

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: AUGUST 20, 2024

COMMITTEE OF ORIGIN: EXECUTIVE

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

RE: Comment on [DOT rule](#) to expedite approvals for property owners to install e-bike battery swapping and charging cabinets on public sidewalks

WHEREAS: The increase and rise in usage of e-bikes has led to well publicized issues for fire safety hazards with charging batteries; and

WHEREAS: E-Bikes are an important transportation alternative; and

WHEREAS: The illegal and legal charging stations located in small businesses and residences are a public safety hazard that continues to escalate; and

WHEREAS: There has been an increased use allowance of pedestrian sidewalks; and

WHEREAS: CB1 has a historic grid, numerous historic and special districts with narrow widths and NYCDOT documented Pedestrian Mobility Plan numerous high demand regional and global corridors ; and

WHEREAS: CB1 has raised concerns about privatization and crowding of the public sidewalks by prior resolutions and public testimony:

March 2024 re: Vending cart setup rule resolution - private use of public space

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

City Hall Deliverista Hub

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

June 2023 Public Testimony re: Street Furniture Franchise Agreement Extension and Additional APTs:

“Given all the competition for space in our public realm, which has been made more challenging with the Open Restaurants Program, and the new technology used in the APTs, we ask the DOT to consider placing them in the roadbed on streets that are permanently closed Open Streets and in the neighborhood plazas created through the NYC Plaza Program.”

<https://www.nyc.gov/assets/manhattancb1/downloads/pdf/testimonies/230612%20Written%20Testimony%20Final.pdf>

February 2022 re:Reducing the use of Citi Bikes on sidewalks in MCD1

“Siting Citi bike stations on sidewalks is of great concern because they (1) take away pedestrian space, (2) imply that riding on sidewalks is legal and (3) encourage users to ride on the sidewalk to and from Citi Bike stations; and Rule on 48 inch cargo bikes”; and

WHEREAS: There has been an increased use of bicycles, e-scooters and e bikes traveling on pedestrian sidewalks to get to destinations; and

WHEREAS: CB1 has consistently supported the efforts by the City of New York in helping support alternative modes of transportation that is done in a thoughtful manner to improve the public realm and not reduce access, mobility and pedestrian safety; and

WHEREAS: While the Mayor and NYC DOT are seeking to solve a problem, CB1 demands that NYC not add more impediments to the paths that can compromise pedestrian safety, mobility and access to the sidewalks and seeks the following alternatives to ensure the first priority on our sidewalks is for pedestrians; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 demands that NYCDOT and The Mayor’s office prioritize pedestrian safety on the sidewalks with a minimum 8’ clear path for pedestrians that does not include cobblestone, tree pits, furnishings or grates and cabinets cannot be installed in the clear path; and

BE IT

FURTHER

RESOLVED

THAT: We urge the Department of Transportation to locate the cabinets in the roadbed or curb lane and integrated with bike parking to discourage traveling on pedestrian sidewalks and work within the NYC Strategic Documents in Street Plans; and

BE IT
FURTHER
RESOLVED

THAT: We urge the Department of Transportation to alternatively locate the cabinets for charging and storage in additional locations where suitable such as parking lots, freight hubs and other locations off the sidewalks; and

BE IT
FURTHER
RESOLVED

THAT: We urge the Department of Transportation and NYC to not allow advertising on the cabinets as a revenue generating use on the sidewalks; and

BE IT
FURTHER
RESOLVED

THAT: We urge the Department of Transportation to create an end of life process and removal plan for the cabinets when this type of batteries are no longer needed, or the company has gone out of business, or the cabinet is abandoned or underutilized; and

BE IT
FURTHER
RESOLVED

THAT: We urge the city to prioritize pedestrian safety on the sidewalks and work with businesses to identify alternative sites where businesses without adequate sidewalk space may locate and utilize charging cabinets and bike storage.

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COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **EFTC Holding LLC** at **35 Wall Street**

WHEREAS: EFTC is seeking an adult use retail dispensary license on the premises at 35 Wall Street in New York, New York; and

WHEREAS: The applicant failed to appear before Community Board 1 on August 20, 2024, to allow the community the opportunity to provide comments on the proposed business; 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 **EFTC Holding LLC** at **35 Wall Street** due to the above reasons.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: AUGUST 20, 2024

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Waivers for Liquor license renewals due to the community board committees being on hiatus in August.

WHEREAS: Liquor license renewal applicants with expiration dates prior to the September 024 full board meeting were reviewed for renewal by the Executive Committee; and

WHEREAS: The Liquor License committee did not meet in August of 2024 as the community board and members are on hiatus and any business during this time is handled directly by the Executive committee, and

WHEREAS: The following applicants have been approved for liquor license renewals:

- 5 Beekman Street, 5 Beekman Hotel Owner LLC, 5 Beekman Master Tenant LLC, Thompson Hotels LLC, Craft Beekman LLC and JVT Hospitality Group LLC dba The Beekman, Temple Court, Laissez Faire for full liquor license
- 114 Franklin Street, Casa Carmen LLC for full liquor license
- 39 Avenue of the Americas, York Street Lessee De LLC, York Street LLC, Hersha Hospitality Management LP dba Hilton Garden Inn for full liquor license
- 375 South End Avenue, 375 South End LLC dba Mezze by the River for full liquor license
- 55 Water Street, 3rd floor, Masterpiece Caterers Corp dba Sky 55 Bar and Grill for full liquor license
- 27 Barclay Street, FS NY F&B Company Inc dba Four Seasons Hotel Food & Beverage Services for full liquor license
- 99 Church Street, FSNY Restaurant Associates LLC aka Cut by Wolfgang Puck for full liquor license
- 25 North Moore Street 1A, Brandy Library Lounge LLC dba The Brandy Library for full liquor license; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 approved the liquor license renewals of the August renewals reviewed.

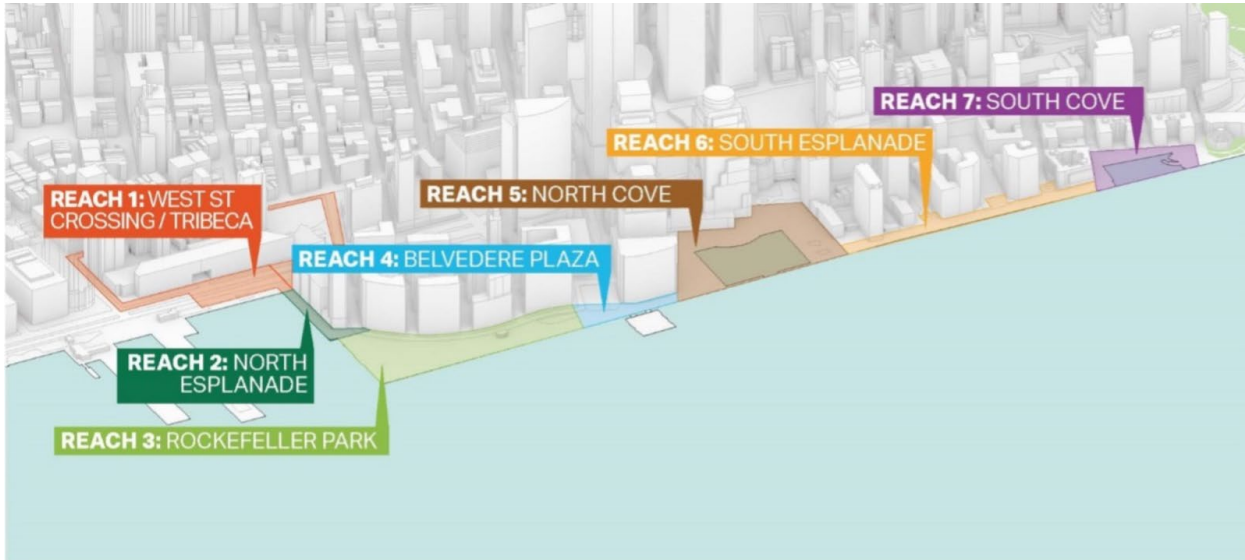
COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 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:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Comments on Battery Park City Authority North West Resiliency Project (BPCNWRP)
Draft Environmental Impact Statement (DEIS)



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 August 28, 2024 the Battery Park City Authority (BPCA) released the project’s Draft Environmental Impact Statement (DEIS), as required by the State Environmental Quality Review (SEQR) Act. The DEIS is designed to analyze the potential environmental impacts of the proposed project; and

WHEREAS: Comments on the DEIS are based on the community’s response provided at CB1’s Battery Park City Committee meeting on September 5, 2024, Environmental Protection Committee meeting on September 16, 2024, Executive Committee meeting on September 19, 2024 and on the public testimonies provided at the BPCA public meeting on the DEIS on September 18, 2024; and

WHEREAS: CB1 retained the services of George M. Janes & Associates, planning consultants, to assist with the community analysis and public comment on the BPCA North West Resiliency Project DEIS; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 states that the following is the Board’s official comment to the Battery Park City North West Resiliency Project Draft Environmental Impact Statement:

EIS TOPICS

[3.0 Project Description](#)

[3.1 Land Use, Zoning and Public Policy](#)

[3.2 Open Space](#)

[3.3 Historic and Cultural Resources](#)

[3.4 Urban Design and Visual Resources](#)

[3.5 Natural Resources](#)

[3.6 Hazardous Materials](#)

[3.7 Water and Sewer Infrastructure](#)

[3.8 Transportation](#)

[3.9 Greenhouse Gas Emissions and Climate Change](#)

[3.11 Construction](#)

[4.0 Mitigation](#)

[5.0 Alternatives](#)

OTHER TOPICS

[Public Engagement Process](#)
[Operations and Maintenance](#)
[Miscellaneous Impacts](#)

3.0 Project Description

The FEIS should include a detailed description with images showing scale, and specific materials most often used for the proposed flood barrier systems.

3.1 Land use, Zoning & Public Policy

Consistency with all federal, state, city and BPCA plans:

The DEIS claims that the proposed project is consistent with the Battery Park City Master Plan and the Battery Park City Sustainability Plan/Sustainability Implementation Plan, but it does so qualitatively and simply asserts that it is consistent.

The FEIS should provide details regarding how the proposed project is consistent with the Master Plan, the Sustainability Plan and its Implementation Plan. These details should include data that demonstrates the consistency that is asserted.

Additionally, the FEIS should include a consistent assessment not only of the final built project but should also include the process of construction and demolition of the project and the impacts of those actions. For example, the act of demolishing existing features in the project area, and constructing new ones will create substantial GHG emissions. How are these actions consistent with the existing sustainability plans? Further, components of the plan, such as the new pump house, should be evaluated in the context of existing plans to determine whether certain elements of the project may not be consistent, even though the overall project may be.

The FEIS should provide details describing the proposed project's consistency with the all federal, state and city plans for this area, including all plans for Route 9A. This information should be added to Table 3.1-2, *Summary of Public Policies and Project Compliance*.

3.2 Open Space

Usability

The FEIS should demonstrate how the proposed actions change the usability of the open space. It should discuss how the space is used now, how it will be used in the future, and the difference between how the spaces can and will be used.

For example, how will the change in the number and location of trees impact the shading and usability of the open space?

Trees

The proposed project will remove 420 trees and replace them by planting approximately 390 new trees and potentially replanting approximately 17 existing trees. The FEIS should provide a table detailing the size of trees being removed compared with the size of their replacement trees. The table should show both existing and proposed tree sizes and species.

If replacement trees are not of the same size/species, the FEIS should disclose how long it will take before the replacement trees grow to the size of the trees being removed.

The FEIS should make clear how many of the 420 trees being removed will be demolished, and if re-used, where.

3.3 Historic and Cultural Resources

Please include the Phase 1B archeological assessment to the FEIS Appendix.

Please provide more information about how the historic bulkhead will be removed and salvaged.

Please include the Community Board as an interested agency in your communication with LPC and SHPO regarding the removal and salvage of the historic bulkhead.

Please provide the Community Board a copy of the Construction Protection Plan that ensures historic architectural resources will be fully protected.

3.4 Urban Design and Visual Resources

The DEIS includes existing conditions photographs and renderings of the proposed action in images that appear as Figures 3.4.57 through 3.4.82. These renderings are supposed to be in the same location and show the same view as the photographs, but they do not effectively communicate how the proposed project will impact the view from these locations. The problem is that these renderings are not photosimulations. These are entirely simulated views and many parts of the simulations look different from the existing conditions photographs even though no change is proposed on some of the components of the view.

For example, consider the following images (DEIS 3.4-63).



No Action Condition



Proposed Project

NORTH/WEST BATTERY PARK RESILIENCY Illustrative Rendering
View 6 (Reach 1A-6), View Southwest from Hudson River Park
Figure 3.4-63

There are many technical issues with this image including:

The lighting is completely different; the trees are represented in different seasons; the quality of the water changes to a color less muddy. The images should show the same time of day and season so that they can be compared. The most important thing, however, is that the proposed changes' effect on the viewpoint cannot be determined and so it can't be used to assess visual impact from this viewpoint. That's because everything changes in a simulated view, even the buildings in the background that are unaffected by the action.

Purely simulated views are extremely difficult to meaningfully match to existing conditions photographs to assess an action's impact on the visual resources. What does the action do to this view? The viewer cannot know because they cannot know if the change is due to the action or the change is because it is simply a simulated view. None of these images should be used by the public to assess the impacts on visual resources.

The FEIS should include photo simulations that are verifiable, where an existing conditions photograph is altered so that it reflects only the changes that are proposed by the action. Verifiable photo simulations will demonstrate if views to the Hudson River will be obstructed or not. The text says that "Views of the Hudson River, Hudson River vista, and the Statue of Liberty National Monument with Ellis Island would be largely unaffected by the Proposed Project." That should be demonstrated with data through photosimulation. Photosimulations should be done representing reasonable worst case conditions (e.g. leaf-off).

Attached to this document are several annotated images from this section that explain the issues with the images in this section. All of the simulated views should be replaced. Additionally, the FEIS should include a viewpoint of the marina showing both existing and proposed conditions.

Environmental review documentation is for the assessment and disclosure of environmental impacts, not illustration

All the images in this section include the disclaimer "For Illustrative Purposes Only." None of them should have that disclaimer. This is a document that is being used by the public to assess the impact of the project. If the Lead Agency cannot say that these images are accurate, reflecting the project as proposed, then the images shouldn't be included in the FEIS. Inaccurate renderings that are only illustrative in nature might mislead the public. The FEIS should replace all the images disclosing visual impacts and replace them with verifiable

digital photomontages that demonstrate existing and proposed conditions so that this inappropriate disclaimer can be removed.

Public Art

The DEIS notes the many existing public art works throughout the Project Area. The impact of the Project on public art is only described in vague terms. For example, regarding the public art in Reach 6, the DEIS states, “The Proposed Project may affect some of the public art located along the Esplanade pending ongoing discussions with BPCA” The DEIS then notes that the Upper Room will be decommissioned. Notwithstanding the loss of this large piece of well-loved and well-used public art, the DEIS concludes that the Project would not result in a significant adverse impact on urban design and visual resources in Reach 6. CB1 disagrees with this conclusion. Mitigation measures for the loss of the Upper Room and for adverse impacts on any other public art should be addressed in the FEIS.

The FEIS must confirm that the BPCA has met all requirements as set forth in the Visual Artists Rights Act of 1990 (VARA) and that all artists and if deceased, their estates have been contacted and have agreed to the proposed modifications to the public art.

3.5 Natural resources

Wetlands

The DEIS discloses that in-water ecological enhancements will be implemented on bulkheads and piles in Reaches 2, 6, 7 and are still under consideration. The FEIS should finalize these enhancements. If they are not finalized by the FEIS, the Lead Agency should inform the Community Board the nature of these enhancements within 14 days of when they are determined.

The proposed mitigation for the inability to provide onsite wetland mitigation is the purchase of tidal wetland mitigation bank credits from the Saw Mill Creek Wetland Mitigation Bank (Staten Island, New York). The public should be provided with details about this program and other potential mitigation options.

The FEIS should include information on how to maintain naturally planted areas should they be inundated with salt water. For example, after salt inundation, what is the best way to protect the trees? Should they be flushed with fresh water? Something else?

Tree removal

The FEIS should provide a tree survey identifying every tree to be removed, the species and condition of the tree, and the diameter of the tree trunk at 4.5 feet above the ground (e.g. DBH). The survey should display the data via a table and on a plan that individually identifies each tree surveyed. This survey should not only be part of the FEIS, it should be used by the applicant in its outer facing communication with the public to identify the trees that will be removed and when they will be removed. An example of a similar public-facing map to fully demonstrate the impact of tree removal and replacement can be found here:

<https://tree-map.nycgovparks.org/>

The table with the results of the tree survey should link back to the map of the tree survey. The tree survey table should detail each tree and its removal's impact on shade, visual resources and open space. This table should include each tree, size, species, the impact of removal, eligibility for FEMA variance, as well as identifiers that tie each tree back to the tree survey map.

Identify areas eligible for FEMA variances for trees within 15 feet of the barrier. Provide application for FEMA variance for Community Board comment (see Variance Alternative).

3.6 Hazardous materials**EIS documentation**

The DEIS discloses that sampling shows higher than standard levels of mercury, arsenic, chloroform, dissolved metals and possible direct contact, inhalation, ingestion by construction workers and the community. It also discloses manners in which contaminated soil will be handled. Landscaped areas will be covered with a "soil cap" of imported clean soil. A demarcation barrier will also be installed at the bottom and slopes of the excavation, which would identify the boundary between remaining subsurface materials and imported clean fill.

Considering the presence of existing contamination, and the impacts of 9/11 on the area, there is concern regarding the adequacy of the Remedial Action Plan and the Construction Health and Safety Plan (RAP/CHASP) and whether the plans will be sufficient to protect the community. In addition to air quality monitoring during construction, stormwater and leachate should be sampled every 15 days and evaluated for evidence that water from the site has been in contact with the hazardous materials the plan currently proposes to cap and keep on site. Stormwater/leachate monitoring activities should be made public with

results posted online. The Community Engagement Manager should be reporting to the CB directly in case of an event, with updates as close to real-time as possible. The project should have a 24-hour manned hotline to report non-compliance with protection plans in addition to 311.

Draft RAP/CHASP may be updated after the Sediment Sampling and Analysis Plan (SSAP) results. The Community Board should be informed within 15 days if there will be SSAP revisions and when the final RAP/CHASP are available.

Likewise, the Community Board should be notified within 15 days of amendments to the SWPPP (Stormwater Pollution Prevention Plan), as well as any other plans amended or completed after the FEIS is accepted.

The DEIS discloses that hazmat soils can be stored on-site for up to 90 days. This is far too long. The FEIS should show that these materials will be stored on site for no more than 15 days. If the lead agency is unwilling or unable to make that commitment, it should explain why in the FEIS. The FEIS needs to detail where and how these materials are being stored and the safety protocols it will use to ensure that they are not disturbed by natural events, accidents or malicious acts.

The FEIS should disclose how these hazardous materials will be moved off-site. The community should be notified through the community engagement website when these materials will be moved off site with at least three days notice. The website should have a timeline for excavation and remediation of hazardous materials from their first on-site storage until they are all removed from the site.

If there is a spill that requires notification to the DEC, the Community Board should be copied on that notification at the time it is made.

All air quality monitoring should be done by a third party and results should be posted online in real-time so the community has access to the data. This should be a part of the RAP.

The manned 24-hour hotline should be able to accept calls and coordinate responses regarding any events that regard hazardous materials.

3.7 Water and Sewer Infrastructure

Please provide additional information regarding model evaluations conducted in collaboration with DEP confirming there are no significant adverse flooding

impacts to the adjacent unprotected areas. The FEIS must include details of what areas and what range of conditions that were studied and the results. The FEIS must make clear through modeling evaluations that the Project will have no deleterious effects on the areas along the west side, most acutely affected by Superstorm Sandy, north of the proposed tie-in at N. Moore Street and south of Canal Street in Tribeca.

If there was any modeling performed to confirm coastal storm surge waters are prevented from entering the Protected Area through the combined sewer system (CSO), please summarize methodology, as well as provide modeling and the resulting conclusions. Describe any impact on the City's water and sewer infrastructure that would result in coastal surge waters entering the CSO.

The proposed plan to pump untreated rainwater from the dry side to this CSO will result in increased water pollution and water volume in the Estuarine Sanctuary.

The FEIS must confirm and describe any impacts that the project's infrastructure will have on the Hudson River Park Estuarine Sanctuary. Please clarify all mitigation measures being considered and implemented based on the impacts. Please clarify if BPCA considered connecting to any other local CSO, that terminates in the western bulkhead of BPC into the main flow of the Hudson River (Figure 3.7-3 in DEIS) instead of into the Estuarine Sanctuary. Furthermore, what consideration has been studied for capture, storage and transport to a treatment facility later.

Please clarify whether any of the infrastructure categorized as interior drainage improvements, including the West Thames lift station, will be above grade.

3.8 Transportation

The analysis here uses the Highway Capacity Manual from 2010. Since the latest Highway Capacity Manual was published in 2022, please explain why 2010 is being used for the analysis and whether there is a difference between 2010 and 2022 in the methodologies for walkways.

The proposed action will narrow pathways and affect pedestrian capacities in some locations. Please discuss how pedestrian capacities are impacted by the narrowing of pathways and how pedestrian travel times might be impacted,

especially in the areas around the schools in the study area at the time students are arriving in the morning and afternoon.

The DEIS explains that the levels of service on the esplanade walkways will be at an acceptable level of service, but it doesn't disclose the change in the level of service. Does the action degrade the level of service? If so, by how much? The FEIS should provide detailed drawings on the narrowing of the bike paths in the study area during both construction and under With Action conditions. Please discuss the impact of these changes on the usability and service of the bike paths, even if the change is not determined to be a significant change.

3.9 Greenhouse Gas Emissions and Climate Change

This section references NYC resiliency policies but does not evaluate the Battery Park City Authority (BPCA) Climate Action Plan, Sustainability Plan or Green Guidelines. Please provide analysis of project GHG emissions and if they are consistent with BPCA resiliency plans.

Provide more detail about options under consideration for "Potential measures for reductions of emissions from construction of the Proposed Project ... [which] may include the use of biodiesel, expanded use of recycled steel and aluminum, as well as expanded construction waste reduction" and other ways to mitigate heat impact by the use of materials.

Explain the choice of poured cement over alternative materials. The FEIS should include a discussion of other materials that will not add to additional heat in the area and may produce fewer GHG during their production.

Please clarify whether construction GHG includes GHG produced by any required demolition, If it doesn't, please include it in the FEIS.

Please provide an audited version of the carbon impact model for the entire construction period in the FEIS.

3.11 Construction

The DEIS identifies the position of a Community Engagement Manager (CEM), but it needs more oversight than how it is defined in the DEIS. In addition to a CEM, the Lead Agency should set up a Construction Task Force, to whom the CEM reports. The Construction Task Force will include representatives of all stakeholders impacted by construction and should include a representative of

the Community Board, as well as the local elected representatives for the Project Area.

The CEM should notify the community and the Community Board about all applications for nighttime work on Reach 1. Once the application has been filed, the CB should receive a copy of the application and a notification once the application has been approved. Notice should be posted by physical signs in the immediate area and to any adjacent buildings at least 2 weeks before nighttime work begins.

The CB should be notified of any Maintenance and Protection of Traffic Plans required for temporary road closure, sidewalk closure, lane closures, rerouting of pedestrian and bicycle circulation and confirmation/changes to Table 3.11.1-3. The CEM or responsible agency must post physical signs to notify the public of closures at least 2 weeks in advance and during closures, and at every public meeting they attend.

Please identify any buildings on the clearly unacceptable noise level list that do not have appropriate ventilation for closed-window operation or likely don't have modern window insulation to attenuate noise level. The FEIS should discuss in detail how noise impacts on these directly impacted buildings will be mitigated.

Please provide an assessment for how construction traffic will impact routes to school for schools in Project Area. The FEIS should include a discussion of the use of traffic enforcement agents and pedestrian managers as a way of mitigating construction impacts on pedestrians. This is especially important for Chambers Street near Stuyvesant High School.

Please provide further detail on any scheduled breaks from the routine daily and scheduled nighttime construction. Are there any scheduled breaks envisioned in the schedule, e.g. major holidays, scheduled testing days at schools, etc. The FEIS should include a range of possible outcomes regarding scheduled delays and cost/time overruns.

Please provide detail on how BPCA and City agencies will work with the task force at 250 Vesey to move cars off the street. Indicate which agencies will be involved in enforcement during the construction process for private and placard vehicles.

The DEIS concludes that construction will not result in a significant adverse impact on natural resources, including the many species of fauna that make Battery Park City their home, in part because construction impacts on natural resources are deemed to be temporary. Given that the construction period is projected to span 5 years, the FEIS should not dismiss these impacts, but should describe mitigation measures to lessen them.

The DEIS does not consider the likelihood that the Project's extensive ground disturbances will cause major movements of the Project area's large rodent population. The FEIS should address the Project construction's risk that rodent populations will be disturbed and that rodents will seek new shelter locations, including within the nearby residential buildings. The FEIS should describe rodent-related mitigation measures.

Construction activities will have socioeconomic impacts and the DEIS is missing a discussion of the socioeconomic impacts of the proposed construction activities. This includes the direct displacement of the marina and the impacts of construction activities on businesses in the area. The FEIS should include the disclosure of these socioeconomic impacts and include a plan for mitigation of their impacts.

4.0 Mitigation

Construction Open Space

Please provide more details on the proposed locations and description of mitigation measures during construction listed, including: play areas, parklets and street seats, pop-up parks, seating, open streets. Since these are not yet decided, the CB should provide suggested locations or the nature of use for consideration.

Construction Noise

DEIS states there are still investigations ongoing into other possibilities to mitigate noise and the loss of open space. Please provide in the FEIS any additional mitigation measures identified since the DEIS was published.

Because of the significant impacts due to construction noise, please consider making available quiet work locations to impacted residents who would otherwise have to work from home in noisy conditions as a mitigation measure. Alternatively, the applicant should install noise dampening windows or noise dampening devices at the homes and facilities of the most impacted community members, including schools, places of business and senior residences.

Mitigation measures addressing construction equipment noise, including but not limited to pile driving machinery, generators, compressors, and pneumatic tools, should be specifically addressed in the FEIS.

The FEIS should detail how the Applicant will communicate with the public during the construction period. This should include:

- 1) Prominent signs communicating the action, including:
 - a) Signs or markings on trees that will be removed
 - b) Signs announcing immediate construction activities. If significant noise is anticipated, it should be advertised to the public.
- 2) A public facing website/social media should also be maintained including all this information.

Construction Lighting

Although night work may not be typically employed, the community understands from its experience with the South BPC Resiliency Project that temporary construction site lighting is likely to be used during evening, nighttime and early morning hours. The FEIS should address how such lighting's impact on neighboring residents will be mitigated.

Air quality monitoring during construction

The FEIS should detail how air quality will be monitored during construction.

Air quality monitoring must:

1. Be contracted to an independent third party that is onboard from day 1
2. Output information by air quality sensors in real-time to a publicly accessible website, which is prominently featured on the applicant's website
3. Indicate air quality events, which occur when air quality exceeds maximum permitted thresholds. The Community Board asked to be notified whenever an air quality threshold is exceeded within 3 days.
4. Run the entire duration of the project
5. Provide masks and HEPA filters for places that are directly impacted.

Socioeconomic Impacts of construction

The DEIS does not include any discussion or disclosure of socioeconomic impacts. The FEIS should disclose these impacts, including the direct displacement of businesses that will be affected by construction activities, such as the marina, as well as businesses that may not be directly displaced, but

which will have their operations impacted by construction activities, including noise and changes in traffic flow. The FEIS should include a discussion of how businesses will get deliveries during construction and the plan for staging of activities to minimize impacts on these establishments.

5.0 Alternatives

The pump station alternative

The pump station above-grade structure design is still under consideration and the EIS shows three options. Design Options 1 and 2 separate the electrical panel and power generation into different structures, while Design Option 3 is a two-story structure, which incorporates all the mechanicals into one building. The process for the selection of a final design requires review by the SCA, DOT and the high school. The Community Board requests to be included and contribute to these discussions.

The option next to Stuyvesant High School will have potential impacts on the usability of the area around the structure including but not limited to public open space, Citi bike stations, public seating and pedestrian connections north and south. The Lead Agency is asked to include the Community Board as an interested agency in the considerations on the final design and be informed on the design selected, why it was selected, and if the SCA and the High School agreed with the design selected.

Maximum FEMA variances

The FEIS should include a new alternative representing maximum FEMA variances for existing trees that minimizes tree loss. This alternative would identify all the trees that could be saved, should a variance be sought and granted. This alternative should include a plan that identifies the areas that are eligible for FEMA variances and the trees that might be saved by variances. The FEIS should demonstrate the impact of those variances on visual resources and open space and include photo simulations that demonstrate the impact of the maximum variance alternative compared to the proposed action.

OTHER TOPICS

Public engagement process

There should be a construction advisory committee including a liaison from the project team who faces the public. The committee should be set up and in operation throughout the construction process to monitor agreements and provide information to the community, with relevant City, State and Federal

agencies at the table. There should be regular updates and meetings with the CB and the public. A hotline number to call for issues that are not meeting the plan should be provided to the community. The Community Engagement Officer should regularly report to the Community Board on the progress and issues that arise during construction.

Many members of the public complained that the DEIS was not readily available for review on the BPCA website home page. It is critical that the BPCA ensure that all future updates on all aspects of this project including the posting of the FEIS be readily accessible on the BPCA home page.

Operations and Maintenance

Please provide details about the Operations Manual: which agencies it applies to depending on the locations/Reach and which access agreements to certain properties are still required to implement a functional maintenance plan. Additional information in the FEIS on operations should include how the barriers get deployed, what organization or agencies have responsibility, and what are the expectations in terms of operations and maintenance.

Part of the action involves changes to property controlled by Hudson River Park Trust (HRPT). Please explain whose responsibility it will be to maintain and pay for the upkeep of the improvements on HRPT land.

Other impacts of the project

FEIS must include data that ensure what if any potential effect the proposed project has on neighboring areas, particularly those most affected and most vulnerable during Sandy in Tribeca North and South of Canal Street at the West side. Assurance that there would be no deleterious effects on areas north of N. Moore, is something the community has asked for repeatedly.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Cannabis Control Board (CCB) Waivers of the 1,000 FT rule for Locating Cannabis Retail Stores

WHEREAS: §119.4(a) of the OCM Regulations provides that: a minimum distance of 1,000 feet between adult-use cannabis retail dispensaries in municipalities with a population 20,000 or more is required; and

WHEREAS: The CCB has passed a resolution (No. 2024-96) that seeks to clarify §119.4(b) of the OCM Regulations and provide a mechanism for prospective retail dispensaries to request a waiver of the 1,000 foot distancing requirement (“1,000 Foot Rule”), allowing for retail dispensaries to open in closer proximity; and

WHEREAS: This new resolution (No. 2024-96) outlines multiple criteria that the OCM and CCB will consider “at a minimum” as factors in determining whether to grant such a waiver, several of which CB1 believes to be overly subjective, vague, and lacking quantifiable metrics or specifics that would provide genuine benefit to the public (See [CCB waivers part-118-119-emergency-exprs-terms.pdf](#) for full resolution), including the below factors of particular concern:

- “The distance between the proposed location and any such existing retail dispensary locations when measured as a pedestrian or car would travel;
- Any factors that are unique to the proposed location, including any environmental or economic considerations that may justify its placement and/or a need for greater adult-use cannabis consumer access in the area, including, but not limited to:
 - Economic justification that highlights high consumer demand for additional retail dispensaries or retail microbusinesses in the area;
 - The number of illicit cannabis dispensaries or former illicit dispensaries in close proximity to both the existing and proposed locations; and
 - Any other factors submitted by the requestor”;

WHEREAS: CB1 has further concerns about the mechanism for Community Boards to render public comment on requested waivers to the 1,000 Foot Rule, as outlined in CCB Resolution No. 2024-96, specifically:

- A lack of clarity as to when the “licensee” or “provisional licensee” is required to notify to the Community Board of the intention to request a waiver; and
- A lack of clarity as to whether requests for waivers to the 1,000 Foot Rule are to be made at the time of the initial application, or at another time; and A lack of clarity as to whether the 45-Day opportunity for the Community Board to render comment on the waiver request is intended to run concurrently to the existing 30 day (extendable to 60 day) opportunity for Community Board comment on a typical application; and

WHEREAS: CB1 urges the CCB to eliminate the illicit stores as a justification for locating stores in less than the established 1,000 foot rule, and offer additional clarification regarding the intention of this language regarding illicit stores; and

WHEREAS: CB1 urges the CCB to eliminate overly expansive and difficult to substantiate language from Resolution No. 2024-96, including but not limited to the following:

- “...the Board shall consider, at a minimum, the following factors:”
- “Economic justification that highlights high consumer demand...”
- “Any other factors submitted...”; and

WHEREAS: CB1 requests the CCB not grant a waiver against the vote of the community board who knows the local municipality better than a state agency; now

THEREFORE
BE IT
RESOLVED

THAT: Cannabis Control Board should avoid flooding this nascent market and consider no waivers until the legal establishments with the 1,000 ft rule in place are given an opportunity to thrive; and

BE IT
FURTHER
RESOLVED

THAT: We further urge the Cannabis Control Board to work to clear the backlog and work within the rules established in §119.4 and not issue any waivers that do not demonstrate a significant and specific need as outlined by the definitions as listed above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Calling on City Council to establish a local law establishing distance requirements from Cannabis Retail Stores to Public Youth Facilities

WHEREAS: §119 of the OCM Regulations (N.Y. Comp. Codes R. & Regs. tit. 9 § 119) outlines the distance and proximity requirements as between licensed retail dispensaries, including RODs, on-site consumption sites, and microbusiness retail locations, from other similarly licensed entities, houses of worship, and schools; and

WHEREAS: §119.2(a)(10) of the OCM Regulations specifically reserves to municipalities the right to enact local laws regulating the allowed distance between a retail dispensary, ROD, or microbusiness, and a Public Youth Facility, whereby municipalities may elect to create a minimum distance requirement up to 500 feet; and

WHEREAS: A Public Youth Facility, as defined by OCM Regulations, means “a location or structure owned by a government or government subdivision or agency, that is accessible to the public, where the primary purpose is to provide recreational opportunities or services to children or adolescents of whom the primary population is reasonably expected to be seventeen (17) years of age or younger”*; and

WHEREAS: In the absence of a local law enacted to address this concern, there exists no prohibition in New York State law, nor in the OCM Regulations, creating a minimum distance required as between a retail dispensary, ROD, or microbusiness, and a Public Youth Facility; and

WHEREAS: Per the CCB, in order of a location to be considered a public youth facility it must be designated as such by a local municipality via the passage of a local law*; and

WHEREAS: New York City has not adopted a local law establishing distance requirements from public youth facilities which allows Cannabis Stores to be located next door with no distance requirements; now

[*RESOLUTION TO ISSUE RESPONSES TO NEGATIVE MUNICIPAL OPINIONS OF APPLICANTS THE BOARD HAS ISSUED LICENSES 9.10.2024 \(1\)](#)

THEREFORE
BE IT
RESOLVED

THAT: CB1 urgently asks all of our elected officials and community boards to prioritize protecting the health, safety and welfare of our youth; and

BE IT
FURTHER
RESOLVED

THAT: Community Board 1 calls on City Council to pass a local law establishing distance requirements from Public Youth Facilities before December 3, 2024.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 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:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **EFTC Holding LLC** at **15 Broad Street**

WHEREAS: EFTC Holding, LLC is seeking an adult use retail dispensary license on the premises at 15 Broad Street in New York, New York; and

WHEREAS: The applicant failed to appear before Community Board 1 on September 19, 2024, to allow the community the opportunity to provide comments on the proposed business; 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 **EFTC Holding LLC** at **15 Broad Street** due to the above reasons.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 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:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **Denial** of cannabis retail dispensary license application for **Dai Ma LLC DBA Flower Guys** at **381 Broadway**

WHEREAS: Dai Ma LLC DBA Flower Guys is seeking an adult use retail dispensary license on the premises at 381 Broadway in New York, New York; and

WHEREAS: The applicant failed to appear before Community Board 1 on September 19, 2024, to allow the community the opportunity to provide comments on the proposed business; 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 **Dai Ma LLC DBA Flower Guys** at **381 Broadway** due to the above reasons.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: NEW BUSINESS

COMMITTEE VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	4 Opposed	2 Abstained	0 Recused

RE: DOT Regional Slow Zone south of Canal/Rutgers Streets

WHEREAS: Following New York State’s enactment of Sammy’s Law, the City of New York (NYC) Department of Transportation (DOT) was given the authority to lower speed limits to 20-miles-per-hour (MPH) on individual streets and to 10 MPH on streets with additional traffic calming measures; and

WHEREAS: In a letter dated August 5, 2024, the DOT notified Community Board One (CB1) that it plans to implement a “Lower Manhattan Regional Slow Zone” (RSZ) that includes the entirety of Lower Manhattan south of Canal/Rutgers Streets, east of the FDR Drive and inclusive of West Street and Battery Park City; and

WHEREAS: Streets in the RSZ will have speed limits of 20 MPH, except for West Street (Route 9A), which will be reduced from 30 MPH to 25 MPH, and streets where pedestrians, cyclists, and motorists share the right of way (e.g., shared streets) and Open Streets that have had substantial design upgrades, will be 10 MPH; and

WHEREAS: MCD1 already includes some 20 MPH school zones; and

WHEREAS: Placard parking and double parking top the congestion issues in lower Manhattan and there is minimal to no enforcement to clear the streets; and

WHEREAS: Safety benefits are only realized if everyone complies with the laws. CB1 has expressed continual concerns about the lack of enforcement for ebike operators, who do not have the benefit of a speedometer, lack of infrastructure and designed infrastructure that would support enforcement for following the traffic laws; and

WHEREAS: The New York State Department of Motor Vehicles (DMV) define [electric scooters and bicycles](#) paraphrased as follows:

- Electric scooters, when powered solely by an electric motor, have a maximum speed of no more than 20 MPH on a paved level surface. These vehicles are prohibited from traveling in excess of 15 MPH;
- Class-1 ebikes provide electric assistance until they reach a speed of 20 MPH;
- Class-2 ebikes have an electric motor that may be used exclusively or provide assistance up to a speed of 20 MPH;
- Class-3 ebikes have an electric motor that may be used exclusively or provide assistance up to a speed of 25 MPH. These vehicles are only legal in a city with a population of one million or more, such as NYC, and are currently not legal to use on the Hudson River Greenway and sidewalks; and

WHEREAS: Electric scooters, Class-3 ebikes, skilled cyclists on pedal bikes, and altered ebikes are capable of exceeding the 20 MPH speed limit. Class-1 ebikes and Class-2 ebikes, while required to comply with the 20 MPH speed limit in the RSZ, currently do not and there is no enforcement on the State Roads (9a and the Greenway) nor local streets. There is no plan for enforcement and the NYPD has gone on record stating they cannot consistently enforce the state laws; and

WHEREAS: In a letter dated September 12, 2024, the New York State DOT informed CB1 that they will be starting a two year *Route 9A Mobility and Safety Improvement Study*, which will focus on multimodal transportation, future urban planning opportunities, and a resiliency component from 59th street to the Battery; and

WHEREAS: Manhattan Borough President Levine, CB1, CB2 and CB4 have requested that the study include analyzing the potential for a dedicated traffic lane to be used to expand the Hudson River Greenway up to Chambers Street. This is anticipated to change how Route 9A is used, and potentially configured; and

WHEREAS: It is appreciated that the Lower Manhattan RSZ anticipates adding safety benefits, however, implementing it will require enforcement, infrastructure changes, public education and an understanding of the changes that are anticipated for Route 9A; and

WHEREAS: CB1 does not currently have a large number of Shared and Open Streets. The new rules detail that current and future streets with shared right of way (e.g., shared streets) and Open Streets with substantial design upgrades would automatically be included in the RSZ. However, the Board does not believe there is enough community based planning and input into the process for approving Shared and Open Streets; and

WHEREAS: CB1 believes before any RSZ is implemented, to ensure maximum benefits are realized, a plan must be created to enforce the speed limit for all road users and ensure everyone complies with the law; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board One (MCB1) asks the DOT to PAUSE on implementing a slow zone in our district until the state DOT traffic study for 9A, which has been announced, is completed and implemented for all users. And State DOT, NYPD and City DOT create methods for tracking and enforcing speed and traffic laws for all road and Greenway users.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: QUALITY OF LIFE, HEALTH, HOUSING & HUMAN SERVICES

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	38 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Support of 9/11 Responder and Survivor Health Funding Correction Act of 2024, [S. 4724/H.R. 9101](#)

WHEREAS: The World Trade Center Health Program (WTCHP) provides medical treatment and monitoring for over 132,000 responders and survivors from the World Trade Center and lower Manhattan, the Pentagon, and Shanksville crash site. The WTCHP was created by Congress in 2010 and was reauthorized in 2015 with authorization expiring in 2090; and

WHEREAS: Costs for the program and increases in participation by injured 9/11 responders and survivors have increased beyond what was projected in the 2015 extension. Due to these increased costs, the program now faces a projected funding shortfall. The FY24 National Defense Authorization Act (NDAA) included a provision totaling \$676 million for the WTCHP of which \$444 million addressed the funding shortfall; and

WHEREAS: According to New York Senators Charles Schumer and Kirsten Gillibrand, without additional action, the WTCHP will have to start making cuts to services for the injured and ill 9/11 responders and survivors it serves starting in 2028. This includes the responders and survivors who will be newly diagnosed with 9/11-associated cancers caused by their toxic exposures. Starting in 2028 the program would have to start turning away new responders and survivors who become sick from 9/11 conditions and in subsequent years start to make direct cuts in services for those in the program receiving care; and

WHEREAS: The bill would also provide for an increase of funding for surveillance capabilities and research on 9/11 conditions such as early dementia that was recently reported on in a study as potentially impacting 9/11 responders and other potential conditions caused by the toxins at Ground Zero; and

WHEREAS: This legislation is needed to ensure that the slogan “Never Forget 9/11” is a reality and that 9/11 responders and survivors will continue to get the care that they need and deserve; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 fully supports the Survivor Health Funding Correction Act of 2024, [S. 4724/H.R. 9101](#), and thanks Senators Schumer and Gillibrand and Congressmembers Goldman and Nadler for their action and advocacy on this legislation.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

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

COMMITTEE VOTE:	6 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Section 195 Office Space application for the relocation of the New York City Department for the Aging (DFTA) from 2 Lafayette Street to 14 Wall Street

WHEREAS: Manhattan Community Board 1 (CB1) received, pursuant to New York City Charter Section 195, a notice of intent to acquire approximately 80,000 square feet of office space on the 11th, 12th, and 14th Floors¹ at 14 Wall Street in Manhattan on behalf of DFTA; and

WHEREAS: DFTA intends to relocate its offices from 2 Lafayette Street, where it has been located since the late 1980s, to 14 Wall Street because the agency needs “a more efficient and more modern workspace while retaining [its] presence in downtown Manhattan.” According to the Section 195 notice, the relocation will “solve” numerous operational challenges with the agency’s current space and will be “more suitable for agency operations than their current office layout”; and

WHEREAS: 14 Wall Street is a 32-story commercial office building with approximately 1.1 million square feet of floor area. CB1 notes the “Description of Project Area” of the Section 195 notice, presumably drafted by the New York City Department of Citywide Administrative Services (DCAS), erroneously states: “Since 14 Wall Street is so close to the epicenter of Manhattan’s Financial District, it is largely surrounded by commercial and office buildings over ground-level retail. Per the Special Lower Manhattan District, some mixed use and residential space also exists here, especially as older towers are renovated to meet modern needs.” In fact, sites immediately surrounding 14 Wall Street – including for example those located at 1 Wall Street, a 56-story, 566-unit condominium building immediately to the south; 20 Pine Street, a 38-story, 408-unit residential building immediately to the northeast; 20 Broad Street, a 29-story, 533-unit residential building one block south; 15 Broad Street, a 42-story, 382-unit condominium building also one block south; 37 Wall Street, a 24-story, 373-unit residential building one block west; and 45 Wall Street, a 29-story, 435-unit residential building also one block west – are significant residential buildings in the immediate area surrounding this Project. The notice’s inaccurate “Description of Project Area” perpetuates

¹ The applicant noted there is no 13th Floor at 14 Wall, meaning DFTA’s planned office space will occupy three contiguous floors of the building.

DCAS's and other City agencies' continued misapprehension of the substantial, established residential population in CB1, particularly in the Financial District; and

WHEREAS: During a September 9, 2024, presentation of this notice to CB1's Land Use, Zoning and Economic Development (LZE) Committee, officials from DFTA represented that the agency currently has no placard or fleet parking needs or uses and that, upon moving to 14 Wall Street, it will continue to have no placard or fleet parking needs or uses. The applicant also generally discussed that demolition and construction impacts to the surrounding area should be mitigated by the smaller-scale cosmetic renovations planned for the new space. And the applicant promised to provide CB1 with further information relating to any future plans for the City-owned property at 2 Lafayette Street²; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 does not object to DFTA's acquisition of approximately 80,000 square feet of office space on the 11th, 12th, and 14th Floors at 14 Wall Street.

² Originally constructed in 1925, 2 Lafayette Street is a historic building also known as the Court Square Building, which falls within the African Burial Ground and the Commons Historic District. The City of New York assumed title to the building in 1981, which has since been used to operate various City agency offices. During the September 9, 2024, LZE Committee meeting, the applicant confirmed that, as far as the applicant is aware, there is no intention on the part of the City of New York to do something other than keep 2 Lafayette Street as a public building for City use.

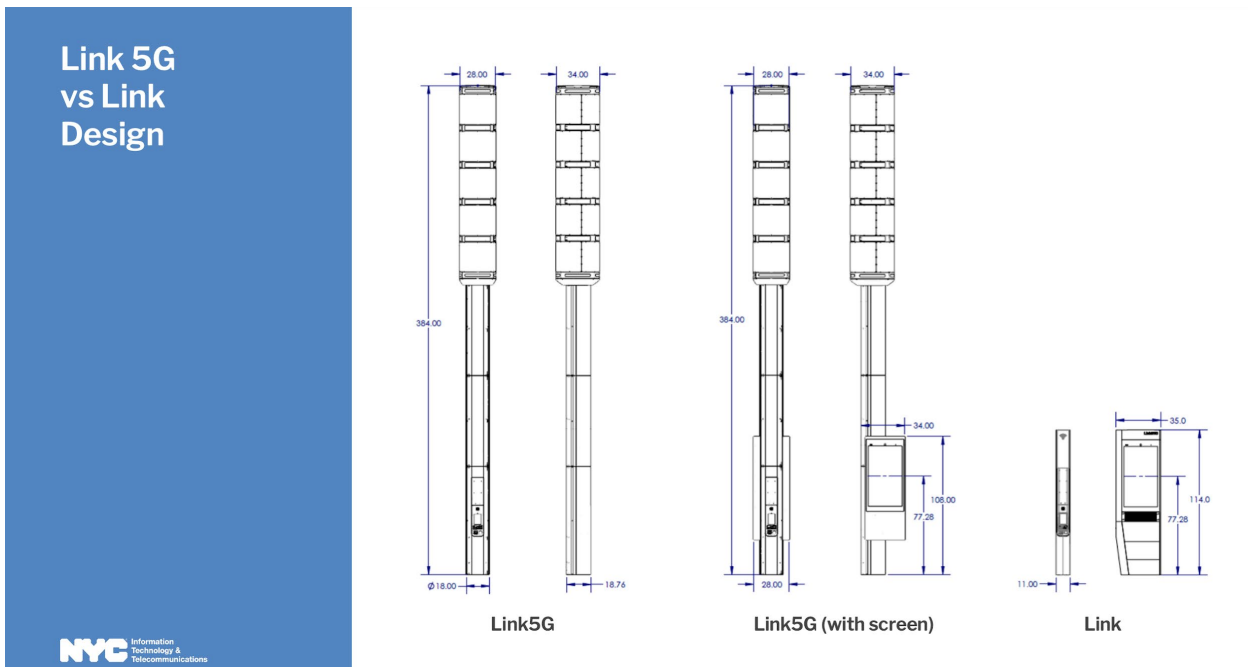
COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Proposed Installation of Seven Link 5G Towers in Community District 1
at: 95 Wall Street, 88 Pine Street, 75 South Street, 110 William Street, 8
Spruce Street, 66 Harrison Street, 100 N. Moore Street



Background

WHEREAS: New York City, through its Office of Technology and Innovation (OTI), contracted with CityBridge to install and operate a citywide wireless communications network, subject to a Public Communications Structure Franchise Agreement; and

WHEREAS: On September 16, 2024, representatives from CityBridge and OTI gave a presentation showing the seven proposed sites in Community District 1 (CD1) for the installation of the Link5G towers which led to a resolution urging for a moratorium on new pole type cell towers in CB1 until all community concerns are fully addressed (attached); and

- WHEREAS: The proposed Link 5G towers (aka poles) standing approximately 32' feet high and significantly wider than existing city light poles are distinct from the existing street poles and the Link kiosks being phased out, and
- WHEREAS: Community notification regarding the roll out of these towers was woefully inadequate consisting of only eight emails (one per site) primarily sent during August when the CB is not in session; and
- WHEREAS: According to CityBridge, the site selection was based on assessments from a single unnamed cell carrier, rising concerns about transparency and community needs; and
- WHEREAS: The proposed site at 55 Water Street was rejected by the State Historic Preservation Office due to its proximity to a city landmark; and
- WHEREAS: There was no notice provided to businesses and residences near the proposed sites despite requests for outreach from the CB and the Downtown Alliance; and
- WHEREAS: There has been widespread opposition citywide to the new cell towers from community members, preservation groups, local electeds and the majority of community boards who have received the OTI presentation; and
- WHEREAS: In 2023, CityBridge was found to have violated federal laws regarding historic preservation and environmental review prior to tower installation, necessitating the removal of any towers installed in violation of Section 106, (The National Historic Preservation Act and National Environmental Policy Act); and
- WHEREAS: Members of NYC's Public Design Commission Design (PDC), expressed dissatisfaction with the design of the proposed towers, labeling the design "aberrant", "abysmal" and "obscene" and asked for the towers to be redesigned; and
- WHEREAS: Despite claims of an urgent need for digital access, many of the proposed sites are located in affluent areas not prioritized for the 5G rollout as required by CityBridge's contract with the city; and
- WHEREAS: CB1 stated that no fair review of any site could be enacted without the use of photo simulations of the proposed towers at each site and asked OTI and CityBridge to provide this missing information in time for the CB1 Landmarks Preservation Committee meeting on 9/23/24 which was not provided; and
- WHEREAS: The proposed tower locations are within Historic Areas of Potential Effect (APE), and include a number of listed historic resources including the Tribeca West Historic District, The Fulton Nassau Historic District, the South Street Historic District, the Hudson River Bulkhead (S/NR-eligible), and numerous city landmarks; and

WHEREAS: The proposed locations are densely populated with residences, businesses and are areas frequented by many tourists making the proposed sites on narrow sidewalks downtown entirely impractical; and

WHEREAS: The presence of historic cast iron lampposts, several of which are designated city landmarks raises significant concern about the visual impact and appropriateness of the new poles in the community's historic streetscapes; and

WHEREAS: The proposed sites are located in a floodplain and must undergo thorough environmental assessments as per NEPA requirements; and

WHEREAS: Community members strongly expressed that the design of the CityBridge towers are entirely inappropriate for the proposed locations, comprising the city's oldest and most significant historic areas in FiDi, the South Street Seaport and Tribeca; and

WHEREAS: In March 2024, *Crains* reported that the Adams administration was considering a redesign for the towers in response to the to the enormity of public criticism which the CB supports and hopes will take place before any further installations are approved; and

WHEREAS: CB1 has received insufficient professional preservationist assistance for the review of the proposed sites in light of the upcoming State Historic Preservation Office (SHPO) review; and

WHEREAS: CB1 unanimously opposed the installation of the towers in CD1 in a resolution provided by the Environmental Committee dated September 24, 2024 (attached). CB1 is providing the following comments with regard to the Board's unanimous opposition to the proposed tower sitings in I) Tribeca: 66 Harrison Street and 100 N. Moore Street and II) Financial District and South Street Seaport: (Please see images below)

I) Comments on Proposed Link5G Towers in Tribeca: 66 Harrison Street and 100 N. Moore Street: (see images at end of document)

Community Board 1 unanimously opposes the installation of Link5G towers at the proposed locations at 66 Harrison and 100 N. Moore Streets for the following reasons:

1. **Lack of Demonstrated Need** : No evidence has been provided to demonstrate a gap in service or the need for additional 5G service in this area. WiFi and broadband services are already well-covered through existing infrastructure including a 5G pole top located on N. Moore Street (photo of 5G pole top: <https://tribecacitizen.com/2024/09/26/more-giant-cell-towers-planned-for-tribeca-and-fidi-streets/>)
2. **Proximity of Towers:** CityBridge has not justified the need for two towers on two streets located within less than a block of each other in Tribeca in addition to the existing 5G pole.
3. **Affluence of the Area:** Tribeca is one of the wealthiest neighborhoods in the USA, and is considered the wealthiest neighborhood in NYC and does not fall within the city's "Equity

Zones" designated for prioritization in the city's commitment to "bridge the digital divide" in the cell tower rollout.

4. **Insufficient Public Notice and Engagement:** Community Board 1 received email notification (1 per site) in August when the Board was closed and was not made aware of the need to join a "Consulting Party" to have additional information and engagement of the sites until September. There has been no public outreach regarding the proposed sites, to the neighborhood schools, college, residents and local businesses.
5. **Incomplete Submissions for Evaluation:** There are no photo simulations of the towers provided in any of the CityBridge submission proposals which makes it impossible to fully evaluate the impacts the towers will have on any neighborhood. No decision should be made on the final location of the towers until this critical visual information is provided and carefully reviewed.
6. **Impact on Historic Properties & Alteration of Historic Character:** The proposed sites are within an Area of Potential Effect (APE) that is adjacent to the Tribeca West Historic District, which contains more than 220 historic buildings, many located within a 500-foot radius of the proposed sites. The Tribeca West Historic District is known for its magnificent warehouse, cast-iron architecture and cobblestone streets (Harrison Street is cobblestone and will be affected by the excavation). The 5G link cell towers unquestionably disrupt the district's historical integrity, altering the visual landscape and diminishing the area's historic charm.
7. **Impact on Nearby Historic Landmarks:** The Harrison Street Houses at 24-52 Harrison Street, a prominent example of federal architecture, are located approximately one block from the proposed site at 66 Harrison Street. The tower's presence would detrimentally alter the historic urban landscape. The Hudson River Bulkhead, a designated State Historic Preservation site, is in close proximity and requires thorough review due to planned resiliency changes by the BPCA (see images below). The corner of Harrison and Greenwich is home to the NY Mercantile Exchange, a significant city landmark.
8. **Impact on Community Spaces:** The proposed sites are in close proximity to heavily frequented areas of Hudson River Park, which include beautiful piers and greenways for passive and active recreation including areas for kayaking, mini golf, biking, and jogging trails, as well as a new children's park at the east end of Pier 26. Health concerns regarding children's exposure must be carefully considered in the proposed locations given the close proximity to the park.
9. **Lack of Alternatives Considered:** The FCC requires that alternatives be considered before proceeding with tower placement. At a minimum, the public should be provided an opportunity to review alternative sites, with data supporting a need for coverage without negative impacts.
10. **Environmental Considerations:** Both sites in Tribeca are situated within a 100-year floodplain, necessitating an Environmental Assessment Statement (EAS) under NEPA regulations. CityBridge's noted there may be plans provided to amend the tower design for floodplain compliance which must be reviewed and open for public comment. The site's suitability must be evaluated by all stakeholders working on resiliency in the area including the Battery Park City Authority (BPCA), and all other federal, state and city agencies working on the city's resilience planning.

11. **Flood Barrier System (FBS) Conflicts:** The BPCA's North West Resiliency project includes deployable gates on Harrison Street and flood barrier walls on N. Moore Street at or very near the location of the proposed towers.(see the BPCA Draft Environmental Impact Statement (DEIS) published in September of 2024, images below).
12. **Inappropriate Design:** The proposed 32-foot-tall Link5G tower design is disliked citywide (including by the Public Design Commission)and represents a jarring addition to Tribeca's historic streetscape. The tower design offers absolutely no acceptable relationship to the existing street furnishings in this historic neighborhood. The illuminated advertising displays terminals measuring 27 inches in width are a visual and physical obstacle which will have a prominent presence both day and night.

II) Comments on Proposed Link5G Towers in the Financial District and South Street

Seaport: Community Board 1(CB1) unanimously opposes the installation of Link5G towers at 95 Wall Street, 88 Pine Street, 110 William Street and 8 Spruce Street in the Financial District and South Street Seaport for the following reasons: (see images at end of document)

1. **Lack of Demonstrated Need:** No evidence has been provided to show a gap in service or need for additional 5G coverage in this area. Existing infrastructure already provides sufficient WiFi and broadband services in FiDi and the South Street Seaport. The Downtown Alliance (local Business Improvement District) confirms their understanding that there are no gaps in service and that no additional cell service is needed in these areas downtown.
2. **Insufficient Public Notice and Engagement:** CB1 received minimal email notifications during August when the Board was closed. The Board was not informed about the need to join a "Consulting Party" for additional information until September. No public meetings or information sessions were held for affected residents and businesses.
3. **Incomplete Visual Impact Assessment:** There was a critical omission to the CityBridge submissions with no photo simulations of the proposed towers in their intended locations being provided despite several specific requests. Without visual representations, a impact evaluation on the it's infeasible to towers' effect on the neighborhood's character and aesthetics is infeasible.
4. **Questionable Tower Placement Strategy:** CityBridge has not justified the need for five towers in close proximity within the Financial District and South Street Seaport. There are also redundancy concerns as to why two poles are proposed within 500 feet of each other in the South Street area, raising questions about efficiency and necessity.
5. **Adverse Effects on Historic Properties:** (See images below)

Compromised view sheds: Each proposed site impacts views of some of New York City's most significant and beloved landmarks.

Extensive historic impact: The sites fall within an Area of Potential Effect (APE) encompassing hundreds of historic properties. The 5GLink towers unquestionably disrupt the district's historical integrity, altering the visual landscape and diminishing the area's historic charm.

Visual intrusion: 32-foot-tall towers would significantly alter the character of the Fulton-Nassau Historic District and South Street Seaport Historic District.

- 6. Inappropriate Design for Historic Context:** Incompatible aesthetics: The proposed Link5G towers are incongruous with the historic charm and character of Lower Manhattan.

Disregard for existing infrastructure: The city should prioritize integrating 5G technology into existing lampposts, some of which are landmarked, rather than introducing a new and visually disruptive form of street furniture.

- 7. Impact on Urban Experience:** The Financial District and South Street Seaport are iconic urban areas and are among New York City's most visited tourist destinations. The introduction of the towers alters the sense of the streetscape in each of the five proposed areas and diminishes the unique historical character that is beloved by New Yorkers, attracting millions of visitors annually.

- 8. Misleading Impact Assessments** Flawed analysis: The submission documents contain boilerplate "No effect" claims from consultants unfamiliar with the local context.

Mischaracterization of urban landscape: Assertions that the area's existing "modern visual intrusions" justify additional disruption ignore the careful balance of old and new that defines Lower Manhattan's charm.

Potential for archaeological impacts underrated: Many archaeological sites lie within a half-mile radius of most proposed towers which provide potential for significant discoveries. The area contains 17th and 18th-century fill where historic ships have been previously unearthed. With 4 feet deep trenches and foundations reaching 5 feet, there are excavation risks which should be highlighted for having potential for disturbing valuable archaeological resources.

- 9. Infrastructure and Environmental Considerations:** Flood risk: The sites' location within a 100-year floodplain necessitates a full Environmental Assessment Statement (EAS) under NEPA regulations.

Resilience planning conflicts: Tower placement must be evaluated in the context of the City's ongoing climate resilience efforts, particularly the Seaport Coastal Resiliency Plans and the Fidi Seaport Resiliency Planning, involving all relevant stakeholders and agencies.

- 10. Equity and Prioritization Concerns:**

Misaligned priorities: The Financial District, one of the wealthiest neighborhoods in the USA, does not fall within the city's designated "Equity Zones" for prioritized cell tower rollout.

Resource allocation: Focusing on this area potentially diverts resources from communities with genuine connectivity needs.

Conclusion to Comments

The proposed Link5G towers in these seven locations represent an unwarranted and potentially harmful alteration to some of New York City's most historically significant and economically vital areas. We urge a reconsideration of this proposal, emphasizing the need for:

- Comprehensive community engagement
- Thorough historical and archaeological impact assessments
- Exploration of alternative solutions that respect the area's unique character
- Prioritization of 5G infrastructure in areas with demonstrated need and alignment with equity goals
- Community Board 1 stands ready to collaborate on solutions that enhance connectivity while preserving the irreplaceable character of Lower Manhattan, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 opposes the proposed installation of Link5G towers at the seven presented locations at 95 Wall Street, 88 Pine Street, 75 South Street, 110 William Street, 8 Spruce Street, 66 Harrison Street, and 100 N. Moore Street; and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 supports the comments outlined in this resolution to be submitted to the State Historic Preservation Office, OTI, and CityBridge, urging a comprehensive review process; and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 calls for a moratorium on all further installations of Link5G towers until community concerns are addressed and an adequate review process is established.

IMAGES ILLUSTRATING COMMENTS ON PROPOSED LINK 5G LOCATIONS.

I. TRIBECA SITES

100 N. Moore Street



N. Moore Street looking west at Hudson River Park with proposed Link5G tower photo simulation and showing existing 5G pole top and cobblestone street (c: Jason Friedman)



Proposed Project

Illustrative Rendering
View 2 (Reach 1A-2), View West on North Moore Street

NORTH/WEST BATTERY PARK RESILIENCY

Figure 3.4-59

N. Moore Street Resiliency plan perspective of flood barrier system (FBS) near location of proposed cell tower (c. BPCA DEIS)

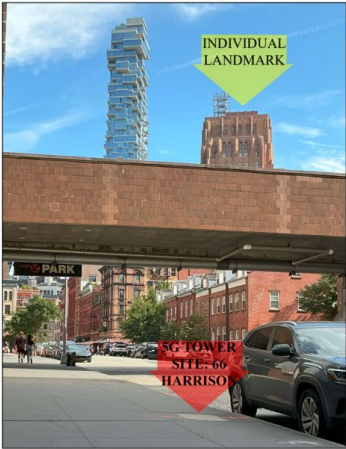


Proposed Project

Illustrative Rendering
View 1 (Reach 1A-1), View Southwest at Greenwich and
North Moore Streets

N. Moore Street resiliency plan perspective of flood barrier system near location of proposed cell tower (C. BPCA DEIS)

66 Harrison Street



66 HARRISON STREET LOOKING SOUTHEAST TOWARDS PROPOSED TOWER ON SEPTEMBER 21, 2024



66 HARRISON STREET LOOKING SOUTHEAST WITH LANDMARK BUILDINGS & DISTRICT BEING BLOCKED

66 Harrison Street looking East toward Tribeca West Historic District with a simulated view of a tower in front of landmarked buildings on Harrison Street (c. Jason Friedman)



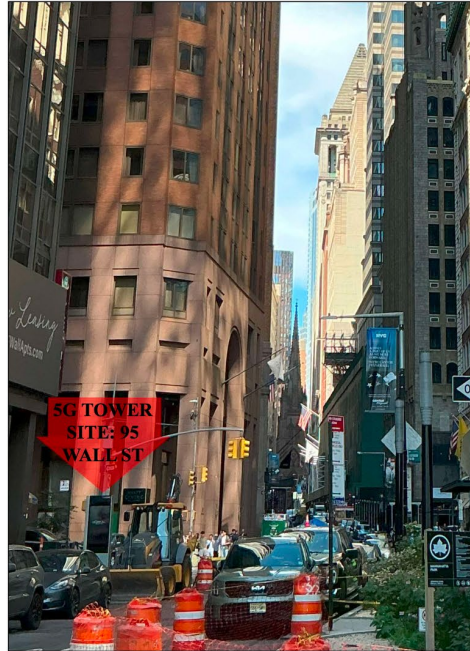
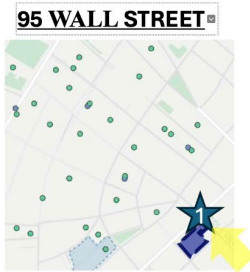
Proposed Project

NORTH/WEST BATTERY PARK RESILIENCY

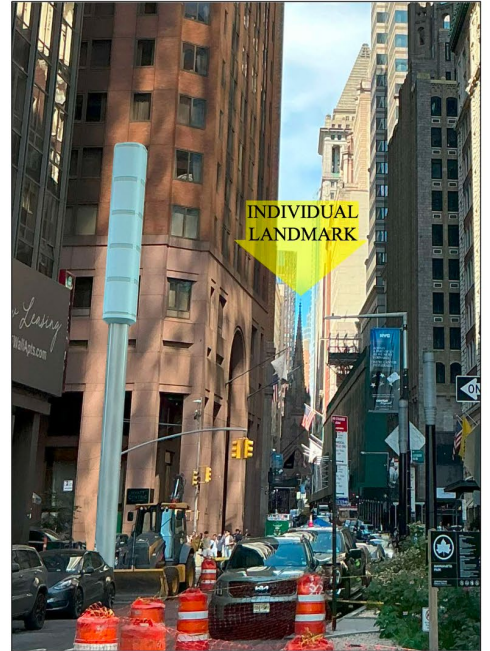
Illustrative Rendering
View 4 (Reach 1A-4), View West on Harrison Street
Figure 3.4-61

66 Harrison Street resiliency plan perspective of flood barrier system with flood gates near location of proposed cell tower

II. FIDI SEAPORT SITES (Photo simulations c. Jason Friedman)



95 WALL STREET LOOKING WEST TOWARDS THE PROPOSED TOWER SITE ON SEPTEMBER 21, 2024



PROPOSED VIEW WEST WITH LANDMARK TRINITY CHURCH AND THE SCENIC STREET STREETSCAPE

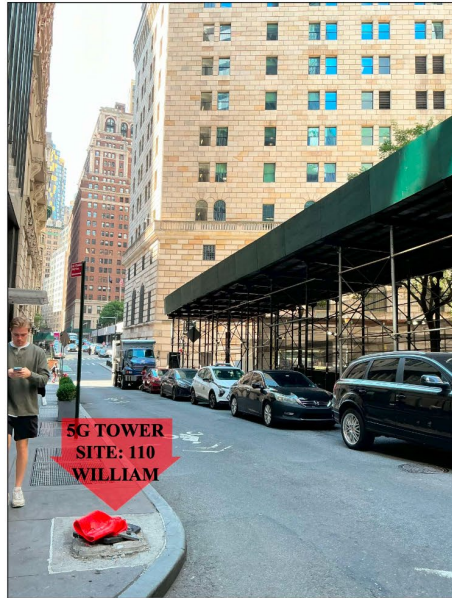


88 PINE STREET LOOKING NORTHEAST TOWARDS THE PROPOSED TOWER SITE ON SEPTEMBER 21, 2024



88 PINE STREET LOOKING SOUTHWEST WITH LANDMARK HISTORIC DISTRICT BEING BLOCKED

110 WILLIAM STREET

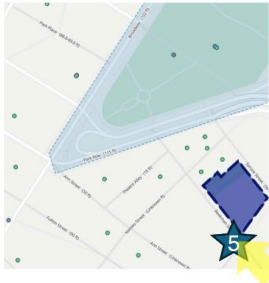


110 WILLIAM STREET LOOKING SOUTHWEST TOWARDS THE PROPOSED TOWER SITE ON SEPTEMBER 21, 2024



110 WILLIAM STREET LOOKING SOUTHWEST WITH LANDMARK FEDERAL RESERVE BUILDING BEING BLOCKED

8 SPRUCE STREET



8 SPRUCE STREET LOOKING SOUTHWEST TOWARDS PROPOSED TOWER ON SEPTEMBER 21, 2024

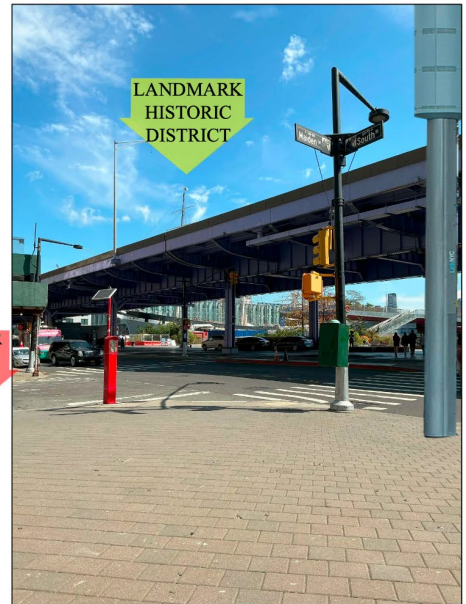


8 SPRUCE STREET LOOKING SOUTHWEST WITH LANDMARK WOLWORTH BUILDING BEING BLOCKED

75 SOUTH STREET



75 SOUTH STREET LOOKING NORTHEAST TOWARDS THE PROPOSED TOWER SITE ON SEPTEMBER 21, 2024



75 SOUTH STREET LOOKING NORTHEAST WITH LANDMARK SEAPORT HISTORIC DISTRICT (SHIP) BEING BLOCKED

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 63 Nassau Street: Proposed restoration of the first-floor storefronts and installation of a new roof bulkhead for fire safety with the goal to restore the buildings historical elements while complying with modern safety standards

WHEREAS: According to the Landmark Preservation Commission designation (LP-2213 designated May 15, 2007), the 5 story Italianate style cast-iron facade is “almost certainly produced by James Bogardus and is “an extremely rare extant example of his work, only one of only five known Bogardus buildings in the US and one of the oldest surviving cast-iron fronted buildings in the city”; and

WHEREAS: The applicant’s proposal is to carefully restore the existing storefront facade attributed to James Bogardus (c. 1857-59) to its original condition based on all available historical records to include the removal of all non-original elements, and the preservation and restoration of all original details wherever possible including all cast iron details to be restored in cast iron; and

WHEREAS: Committee members requested that the applicant agreed to thoroughly research the history of this important landmarked building and review all documents in the city’s Municipal Archives to find photographs and drawings that provide a full understanding of the original appearance of the building particularly as concerns the original corinthian column bases on the first floor (hidden in most photographs by storefront signage) and the medallions on the third floor column bases; and

WHEREAS: The applicant agreed to replace the bases of the 2nd floor columns and to use cast iron for this work; and

WHEREAS: The proposed new bulkhead on the roof is required to meet fire safety in compliance with fire code to provide required access and the fire egress design adheres to minimal visual requirements and blends with the existing conditions; and

WHEREAS: The proposed lighting in this application is to install small, LED strip lighting with sensors in the soffits above each doorway; and

WHEREAS: The applicant stated that the proposed new paint color for the front of the building will using a color palette consistent with the original color scheme which will adhere to the findings from the paint analysis; now

THEREFORE
BE IT
RESOLVED
THAT:

Community Board #1, Manhattan recommends approval of installation of the proposed new store front design and new roof bulkhead with the understanding that the restoration work will include the installation of new cast iron column bases on the second floor of the facade.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 272-274 Canal Street: this proposal was approved by the LPC four (4) years ago, the permit expired so this is a renewal hearing of a storefront re-construction with limited new scope proposal to remove parts of interior parti wall between the two properties

WHEREAS: The committee did not have issues or comments on the proposed removal of the interior parti wall as it's not seen from the outside and it's not considered an irreplaceable historical element. The parti wall terminates in a brick parapet wall at the roof and that portion is to remain as is; and

WHEREAS: Proposed new HVAC rooftop units along with the elevator and stair bulkheads were previously approved by the LPC and are still shown to comply with site line requirements; and

WHEREAS: Previously approved storefront replacement and infill, both on Canal Street and Cortland Alley, consists of reconstructing missing cast iron pilasters at ground level to match the existing cast iron pilasters in design and material, installation of a pair and a single recessed aluminum and glass entrance doors on Canal Street façade, and a single glass and aluminum door on Cortland Alley; and

WHEREAS: Previously approved window replacement on Canal Street and Cortland Alley of one-over-one double hung windows with two-over-two double hung painted wood windows was acceptable to the Committee; and

WHEREAS: Previously approved installation of proposed compliant site lines of rooftop equipment and dunnage, new brick elevator and stair bulkheads, new deck and railing was acceptable to the Committee; and

WHEREAS: Lighting or signage is not part of this proposal; and

WHEREAS: Proposed new paint colors were acceptable to the committee; now

THEREFORE
BE IT
RESOLVED

THAT: CB 1 approves the proposed scope of work.

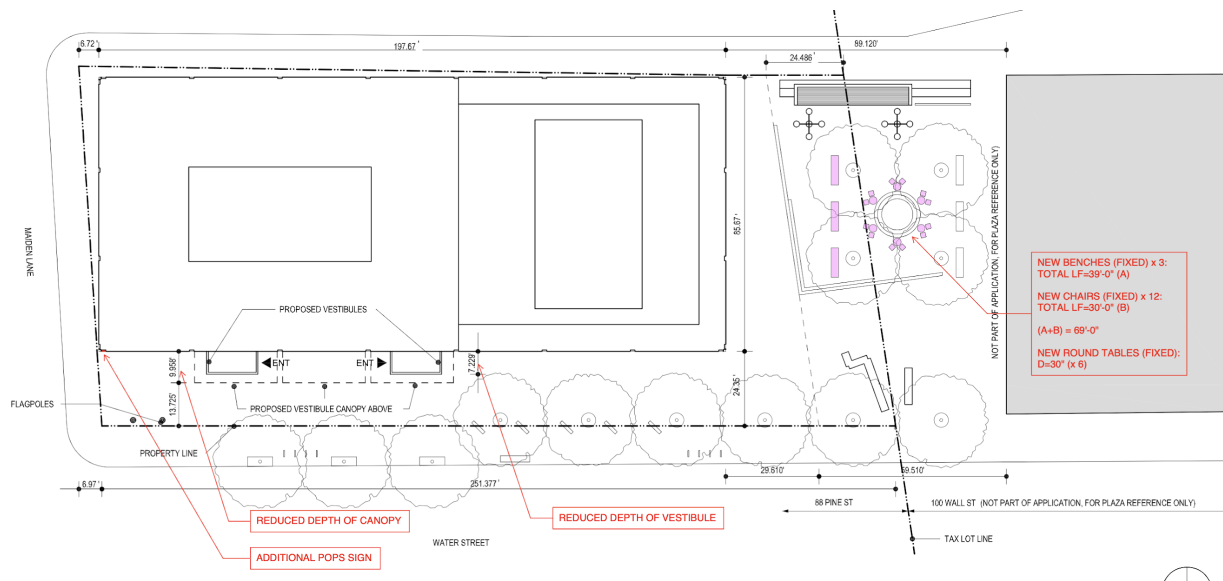
COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
PUBLIC VOTE: 0 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 37 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 88 Pine Street-Board of Standards and Appeals (BSA) Application Cal. No. 805-79-BZ, proposed changes to Privately Owned Space (POPS)



WHEREAS: On April 30, 2024, Community Board 1 (CB1) unanimously opposed (with one abstention) the application to amend a previously granted variance at 88 Pine Street to allow for the construction of two vestibules with an overhead canopy and the addition of the installation of an approximate 6-foot high number "88" into the POPS along Water Street (a Special Permit Plaza); and

WHEREAS: On September 16, 2024, CB's office staff received a revised application from the owner of 88 Pine Street, dated September 10, 2023, proposing further alterations to the POPS which included a slight reduction in the of the depth of the two vestibules and overhead canopy, the addition of a POPS sign on the corner of Maiden Lane and Water Street, and the removal of existing chairs in favor of new permanent tables, stools and benches in the southern part of the public plaza; and

WHEREAS: CB1 expresses gratitude to the owner for considering upgrades to the south plaza (as requested in the April 30, 2024 CB1 resolution), and requested that the owner return to CB1 for a discussion of the new revisions to the public space and this

request was denied; and

WHEREAS: On September 23, 2024, CB1's Landmarks Preservation Committee reviewed the proposal and raised the following concerns:

- The proposed vestibules, canopies and number “88” still encroach significantly into the POPS remaining opposed since April;
- The proposal does not address much needed maintenance and repairs to the plaza and furnishings including the central circular bench and broken and dirty pavers,
- Details regarding the materials and size of the proposed permanent seating and table were not provided (making it impossible to understand the relationship to the existing circular bench and other furnishings);
- The proposed furnishings do not appear to integrate well with the existing POPS furnishings and landscape
- Any proposed changes to privately owned public spaces in NYC, including that at 88 Pine Street should be presented to the Community Board to allow for discussion and resolution
- The plans should include the potential for additional types of amenities such as more green space, particularly given the areas need for resiliency; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 requests that the applicant return to the CB to present any proposed changes to the existing POPS prior to BSA review, and

BE IT

FURTHER

RESOLVED

THAT: CB1 opposes the applicant’s proposed revisions dated 9/10/24 (plan above).

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **90 Chambers Street**, application for a method of operation change to extend operating hours on full liquor license for RDA Associates Corp DBA Artesano

WHEREAS: The applicant, RDA Associates Corp DBA Artesano at 90 Chambers Street, is applying for a method of operation change to extend operating hours to 2AM on-premise Liquor, Wine, Beer and Cider license; and

WHEREAS: The establishment is a peruvian restaurant on the ground floor and first floor, with a total of 1800 square feet, there will be a public capacity of 74 people with 21 tables, 56 seats, 1 bar with 16 seats, 3 bathrooms, one of which is ADA compliant; and

WHEREAS: The applicant is requesting to extend indoor hours of operation to 2AM daily, where current hours of operation are 10:00AM - 12:00AM Monday to Thursday, 10:00AM - 1:00AM Friday to Saturday and 10:00AM - 10:00AM Sundays; and

WHEREAS: The community board approved the indoor hours of operation to be extended to 10:00AM - 1:00AM Monday to Thursday, 10:00AM - 2:00AM Friday to Saturday and 10:00AM - 12:00AM Sundays; and

WHEREAS: The applicant currently still has an outdoor shed which they have agreed to remove as per DOT regulations; and

WHEREAS: The applicant has represented that they intend to apply for the DOT Dining Out NYC Program for Summer 2025; and

WHEREAS: The applicant has agreed to comply with the following outdoor seating hours for their future DOT Dining Out NYC Application, 10:00AM - 11:00PM Monday to Saturday and 10:00AM - 10:00PM Sunday; and

WHEREAS: The applicant has represented that they will only have recorded background music from several small basic speakers, power amp and 3 TV screens; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes the granting of a method of operation change to extend operating hours on-premise Liquor, Wine, Beer and Cider license for RDA Associates Corp DBA Artesano at 90 Chambers Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **380 Canal Street/285 West Broadway, new application and temporary retail permit** for RGS 380 Canal Street LLC for full liquor license

WHEREAS: The applicant, RGS 380 Canal Street LLC (formerly St. Helier’s Parish LLC) at 285 West Broadway, is applying for a new 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 an “American Style” bar without a full service kitchen on the ground floor, basement and mezzanine with a total of 4200 square feet, there will be a public capacity of 299 people with 10 tables, 60 seats, 1 stand up bar, 4 bathrooms, one of which is ADA compliant; and

WHEREAS: The community board approves the following hours of operation 12:00PM - 2:00AM Monday Saturday, 12:00PM - 12:00AM Sunday; and

WHEREAS: Under the previous ownership and management of the club at 285 West Broadway, there were public complaints about late night noise, vibrations coming from the base of the music and crowding at the club entrance which the community assumes will not occur under the new management; and

WHEREAS: The applicant has represented that they will have recorded background music, DJ, Karaoke and dancing from 8 speakers and a subwoofer, utilizing existing soundproofing; and

WHEREAS: The community board is concerned about the complaints received under the previous owner due to the soundproofing in the establishment not being effective; and

WHEREAS: The community board insists on the soundproofing be improved and that crowd control on the street be implemented; 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 during the establishment's operating hours; and

WHEREAS: The applicant has indicated that garbage pickup will be daily, during the establishment's operating hours; and

WHEREAS: The applicant has indicated that they will employ security personnel; 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 reconsidered the purchase of the locations and has not signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a temporary retail permit and new on-premise Liquor, Wine, Beer and Cider license for RGS 380 Canal Street LLC at 285 West Broadway, **unless** the applicant complies with the limitations and conditions set forth above; and

BE IT

FURTHER

RESOLVED

THAT: This approval does not cover any future outdoor dining areas.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **179 Duane Street, Front 1**, application for a new application and temporary retail permit for a wine, beer & cider license for Duane Park Patisserie dba Madeleine's Patisserie Inc.

WHEREAS: The applicant, Duane Park Patisserie dba Madeline's Patisserie Inc at 179 Duane Street, Front 1, 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 bakery, cafe, tavern on the first floor and basement, with a total of 2000 square feet, 5 tables, 14 seats, 1 stand up bar, 1 ADA compliant bathroom; and

WHEREAS: The community board approved the following hours of operation 8:00AM - 10:00PM Monday to Sunday; and

WHEREAS: The applicant has represented that they will have recorded background music; and

WHEREAS: The applicant has represented that windows will be open 8:00AM - 10:00PM; and

WHEREAS: The applicant represents that they intend to apply for the DOT Dining Out NYC Roadbed seating in the future and will return to the community board when applying for outdoor seating; 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 4:00PM; and

WHEREAS: The applicant has indicated that garbage pickup will be daily, after 10:00 AM;
and

WHEREAS: The applicant has been in operation for 30 years without an alcohol license and
the community board would like to acknowledge that the applicants have been
good neighbors and have supported the community throughout the years; 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 Wine, Beer and Cider license for Duane Park Patisserie dba Madeline's
Patisserie Inc at 179 Duane Street, Front 1, **unless** the applicant complies with the
limitations and conditions set forth above; and

BE IT

FURTHER

RESOLVED

THAT: This approval does not cover any future outdoor dining areas.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **413 Greenwich Street**, application for a new application and temporary retail permit for a wine, beer & cider license for Green Velvet Productions LLC dba Olive's

WHEREAS: The applicant, Green Velvet Productions LLC dba Olive's at 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 establishment is a sandwich shop on the ground floor and basement, with a total of 1200 square feet, there will be a public capacity of 74 people with 12 seats, 1 stand up bar, one ADA compliant bathroom; and

WHEREAS: The establishment will have hours of operation 7:00AM - 10:00PM Monday to Saturday and 9:00AM - 8:00PM Sunday; and

WHEREAS: The applicant has represented that they will only have recorded background music; and

WHEREAS: The applicant has represented that all windows will be closed by 9:00PM; and

WHEREAS: The applicant has indicated that garbage pickup will be daily, 9:00AM - 5:00PM; 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 9:00AM- 5:00PM; 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 Wine, Beer and Cider license for Green Velvet Productions LLC dba Olive's at 413 Greenwich Street, **unless** the applicant complies with the limitations and conditions set forth above; and

BE IT

FURTHER

RESOLVED

THAT: This approval does not cover any future outdoor dining areas.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **345 Greenwich Street, 1B**, application for a new application and temporary retail permit for a liquor, wine, beer & cider license for Blissfully Hospitality LLC

WHEREAS: The applicant, Blissfully Hospitality LLC at 345 Greenwich 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 full service Thai restaurant on the first floor and basement, with a total of 2500 square feet, there will be a public capacity of 74 people with 20 tables, 66 seats, 1 stand up bar, 3 bathrooms, one of which is ADA compliant; and

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

WHEREAS: The applicant has represented that they will have recorded background music from 4 small speakers in the walls and windows will remain closed; and

WHEREAS: The applicant has represented that they intend to apply for the DOT Dining Out NYC Sidewalk and possibly Roadbed seating in 2025 and will come back to the community board regarding their outdoor hours; 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 12:00 PM and 6:00PM; and

WHEREAS: The applicant has indicated that garbage pickup will be coordinated with surrounding businesses; 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 Blissfully Hospitality LLC at 345 Greenwich Street, **unless** the applicant complies with the limitations and conditions set forth above; and

BE IT

FURTHER

RESOLVED

THAT: This approval does not cover any future outdoor dining areas.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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

WITHDRAWN

RE: **157 Duane Street**, ground floor, application for a new application and temporary retail permit for a liquor, wine, beer & cider license for Boteco do Casa LLC dba Casa Restaurant

WHEREAS: The applicant, Boteco do Casa LLC dba Casa Restaurant at 157 Duane Street, ground 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 establishment is a restaurant on the ground floor and basement, with a total of 2347 square feet, there will be a public capacity of 74 people with 31 tables, 73 seats, 1 stand up bar; and

WHEREAS: The establishment, which previously held a full liquor license for ten years has 2 bathrooms, none of which are ADA compliant, however, the applicant has indicated that the establishment is not required to have an ADA bathroom based on a court document provided to the community board that suggests that the location is grandfathered in, and

WHEREAS: The community board approved the following hours of operation 4:00PM - 10:00PM Monday to Thursday, 4:00PM - 10:30PM Friday, 11:00AM - 10:30PM Saturday and 11:00AM - 10:00PM Sunday; and

WHEREAS: The applicant has represented that they will have recorded background music from 4 speakers in the bar area and dining room; and

WHEREAS: The applicant has represented that they intend to apply for the DOT Dining Out NYC Sidewalk seating for 3 tables and 6 chairs in 2025 and will come back to the community board regarding their outdoor hours; 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 8:00AM and 5:00PM; and

WHEREAS: The applicant has indicated that garbage pickup will be Monday - Sunday at 11:30PM; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a new application for on-premise Liquor, Wine, Beer and Cider license for Boteco do Casa LLC dba Casa Restaurant at 157 Duane Street, ground floor, **unless** the applicant complies with the limitations and conditions set forth above; and

BE IT

FURTHER

RESOLVED

THAT: This approval does not cover any future outdoor dining areas.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **215 Murray Street aka 102 North End Avenue, Site 25**, application for a corporate change for a wine, beer & cider license for Shake Shack 102 North End Ave LLC

WHEREAS: The applicant, Shake Shack 102 North End Ave LLC at 215 Murray Street aka 102 North End Avenue, Site 25, is applying for a corporate change for on-premise Wine, Beer and Cider license; and

WHEREAS: The current hours of operation 10:30AM - 10:30PM Sunday to Thursday, 10:30AM - 11:00PM Friday to Saturday; and

WHEREAS: The applicant has represented that there will be no changes to the current method of operation; 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 corporate change for on-premise Wine, Beer and Cider license for Shake Shack 102 North End Ave LLC at 215 Murray Street aka 102 North End Avenue, Site 25, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **Pier 15, 78 South Street**, a removal from 353 West Street Pier 40 and temporary permit for full liquor license for Hornblower New York LLC dba Infinity

WHEREAS: The applicant, Hornblower New York LLC dba Infinity, is applying for a permit removal from 353 West Street Pier 40 and temporary permit for the entire vessel at their new location Pier 15, 78 South Street for Liquor, Wine, Beer and Cider license; and

WHEREAS: The vessel has a total of 5000 square feet, with a public capacity of 1200 people and 8 bathrooms, one of which is ADA compliant; and

WHEREAS: The applicant has agreed to the following hours of operation 9:00AM - 12:00AM the entire week, and has indicated that their hours will vary by booking and season between the above stated hours; and

WHEREAS: The community board has approved the vessel for 24 events/buyouts per year, with extended hours of operation 9:00AM - 2:00AM; and

WHEREAS: The applicant has agreed to not host events when the vessel is docked, with music and sound equipment only inside the vessel and no alcohol will be taken off the vessel by patrons; and

WHEREAS: The applicant has represented that they will have live, recorded background music from JBL/Bose/Renkus/dB Technologies speakers, DJ and dancing and music will only begin after leaving the dock and will be lowered when approaching berthing area; and

WHEREAS: The applicant has represented that they have employed a private security company, responsible for queuing guest at the pier and ensuring safety at the pier and on board the vessel; and

WHEREAS: The applicant has represented that there will be barriers to cordon off the queuing and the barriers will only be present when the vessel is in, with dedicated staff to maintain the space and ensure barriers are stored properly; and

WHEREAS: The applicant has indicated that garbage disposal is done at dumpster provided by Action Carting at a designated area with pick up at 6:00Am on Monday, Wednesday and Friday; and

WHEREAS: The applicant has agreed to provide a point of contact for noise complaints with a documented process; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a permit removal from 353 West Street Pier 40 and temporary permit at Pier 15, 78 South Street for on-premise Liquor, Wine, Beer and Cider license for Hornblower New York LLC dba Infinity, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: LICENSING & PERMITS

COMMITTEE VOTE:	3 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	0 Opposed	0 Abstained	0 Recused

RE: **121 Fulton Street, method of operation change** on a liquor, wine, beer & cider license for Theta 121 Corp dba Blue Haven South

WHEREAS: The applicant, Theta 121 Corp dba Blue Haven South at 121 Fulton Street, is applying for method of operation change to update hours to 4:00 AM, 7 days a week for Liquor, Wine, Beer and Cider license; and

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

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

WHEREAS: The establishment is a restaurant serving American comfort food on the ground floor and basement, with a total of 8000 square feet, there will be a public capacity of 270 people with 52 tables, 140 seats, 1 stand up bar, 3 bathrooms, one of which is ADA compliant; and

WHEREAS: The applicant requested the following hours of operation 11:00AM - 4:00AM Sunday to Saturday; and

WHEREAS: The community board wants it on record that the last time the applicant came before the board they did not sign stipulations; and

WHEREAS: The community board has approved the following hours of operation for this application, 11:00AM - 3:00AM Thursday to Saturday, 11:00AM - 2:00AM Sunday to Wednesday; and

WHEREAS: The community board has previously approved the establishment to host special events/buyouts per year specifically during international sporting events, with extended hours of operation 11:00AM - 4:00AM; and

WHEREAS: The applicant has represented that they will have dancing, recorded background music from speakers suspended from the ceiling amplifiers and a DJ; 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 8:00AM-12:00PM; and

WHEREAS: The applicant has indicated that garbage pickup will be daily 12am- 6am with the containerized garbage located on Ann Street; and

WHEREAS: The applicant has indicated that there will be 3-4 licensed security guards stationed at the front entrance on weekends; and

WHEREAS: The establishment has been advised that a public capacity of 75 persons or more according to the NYC Department of Building definition of indoor “public assembly” designation is considered a “large venue” by the community board and will be subject to additional stipulations if capacity is exceeded; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a method of operation change to update hours of operation for on-premise Liquor, Wine, Beer and Cider license for Theta 121 Corp dba Blue Haven South at 121 Fulton Street, **unless** the applicant complies with the limitations and conditions set forth above; and

BE IT

FURTHER

RESOLVED

THAT: This approval does not cover any future outdoor dining areas.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	37 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Protected bike lane improvements at the Brooklyn Bridge entrance on Centre Street

WHEREAS: In 2020, Manhattan Community Board One (CB1) requested [more space for pedestrians and cyclists](#)¹ on the Brooklyn Bridge by moving cyclists off of the promenade. The City of New York (NYC) Department of Transportation (DOT) responded by constructing a [bike lane](#) that opened in September 2021; and

WHEREAS: After three years of use, the DOT has determined that it is time for some design modifications that will make the Brooklyn Bridge bike lane entrance at Centre Street safer for cyclists and pedestrians; and

WHEREAS: Cyclists to/from the north to the Brooklyn Bridge can use the existing two-way bike lane that is wedged between Centre and Lafayette Streets. However, cyclists connecting to the south along the western portion of Park Row or to City Hall Park must currently use the Brooklyn Bridge Promenade; and

WHEREAS: This configuration forces cyclists on to the Brooklyn Bridge promenade, creating a dangerous mixing of pedestrians and cyclists. Cyclists traveling south to the Park Row bike lane must execute a 180 degree turn to transition between the Brooklyn Bridge bike lane and the promenade. Cyclists coming from the south to enter the bridge must make an especially tight turn, leading to some cyclists crossing the yellow center line into oncoming bike traffic; and

WHEREAS: To address these issues, the DOT proposes to: (1) relocate cyclists from the promenade to a dedicated, barrier protected space in the roadway on Centre Street (effectively extending the existing bike lane south to connect to the Park Row bike lane); (2) reduce vehicle travel lanes from two to one by removing a left hand turn lane; and (3) remove parking on the east side curb of Centre Street to improve efficiency of the remaining vehicular travel lane; and

¹ <https://www.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/20-09-22.pdf>, pp 26-27.

- WHEREAS: Since changes were made in 2021, only one lane of traffic approaches Centre Street from the north at Chambers Street. Thus, having only one travel lane on Centre Street should not significantly affect vehicle travel time to the Brooklyn Bridge from Chambers Street; and
- WHEREAS: The proposed physical changes include: (1) using markings to indicate an upcoming turn for cyclists and show where they must queue; (2) installing guide signage to show cyclists that they must cross the street at the intersection with the promenade; and (3) installing a vertical barrier to prevent cyclists from continuing straight in the promenade side-lane; and
- WHEREAS: The changes will: (1) create an on-street bicycle connection linking the Brooklyn Bridge to Park Row; (2) remove cyclist and pedestrian mixing at the promenade in order to improve the experience and safety for pedestrians and cyclists and (3) not significantly affect vehicle travel time to the Brooklyn Bridge from Chambers Street; and
- WHEREAS: The Brooklyn Bridge bike lane has become hugely popular since its opening in September 2021, quickly doubling the number of cycling trips over the bridge. In August, the DOT recorded a record number of trips over the bridge — 160,659, or 5,182 per day. Improving the bike lane entrance is necessary in order to further increase and manage the number of bicycles; and
- WHEREAS: Increasing the number of people who use bikes or mass transit, versus motor vehicles, is needed to reduce vehicular miles traveled, a goal of the [New York Climate Act](#); and
- WHEREAS: According to DOT data, protected bike lanes benefit all street users by reducing motor vehicle occupant injuries by 15 percent, pedestrian injuries by 21 percent and cyclists injuries by three percent; and
- WHEREAS: Improving the pedestrian and cyclist experience by removing bicycles from the promenade and simplifying the turns required of cyclists are big improvements. However, there is concern about the crossing on Centre Street at City Hall Park, which will remain shared and continue to have pedestrian-bicycle conflicts. Potential solutions and/or mitigation measures include:
- Universal imaging to organize and separate people, especially tourists, from bicycles;
 - A timed release of cyclists alternating with pedestrians;
 - Wayfinding signage to direct pedestrians, especially those crossing at Centre and Chambers Streets, to the Brooklyn Bridge promenade without using the bike lane; and
- WHEREAS: The DOT plan calls for moving the authorized parking for the press on Centre Street to a no standing zone on Chambers Street, east of Tweed Courthouse.

Removing parking for the press on Centre Street in order to make space for emergency vehicles is reasonable, but the proposed location on Chambers Street needs to be rethought. The proposed Chambers Street location has many users, including school buses for the students in Tweed Courthouse, NYPD vehicles, etc. It should remain a no standing area. Parking for the press should be eliminated or moved to another location, such as Elk Street or the city parking lot west of Elk Street that is currently used by DCAS; and

WHEREAS: While the DOT's plan appears reasonable on its face, there is concern about its impact. MCB1 requests further detail—including data about the number of cars and cyclists that travel along the relevant route—in order to make more informed decisions about the project area moving forward; and

WHEREAS: The current design of the entire project area is not equipped to handle the number of cars, cyclists and pedestrians that wish to use and experience the various streets and landmarks in the area, and thus any surface-level changes are likely to have pitfalls. The complexity of the area has led to significant changes in the past few years, and it is likely further changes will be proposed in the future. MCB1 is encouraged that the current plan uses only temporary materials, and hopes that DOT will continue to study and pursue more holistic interventions to improve this area; and

WHEREAS: While a start date and timeline for the current proposal are still to be determined, DOT anticipates installation will occur in 2025; and

WHEREAS: Linking the Brooklyn Bridge to the Park Row bike lane and removing cyclist and pedestrian mixing at the promenade, without significantly affecting vehicle travel time to the Brooklyn Bridge from Chambers Street, are needed changes; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board One (MCB1) supports the Department of Transportation's (DOT) proposed changes at the Brooklyn Bridge entrance on Centre Street as an interim solution. However, due to the concerns noted above, CB1 urges the DOT to reassess the Brooklyn Bridge entrance and return to the Transportation Committee, as appropriate, to present data, report on progress and share any future plans; and

BE IT
FURTHER
RESOLVED

THAT: MCB1 urges the NYPD to develop and implement a roll-out plan that includes (i) pedestrian managers for guidance and education to avoid pedestrian-bicycle conflicts and (ii) traffic enforcement to reduce the risk of backups during the first two months of the entrance's new configuration.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 24, 2024

COMMITTEE OF ORIGIN: TRANSPORTATION & STREET ACTIVITY PERMIT

COMMITTEE VOTE:	6 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	18 In Favor	13 Opposed	6 Abstained	0 Recused

FAILED

RE: Response to Notification of DOT Regional Slow Zone south of Canal/Rutgers Streets

WHEREAS: Following New York State’s enactment of Sammy’s Law, the City of New York (NYC) Department of Transportation (DOT) has the authority to lower speed limits to 20-miles-per-hour (MPH) on individual streets and to 10 MPH on streets with additional traffic calming measures; and

WHEREAS: Speed limits will be reduced to 10 MPH on all current and future streets where pedestrians, cyclists, and motorists share the right of way (e.g., shared streets) and Open Streets that have had substantial design upgrades; and

WHEREAS: Reducing traffic speeds is a safety measure that reduces the incidence of crashes, and the chances of an accident resulting in a fatality or severe injury; and

WHEREAS: The DOT plans to implement a “Lower Manhattan Regional Slow Zone” (RSZ) in Manhattan Community District One (MCD1). The RSZ includes the entirety of Lower Manhattan south of Canal/Rutgers Streets, east of the FDR Drive and inclusive of West Street and Battery Park City; and:

WHEREAS: All streets within the RSZ will have their speed limits reduced to 20 MPH, with the exception of West Street, which will be reduced to 25 MPH. Speed limits will also be lowered on the Manhattan Bridge as traffic approaches Canal Street; and

WHEREAS: While slowing traffic has clear safety benefits, those benefits are only realized if motorists comply with the law. In addition to continued concerns about the lack of enforcement of speeding by cars, there is additional concern about ebike riders, who do not have the benefit of a speedometer and are not as often slowed by congestion.; and

WHEREAS: The New York State Department of Motor Vehicles (DMV) define [electric scooters and bicycles](#) as follows:

- Electric scooters, when powered solely by an electric motor, have a maximum speed of no more than 20 MPH on a paved level surface. These vehicles are prohibited from traveling in excess of 15 MPH;
- Class-1 ebikes provide electric assistance until they reach a speed of 20 MPH;
- Class-2 ebikes have an electric motor that may be used exclusively or provide assistance up to a speed of 20 MPH;
- Class-3 ebikes have an electric motor that may be used exclusively or provide assistance up to a speed of 25 MPH. These vehicles are only legal in a city with a population of one million or more, and would only be legal to use at full speed on West Street; and

WHEREAS: Thus, with respect to electric scooters, Class-1 ebikes and Class-2 ebikes, the maximum speed (as well as the existing 15 MPH speed limit for electric scooters) would comply with the speed limits on most, but not all, of the streets in the RSZ; and

WHEREAS: Class-3 ebikes, skilled cyclists on pedal bikes and altered ebikes can exceed the 20 MPH speed limit. To ensure widespread compliance, some mechanism is needed to inform cyclists of their speed; and

WHEREAS: Electric scooters and bicycles may operate on New York highways with a posted speed limit of 30 MPH or less so it has been, and will be, legal to use them on West Street; and

WHEREAS: Manhattan Community District One (MCD1) is in one of the city's [Senior Pedestrian Zones](#) (SPZ) that together, account for 19% of the citywide senior population, but 31% of citywide senior pedestrian fatalities and 33% of citywide senior pedestrian injuries; and

WHEREAS: Slower traffic speeds are needed for seniors since senior pedestrians struck at 25 MPH sustain injuries comparable to a non-senior adult struck at 37 MPH. Seniors are also three times more likely to die, even at 20 MPH, than a non-senior;² and

WHEREAS: Obscured sightlines caused by parked vehicles prevents or delays pedestrians and the operators of vehicles and bikes from being aware of a potential conflict or crash. Using daylighting as well as slowing vehicles can help to address this problem and help to prevent injuries and damage; and

WHEREAS: A City of New York (NYC) Department of Transportation (DOT) presentation to CB1 stated that the April 2019 OneNYC update includes a commitment to study pedestrian priority in Lower Manhattan.³ Slowing traffic to reduce conflicts and injuries is consistent with the goals of pedestrian priority and Vision Zero; and

²<https://www.nyc.gov/html/dot/downloads/pdf/pedestrian-safety-older-new-yorkers.pdf> p 13

³<https://www.nyc.gov/html/dot/downloads/pdf/bowling-green-shared-street-cb1-jul2019.pdf>, p 3

WHEREAS: MCD1 has some 20 MPH school zones and also has some schools that are on record as having traffic speed related issues on their streets; and

WHEREAS: A 10 MPH speed limit should be an option for calming traffic further on streets or stretches with schools for children under age 12 and/or students with special needs. Both [Hawthorne Country Day School](#) and [The Titus School](#)⁴ have students who can become agitated due to honking and run in the road during school bus loading and unloading despite school staff supervision; and

WHEREAS: It is appreciated that the Lower Manhattan RSZ will extend north of the Brooklyn Bridge so that traffic will be slowed before traveling through some of MCD1's intersections with the most accidents and injuries; and

WHEREAS: Lowering speeds for a region, versus isolated streets, should be less confusing for road users, including pedestrians and bike riders, but there must be a plan to inform the public about the Lower Manhattan RSZ and its speed limit and then to enforce it for all; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board One (MCB1) supports the creation of a Lower Manhattan Regional Slow Zone (RSZ) south of Canal/Rutgers Streets as long as:

- Speed of 10 MPH is an option for calming traffic on blocks or stretches with schools, especially those with the most vulnerable students in the RSZ;
- There is a plan to inform the public about and enforce the speed limits – including for bikes, ebikes and cargo bikes – in the Lower Manhattan RSZ.

⁴ <https://www.nyc.gov/assets/manhattancb1/downloads/pdf/resolutions/21-10-26.pdf> pp 47-49