

## CB1 MONTHLY MEETING MINUTES: JULY 2013

DATE: Tuesday, July 30, 2013  
TIME: 6:00 PM  
PLACE: New York Academy of Art  
111 Franklin St., Floor 1

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The chair called the meeting to order at 6:00pm, EDT

### I. Public Session

- 1) David Kratz (President of New York Academy of Art)
  - Welcomed CB1
  - Introduced the school and its history
  - Described plans for the school
- 2) Bill Johnson (Occupy Wall Street)
  - There will be an event for the 2<sup>nd</sup> year anniversary of Occupy Wall Street. It will take place at Zuccotti Park.
- 3) Daniel Fitzsimmons (Our Town Downtown)
  - Introduced himself as a new reporter.
- 4) John Ricker (Comptroller John Liu)
  - The Comptroller hopes everyone enjoys the summer.
  - Please visit the Comptroller's website at [www.comptroller.nyc.gov](http://www.comptroller.nyc.gov)
  - Paul Hovitz thanked the Comptroller for his work on the Seaport audits.
- 5) Graeme Birchall (Downtown Boathouse at Pier 26)
  - They offer free kayaking and other programs to the public.
  - They are waiting for a new RFP to be issued.
- 6) Anne Jackley (Tribeca CERT)
  - Discussed new hurricane evacuation zones.
- 7) Andris Vizbaras (Ferry Balancing)

- Concerned that the CB1 Battery Park City Committee has not done enough to address the issue of ferry pollution.
- 8) Holly Leicht (Executive Director, New Yorkers for Parks)
- Thanked CB1's Planning Committee for supporting their 2013 parks agenda.
  - Hopes the board will support their platform.
- 9) Jessica Doren (Block Party Permit)
- Discussed changes to the original application for a street activity permit for Shinola, a new store in Tribeca.
  - They will donate some proceeds to local charities to show support for the community.
- 10) Councilmember Gale Brewer
- Explained the Paid Sick Leave law and its impact.
  - Discussed a new food program for seniors.
  - Noah Pfefferblit: thanked the Councilmember for efforts to restore budgets for community boards in recent years.
- 11) Hannah Friedman (Borough President Scott Stringer)
- BP Stringer is hosting an end of Ramadan celebration tomorrow evening.
  - The second nighttime farmers market was held recently in Union Square.
  - There is a mobile veggie van that brings fresh produce to underserved communities.
- 12) Councilmember Margaret Chin
- Wished everyone a happy summer.
  - Encouraged everyone to visit Governor's Island. Wants to create well-paid union jobs on the island.
  - August 10 is a community picnic on Governor's Island.
  - CM Chin was able to get many member items for the district. See her recent newsletter for specific details.
- 13) Sarah Diaz (Assemblymember Deborah Glick)
- They are taking action to clarify changes to the Hudson River Park Act.
  - AM Glick was elated by the Supreme Court's ruling on the Defense of Marriage Act (DOMA).
  - Asked NYC DOT to clarify policies regarding snow removal in front of Citi Bike locations.
- 14) Celine Mizrahi (Representative Jerrold Nadler)

- Rep. Nadler was very pleased with the ruling on DOMA.
- Working on the issue of NSA data collection. Rep. Nadler is concerned about how it is being used.
- The Affordable Care Act has reduced the purchase price of health insurance for individuals by 50% in New York State.
- Working on FEMA funding for the Seaport Museum. The issue is complicated.

15) Mary Perillo (CB1 Resident)

- Thanked CB1 for work on a letter to Ray Kelly regarding the World Trade Center Campus Security Plan.
- The Victims Compensation Fund deadline is October 3, 2013.

16) Delia von Neuschatz (CB1 Resident)

- Upset about helicopter noise.
- Catherine McVay Hughes: this is an issue that CB1 has been working on.

17) Tricia Joyce (CB1 Member)

- Success Charter School has applied to co-locate a school at Murry Bergtraum High school.
- CB1 has been opposed to any co-location.
- Concerned that an elementary school is going to be located in a high school.

The Business Session began at 6:45pm, EDT.

II. **Business Session**

A) Adoption of June 2013 minutes.

- The minutes were adopted as presented.

B) Chairperson's Report – C. McVay Hughes

The full Chair's report is available at the following link on the Community Board 1 website: [http://www.nyc.gov/html/mancb1/html/archives/chairpersons\\_report.shtml](http://www.nyc.gov/html/mancb1/html/archives/chairpersons_report.shtml). A few highlights:

- South Street Seaport Museum Meeting with Department of Cultural Affairs Commissioner Levin, Council Member Chin and representatives of Speaker Silver, Senator Squadron and Borough President Stringer (07/03/2013)
- Building Back Better: NY Rising Storm Recovery Conference, Governor Andrew M. Cuomo – appointed co-Chair for the Southern Manhattan section of Community Reconstruction Zone Program; Albany (07/18/2013)

- Friends of Bogardus Garden Press Conference with Announcement of Capital Funding with President Victoria Weil, Borough President Stringer, Councilmember Chin, NYC Department of Transportation Assistant Commissioner for Public Space Andy Wiley-Schwartz (07/02/2013)
- CB1 Planning Committee Tour of the WTC Calatrava PATH Station with the PANYNJ (07/08/2013)
- Letter on WTC Campus Security Plan to NYPD Commissioner Raymond Kelly cosigned with Speaker Silver, Congressman Nadler, Council Member Chin, Senator Squadron and Borough President Stringer (July 2013)
- Award Ceremony: Bloomberg Administration Decade of Design 2002-2013 – Outstanding Project in CB1 is the Capsouto Park with a Fountain by Elyn Zimmerman (City Hall, 07/17/2013)
- 9/11 Memorial Community Night Passes are available for Sunday, September 8th

Addendum, By Vice Chair A. Notaro

Borough Board President Scott Stringer Monthly Meeting - Two resolutions impacting CB1 were presented for voting. (1) East Midtown Zoning with a vote of 16-0-2 so the affirmative vote rejected the zoning change. CB#1 voted yes. (2) Civic Center Sale (ULURP) came to a vote with the elected officials and only CB1 able to vote. 49-51 Chambers and 346 Broadway were presented as separate resolutions that were identical except for landmark wording for 49-51 Chambers and CB1 school seat issues and 346 Broadway had wording about the media center and build-out funding for Community Facility. Both passed with a 10-0-2, with CB1 abstaining. 346 Broadway will be the first minority development company south of 110 Street. (July 18, 2013)

Mayor's Office 346 Broadway Conference Call - The Mayor's Office notified CB1 that there was a technical issue with the sale of 346 Broadway. The building has a parking garage for about 100 cars that received its special permit by the original owner in 1958. When the City purchased the building it never renewed the permit, which expired in 1971, but it continued to operate the facility as parking garage. The new buyers found this lien in a title search and made this a condition of sale or the sale price would be reduced and our media center could be eliminated.

Their request for us was to waive our right to review this Board of Standards and Appeals Application for renewal of the Special Permit (not ULURP) to allow the garage to continue in use. Due to timing issues, CB1 agreed based on city officials being here tonight to answer questions. (July 19, 2013)

NYC Economic Development Corporation, Office of Long Term Planning & Sustainability - NYCEDC invited CB1 and CB3 to a briefing on the implementation of the Southern Manhattan plan from the City's "A Stronger, More Resilient New York" Report (SIRR). We want to be partners and not just stakeholders in the process. Feasibility component will be completed by December 2013. (July 25, 2013)

C) District Manager's Report – N. Pfefferblit

- CB1 has received tickets from the 9/11 Memorial for a community night on Sunday, September 8. See Lucy to pick up tickets or contact the CB1 office to request them.
- Many CB1 staff members take their vacation in August and as a result the office is not always fully staffed. However the office will be staffed on all business days so there will always be someone to help with any matters that arise.
- The Counsel to the Manhattan Borough President has advised CB1 that salaries must be listed in resolutions pertaining to the hiring of staff members and salary increases. Such information has been included in the June 2013 minutes regarding the Personnel Committee resolution passed that month.

D) Treasurer's Report - J. Fratta

- Please see the written Treasure's report.
- There is \$2,800 left over for vacation buyout.
- Thanked Lucy for putting together the report.

III. **Committee Reports**

A) **Personnel Committee**

1) Hiring of Land Use Consultant – *Adopted*

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

- Diana Switaj was hired as Director of Planning and Land Use.
- Michael Levine was selected as the preferred choice for the Land Use Planning Consultant position.
- Thanked the Personnel Committee for their work.

B) **Planning Committee**

1) 9/11 Memorial and Museum – Report

- Construction is less than 1 year away from completion. June 2014 is the target completion date.
- There may be a ticket fee for entrance to the museum; that has not been decided yet.
- No artifacts were damaged by Superstorm Sandy.

2) NYC Waterfront Revitalization Program Coastal Zone Boundary – Report

- Coastal zone boundaries have been updated as a result of Super Storm Sandy.

3) New York City Evacuation Map – Report

- Diana Switaj explained how the map has been updated with new zones and boundaries as a result of Super Storm Sandy .

- You can see the map on the CB1 website.
- 4) Neighborhood Game-Changer Investment Competition RFP – Resolution urging the selection panel for the NYC Economic Development Corporation Neighborhood Game-Changer Investment Competition to consider that the priorities for Community Board 1 would be in the Seaport and Financial District, including Greenwich South, areas to study and to build in resiliency and hardening to withstand extreme climate whether it is storm surge, intense rain and/or strong winds; and urging that the East River Esplanade north of Beekman Street up to the Brooklyn Bridge be restored and completed in a manner that is comparable to the new area south of Pier 17. *Adopted*

BOARD VOTE:                    34 In Favor    1 Opposed    0 Abstained    0 Recused

- 5) Presentation by New Yorkers for Parks – Resolution endorsing NY4P’s 2013 Parks Platform. *Adopted*

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

C)    **Tribeca Committee**

- 1) Hudson River Park – Report
  - The committee was updated on the recent changes to the Hudson River Park Act.
- 2) Temporary Art on Franklin Street – Report
  - There will be a street art project on Franklin Street that will last approximately one year.
- 3) Tribeca Bike Lanes – Resolution supporting the implementation of the proposed DOT bike lanes, without the proposed use of the sidewalk on Varick Street on the western side of Capsouto Park, and asking DOT to monitor the bike lanes for safety and traffic flow. *The resolution was not adopted.*

BOARD VOTE:                    11 In Favor    14 Opposed    11 Abstained    0 Recused

- 4) Finn Square pedestrian plaza application – Resolution supporting Tribeca Trust in their application for the NYC Plaza Program with the understanding that DOT and the Tribeca Trust should include CB1 in any discussion of designs and implementation of a pedestrian plaza and/or pedestrian enhancements on West Broadway between Franklin Street and Leonard Street; and that DOT conduct a traffic study prior to implementation of any re-design to West Broadway; and that any re-design to West Broadway will be presented to the Tribeca Committee for approval prior to implementation. *Adopted*

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

- 5) JCP Sukkot Block Party street activity permit application for Duane Street between Church Street and West Broadway, Sunday, September 22, 2013, 9:00 am to 2:00 pm – Resolution does not oppose the application submitted by the Jewish Community Project for a street activity permit for Sunday, September 22, 2013 subject to conditions. *Adopted*

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

- 6) Shinola Block Party street activity permit application for Franklin Street between Greenwich Street and Hudson Street, Sunday, September 14, 2013, 11:00 am to 5:30 pm – Resolution does not oppose the application submitted by Shinola for a street activity permit for Sunday, September 22, 2013 subject to conditions. *Adopted*

BOARD VOTE: 25 In Favor 8 Opposed 2 Abstained 0 Recused

- 7) New York City Rescue Mission street activity permit application for Lafayette Street between White Street and Walker Street, Monday, November 25, 2013, 7:00 am to 7:00 pm – Resolution does not oppose the application submitted by the NYC Rescue for a street activity permit for Monday, November 25, 2013 subject to conditions. *Adopted*

BOARD VOTE: 25 In Favor 8 Opposed 2 Abstained 0 Recused

- 8) 61 Warren Street, application for a liquor license for Mariachi's Restaurant Corp. – Resolution opposes the granting of a liquor license alteration to Mariachi's Restaurant Corp. at 61 Warren Street unless the applicant complies with limitations and conditions. *Adopted*

BOARD VOTE: 25 In Favor 8 Opposed 2 Abstained 0 Recused

- 9) 94 Chambers Street, application for a liquor license for Racine NY LLC – Resolution opposes the granting of a liquor license alteration to Racine NY LLC at 94 Chambers Street unless the applicant complies with limitations and conditions. *Adopted*

BOARD VOTE: 25 In Favor 8 Opposed 2 Abstained 0 Recused

- 10) 13 Walker Street, application for a liquor license for Anotherroom Inc – Resolution opposes granting of a liquor license alteration to Anotherroom Inc. at 13 Walker Street unless the applicant complies with limitations and conditions. *Adopted*

BOARD VOTE: 25 In Favor 8 Opposed 2 Abstained 0 Recused

- 11) 135 Watts Street AKA 451 Washington Street, application for a liquor license for China Blue – Resolution opposes granting a liquor license alteration to Café China Group, LLC at 135 Watts Street aka 451 Washington Street unless the applicant complies with limitations and conditions. *Adopted*

BOARD VOTE: 34 In Favor 0 Opposed 1 Abstained 0 Recused

12) 11 Avenue of the Americas, application for a liquor license for Eleven Food and Beverage Inc. – Resolution opposes granting a liquor license alteration to Eleven Food and Beverage Inc. at 11 Avenue of the Americas unless the applicant complies with limitations and conditions. *Adopted*

- At the time of the full board meeting, the applicant has not agreed to the limitations and conditions set by the Tribeca Committee

BOARD VOTE:                    34 In Favor    0 Opposed    1 Abstained    0 Recused

13) 211A West Broadway, application for a liquor license upgrade and alteration for Maslow 6 Wine Bar – Resolution opposes granting a liquor license alteration to Maslow 6 Wine Bar LLC at 211A West Broadway unless the applicant complies with limitations. *Adopted*

BOARD VOTE:                    35 In Favor    0 Opposed    0 Abstained    0 Recused

D)    **Landmarks Committee**

1) 319 Broadway, application for facade renovation, window replacement, extension of elevator bulkhead and relocation of stair bulkhead – Resolution reluctantly recommending that the aluminum-clad windows be accepted, although it would prefer exposed wood, and asks the Landmarks Preservation Commission to look at alternative elevator bulkhead options requiring less visible exposure. *Adopted*

BOARD VOTE:                    35 In Favor    0 Opposed    0 Abstained    0 Recused

2) 395 Broadway, application for new windows – Resolution urging the Landmarks Preservation Commission to require the building representatives to create a master plan for future window applications on the lot-line wall, and to present samples. *Adopted*

BOARD VOTE:                    35 In Favor    0 Opposed    0 Abstained    0 Recused

3) 27 N. Moore, application for modification of rooftop HVAC and stair bulkheads – Resolution recommending that the Landmarks Preservation Commission accept this application. *Adopted*

BOARD VOTE:                    34 In Favor    0 Opposed    1 Abstained    0 Recused

4) Tribeca Landmark Districts Expansion – Report

- 5) 50th anniversary of the passage of the Landmarks Law in 2015 –Resolution supporting the commemoration of Albert Bard and the Landmarks Law 50th Anniversary in 2015 which the Landmarks50 Advisory Committee celebrates. *Adopted*

BOARD VOTE:                    35 In Favor    0 Opposed    0 Abstained    0 Recused

E)    **Quality of Life Committee**

1) Local Law 41 of 2007 – Report

- Buses are being retrofitted in accordance with the law.

2) Montague Tunnel repairs – Report

- R train service will be disrupted for 14 months.

3) Construction For A Livable City Initiative – Report

- An effort to make construction projects less disruptive.

4) 22 Thames Street construction project – Report

- Asked them to speak with Financial District Committee regarding zoning variance application. This is expected to take place at the September Financial District Committee meeting.

5) Events on Pier 26 – Report

- There were a lot of noise complaints. NYPD and DEP have been conducting inspections and CB1 has been working with HRPT to try to mitigate the volume.
- Adam Malitz added that Friends of Washington Market Park is hosting an outdoor movie from 7pm-9pm on Friday, September 13, 2013.

6) Polystyrene Ban – Borough Board Resolution – Resolution supporting a Manhattan Borough Board resolution supporting the polystyrene ban. *Adopted*

F)    **Youth & Education Committee**

1) Mayoral control of Department of Education – Report

- A resolution will be presented for review in September.

2) Potential sites for proposed 1,000 school seats – Report

- The School Construction Authority prefers that sites not be announced prior to their approval.

- 3) Proposals for new school seat projection methods concurrent with residential development – Report

- Planning Committee will be tasked with this.

G) **Financial District Committee**

- 1) Nolan Park – Governors Island, application for restaurant liquor license for Palm & Company Inc., d/b/a Le Gamin – Resolution opposes granting a summer kiosk liquor license to Palm & Company Inc., d/b/a Le Gamin in Nolan Park – Governors Island, unless the applicant complies with limitations and conditions. *Adopted*

BOARD VOTE:                    35 In Favor    0 Opposed    0 Abstained    0 Recused

- 2) 85 West Street, application for sidewalk cafe for Bill’s DTM NY, LLC d/b/a Bill’s Bar and Burger Downtown – Resolution approving the sidewalk cafe license for Bill’s DTM NY, LLC, d/b/a Bill’s Bar and Burger Downtown at 85 West Street. *Adopted*

BOARD VOTE:                    35 In Favor    0 Opposed    0 Abstained    0 Recused

- 3) 4 South Street, application for restaurant liquor license for H.E. Management at Staten Island Ferry Inc., d/b/a Kwik Stop Café - Resolution opposes granting a transfer of a liquor license to H.E. Management at Staten Island Ferry Inc., d/b/a Kwik Stop Café for 4 South Street, unless the applicant complies with limitations and conditions. *Adopted*

BOARD VOTE:                    35 In Favor    0 Opposed    0 Abstained    0 Recused

- 4) 9/11 Memorial Family Day street activity permit application for Vesey Street between Church Street and Broadway, Sunday, April 27, 2014, 6:00 am to 6:00 pm – Resolution does not oppose the application submitted for the 9/11 Memorial Family Day for a street activity permit for Sunday, April 27, 2014 subject to conditions. *Adopted*

BOARD VOTE:                    35 In Favor    0 Opposed    0 Abstained    0 Recused

- 5) Tent for screening of visitors to the Statue of Liberty – Report

- Manhattan Parks Department Commissioner Castro presented plans to restore screening of visitors to the Statue of Liberty and Ellis Island in Battery Park.

- 6) Battery Park South Street Construction – Resolution endorses the proposed project to design Flood Resiliency Measures into a reconstruction of South Street that integrates underutilized space into the larger Battery, while protecting the park’s infrastructure and Lower Manhattan streets, bikeways, walkways, transportation infrastructure and commercial and residential property. *Adopted*

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

7) Broadway Reconstruction Project – Report

- The plan will reduce Broadway to as little as one lane for the next four years. The committee will monitor what measures may be needed to mitigate the project such as possibly rerouting buses that have been using Broadway to travel south. The work is to begin in early August.

8) Morris Street Bridge – Report

- There are concerns that this is located too far south, but laws require it to be in the location that was presented.

9) Four Seasons Hotel/30 Park Place – Report

- The plan is to construct a residence and hotel there. Will most likely begin in September or October of 2013.

10) 170 John Street, application for alteration of restaurant liquor license for 170 John Street, d/b/a The Trading Post – Report

- Postponed.

11) Chase Plaza – Report

- No updates. The work is scheduled to be completed in fall 2013. It was delayed due to Sandy.

12) Water Street Privately Owned Public Spaces Program – Report

- The initiative will activate public spaces on Water Street.

13) 25 Park Place, application for sidewalk cafe for Lenny's Park Place LLC – Resolution was adopted in caucus prior to the meeting in order to comply with Department of Consumer Affairs review period which did not allow time for review in September.  
*Adopted*

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

H) **Battery Park City Committee**

1) Ferry balancing – Report

- This has been an ongoing issue for years, during which time the committee has worked with the Port Authority. There are 240 ferry boats. Many newer vessels

have quieter and cleaner engines. Several government agencies have examined the noise, but there is no requirement for noise levels to be reduced.

2) Post-Sandy Repairs – Report

- This concerned the Battery Park City Authority (BPCA) – see report.

I) **Seaport/Civic Center Committee**

1) South Street Seaport Museum Update Report

- The City has formed an interim board to run the museum with Jonathan Boulware as interim President. They hope to reopen the museum in 3 months.

2) Neighborhood Game-Changer Investment Competition RFP – Resolution urging the selection panel for the NYC Economic Development Corporation Neighborhood Game-Changer Investment Competition to consider that the priorities for Community Board 1 would be in the Seaport and Financial District, including Greenwich South, areas to study and to build in resiliency and hardening to withstand extreme climate whether it is storm surge, intense rain and/or strong winds; and that the Seaport Museum and its historic vessels find a viable nonprofit steward so that it can be successfully fortified and incorporated into any plan of development in the historic seaport area so that the area can once again thrive and be financially viable; and believes it is critical that the dock area around Pier 16 be preserved in order to continue to accommodate the historic boat collection. Motion was made to combine Planning’s Game-Changer resolution and Seaport’s Game-Changer resolution. *Motion was approved to combine Seaport resolution into Planning Committee’s NYC EDC Game-Changer Competition resolution.*

3) St. Margaret’s House façade repairs and closure of Pearl St. Park – Report

- They need major repairs. These repairs will require the Pearl Street Playground to be shut down for 1 month.

4) Seven Saturdays in the Old Seaport street activity permit application for Front Street between Beekman Street and Dover Street, Water Street between Dover Street and Peck Slip, and Peck Slip between South Street and Water Street, Saturdays between September 7, 2013 and October 19, 2013, 11:00 am to 9:00 pm – Resolution does not oppose the application submitted by the Old Seaport Alliance for a street activity permit for the seven Saturdays between September 7, 2013 and October 19, 2013 subject to conditions. *Adopted*

BOARD VOTE:                      30 In Favor    0 Opposed    0 Abstained    0 Recused

5) Taste of the Seaport street activity permit application for Front Street between Beekman Street and Peck Slip, Sunday, October 27, 2013, 7:00 am to 8:00 pm – Resolution does

not oppose the application submitted for a street activity permit for Taste of the Seaport for Sunday, October 27, 2013 subject to conditions. *Adopted*

BOARD VOTE:                    30 In Favor    0 Opposed    0 Abstained    0 Recused

- 6) 225 Front Street, application for alteration of a restaurant wine and beer license for Barbalu – Resolution not included. *Adopted*

BOARD VOTE:                    30 In Favor    0 Opposed    0 Abstained    0 Recused

IV.    **Old Business**

No Old Business to report.

V.    **New Business**

No New Business to report.

VI.    **Adjournment**

There being no further business, the meeting concluded at 8:40pm, EDT.  
Respectfully submitted by Adam Malitz, Secretary.