

MINUTES OF THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD #1
HELD
APRIL 20, 2004
P.S. 234 GREENWICH STREET
AND CHAMBERS STREET

Chairperson, Madelyn Wils, called the meeting to order.

Public Session:

Brad Sussman – MBPO – Advised the Board of a few seats remaining on the bus traveling to the March for Women’s Lives on Sunday, April 25, 2004.

Steve Schau – WTC Health Registry gave an update on their efforts. Over 32,000 people have been enrolled, but not all groups are represented. The Registry is trying to reach out to young children, teens, and residents who live or were in the surrounding area because they are currently under represented.

Tom Hall – NYC Rescue Mission – The Mission will hold its annual Mother’s Day Banquet on May 8th. The Mission is looking for volunteers to help with the event. It will be held at their site, 90 Lafayette St. 212 537-7729. Noon till 4pm.

Catherine McVay Hughes – CB1 Board Member and Resident – Advised the Board that on Tuesday, May 4th, it is World Asthma Day and they are setting up information booths at Greenwich and Chambers Sts, and at several sites in Chinatown. There will be an EPA WTC Technical Panel held on May 24th, this meeting is open to the public. There will also be an informational meeting on May 6th, 6:30 to 8:30 p.m. in the BPC community room to hear information on the air quality in Lower Manhattan.

Arthur Gregory – CB1 Board Member and Member of the Board of the Tribeca Organization – There will be an Annual Community Meeting held at 205 Hudson Street. The public is invited to attend and hear what the Organization is planning.

Carl Weisbrod – President, The Downtown Alliance. Came before the Board to speak in support of allocating CDBG money for the rail link proposal. Mr. Weisbrod told the Board that the residential and business community are deeply intertwined, and the future of downtown hinges on the development of Lower Manhattan. He feels that the most important transportation issue facing the rehabilitation of Lower Manhattan is better connection between Long Island and downtown Manhattan. He asked that the board reevaluate the resolution to include supporting the rail link. He expressed his hope that the vote on the Federal Redevelopment Funds resolution tonight considers this as one of the key and essential issues for the future of downtown.

Executive Session:

The minutes of the monthly meeting held on March 27, 2004 were approved with 1 Opposed and 1 Abstained.

Chairperson's Report:

- Chair Wils, Council Member Gerson, and others met with City administration to discuss the issues regarding Sites 5B and 5C. We will continue dialogue until we are able to reach an amicable agreement. They will continue to work toward a resolution.
- There will be a committee meeting with the architects to discuss the proposed East River Waterfront Plan.
- Meeting with NYU Downtown Hospital and Pace University to gather more information regarding details on the height of building. There were recently stories in the papers with varying heights mentioned and we will find out what the actual particulars are. The building seems to be getting taller and taller through the newspapers.
- Chair Wils congratulated IPN on their agreement with landlord.
- The CB testified at a City Council hearing supporting a proposal by City Councilmember Tony Avella to change the City Charter to allow Council review of B.S.A. decisions.
- Saturday, May 8th TFF Family Festival – Declaration of Independence will be on view at PS 234.

Treasurer's Report:

The CB1 Budget report was distributed and shows that expenses are within budget. If anyone has specific questions they should call Joe Lerner, CB1 Treasurer.

City Councilmember Alan Gerson spoke to the Board making the following remarks:

- Sites 5B & 5C – have had tough negotiation sessions with the developer. The resolution adopted tonight will help move the process forward. Alan will continue to negotiate with the City and the developer to get what the community wants.

- The CBCG allotment – feels strongly that the community will have a missed opportunity if funds are substantially allotted to only the Airport/Rail link to Long Island. The link is important, but he believes with proper prioritizing the Kennedy Airport connection can be achieved.
- Housing – IPN agreement does not end the issue of affordable housing and preservation. This issue needs to be a contingency of IPN – and will only be protected in so far as Section 8 vouchers continue. City Council will announce an initiative to ensure continuation of these initiatives. Shawn Donovan of HPD has pledged to work with Alan on these proposals.
- There is an issue with City Hall Restaurant. Alan has requested a meeting with the owners of the building to put on hold the eviction of long time tenants. Owner must speak with residents, and work out a viable financial plan. We need to send a message that these types of things can't be done.
- The City is in the process of revising the noise code. Alan has made comments to the revision that demand that the City close the loopholes on noise code decibel levels.

Committee Reports:

NOTE: SEE RESOLUTIONS AT END OF MINUTES

A. Nominating Committee

The Nominating Committee will present the names of those members who have advised the committee of their intent to run for office at the board at the May meeting. At the May meeting, nominations will also be taken from the floor and candidates will put forth a statement about themselves. The Committee has been advised that all incumbents will be rerunning except for Linda Roche who is currently the Recording Secretary, and Albert Capsouto who is undecided for Assistant Secretary.

B. Tribeca Committee

RE: Site 5C, 200 Chambers Street, ULURP application #C040565HAM for the disposition of city owned property and ULURP application #C0402572M for the grant of a special permit to facilitate the development of a 35 story mixed use building – Resolution

Committee Chair advised the Board that this resolution was drafted with inclusion by many Board members, not just members of the Tribeca Committee.

The Board was advised that City Councilmember Alan Gerson suggested to the Board that the following wording be included in the resolution to ensure that the City understand the Community Board's position.

“BE IT FURTHER RESOLVED THAT: City administration continue to meet with Community Board 1, and local elected officials to ensure any development of this site meets all community needs including forty thousand square feet for a community center, avoidance of shadows on park and play areas, and appropriate height and bulk as set forth in this and prior CB1 Resolutions.”

The full board engaged in open dialogue on the merits of the resolution. A request was made and accepted by the Committee Chair to change wording in the fourth Whereas to read as follows:

“... restrictions have changed due to the passage of time, and 9/11, and”

Board Member Rick Landman brought forward the fact that the City of New York is using a public development corporation to convey this site to a profit making developer, notwithstanding the fact that to take property under urban renewal after 40 years is giving this property away. He brought forward a friendly amendment that was presented to the full Board that requests that CB#1 reject the disposition process of selling land that was condemned forty-four years ago and recommends the usual public auction process.

A vote to include this amendment in the current resolution was taken with the following results: 21 In Favor, 17 Opposed, 1 Abstained, 0 Recused.

The amendment passed and is made part of the full resolution.

Language regarding the use of Liberty Bonds for this project was introduced by Albert Capsouto, and seconded with a hand vote taken with the following results – 18 In Favor, 19 Opposed, 0 Abstained. The friendly amendment did not pass.

The question was called and seconded for a vote on this resolution with amendment noted above with the following results: 37 In Favor, 0 Opposed, 3 Abstained, 0 Recused.

RE: 15 Park Row, Church Street Boxing Gym – Report

The Church Street Boxing Gym came before the committee to request for letter of support to legalize their Certificate of Occupancy. The Board agreed to give them their support.

RE: 8-10 Warren Street, new sidewalk including a 4 x 6 glass paver insert – Resolution

The Committee resolution supports the applicant’s request and a vote was taken on the resolution with the following results: 39 In Favor, 0 Opposed, 1 Abstained, 0 Recused.

RE: Tribeca Film Festival – Report

The TFF will run from May 1st thru May 9th. Their box office is located at 20 Harrison Street. The community will have the ability to purchase tickets early before they go on sale to the general public.

RE: 3 York St, liquor license for Solounge, Inc. – Resolution

The Committee does not oppose the application and a vote was taken with the following results: 30 In Favor, 0 Opposed, 0 Abstained, 3 Recused.

RE: 305 Church Street, sidewalk café renewal for Burrito Bar for 9 tables with 18 seats – Resolution

The Committee did not oppose the application, and a vote was taken with the following results: 30 In Favor, 0 Opposed, 0 Abstained, 3 Recused.

RE: 67 Reade Street Restaurant beer and wine license for the Kiss Café - Resolution

The Committee supports the renewal of the license for a period of two years. A vote was taken with the following results: 30 In Favor, 0 Opposed, 0 Abstained, 3 Recused.

RE: 107 West Broadway, sidewalk café renewal for Gloria Tribeca Mex., Inc. for 15 tables with 38 seats – Resolution

The Committee did not oppose the renewal license for a period of two years. A vote was taken with the following results: 32 In Favor, 1 Opposed, 1 Abstained, and 3 Recused.

RE: 120 Hudson Street, sidewalk café renewal for Bubby's Pie Co. Inc., for 18 tables and 42 seats – Resolution.

The Committee supports the renewal of the sidewalk café license provided that existing planters are eliminated, an 8-ft clearance to the curb is maintained at all times and tables with 4 seats on the No. Moore Street side of the building are restricted to the corner near Hudson. In addition, a friendly amendment was accepted to include wording regarding cleanup of garbage. A vote was taken with the following results: 32 In Favor, 1 Opposed, 1 Abstained, and 3 Recused.

RE: Resolution on 60 Hudson Street Fuel Storage.

The issue was brought before the full Board that the building allegedly installed additional above ground fuel tanks. It was later (after the meeting) brought to light that this was erroneous. The Board voted on the newly crafted resolution at the Board Meeting with a vote of 37-0-0-0. In light of the information being inaccurate, the resolution has been withdrawn.

C. Combined Tribeca, Seaport/Civic Center and Financial District Committee

RE: Proposed new public pay telephones – Resolution

The CB has received 21 proposed locations for the installation of new curbside public pay telephones with advertising. A friendly amendment was made and accepted to change the wording in the TBIR to read: “CB#1 strongly opposes all 21 proposed installations.” A vote was taken on this resolution with the following results: 37 In Favor, 0 Opposed, 0 Abstained, 0 Recused.

D. Combined WTC Redevelopment and Landmarks Committees

RE: Allocation of the remaining \$1 billion in federal redevelopment funds for the rebuilding of Lower Manhattan- Resolution

A lengthy discussion by the Board about how the Community Development Block Grant money should be spent for rebuilding Lower Manhattan took place. The Board reviewed the resolution and the priorities as set forth by the Committee. Carl Weisbrod, President of the Downtown Alliance, came before the Board during the Public Session to request that the Board support the allocation of the CDBG money for the rail link.

The Board members reviewed all the items identified in the resolution discussing the merits of each item. A lot of time was spent on the issue of money being targeted for the burying of West Street and it was agreed that monies that would have been used to bury West Street and the refurbishing of the South Ferry Terminal could be moved to fund the rail link.

There was a motion to table the resolution until there is more information on what and how much will be spent on the rail link. The vote to table the resolution was taken with the following results: 5 In Favor, 27 Opposed, 0 Abstained, 0 Recused. The motion to table was defeated and the Board members continued the discussion.

A friendly amendment was offered and approved to include wording in the resolution that “All funding decisions should be brought before the Community Board for review and comment.”

After reviewing the priorities set forth in the resolution, it was suggested that the rail link be added to the bottom of the priority list. Discussion on the pros and cons ensued with a motion called to vote on adding the rail link to the priority list. A vote was taken with the following results: 14 In Favor, 18 Opposed. The motion was defeated.

There were two additional priorities added to the list for funding. Funds to mitigate construction impacts on the community and funds for a bus storage facility. It was agreed that the first BIFR discussing the Board's support of the proposed LIRR/JFK rail link connection to be funded from the \$4.55 billion federal transportation money be moved to be the last BIFR. Wording in that BIFR was changed to add to the last sentence ... "for a shortfall after the balance of funding has been secured to fund...."

The motion was called and seconded and a vote was taken on the resolution, including the changes as agreed to by the Board with the following results: 29 In Favor, 3 Opposed, 6 Abstained, and 1 Recused.

The Chair thanked all the Board members for their thoughtful deliberations.

RE: Section 106 Draft Programmatic Agreement – Resolution

The LMDC has submitted a Draft Programmatic Agreement with the State Historic Preservation Office. The Community Board endorses the proposed Agreement and a vote was taken on the resolution with the following results: 33 In Favor, 0 Opposed, 0 Abstained, 0 Recused.

E. Financial District Committee

RE: Wall Street Rising Corridor of light project – Resolution

This resolution supports the efforts of Wall Street Rising to create more vibrant look to the Financial District by illuminating 19 building facades highlighting architectural and historical features. A vote was taken with the following results: 32 In Favor, 0 Opposed, 0 Abstained, 1 Recused.

RE: Proposed art installation for Coenties Slip – Resolution

The Committee supports the permanent installation of a sculpture by Bryan Hunt at Coenties Slip. A vote was taken with the following results: 31 In Favor, 2 Opposed, 0 Abstained, 0 Recused.

RE: Proposed fountain for the new Wall Street Park between Water and South Street - Resolution

The Committee supports this new public amenity. A vote was taken with the following results: 33 In Favor, 0 Opposed, 0 Abstained, 0 Recused.

RE: Proposed temporary sculpture for Bowling Green by Owen Morrell entitled "K Tower" – Resolution

The Committee supports the temporary installation of "K-Tower" by Owen Morrell at Bowling Green for a period of six months. A vote was taken with the following results: 32 In Favor, 1 Opposed, 0 Abstained, 0 Recused.

RE: Proposed Street Fairs – Report

The Committee reviewed four street fair applications and rejected three of the four requests.

F. Landmarks Committee

RE: 56 Walker Street application to install new storefront infill and to remove shutters on the rear façade – Resolution.

The resolution was discussed and several Board members raised a question as to the necessity of the second and third Whereas' since the applicant did not attend the Committee meeting. It was agreed by the Committee Chair to remove the 2nd and 3rd Whereas, and recommend that the LPC not proceed with the applicant until applicant presents to the CB#1 Landmarks Committee, and LPC is given the opportunity to consider the Community Board's resolution. A vote was taken with the following results: 33 In Favor, 0 Opposed, 0 Abstained, 0 Recused.

RE: Landmarking of 140 Nassau Street and concern for historical buildings bordering the NYU Downtown hospital parking lot site - Resolution

The resolution requests that the LPC carefully consider the application to designate 140 Nassau Street, the Morse Building, designed by the firm of Silliman and Farnsworth built in 1880 as a landmark. A vote was taken with the following results: 33 In Favor, 0 Opposed, 0 Abstained, 0 Recused.

G. Seaport/Civic Center Committee

RE: NYU Downtown Hospital parking lot site, development plans – Report

The Committee has not been able to get a lot of information regarding the design of the building. The developers are not planning any community amenities in this building and at a recent meeting, hospital representatives told the Committee that they never knew about any community requests. An HPD representative at the meeting said they were not sure how big the project is going to be. Various stories were run in the newspapers regarding the height of the building. One paper reported that the building was going from 50 to 55 stories, then it was reported the building was going to be 60 stories. The Committee and the community are very concerned about the height. There is a covenant that states that the site should be preserved for not-for-profit development. HPD is now trying to change the covenant to allow a for profit development and allow the developer the ability to create a very tall building. CB requests for community-oriented space in this large building were denied while Pace University will reportedly get 300,000 s.f. in the building for their needs. The Committee has requested CB#1 support through a letter to HPD saying that before they sign off on the project, they should arrange for community review and input.

RE: Seaport Marketplace, future development plans – Report

There is not a lot of information being given on the future plans of the area now occupied by the Fulton Fish Market. The Committee has learned that future development plans might be home for venues like Cirque de Soleil, but to date there is no definite plan to bring in anything specific. The Committee will continue to monitor this issue.

RE: Fulton Street and East River Waterfront Improvements – Report

The Community Board is on record as being in favor of having these projects go forward based on Community Board input. As these projects move forward the Committee will update the Board.

RE: 146 Beekman Street, liquor license application for the Manhattan Island Group – Resolution

The applicant will operate a restaurant with 5 tables and 20 seats. The Committee did not oppose the new liquor license application for a period of two years. A vote was taken with the following results: 31 In Favor, 0 Opposed, 1 Abstained, 0 Recused.

H. Youth and Education Committee

RE: Youth Fair – Report

The CB#1 Youth Fair was a huge success. Over 200 people attended, and we look forward to the Fall Youth Fair.

RE: Cessation of pile driving near PS/IS 89 – Report

Thanks to Anthony Notaro, who was successful in getting the pile driving eliminated outside the school.

RE: Proposed discussion regarding a proposed feeder school at Site 5C.

At next week's Youth Committee meeting, Sandy Bridges, Principal of PS 234 has been invited to discuss the idea of a feeder school to help ease the overcrowding in PS 234. The Dept. of Education has declined to attend the meeting, but the Committee feels this issue is vital to our community.

I. BPC Committee

RE: Vesey Street Bridge – Update

The new bridge went up quickly and will help BPC residents and workers cross West Street safely. The escalator on the BPC side opened last week. The escalator only goes in one direction. The east side extension will open in early June, and the elevators will open thereafter.

RE: 320 South End Avenue, application for a sidewalk café permit for an enclosed café with 27 tables and 60 seats - Resolution

The Committee approves the application and a vote was taken with the following results: 34 In Favor, 0 Opposed, 0 Abstained, 1 Recused.

J. Arts and Entertainment Task Force

RE: River to River Festival 2004 – Report

The River to River festival hopes to attract over one million people to Lower Manhattan this summer. The project supports Lower Manhattan and will run from May to September. More information regarding the events will be circulated throughout the community.

New Business:

Rick Landman introduced a resolution regarding street fairs. He requested the approval of a resolution mandating that the full Board vote on all street fair applications following committee review. A discussion regarding the resolution took place with several Board members stating the pros and cons of bringing all street fair applications to the full Board for a vote. After reviewing the resolution it was suggested that the first three Whereas clauses be stricken with the last TBIR as the full resolution. A motion was called and seconded and a vote by the full Board was taken with the following results: 19 In Favor, 11 Opposed, 0 Abstained, 0 Recused.

Victor Papa, Paul Hovitz and others asked that the CB overrule the Financial District Committee and approve the rejected street fair to be sponsored by the Southbridge Towers Senior Center. The Board approved this motion.

There being no further business, the meeting was adjourned by the Chairperson.