructing a new Pavilion within Wagner Park; and

WHEREAS: The prior pavilion structure housed a restaurant, public restrooms, a storage area & rooftop viewing area; and

WHEREAS: The New Pavilion will be divided into two (2) distinct wings, with the north wing identified for use as a community space, with a lower-level area devoted to BPCA Parks maintenance and storage; and the south wing identified for use as a commercial space; and

WHEREAS: This Resolution addresses the COMMERCIAL SPACE use only; and

WHEREAS: In the Fall of 2023, the BPCA put out a Request for Expression of Interest (RFEI) to see what type of response it would get for potential designs for the Commercial Space; and

WHEREAS: One company responded, with a schematic design for a restaurant and/or other food service operation, with a kitchen at the lower level. While the response itself is confidential, the BPCA shared information as to what types of commercial activities were contemplated for the commercial space, which gave the Wagner Park Working Group a platform from which to work; and

WHEREAS: The RFEI's "Programming Concepts" are consistent with CB1's understanding of community sentiment regarding potential licensing of the South Wing of the Pavilion for food service, including, but not limited to, the bullet points found on page 4 of the RFEI, which are quoted below:

1. "Food service concepts submitted should include consideration of:
 - i. Price points that are aligned with and responsive to a "diverse clientele";
 - ii. The residential nature of the adjacent neighborhood, and the need to mitigate significant noise or odors;
 - iii. A general desire for high-quality, healthy food options;
 - iv. Operating hours that are sensitive to the times of active park use and compatible with the neighborhood's character; and
 - v. Sustainability guidelines and objectives, and "green" carbon-reduction and energy saving targets."

WHEREAS: BPC Committee members noted the following additional considerations that should be taken into account as a RFP is put forth and an operator selected:

1. The restaurant should be located on the ground floor, facing Wagner Park; and
2. The roof-top must be preserved for community open space; and
3. The number of Public Bathroom stalls must be the same or greater than was available in the prior pavilion building. CB1 is open to Gender-Neutral-Option public bathrooms. Public bathrooms must be ADA accessible, open at all times the Pavilion Commercial Space is open, have at least 1 diaper changing table in each bathroom – Men, Women, Gender-Neutral; and
4. In regard to the "diverse clientele", it is important to acknowledge that, with hybrid working now the norm, the regular customers that will sustain commercial operations in Wagner Park year-round will likely be residents of Lower

Manhattan, especially BPC, the Financial District, Greenwich South and Tribeca; and

5. Price points and food service options should be geared to this demographic and include reasonably priced breakfast, lunch and light-dining options throughout the day as well as dinner options that are priced so that families/residents would be able to dine out there regularly should they so choose. (CB1 notes that the many nannies, home health care attendants, local doormen/building staff need an affordable replacement to the Picasso Pizza lunch and snack option in BPC.); and

6. The operation of the South Wing should be consistent with, and ideally complementary to, the operation of the community facilities comprising the North Wing, the rooftop, and adjacent park areas. The licensed operation of the South Wing should enhance the experience of Wagner Park, not detract from it. Additionally, public access and public space should be maintained; and

7. Food service in the South Wing should ideally include all-day service, which could vary over the course of the day, consistent with character of the neighborhood. An example of this concept would be take-away beverage (e.g., coffee and tea) and light dining (e.g., pastries) and informal sit-down during breakfast hours; counter-service and waited table service during lunch hours; take-away and light dining beverage service in the afternoon (e.g. ice cream, frozen yogurt); dinner service during dinner hours; and

8. Food options should include Vegetarian and Vegan and should be Allergy-aware; and

9. Outdoor seating dedicated to the restaurant is appropriate and probably desirable, but such seating should not consume all of the outdoor dining-related seating at the Pavilion; seating should also be available for the general public for consuming food or drink that is not necessarily purchased at the South Wing food establishment; and

10. Consistent with the RFEI, the rooftop should not be licensed, although public seating for food or drink may be desirable, as long as such rooftop seating is available to the general public and not limited to paying customers of the South Wing food establishment; and

11. Except for events programmed in coordination with the BPCA, music from the South Wing food establishment should not be audible outside the licensed premises; and

12. Closing of the licensed premises for private events should be limited, consistent with practices deemed appropriate by the CB1 Licensing and Permits Committee; we want the Pavilion to serve the community at large and not be frequently monopolized by private events; and

WHEREAS: The October 4, 2023 RFEI specified that the BPCA was looking for operators with “Zero Carbon Certification.” CB1 applauds this decision and urges the BPCA to:

1. Require the food establishments to use ONLY recyclable items for take-out – and only provide utensils when asked. There should be no plastic utensils or other single-use items, including Styrofoam containers/coffee cups, as compostable coffee/tea to-go cups, plates, containers and utensils are available; and

2. Give preference to applicants that will source locally grown ingredients;
3. Require the hiring of Local Section 3 workers and giving hiring preference to people who live and/or whose families work in the Lower Manhattan; and
4. Require the food establishment(s) to comply with all composting and recycling mandates as well as Local Law 97 and Local Law 87 emissions standards; and

WHEREAS: In regards to the new Pavilion building as a whole, CB1 urges the BPCA to include total or partial living green walls in the design, especially on the East side of the Pavilion building which faces Battery Place; and

WHEREAS: CB1 further requests that the BPCA provide multiple refill water stations - for free - for water bottles throughout the Pavilion; and

WHEREAS: CB1 urges the BPCA to provide compost bins in and around the Pavilion and new Wagner Park to encourage users of the Park to compost food waste from picnics as well as to ensure the operator(s) of the food service establishment(s) can easily compost, now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 strongly encourages the BPCA to incorporate the above suggestions into the RFP to potential operators of the Commercial Space in the new Wagner Park Pavilion.

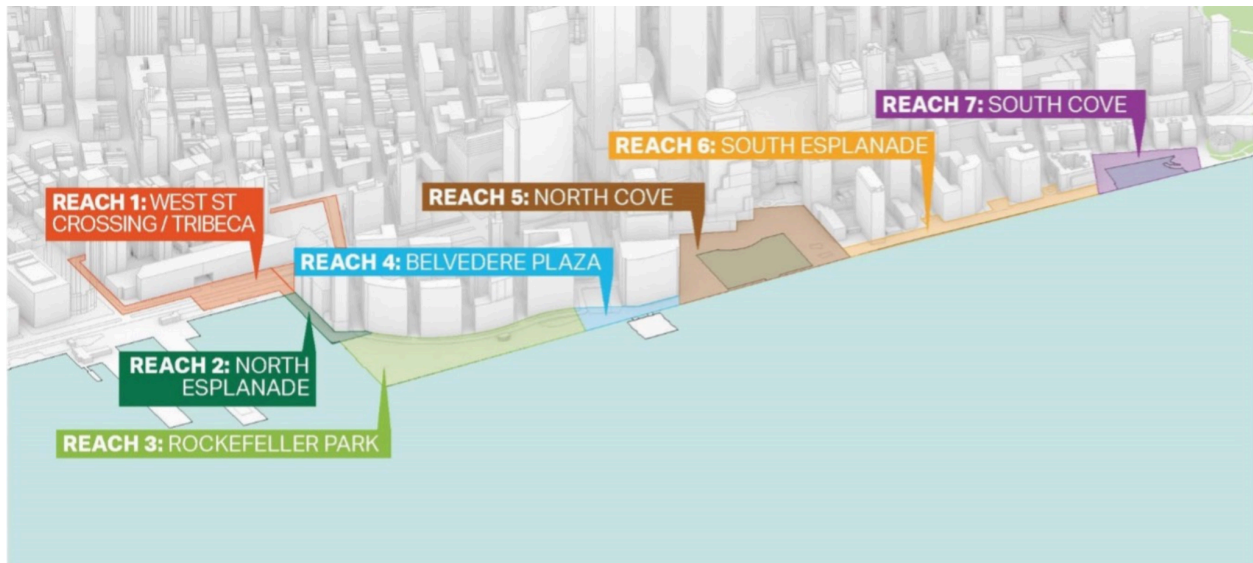
COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEES OF ORIGIN: ENVIRONMENTAL PROTECTION & BATTERY PARK CITY

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

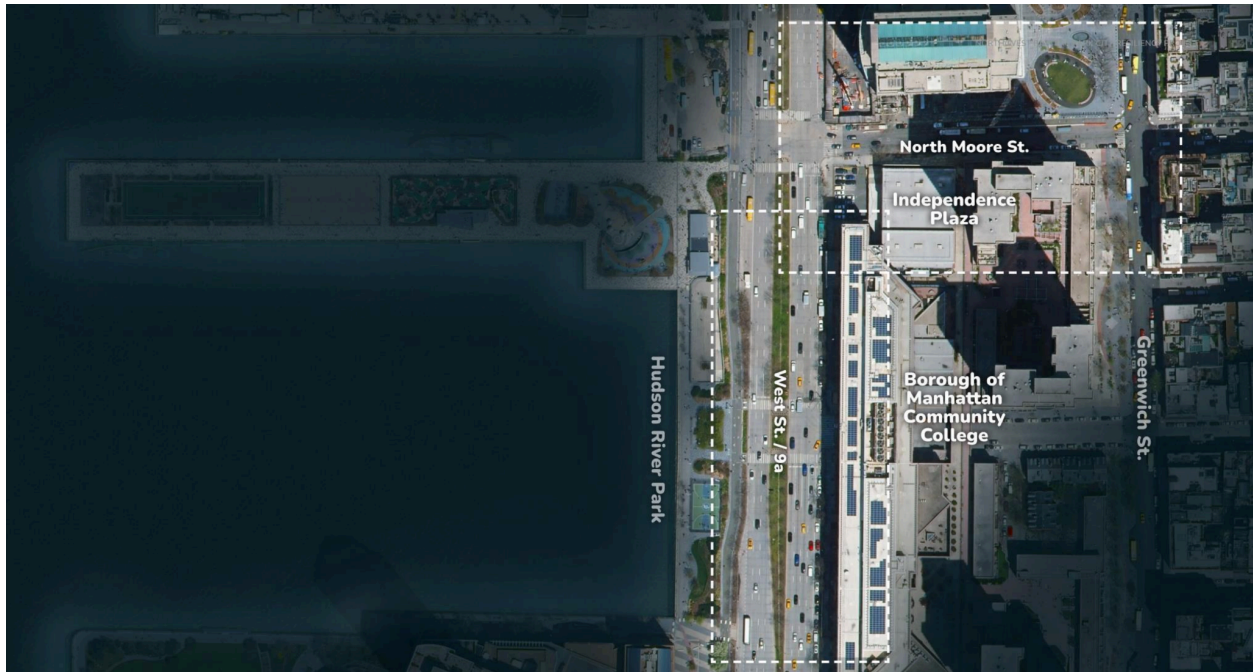
RE: Battery Park City North West Resiliency Project (BPCNWRP) at Phase of 40% Completion for West Street Crossing/Tribeca (Reach 1) and North Cove (Reach 5)



WHEREAS: The North West Battery Park City Resiliency Project (NWBPCR) is a proposed integrated coastal flood risk management system divided into 7 “Reaches” covering the areas from South Cove to First Place, north along the Battery Park City North Esplanade, across to the east side of West Street/Route 9A, terminating above Chambers Street at a high point on Greenwich Street in Tribeca; and

WHEREAS: On April 16, 2024 the Battery Park City Authority (BPCA) team presented proposed resiliency plans at approximate 40% completion for the crossing of West Street/9A into Tribeca (Reach 1) and the North Cove (Reach 5) to CB1’s Environmental Protection and Battery Park City Committees; and

Public Comments on Reach 1: Tribeca/ West Street Crossing



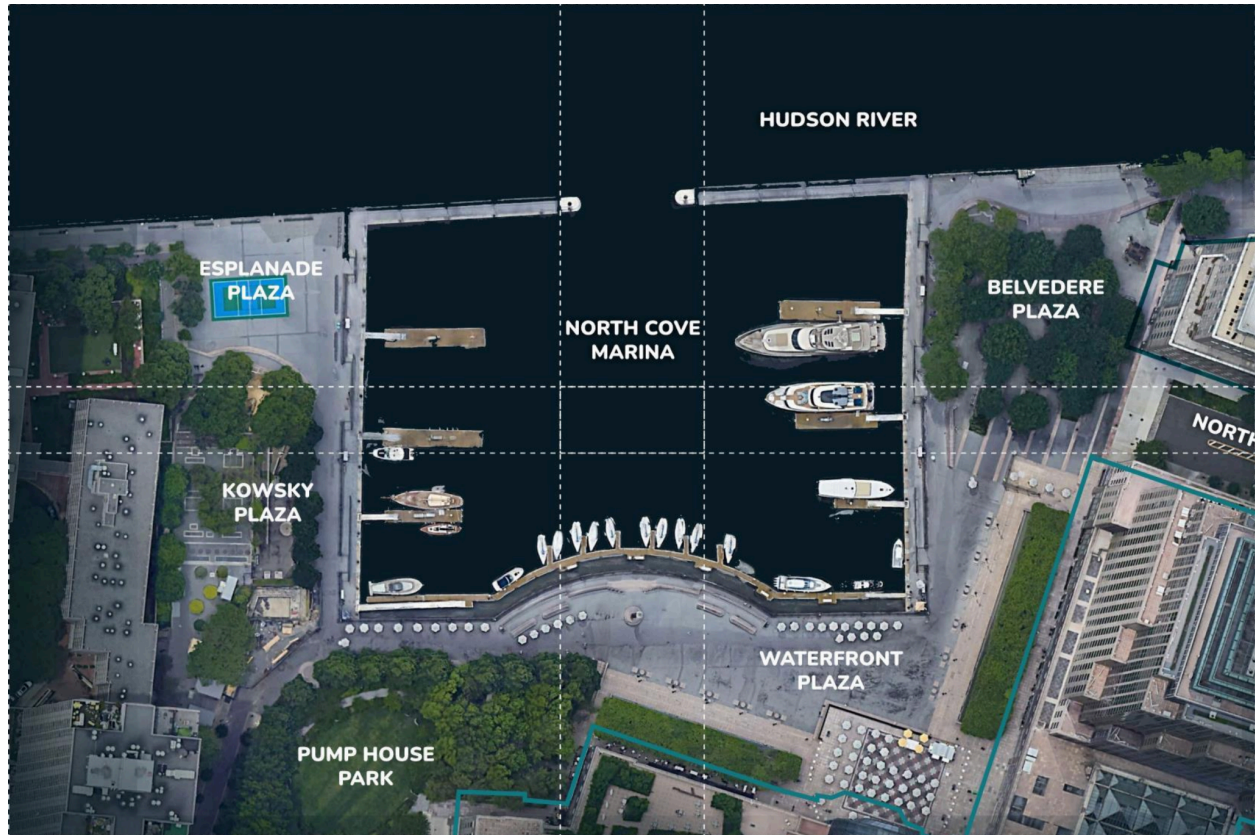
WHEREAS: BPCA stated they are working closely with all city state and federal agencies on the NWBPCP planning, including meeting with City and State Departments of Transportation (DOT), the Hudson River Park Trust (HRPT), and individuals living at Independence Plaza (IPN) and real estate stakeholders at Vornado and Stellar Management; and

WHEREAS: CB1 Committee members thanked the BPCA for modifying earlier plans by re-locating the proposed flood barrier system (FBS) to the east side of West Street/9A, preserving open views to the water, and members were encouraged to learn that this modification will allow for further discussion with State DOT about additional changes that might occur along West Street/9A to protect parts of the district north of BPC; and

WHEREAS: Committee members and members of the public expressed appreciation of the greening of the sidewalk along North Moore St and the proposed sidewalk extension and tree canopy; and

- WHEREAS: Committee members requested to have more information with details showing how the northern and southern Reaches connect including showing the pump house area in Stuyvesant Plaza; and
- WHEREAS: Concerns were noted in Reach 1 (and in all Reaches) about the details and overall aesthetics of the FBS walls and Committee members asked for a follow-up meeting to discuss the materials, coverings and details concerning the walls and an explanation of what will prevent the FBS from being graffitied (as seen currently on FBS in other city locations) which BPCA has agreed to provide; and
- WHEREAS: Committee members expressed concern about the plans' potential for worsening the wind tunnel effect evident currently at the exposed corners of West Street/9A and North Moore and Harrison Streets which BPCA has agreed to further study and report on at an upcoming public meeting; and
- WHEREAS: Committee members and members of the public continue to express great concern that there are no City or State proposed plans for the areas north of Chambers Street into North Tribeca along the west side of lower Manhattan; and
- WHEREAS: BPCA stated that the proposed NWBPCR plans will have no deleterious effects on the highly vulnerable areas north of Chambers Street into Tribeca up to Canal Street, the northern border of MCB1, and the BPCA agreed to provide flood modeling plans and/or simulation of this area at an upcoming public meeting; and
- WHEREAS: Committee members asked for additional information on the size and function of the proposed flood gates in the project and expressed concern on how the flood gates will be deployed and maintained, and the BPCA agreed to provide a simulation plan for how gates are to be deployed at a future public meeting; and
- WHEREAS: BPCA has confirmed that for the time being they will be responsible for the funding, deployment and maintenance of the FB measures; and
- WHEREAS: Committee members expressed concern about pedestrian and bike access in the area and what protocols are in place that will guarantee pedestrian safety and BPCA agreed to provide a study and a separate meeting with City and State DOT to further review this important safety issue; and
- WHEREAS: BPCA confirmed that the proposed plans will not adversely affect emergency access and that the Landmarks Preservation Commission will review any required changes needed on affected cobblestone streets in Tribeca; and

Comments on Reach 5: North Cove, including Pump House Park and Kowsky Plaza



WHEREAS: BPCA stated that Reach 5, is the “most technically complex” of the Reaches particularly as concerns the engineering for this area; and

WHEREAS: BPCA stated they confirmed with the Department of Environmental Conservation (DEC) that it is not possible to move the bridging structures in Reach 5 as previously requested because of cost and difficulty in obtaining permits; and

WHEREAS: Many Committee members and members of the public criticized the current 40% Pump House Park plans as being too open, losing the greatly appreciated existing sense of intimate enclosure, seclusion, and natural refuge at the existing park and BPCA agreed to look at a redesign of this area; and

WHEREAS: Committee members and the public have asked numerous times and again at the April 16 meeting for a presentation that clearly and accurately reflects an estimate

on the number of trees being removed and replaced in the NWBPCR plans which the BPC design team has agreed to provide; and

WHEREAS: Committee members and the members of the public asked that the original BPC landscape designers and/or affiliates from these firms be contacted to review their original successful designs for BPC; and

WHEREAS: Some members of the public and Committee expressed interest in keeping the “look” of the existing park and its furnishings rather than changing the design to a more generic contemporary palette of materials and furnishings; and

WHEREAS: Committee members asked BPCA to provide a presentation to review the selection and location of proposed art for the park and asked for tour(s) of the park during the warm weather to review the completed 40% to 60 % design phases which BPCA agreed to provide; and

WHEREAS: BPCA intends to have the NWBPCR plans meet the Waterfront Edge Guidelines (WEDG) as was achieved in Wagner Park; and

WHEREAS: On 9/26/23 CB1 approved a resolution reviewing the general expectations on the NWBPCR which included a list of primary public concerns which are germane to this resolution and all resolutions on all the specific 7 reaches in BPC, which are noted here as follows:

1) need to provide a holistic understanding of the resiliency plans for the entirety of the

park clarifying how each area (Reach) ties to the next and how the NWBPCR Project

plans interface with the U.S. Army Corps of Engineers’ (USACE) and the city’s resiliency plans;

2) need to address all quality- of- life concerns prioritizing the maintenance of all “green” natural elements of the park and prioritizing access to adequate air, light and views;

3) need to preserve and enhance the character, accessibility, including universal access, of the park while prioritizing resiliency;

4) need to clarify and minimize the impacts the plans will have on open space, playgrounds, tree coverage, bike and pedestrian access;

5) need to better understand the plan’s impact on traffic patterns, parking, pedestrians

and bikers at different times of the day inclusive of providing data with future projections;

6) need to better understand the schedule and timelines of the project;

7) need to better understand the cost of the project and funding sources;

8) need for clearer presentations and walking tours of the site; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 requests that all public expectations as noted in the 9/26/23 CB1 resolution (copied above) are reviewed and met and CB1 requests that BPCA provide the following information and engagement about the NWBPC plans to CB1 prior or at the 60% design phase which includes:

1. meeting with City and State DOT to review pedestrian and bike access, routing and safety plans for Reaches 1 and 5 as well as the potential for future resilience planning along West Street/9A
2. meeting to review details of the FBS system materials with presentation on deployment and maintenance of FBS (walls and gates) inclusive of details of areas between proposed FBS and existing wall lines;
3. walking tour of NWBPC during the 40 to 60% design phase;
4. detailed review of timing including timing of upcoming regulatory permitting and construction for the project;
5. modeling and/or simulation of flood plain showing NWBPC project in context of Tribeca, north of Chambers Street to south side of Canal Street;
6. analysis of wind tunnel effect on exposed corners along West Side/9A at North Moore and Harrison Streets;
7. presentation of selection and location of proposed art in the NWBPCR plans;
8. presentation of location and number of trees being removed and replaced in the NWBPCR plans;
9. presentation of revised Pump House Park plans;
10. details of how the northern and southern reaches connect including showing the pump house area in Stuyvesant Plaza in relation to Reach 1 and 2;

BE IT

FURTHER

RESOLVED

THAT: CB1 Requests that BPCA provide presentations which include: perspectives showing existing and proposed designs (aka-before and after views) from the same vantage point and if space allows, presented on one board or slide for ease of comparison; and

BE IT
FURTHER
RESOLVED

THAT: CB 1 requests that BPCA provide a presentation on the NWBPCR plans, highlighting the 40% completed work on Reaches 1 and 2 to the Hudson River Park Advisory Council; and

BE IT
FURTHER
RESOLVED

THAT: CB1 urges the BPCA design team to ensure that the beloved, unique, beautiful and natural qualities of the existing park are respected and maintained as much as possible while working on the NWBPC Resiliency Project, and

BE IT
FURTHER
RESOLVED

THAT: CB1 thanks BPCA for the presentation of each of the 7 Reaches in support of the community's interest and commitment to making BPC and lower Manhattan resilient and looks forward to the next public meeting to review the proposed plans at 60% completion.

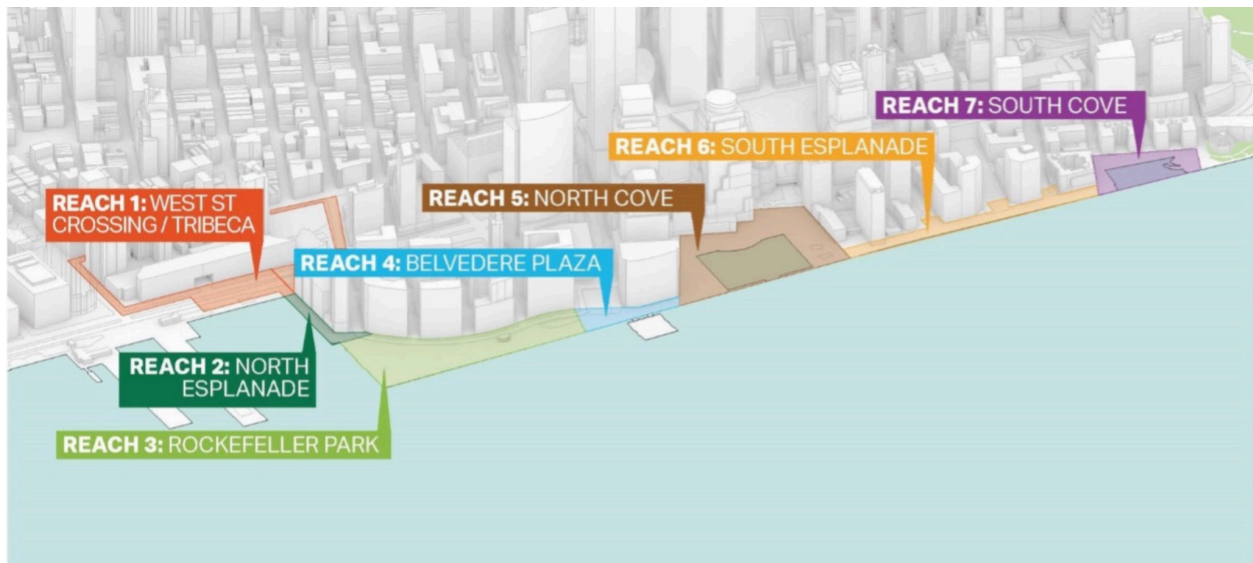
COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

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COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: North West Battery Park City Resiliency Plans at 40% Design of North Esplanade (Reach 2), Rockefeller Park (Reach 3) and Belvedere Plaza (Reach 4)



WHEREAS: On March 18, 2024, The Battery Park City Authority (BPCA) presented to Manhattan Community Board 1's (MCB1) Environmental Protection Committee (EPC) and Battery Park City Committee the 40% completed design plans for the North/West Battery Park City Resiliency Project of the North Esplanade (Reach 2), Rockefeller Park (Reach 3) and Belvedere Plaza (Reach 4)); and

WHEREAS: The proposed design of the North Esplanade (Reach 2) includes a flood barrier system (FBS) with two levels, one directly adjacent to Stuyvesant High School at an approximate 1 ½ feet rise above the existing ground plane and one nearest the waterfront at an elevation 3 feet lower with an approximate 6-foot extension into the Hudson River, cantilevered out from existing pier locations; and

WHEREAS: The North Esplanade design further defines the pedestrian circulation paths with material selection of hex pavers similar to those used currently, with precast concrete seating and lumber paving with an assortment of wooden, backless benches and wooden bar stool seating along the secondary path; and

WHEREAS: Resiliency protection for the Rockefeller Park area (Reach 3) includes a FBS with a 3-foot westerly offset along the existing wall along River Terrace, from a point just north of Murray Street southward to the point where River Terrace turns east toward North End Avenue to increase the distance between the FBS and the line of trees on the west side of River Terrace, sufficient to permit those trees to remain after the construction of the FBS; and

WHEREAS: BPCA notes that in order to compensate for the loss of a 3 foot offset on the eastern side of the Rockefeller Park Playground, the updated design proposes to add area to the Playground on its southern, western and northern sides currently primarily occupied by a portion of a pedestrian walkway; and

WHEREAS: The proposed design for the Belvedere Plaza (Reach 4) includes: a) retention of the existing Lily Pond; b) a 3 feet elevation increase for much of the waterfront portion of the Esplanade west of 300 Vesey Street to meet the elevation immediately adjacent to 300 Vesey Street; c) addition of plantings near the FBS; d) a secondary pedestrian pathway near the plantings, with wooden seating along the secondary pathway; and

WHEREAS: There were several committee members and members of the public who favored the use of the existing palette of materials and furnishings, particularly the existing wooden benches in BPC, in the future designs which they believe define what makes BPC special, and others who appreciate the more contemporary palette; and

WHEREAS: There were several committee members and members of the public who believe there should be no removal of park land in the Rockefeller Park Playground area and recommended that the River Terrace roadway be used for the addition of space needed for resiliency measures, rather than encroaching on the parkland itself; and

WHEREAS: There were several Committee members and members of the public who have requested at this meeting, and in previous meetings, for the BPCA to apply for a

variance on the federal rule requiring a 15' clearance from the line of plantings for the location of flood barrier measures; and

WHEREAS: There is concern that the proposed concrete benches will be uncomfortable for extended use and that the long, uninterrupted sections of concrete benches will not provide adequate access for wheelchair and stroller placement and that seating without armrests will be challenging for the elderly and differently-abled park users and that the concrete seating would likely be prone to skateboarders' use; and

WHEREAS: CB1 has long supported the need for resiliency measures along the lower West side of Manhattan and appreciates the BPCA's continued engagement with the community on this critical issue; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1(MCB1) is generally supportive of the updated 40% designs proposed for the North Esplanade (Reach 2), Rockefeller Park (Reach 3) and Belvedere Plaza (Reach 4), and has the following comments and requests for design modifications:

- (a) Seating: MCB1 urges there to be less concrete generally in the proposed designs and specifically with the seating. CB1 urges that the seating be designed with more natural materials, like wood and urges that BPCA preserve and reuse as many of the existing benches in the park as possible.
- (b) Height of FBS in relation to ground level: although the height of the FBS in many locations in Reaches 2, 3 and 4 is relatively low in relation to ground level, there are areas where the FBS relative elevation reaches 4 feet and higher; slight differences in FBS relative height can make large differences in park user experience (many children who cannot see over a 4 foot wall could see over a 3 foot wall, for example). MCB1 urges BPCA to critically examine design flood elevation (DFE) assumptions and calculations to assure that the FBS is no higher than required to achieve appropriate resiliency goals. MCB1 further urges BPCA to explore FBS design options, including top-of-wall options, that may permit equivalent resiliency performance for lower than the nominal FBS height implied for a particular DFE;

- (c) FBS wall exterior design: As BPCA and its project team further develop the FBS design, consideration should be given to both aesthetics and safety; with regard to safety, much of the FBS wall will be easily within climbing range of children; as such, design consideration should be given to minimizing risk of injury when children are inevitably tempted to climb the wall;
- (d) FBS wall offset near Rockefeller Park Playground: MCB1 supports as minimal encroachments on parkland as possible with the proposed resiliency measures in the Park. MCB1 urges BPCA to evaluate whether moving the FBS wall into the parking lane of River Terrace could have a similar tree-saving effect on the River Terrace trees (while preserving sufficient width of River Terrace for vehicular and emergency vehicular traffic) and CB1 urges BPCA provide an engineering analysis to confirm the need to remove 15' on both sides of trees and vegetation along Rockefeller Park. MCB1 will only agree to support the proposed 3 feet wall offset into the park if BPCA can assure the public that there is absolutely no other way, including asking for variance of the federal 15' rule, to preserve the existing trees along Rockefeller Park's east side ;
- (e) Expanding Rockefeller Park Playground under FBS wall offset option: MCB1 supports adjusting the boundaries of the Rockefeller Park Playground on its south, west and north sides if compensation needs to be made in the area potentially lost due to offsetting the FBS wall into the Playground; however, MCB1 urges that BPCA assure that any affected pedestrian walkways be able to sustain expected pedestrian loads and be sufficiently wide to support wheelchair and stroller traffic;
- (f) Rockefeller Park Playground water features: as currently configured, the Playground has water features that are well-used and loved by the community on the existing wall between the Playground and River Terrace; CB1 asks that these water features be preserved in the rebuilt Playground;
- (g) Vegetative plantings near FBS: the renderings show vegetative plantings near many areas of the FBS which MCB1 generally supports as a positive contribution to the design favoring sustainable and native species-supportive nature;

- (h) Preservation of water views: a defining characteristic of the BPC park areas along the waterfront is the magnificent array of water views from a multitude of vantage points; although increased vegetative plantings are a positive feature of the proposed designs, care must be taken to minimize any negative impact on water views of the new plantings; and

BE IT
FURTHER
RESOLVED

THAT: MCB1 thanks the BPCA and its project team for the detailed presentation of its updated 40% design for Reaches 2, 3 and 4 and requests that future presentations of all areas in BPCA resiliency plans include:

- a) Better delineations on the plans of each Reach with clear indications of the location of all FBS with a site plan of the entire site and legible key;
- b) Dimensions on plans and elevations for existing walkways and proposed new ones and all FBS; and

BE IT
FURTHER
RESOLVED

THAT: MCB1 thanks BPCA for agreeing to providing future site visits prior to 60% design of the NWBPC's 7 Reaches; and

BE IT
FURTHER
RESOLVED

THAT: MCB1 asks that BPCA take into account the aforementioned comments and suggested changes to North Esplanade (Reach2) Rockefeller Park (Reach 3) and Belvedere Plaza (Reach 4), and that BPCA respond to these comments and suggested changes in its next iteration of design for these Reaches.

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RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	30 In Favor	0 Opposed	1 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **Lyfe Charmz** at **177 Duane Street**

WHEREAS: Lyfe Charmz is seeking an adult use retail dispensary license on the premises at 177 Duane Street in New York, New York; and

WHEREAS: The applicant failed to appear before Community Board 1 on April 18, 2024, to allow the community the opportunity to provide comments on the proposed business; and

WHEREAS: The community board received notice on April 11, 2024 from the commercial landlord for this location saying he will not rent to the applicant and has another tenant; and

WHEREAS: The community board received opposition for this location from members of the community; and

WHEREAS: The community board raised significant concerns to the applicant about the proposed location's proximity to a school 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: The proposed location at 177 Duane Street is within 500 feet of two schools: Washington Market School at 55 Hudson Street, and Reade Street Prep located at 77 Reade Street which is consistent with the definitions under N.Y. Cannabis Law § 72 and further elucidated by N.Y. Educ. Law § 409, respectively; 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 **Lyfe Charmz** at **177 Duane Street** due to the above reasons.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	30 In Favor	0 Opposed	1 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license applications for **Soho Dispensary** at **139 Fulton Street, 281 Broadway and 225 Broadway**

WHEREAS: Soho Dispensary is seeking an adult use retail dispensary license on the premises at 139 Fulton Street, 281 Broadway and 225 Broadway in New York, New York; and

WHEREAS: The applicant failed to appear before Community Board 1 on April 18, 2024 or at any other date, 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 schools located within 500 feet of each establishment; 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: The proposed locations at 139 Fulton Street, 281 Broadway and 225 Broadway are within 500 feet of schools: which are consistent with the definitions under N.Y. Cannabis Law § 72 and further elucidated by N.Y. Educ. Law § 409, respectively; 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 **Soho Dispensary** at **139 Fulton Street, 281 Broadway and 225 Broadway** because they failed to appear before the board and due to the above remaining reasons.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	30 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Public Comment on the Office of Cannabis Management’s Proposed Adult-Use Amendments

WHEREAS: In determining whether a proposed Adult-use Retail Dispensary is impermissibly close to a school, The New York State Office of Cannabis Management (“OCM”) has only considered “school grounds” to mean those that are “exclusively used” as a school and located on the “same road” as a proposed Dispensary; and

WHEREAS: In New York City in general and Manhattan specifically, where schools are frequently and necessarily situated within mixed use buildings, applying an “exclusive use” standard has the effect of eliminating all school-dispensary distancing requirements in many instances, which runs counter to the intention of the Cannabis Law; and

WHEREAS: Manhattan Community Board 1 (“CB1”) could find no textual support in either the Cannabis Law nor in the OCM’s own Adopted Regulations §118 and §119 supporting this “exclusive use” and “same road” requirement; and

WHEREAS: In November 2023, CB1 requested that OCM provide additional information as to the legal basis of this “exclusive use” and “same road” standard, and the OCM informed CB1 that in fact the agency failed to include such language in its Adopted Regulations; and

WHEREAS: Now in April 2024 the OCM has proposed an amendment to the OCM’s Adopted Regulations that would include such “exclusive use” and “same road” language in §119.4(a); and

WHEREAS: CB1 vociferously objects to the OCM’s inclusion of this language in the agency’s Regulations as it is contrary to the spirit and plain language of N.Y. Cannabis Law § 72; 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 OCM has been applying an “exclusive use” and “same road” school-to-dispensary distancing standard that effectively usurps N.Y. Cannabis Law § 72 and N.Y. Educ. Law § 409 [2] that in essence creates a broad category of exceptions to N.Y. Cannabis Law § 72 and N.Y. Educ. Law § 409 [2] and which has to-date lacked any textually-supported basis; and

WHEREAS: The OCM now proposes codifying this school-to-dispensary distancing standard and is seeking public comment through June 10, 2024 on this topic; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 is supportive of Adult-use Retail Dispensaries that wish to open in Community District 1 and already approved many applications, but CB1 strenuously objects to the OCM’s proposed language that only considers a proposed Adult-use Retail Cannabis Dispensary to be impermissibly close to a school if that school is the sole and exclusive occupant of a school building and located on the same road as the proposed dispensary; and

BE IT

FURTHER

RESOLVED

THAT: CB1 believes this proposed distancing standard has been improperly applied to date, and serves to undermine the spirit and plainly understood language within the N.Y. Cannabis Law which rightfully sought to create physical distance between two at-odds elements of our streetscape: Schools and Houses of Worship on one hand and Cannabis Dispensaries on the other; and

BE IT

FURTHER

RESOLVED

THAT: CB1 insists that the proposed OCM Regulations be consistent and compliant with the plain language of the governing statute, N.Y. Cannabis Law § 72, which does not permit Adult-use Cannabis Dispensaries to be located s within 500 feet of school grounds nor 200 feet of Houses of Worship.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	30 In Favor	0 Opposed	1 Abstained	0 Recused

RE: **292 Greenwich Street**, application for a new application and temporary retail permit for a wine, beer & cider license for Taste of Tribeca Inc.

WHEREAS: The applicant, Taste of Tribeca Inc at 292 Greenwich Street, is applying for a new application and temporary retail permit for Wine, Beer and Cider license for a one day street event on May 18, 2024; and

WHEREAS: The street event, Taste of Tribeca in NYC, a fundraiser for two public school art programs will be hosted on the street on Duane Street between Hudson street and Greenwich Street spanning from Reade Street to Jay Street along Greenwich Street; and

WHEREAS: The hours of operation will be Saturday, May 18th, 2024 from 11:30AM to 3:00PM; and

WHEREAS: The event will be hosted outdoors in an area of 1800 square feet, within which there will be an enclosed, tented area specifically designated for alcohol consumption; and

WHEREAS: The applicant has assured the community board that there are two ticket sales, a general admission ticket for food tasting and a VIP ticket which includes access to the tented area for alcoholic beverage consumption; and

WHEREAS: The VIP tickets will only be available in advance and there will be no ticket sales at the event for the VIP area; and

WHEREAS: The event staff will be checking IDs and providing wristbands at the two entrances of the alcohol designated tented area to persons 21 years and over with appropriate tickets, while also ensuring no alcoholic beverages leave the enclosed area; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 approves this new application for a temporary retail permit for Wine, Beer and Cider license for Taste of Tribeca Inc at 292 Greenwich Street, according to the conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 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 Sunday 11:30AM - 12:00AM, Monday to Wednesday 11:30AM - 12:00AM, Thursday to Saturday 11:30AM - 2:00AM; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider license for Yards NYC LLC at 111 Read Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 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:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **21 South End Avenue**, application for a new application and temporary retail permit for a full-service liquor license for Meta Hotpot 6 Inc. d/b/a ER Hotpot

WHEREAS: The applicant, Meta Hotpot 6 Inc. d/b/a ER Hotpot at 21 South End Ave, 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 not** three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant represented that there are 4 residential buildings neighboring the property and within the property there are 182 residential units; and

WHEREAS: The establishment is a Chinese Hotpot restaurant on the ground floor, with a total of 2000 square feet, there will be a public capacity of 74 people with 20 tables indoors with 56 seats, 9 bar seats and 8 terrace tables with 16 seats, 2 ADA compliant bathrooms; and

WHEREAS: The applicant requested the following hours of operation for both indoor and outdoors Monday to Friday 11:00AM - 10:00PM, Saturday and Sunday 11:00AM - 10:00PM; and

WHEREAS: The applicant has represented that they will have recorded background music from 3 JBL ceiling speakers controlled with an iPad and 1 display screen used for a menu; 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 11:00AM and 5:00PM; 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 a new application and temporary retail permit for on-premise Liquor, Wine, Beer and Cider license for Meta Hotpot 6 Inc. d/b/a ER Hotpot at 21 South End Ave, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 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:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **59 Nassau Street**, application for a new application and temporary retail permit for a wine, beer and cider license for Otani & Nassau Inc

WHEREAS: The applicant, Otani & Nassau Inc at 59 Nassau Street, is applying for a new application and 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 applicant represented that there is 1 residential building neighboring the property and no residential units within the commercial property; and

WHEREAS: The establishment is an Asian restaurant in the basement, with a total of 3500 square feet, 14 tables with 56 seats, 4 bar seats and 2 ADA compliant bathrooms; and

WHEREAS: The applicant requested the following hours of operation Sunday to Thursday 11:00AM - 11:00PM, Friday and Saturday 11:00AM - 12:00AM; and

WHEREAS: The applicant has represented that they will have recorded background music from 2 counter speakers and a CD player and 1 TV; 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 will **not** have bicycle delivery personnel, but delivery of regular goods and supplies will be conducted daily between 3:00PM and 5:00PM; 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 a new application and temporary retail permit for on-premise Wine, Beer and Cider license for Otani & Nassau Inc at 59 Nassau Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **80 Maiden Lane, Store 5**, application for a corporate change for a wine, beer and cider license for FGNY 80 Maiden LLC dba Five Guys

WHEREAS: The applicant, FGNY 80 Maiden LLC dba Five GuysOtani & Nassau Inc at 80 Maiden Lane, Store 5, is applying for a corporate change 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 applicant represented that there are no residential units in the building; and

WHEREAS: The establishment is a fast food restaurant on the ground floor, with a total of 2800 square feet, there will be a public capacity of 74 people with 16 tables with 15 seats, 15 counter seats and 2 ADA compliant bathrooms; and

WHEREAS: The applicant requested the following hours of operation for Sunday to Monday 11:00AM - 12:00AM, Friday to Saturday 11:00AM - 12:00AM; and

WHEREAS: The applicant has represented that they will have recorded background music from simple speakers and no TV; 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 7:00AM and 11:00PM; 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 a corporate change for on-premise Wine, Beer and Cider license for Otani & Nassau Inc at 80 Maiden Lane, Store 5, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	1 Recused

RE: **1 New York Plaza, 3rd Floor**, application for a new catering establishment application for a full-service liquor license for Restaurants Associates Inc dba Morgan Stanley Cafe

WHEREAS: The applicant, Restaurants Associates Inc dba Morgan Stanley Cafe at 1 New York Plaza, 3rd Floor, is applying for a new application for on-premise Liquor, Wine, Beer and Cider license; and

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

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

WHEREAS: The applicant represented that there are no residential buildings neighboring the property and within no residential units within the property; and

WHEREAS: The establishment is a Catering establishment on the 3rd floor, with a total of 38,199.5 square feet, there will be a public capacity of 1801 people with 200 tables with 488 seats, 2 bars and 7 ADA compliant bathrooms; and

WHEREAS: The applicant requested the following hours of operation Monday to Saturday 11:00AM - 9:00PM, and closed on Sunday; and

WHEREAS: The applicant has represented that they will be no music or sound equipment, with 10 TV monitors on premises; 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 6:00AM and 12:00PM; and

WHEREAS: The applicant has indicated that garbage pickup will be according to the scheduled pickup times by building management; 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 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 a new application for on-premise Liquor, Wine, Beer and Cider license for Restaurants Associates Inc dba Morgan Stanley Cafe at 1 New York Plaza, 3rd Floor, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **34 Water Street**, application for a new application and temporary retail permit for a wine, beer and cider license for Susukino Ramen Inc

WHEREAS: The applicant, Susukino Ramen Inc at 34 Water Street, is applying for a new application and 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 applicant represented that there are 2 residential buildings neighboring the property and within the property there are 5 residential units; and

WHEREAS: The establishment is a restaurant on the first floor, with a total of 1250 square feet, there will be a public capacity of 74 people with 10 tables with 20 seats, 10 bar seats and 1 ADA compliant bathrooms; and

WHEREAS: The applicant requested the following hours of operation Sunday to Thursday 11:00AM - 10:00PM, Friday and Saturday 11:00AM - 11:00PM; and

WHEREAS: The applicant has represented that they will have recorded background music from 2 speakers and a CD player; 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 4:00 PM and 5:00PM; 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 a new application and temporary retail permit for on-premise Wine, Beer and Cider license for Susukino Ramen Inc at 34 Water Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

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:	32 In Favor	0 In Favor	0 In Favor	0 In Favor

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, synagogues 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 when a Dining Out NYC Rules have been finalized for Pedestrian Plazas, an additional 50 tables and 200 seats on Thames Street; 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 stating that we strongly opposed ANY outdoor seating on Thames Street. CB1 cannot consider any outdoor seating on Thames Street until the rules for the NYC DOT Dining Out Program have been created for Pedestrian Plazas BEFORE the concessionaire agreement is in place; and
- WHEREAS: The applicant agrees to return to CB1 when they want to extend their licensed outdoor seating at any location other than Trinity 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 with 17 tables and 34 seats but there is no ADA access to the establishment on Trinity or Broadway; and
- WHEREAS: The applicant has agreed to outdoor hours on Trinity Place, 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 indoors, 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: APRIL 30, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **95 South Street**, application for an alteration permit for a full-service liquor license for HHC Bridgeview LLC & Creative Culinary Management Company LLCotani & Nassau Inc

WHEREAS: The applicant, HHC Bridgeview LLC & Creative Culinary Management Company LLC at 95 South Street, is applying for an alteration permit to expand the 4th floor, adding 55,193 square feet (open to the public only for events) for on-premise Liquor, Wine, Beer and Cider license; and

WHEREAS: The establishment is a restaurant, bar and event space on floors 3, 4 and rooftop, with a current total of 55,000 square feet, there will be a public capacity of 4800 people with indoors tables and seats, TBD based on event, and the terrace area will have 12 (inside) and 95(outside) tables and 57(inside), 222 (outside) seats and the rooftop will have 12 (inside), 95 (outside) tables and 57 (inside), 222 (outside) seats, multiple ADA compliant bathrooms; and

WHEREAS: The public bathrooms on the 4th floor are open to the public even when the venue is closed; and

WHEREAS: The hours of operation remain the same at Sunday to Wednesday 11:00AM - 1:00AM, Thursday to Saturday 11:00AM - 2:00AM; and

WHEREAS: The applicant has represented that they have live, recorded background music with a DJ and application for amplified sound permit for concerts, and vibration isolators installed beneath subwoofers, 4 TVs on the rooftop; and

WHEREAS: The applicant has represented that non- musical entertainment includes comedy, sports, dance, fashion etc and windows will be open during hours of operation; and

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

WHEREAS: The applicant employs 4-100+ security personnel depending on the type of events; 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 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 an alteration permit for on-premise Liquor, Wine, Beer and Cider license for HHC Bridgeview LLC & Creative Culinary Management Company LLC at 95 South Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **19 Fulton Street**, application for an alteration permit for a full-service liquor license for HHC Cobblestones LLC & Creative Culinary Management Company LLC dba Cobble & Co and Sunday in Brooklyn

WHEREAS: The applicant, HHC Cobblestones LLC & Creative Culinary Management Company LLC dba Cobble & Co and Sunday in Brooklyn at 19 Fulton Street, is applying for an alteration permit to remove the outside bar for on-premise Liquor, Wine, Beer and Cider license; and

WHEREAS: The establishment is a restaurant on the ground floor, with a total of 8435 square feet, there will be a public capacity of 256 people with 28 tables indoors with 111 seats, 2 ADA compliant bathrooms; and

WHEREAS: The hours of operation remain the same at Sunday to Wednesday 11:00AM - 1:00AM, Thursday to Saturday 11:00AM - 2:00AM; and

WHEREAS: The applicant has represented that they will have live, recorded background music and a DJ, from ten 10 inch bose indoor ceiling mounted speakers, 75 amps each; 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 employed security personnel; patrons will not remove drinks from premises.

WHEREAS: The applicant does not plan to have bicycle delivery personnel, but delivery of regular goods and supplies will be conducted daily between 5:00AM and 1:00PM; 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; 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 a alteration permit for on-premise Liquor, Wine, Beer and Cider license for HHC Cobblestones LLC & Creative Culinary Management Company LLC dba Cobble & Co and Sunday in Brooklyn at 19 Fulton Street, **unless** the applicant complies with the limitations and conditions set forth above.

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COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **1 Fulton Street**, application for an alteration for a full-service liquor license for HHC Fulton Retail LLC, HHC Lawn Games LLC, the Lawn Club LLC & Seaport Snack LLC dba Bar Snack/The Lawn Club/Snack Out

WHEREAS: The applicant, HHC Fulton Retail LLC, HHC Lawn Games LLC, the Lawn Club LLC & Seaport Snack LLC dba Bar Snack/The Lawn Club/Snack Out at 1 Fulton Street, is applying for alteration permit for on-premise Liquor, Wine, Beer and Cider license; and

WHEREAS: The establishment is a restaurant with indoor lawn games on the ground floor, with a total of 29,043 square feet, there will be a public capacity of 600 people with 70 tables with 160 seats, 4 ADA compliant bathrooms of 5 total; and

WHEREAS: The applicant requested the following hours of operation for both indoor and outdoors Monday to Saturday 8:00AM - 2:00AM and Sunday 8:00AM - 1:00AM; and

WHEREAS: The applicant has represented that they will have live, recorded background music and a DJ, from 25 eight inch Tannoy Round ceiling mounted speakers; 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 5:00AM and 1:00AM; and

WHEREAS: The applicant has employed 24 hour security personnel; patrons will not remove drinks from premises; 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 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 an alteration permit for on-premise Liquor, Wine, Beer and Cider license for HHC Fulton Retail LLC, HHC Lawn Games LLC, the Lawn Club LLC & Seaport Snack LLC dba Bar Snack/The Lawn Club/Snack Out at 1 Fulton Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 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:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **161 Water Street, 14th Floor**, application for a new application and temporary retail permit for a wine, beer and cider license for Lets Pow Wow LLC

WHEREAS: The applicant, Lets Pow Wow LLC at 161 Water Street, 14th Floor, is applying for a new application and 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 day spa providing massage treatments, saunas, plunge pools and lounge areas on the 14th floor, with a total of 2535 square feet, with 17 tables with 54 seats and 2 stand up bar; and

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

WHEREAS: The applicant has represented that there will be recorded background music from 1 loudspeaker at 60 watts per 100 square feet, installed on the walls, columns and ceilings; 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 at the loading zone on Fletcher street between 7:00AM and 6:00PM; and

WHEREAS: The applicant has indicated that garbage pickup will be done at the loading zone on Fletcher street between 8:00AM and 8:00PM; 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 a new application and temporary retail permit for on-premise Wine, Beer and Cider license for Lets Pow Wow LLC at 161 Water Street, 14th Floor, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **161 Water Street, 23rd Floor**, application for a new application and temporary retail permit for a wine, beer and cider license for Water Well LLC

WHEREAS: The applicant, Water Well LLC at 161 Water Street, 23rd Floor, is applying for a new application and 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** no three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a wellness lounge providing beauty treatments, massage treatments and retail on the 23rd floor, with a total of 3760 square feet, with 13 tables with 60 seats and 1 stand up bar; and

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

WHEREAS: The applicant has represented that there will be recorded background music from 1 loudspeaker at 60 watts per 100 square feet, installed on the walls, columns and ceilings; 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 at the loading zone on Fletcher street between 7:00AM and 6:00PM; and

WHEREAS: The applicant has indicated that garbage pickup will be done at the loading zone on Fletcher street between 8:00AM and 8:00PM; 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 a new application and temporary retail permit for on-premise Wine, Beer and Cider license for Water Well LLC at 161 Water Street, 23rd Floor, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: QUALITY OF LIFE & DELIVERY SERVICES

COMMITTEE VOTE:	9 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	29 In Favor	1 Opposed	0 Abstained	0 Recused

RE: OASAS License Application Notification for Addiction Service Center at 225 Broadway

WHEREAS: Heal(thy)Self is planned to be an OASAS licensed medically supervised 822 Outpatient program with an operating schedule of seven days per week (9am to 8pm, M-F Sat-Sun 9-5pm); and

WHEREAS: Palak Agrawal is the Founder and CEO of Hea(thy) Self and she is a licensed mental health counselor (LMHC) with a current operating establishment at 240 Madison Avenue; and

WHEREAS: According to the applicant she will employ experienced and licensed staff, possessing one or more of the following credentials: LCSW; LMSW; LMHC; CASAC; RN; Nurse Practitioner; peer advocate; MD Physician; and MD Psychiatrist. Languages spoken by staff will be English, Spanish, Hindi, with plans for Korean, Mandarin, and Polish and possibly other languages; and

WHEREAS: The new proposed location at 225 Broadway will be designed specifically for local neighborhood/community residents as well as workers who commute to this neighborhood; and

WHEREAS: The program will provide a range of clinical services for adolescents, young adults, adults, and seniors including those that are economically disadvantaged; and

WHEREAS: Services they plan to deliver include: group therapy; individual therapy; brief interventional therapy; medical and psychological assessments; family therapy; problem gambling specialty treatment; DWI treatment; parenting groups; professional groups; student groups; smoking cessation treatment; and clinically appropriate alcohol and drug tests and lab work all with. Linkage to 12-step meetings where appropriate; and

WHEREAS: The applicant has committed to help clients from all backgrounds including the economically disadvantaged, get connected to additional services they may need such as: Access-VR, CEO, NADAP programs for comprehensive services for employment, education, and training, to EPRA for temporary and permanent housing programs through SUS, and to the HRA for SNAP, cash assistance, and Medicaid renewal; and

WHEREAS: The applicant plans to establish MOUs in the form of linkage agreements with neighborhood schools and educational facilities for early intervention for adolescents, young adults, neighborhood mental health counselors and private psychiatrists, local health facilities, any existing and future shelters, and any other facilities in need of services; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 welcomes the proposed services provided by and supports Heal(thy)Self in their OASAS application at the location of 225 Broadway, New York, NY 10007

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Dinner on Duane Street Activity Permit

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

WHEREAS: Duane Park, the City of New York's first public parkland, was purchased by the city from Trinity Church in 1797 for \$5; and

WHEREAS: The Friends of Duane Park (FDP) request Manhattan Community Board 1's support for a Street Activity Permit in order to hold a community dinner that will raise funds to guarantee future maintenance and resiliency of Duane Park; and

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

WHEREAS: The FDP proposes to: (1) close Duane Street between Hudson Street and Greenwich Street from 6:00 am to 11:00 pm on Sunday September 15, 2024; and (2) barricade Staple Street at Duane Street so that vehicles cannot enter Duane Street. The sidewalks will remain open; and

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

WHEREAS: The Dinner on Duane is an annual fundraiser that has been embraced by neighbors and is so popular that there is a waiting list for tickets. The event was moved indoors in 2013 due to rain, but the planned street closure and logistics will be the same in 2024 as in past years; and

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

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

WHEREAS: The FDP is finalizing backup plans in case of bad weather on September 15th. As in the past, an agreement for nearby indoor space is being worked out; and

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

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 urges the Street Activity Permit Office (SAPO) to approve the Friends of Duane Park's Street activity permit application to close Duane Street between Hudson Street and Greenwich Street and to stop traffic from Staple Street from entering Duane Street for a one-day celebration on September 15, 2024.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	6 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	24 In Favor	5 Opposed	3 Abstained	0 Recused

RE: Hotel Loading Zone Request for 86 Warren Street

WHEREAS: The [Warren Street Hotel](#), at 86 Warren Street (The Warren), is a new, 11-story boutique hotel that opened to the public on February 1, 2024; and

WHEREAS: The Warren is operated by the London-based Firmdale Group and is the company's tenth hotel and third location in New York City (NYC). The hotel was built from the ground up on the site of a former parking garage; and

WHEREAS: The 135-foot-tall hotel spans 44,000 square feet with 69 rooms, suites and residences operated by Firmdale Hotels. It also includes the 150-seat Warren Bar and Restaurant, a private dining room, and drawing room; and

WHEREAS: The hotel is seeking support from Manhattan Community Board One (CB1) for a hotel loading zone in front of the hotel, on Warren Street. The applicant's stated purpose is to "prevent congestion on the narrow, one traffic lane Warren Street, by having incoming and departing guests, as well as service vendors briefly use the loading zone to load and unload passengers and goods"; and

WHEREAS: The NYC Department of Transportation (DOT) automatically approves Hotel Loading Zone requests in front of a hotel's main entrance for hotels with 99+ rooms without community board input. As such, The Warren does not qualify for an as-of-right hotel loading zone; and

WHEREAS: The hotel loading zone application states that The Warren's staff will supervise the loading zone at all times to ensure that vehicles do not stay in it any longer than is necessary; and

WHEREAS: The NYC DOT website states that [Hotel Loading Zones](#) are designated by No Standing signs and allow drivers to quickly drop off and pick up hotel guests and to load and unload baggage. Service and delivery vehicles are not mentioned on the DOT website as being allowed to use a hotel loading zone; and

WHEREAS: The Map of Loading Zones for Commercial Deliveries on the DOT website shows that there are two commercial loading zones on the south side of Warren Street between Greenwich Street and West Broadway, which can be used by trucks making deliveries to the hotel weekdays from 7:00AM - 6:00 PM; and

WHEREAS: The Warren is located on the north side of Warren Street between Greenwich Street and West Broadway. That block has one eastbound traffic lane, a bike lane and curb lanes on the north and south sides of the street. Parking is allowed along the north curb and truck unloading zones are on the eastern half of the south curb; and

WHEREAS: The hotel is requesting a hotel loading zone that occupies the most western 45 feet of The Warren's 72 feet of frontage on the north side of Warren Street. This loading zone would be directly next to an unprotected bike lane. In front of the hotel, the bike lane only has white lines. It is not painted green and lacks a bike logo to distinguish it near the hotel. The bike lane is a direct continuation of the Warren Street bike lane used by cargo bikes leaving Whole Foods/Amazon one block west of the hotel; and

WHEREAS: The Warren representatives stated that they will not apply to have road dining in front of their hotel; and

WHEREAS: The Warren is requesting that CB1 ask the DOT to allow them to have 45 feet of the parking lane in front of the hotel to use as a hotel loading zone. While it would provide curb access for guests, issues related to potential conflicts with the adjacent bike lane and how the loading zone is used need to be managed; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board One (MCB1) *does not support* a hotel loading zone for the [Warren Street Hotel](#), at 86 Warren Street *unless*:

- A hotel employee is assigned to supervise it in order to expedite the loading/unloading process and to direct vehicles in order to minimize conflicts with the adjacent bike lane;

- People approaching, and in, the hotel loading zone are informed to watch out for bicycles so that they do not get hit by a bicycle or door a cyclist;
- The bicycle lane on Warren Street is painted a solid green or otherwise made to easily distinguish as a bike lane, at least in front of the hotel;
- The hotel provides information about the sustainable methods of transportation - bus, subway, ferry, Citi bike - on their website and all of their promotional materials to inform and encourage guests and visitors could use *in lieu* of vehicles; and
- The Warren follows DOT regulations for hotel loading zones; and

BE IT
FURTHER
RESOLVED

THAT: MCB1 encourages the NYCDOT to ensure that the bike lane on Warren Street, at least between Greenwich Street and West Broadway, is painted so that it can easily be distinguished as a bicycle-only lane.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	32 In Favor	0 Opposed	0 Abstained	0 Recused

RE: [Intro 0132-2024](#) Require retailers to provide moped ownership information at point of sale

WHEREAS: [Intro 0132-2024](#) requires moped (“limited use motorcycle”) retailers to provide ownership requirement information at the point of sale- the most that the City of New York (NYC) can do without state action.

WHEREAS: In Albany, [S7703A-2023](#) and its companion bill, [A8450A-2023](#), require that limited use motorcycles be registered at the point of sale. Both bills are currently in committee; and

WHEREAS: The NY Department of Motor Vehicles classifies mopeds as Class A, B or C. Only a manufacturer certified model of a limited use motorcycle can get registered in NY; and

WHEREAS: Many retailers do not provide information related to ownership of a moped – such as traffic, insurance, and inspection requirements. This leads to the mistaken perception that mopeds do not have regulations that are similar to larger motor vehicles; and

WHEREAS: [Int 0132-2024](#) would require the City of New York (NYC) Department of Consumer and Worker Protection (DWCP), in coordination with the Department of Transportation (DOT), to develop and distribute materials related to the operation of mopeds, including “information related to the registration, inspection, insurance, operation and traffic safety requirements for mopeds.” It would also require moped retailers to distribute such materials at the point of sale. This bill currently has three sponsors; and

WHEREAS: The following regulations, among others, apply to mopeds, but are likely misunderstood or unknown by many moped operators:

- Operating a moped on a NY street requires a driver's license with appropriate endorsement and proof of registration through the display of a DMV-issued license plate;
- Mopeds may not be driven on highways, sidewalks, or bike lanes;
- Mopeds may not be driven on major bridges, including the Brooklyn Bridge;
- Mopeds that can travel over 20 MPH [must be covered by insurance](#);
- Operators of [Class A mopeds](#) must comply with [additional license and/or permit requirements, such as](#) passing an assessment test proving the understanding of the vehicle type and its limitations
- Operators of [Class B and Class C mopeds](#) must comply with special traffic regulations, including that they must stay in the right lane or shoulder, unless they are turning left; and

WHEREAS: Mopeds are restricted from major bridges, including the Brooklyn Bridge, which is either misunderstood by moped drivers or circumvented by illegally using the bike lane; and

WHEREAS: Manhattan Community Board One's (MCB1) district is in the Central Business District Tolling zone, and motorcycles and limited use motorcycles are expected to be charged 50% of the toll charged to passenger vehicles (\$7.50 at peak hours). Without a point-of-sale registration requirement, many mopeds will likely continue to operate without license plates, making it impossible to identify the vehicles for tolling, automated enforcement, and other purposes; and

WHEREAS: Mopeds operators frequently violate traffic regulations, creating dangerous conditions for pedestrians and cyclists. Providing information about the responsibilities of moped owners and limitations of moped use, would be an important first step for educating owners and improving safety conditions for all; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board One (MCB1) urges the New York City Council to pass [Intro 0132-2024](#), which would require limited use motorcycle ("moped") retailers to provide information regarding, among other things, traffic safety and registration requirements to limited use motorcycle buyers at point of sale; and

BE IT
FURTHER
RESOLVED

THAT: MCB1 urges the NY State Assembly and Senate to pass, and the Governor to sign, [S7703A-2023](#) and [A8450A-2023](#), which require limited use motorcycles to be registered at the point of sale.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: APRIL 30, 2024

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

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

RE: Class Size and School Funding

WHEREAS: New York governor Kathy Hochul signed into law in September 2022 a mandate that requires schools in New York City to reduce their class sizes to no more than 20 students in grades K–3, 23 students in grades 4–8, and 25 students in high school over the following five years; and

WHEREAS: The DOE has not met the yearly percentages of class size compliance laid out in the phase-in portion of the law; and

WHEREAS: Senator John Liu shared with the CB1 Youth and Ed committee at its April 2024 meeting that the state had earmarked and given \$1 Billion in funding to the city specifically in order to meet these standards, which would be enough for the DOE to meet the expected phase-in percentages in class size compliance; and

WHEREAS: Mayoral control, as it stands at this writing, allows for the NYV Mayor’s office to use their discretion as to have to use state funds, even if they are earmarked towards a specific purpose by the state; and

WHEREAS: The mayor’s office has not publicly shared what they have used the \$1 billion in funds they received for as they failed to meet the required state mandated phase-in requirements; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 requests that it be mandated that the City/Mayor’s office use the state provided class size reduction funds solely for the purpose of class size reduction as they were earmarked and intended for.