

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: SMALL BUSINESS TASK FORCE

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 39 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Supporting Small Business Development in Lower Manhattan

WHEREAS: The businesses surrounding the WTC site have been adversely affected economically by the events of September 11, the slow pace of reconstruction efforts, and all the current and future infrastructure work, and

WHEREAS: Small business owners in particular are struggling to survive in Lower Manhattan, and

WHEREAS: The difficulties and neglect endured by the retail and commercial businesses are also shared by the less visible smaller downtown service sector businesses; in fields such as architecture, design, accounting, legal services, executive recruiting, public relations , new technologies etc. CB #1 appreciates the recent incentives agreed to encourage the retaining and relocation of downtown business, but they were formed for and will mostly benefit big business, now

THEREFORE
BE IT
RESOLVED

THAT: The LMDC, New York City, New York State and the Port Authority should give priority in the procurement processes relating to construction and redevelopment projects on the WTC site and elsewhere in Lower Manhattan (such as the Freedom Tower, the Calatrava-designed PATH Station, the Fulton Street Transit Center and the Goldman Sachs headquarters building) to the small businesses located in this area, and

BE IT
FURTHER
RESOLVED

THAT: The City & State agencies, LMDC and the Port Authority should also provide incentives to business to encourage their use of downtown service sector businesses.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 5 In Favor 2 Opposed 0 Abstained 1 Recused
BOARD VOTE: 35 In Favor 0 Opposed 3 Abstained 2 Recused

RE: Restoration of Home Rule Over New York City Rent and Eviction Laws

WHEREAS: New York City should have the power, through its duly elected mayor and duly elected City Council, to determine the shape and scope of its rent and eviction regulation laws, and

WHEREAS: New York City had such home rule power prior to 1971, and using that power enacted both the City Rent and Rehabilitation Law (city rent control) of 1962 and the Rent Stabilization Law of 1969, and

WHEREAS: The New York State Legislature and Governor Nelson A. Rockefeller enacted legislation in 1971 – known as the Urstadt Law, named for Rockefeller’s housing commissioner Charles J. Urstadt – that severely curtailed the City’s home rule powers by prohibiting enactment of laws or regulations to strengthen the city rent laws but allowing enactment of laws or regulations to weaken the city rent laws, and

WHEREAS: The New York State Legislature and Governor George E. Pataki tightened the Urstadt Law in 2003 by prohibiting the City Council and Mayor from enacting any law or regulation affecting rents and evictions, except for periodic renewal of the city rent laws and decontrol of classes of housing, and

WHEREAS: For 34 years the City of New York and its residents have bargained with upstate legislators whose districts do not include a single rent-regulated apartment over matters that should properly be determined by duly elected New York City officials, and

WHEREAS: For 34 years the New York City real estate industry has donated money to the campaigns of these same upstate legislators to prevent repeal of the Urstadt Law, and

WHEREAS: The New York City Council passed a resolution in 2003, and a home rule message in 2005, calling on the State Legislature and Governor to repeal the Urstadt Law and restore home rule powers over rents and evictions to the duly elected New York City officials, and

WHEREAS: The New York State Assembly has, for the past 12 years, passed a bill to repeal the Urstadt Law and restore home rule powers over its rent laws to the City of New York, and

WHEREAS: The leadership of the New York State Senate has refused to allow bills to repeal the Urstadt Law to be released from committee and thus allow such bills to be debated by the members of the Senate, and

WHEREAS: The stock of rent-controlled and rent-stabilized housing constitutes the largest and most important stock of affordable rental housing in New York City, with one of every three city residents living in these apartments, and

WHEREAS: This stock of affordable housing is being constantly reduced by various decontrol amendments enacted by the New York State Legislature and the New York City Council over the past twelve years, the most harmful of which has been high rent vacancy decontrol, allowing the permanent deregulation of vacant rent-regulated units when the legal rent reaches \$2,000 per month, and

WHEREAS: Credible analyses of the impact of these decontrol mechanisms have shown that at a minimum the City of New York has lost 200,000 affordable apartments over the past decade, as rent-regulated apartments are converted on vacancy to deregulated, free market units, and

WHEREAS: Credible analyses of the impact of these decontrol mechanisms have shown that the pace of vacancy decontrol has accelerated, and

WHEREAS: There is an urgent need for government to review and evaluate the shape and scope of rent and eviction regulation laws in New York City; and

WHEREAS: This process of review and evaluation is a proper concern for the duly elected officials of New York City, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 supports the proposed Manhattan Borough Board resolution calling on the New York State Legislature and Governor to enact legislation to repeal the Urstadt Law and restore home rule powers to the Mayor and New York City Council; and calls on the Mayor of New York City to make enactment of this legislation a top priority for the City of New York.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 13 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 28 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Retail Development on the WTC Site

WHEREAS: CB #1 reiterates its strong support as set forth in resolutions dated April 2002, May 2002, September 2002, January 2003, July 2003, February 2004, April 2004, May, 2004, June 2004, July 2005 and October 2005 for significant retail development as part of the Master Plan for the redevelopment of the WTC site, and

WHEREAS: The importance of both street-level and underground retail to the revitalization of the WTC site and Lower Manhattan is widely recognized by local residents and workers as well as local community organizations and elected officials, and

WHEREAS: The Port Authority presented plans for the first phase of retail redevelopment proposed for the WTC site (relating to underground retail development) and will present plans for the second phase (relating to street level retail development) in coming months, and

WHEREAS: The Port Authority also reported on a preliminary proposal to enclose a portion of Cortland Street under a glass roof to create a covered pedestrian passageway, which is expected to be more conducive to successful retail development than a narrow open street between the high commercial office towers planned for this portion of the WTC site, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 supports the “full-build” option for redeveloping retail at the WTC site and urges the Port Authority to complete the planning phase and begin construction as soon as possible, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 also supports the Port Authority's proposed plans for "podium" building to maximize the amount space available for street-level retail, and to provide sufficient space for "anchor tenants," retail on the second and third floors above ground and multi-level retail on the model of the Time Warner Center at Columbus Circle, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges Silverstein Properties to locate tenant lobbies on higher floors of the commercial office towers to be built on sites 2, 3 and 4 under the Master Plan to accommodate street-level and other above-ground retail development at the WTC site, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 objects to any restriction on the types or kinds of retail establishments permitted to operate on the WTC site, including any censorship of the content or appearance of retailers or the products and services they offer for sale to the public, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 requests detailed information regarding the second phase of proposed retail development (relating to street level retail development) and the preliminary proposal to enclose a portion of Cortland Street under a glass roof to create a covered pedestrian passageway, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges the Port Authority and any retail developers or operators to include public seating areas and green space in and around retail areas to be developed on the WTC site and the surrounding neighborhood, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 requests that the Port Authority consult with and keep CB #1 fully informed as to the proposed plans for retail development on the WTC site including detailed information relating to proposed design changes, the bidding and contract process, construction and leasing activities.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 12 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 27 In Favor 0 Opposed 3 Abstained 0 Recused

RE: Additional PATH Station Platform

WHEREAS: CB #1 reiterates its strong support as set forth in resolutions dated July 2004, September 2005 and October 2005 for rational and efficient modern public transportation and related infrastructure development as part of the Master Plan for the redevelopment of the WTC site, and

WHEREAS: There is widespread support for construction of the Santiago Calatrava-designed transportation hub to be located at the northeast corner of the site at Church and Vesey Streets, which will form an underground connection between the WTC and the proposed Fulton Street Transit Center and will provide pedestrians access to Hudson River ferry terminals, PATH trains, 14 subway lines, and, potentially, a direct rail link to JFK International Airport, and

WHEREAS: By 2020, the Port Authority expects the new transportation hub to serve 250,000 commuters and visitors daily, and

WHEREAS: The Port Authority has proposed construction of an additional platform (Platform D) to alleviate potential overcrowding, address life safety issues and provide adequate space for stairs, escalators and ADA elevators, and

WHEREAS: Platform D is expected to encroach on less than 3% of the footprint of the north tower of the former World Trade Center and the actual encroachment could be less depending on the results of engineering studies relating to the construction of supporting walls for the transportation hub, and

WHEREAS: The Port Authority has expended substantial time and money to review and preserve “historic resources” at the WTC site, including the box steel beams located in the footprints of the former World Trade Center towers, and has proposed mitigation means to reduce the effects of the proposed construction of Platform D on such resources, and

WHEREAS: CB #1 believes that the actions of the Port Authority to review and preserve “historic resources” at the WTC site, and to mitigate the effects of construction of Platform D on the footprint of the north tower of the former World Trade Center, go well beyond the reasonable measures required by applicable law or common sense, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 strongly supports prompt construction of the Santiago Calatrava-designed transportation hub including proposed Platform D and related infrastructure necessary to properly alleviate potential overcrowding, address life safety issues and provide adequate space for stairs, escalators and ADA elevators, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 requests the LMDC consult with and keep CB #1 fully informed of issues relating to construction of the transportation hub and continuing development of a rational and efficient modern public transportation system in Lower Manhattan.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 12 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 29 In Favor 0 Opposed 1 Abstained 0 Recused

RE: Funding for Cultural Facilities on WTC Site

WHEREAS: CB #1 reiterates its position in numerous resolutions (September 2002, January 2003, July 2003, February 2004, April 2004, July 2005, September 2005) supporting the goal of redeveloping the WTC site in a manner that is compatible with the goals of developing a vibrant economy and a livable and dynamic mixed-use community, and

WHEREAS: A Master Plan was established for rebuilding Lower Manhattan following a lengthy public planning process, and

WHEREAS: CB #1 has consistently supported a respectful memorial and a significant memorial museum as part of the Master Plan as well as other elements of the redevelopment plan, and

WHEREAS: There has always been a clear consensus that the development of significant and varied cultural facilities is essential to the successful revitalization of the WTC site and Lower Manhattan, and

WHEREAS: Cultural facilities including the Frank Gehry-designed performing arts center, the Snøhetta-designed cultural center and other facilities are key elements of the Master Plan, and

WHEREAS: Smaller cultural institutions in Lower Manhattan have suffered inordinately since September 11 and have been waiting for assistance for much too long, and

WHEREAS: The WTC Memorial Foundation has indicated that its first priority is raising funds for the memorial and memorial museum and that it does not plan to undertake fundraising for cultural facilities on the WTC site, if at all, until after it reaches its goal of \$500 million for the memorial and memorial museum, and

WHEREAS: Many of the same institutions that have contributed to the WTC Memorial Foundation for the memorial and memorial museum are the same potential donors for the cultural facilities (e.g. Amex, Deutsche Bank), which may make it difficult to solicit additional funds for the cultural facilities, and

WHEREAS: Gretchen Dykstra, the President of the WTC Memorial Foundation, publicly stated that “it is necessary to look at the balance between cost and need and program and most importantly what do the visitors need and deserve” at the site, suggesting that cultural facilities may never be part of the mix despite that fact that cultural facilities are part of the Master Plan and the charter of the WTC Memorial Foundation includes raising funds for these purposes as well as for the memorial and memorial museum, and

WHEREAS: The Lower Manhattan Development Corporation previously committed a total of \$300 million of its own funds to redevelopment of the WTC site, of which \$250 million was earmarked for the memorial and memorial museum and the Snøhetta-designed cultural center and \$50 million was earmarked for the Frank Gehry-designed performing arts center, and

WHEREAS: The LMDC also earmarked an additional \$90 million to assist smaller cultural institutions and support community initiatives in Lower Manhattan, which funds have not been disbursed to date, now

THEREFORE
BE IT
RESOLVED

THAT: Fundraising for the memorial and memorial museum and fundraising for cultural facilities to be located at the WTC site should not be mutually exclusive and CB #1 calls on the WTC Memorial Foundation to focus equal attention on fundraising efforts for the cultural facilities, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges Governor Pataki and the LMDC to take all necessary steps to ensure that LMDC funds earmarked for the development of cultural facilities on the WTC site are properly disbursed for this purpose, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 looks forward to the prompt disbursement by the LMDC of the additional \$90 million of LMDC funds earmarked to assist smaller cultural institutions and support community initiatives in Lower Manhattan, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 requests current information on the cost and details of building the Frank Gehry-designed performing arts center including information regarding any proposed changes to the scope or design of the proposed project, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 strongly urges that the Snøhetta-designed cultural center be used as a cultural facility as originally proposed; if the Snøhetta-designed cultural center is eliminated or becomes September 11-related, we further urge that another cultural facility be incorporated into the design of the WTC site, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 requests that the LMDC consult with and keep CB#1 fully informed about the vital issue of cultural development on and around the WTC site, changes to any plans for cultural facilities and related funding and the disbursement of LMDC funds, including disbursement of the additional \$90 million of LMDC funds earmarked to assist smaller cultural institutions and support community initiatives in Lower Manhattan.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 42 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Capital and Expense Budget Requests for FY 2007

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 recommends the funding of the following (on the attached) budget requests for FY 2007.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 53 Park Place, sidewalk cafe license for Potato Farms LLC for 16 tables and 60 seats

WHEREAS: The applicant has applied for a sidewalk cafe license for 16 tables and 60 seats, and

WHEREAS: The proposed hours of operation will be 8 AM until 12 AM Monday through Thursday, 8 AM until 1 AM on Friday and Saturday and 12 PM until 12 AM on Sunday, and

WHEREAS: The committee felt the double row of tables should be changed to a single row adjacent to the building in order to allow for greater clearance from the metal grate in the sidewalk and asked that the applicant revise the plans, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 does not object to the sidewalk café license for Potato Farms LLC at 53 Park Place for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Co-naming of Chambers Street from West Street to 199 Chambers Street
Frederick Douglas Landing

WHEREAS: It is proposed that Chambers Street from West Street to 199 Chambers
Street be co-named Frederick Douglas Landing, and

WHEREAS: That location was, for most of the 19th century, a ferry landing from points
west and south, and

WHEREAS: The Chambers Street ferry landing also became a vital link in the
Underground Railroad, and

WHEREAS: This co-naming would extend the co-naming previously approved by the
Community Board in February 2005 from West Street to River Terrace in
recognition of the contribution of Mr. Douglas toward the abolition of
slavery in America and remind us of the linkage of this area to that part of
our history, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 supports the co-naming of Chambers Street from
West Street to 199 Chambers Street as Frederick Douglas Landing.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 31-33 Vestry Street, BSA variance application to allow the construction of a nine story residential building that will contain 7 dwelling units and eight accessory underground parking spaces

WHEREAS: A BSA variance is necessary for the construction of a new loft dwelling in an M1-5 district, and

WHEREAS: This building was approved by LPC for its appropriateness, and there has been no request for a variance in the 5 F.A.R bulk allowance, and

WHEREAS: The proposed application to build the new 9 story building at 31-33 Vestry Street meets the BSA standards test for a waiver, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 is not opposed to the BSA application for a new nine story residential building at 31-33 Vestry Street, and

BE IT
FURTHER
RESOLVED

THAT: The applicant has made no request for a variance which would exceed the 5 F.A.R bulk allowance.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 24 In Favor 0 Opposed 6 Abstained 0 Recused

RE: Street Co-naming for NYS Court Officers

WHEREAS: The NYS Court Officers Lodge 35 has requested the co-namings of a street and several intersections in Lower Manhattan to honor the memory of three court officers who lost their lives when they responded to the unfolding events at the WTC on 9/11, and

WHEREAS: The Court Officers who lost their lives on 9/11 were Captain William Thompson, Officer Thomas Jurgens, and Officer Mitchell Wallace, and

WHEREAS: Lodge 35 proposes honoring these deceased court officers by co-naming Baxter Street between Bayard and Worth Streets Court Officer Memorial Way and also proposed to co-name the corner at Bayard/Baxter Captain Thompson Corner, the corner of Hogan/Baxter Officer Jurgens Corner, and the corner of Worth/Baxter Officer Wallace Corner, and

WHEREAS: In April 2002 the Community Board approved the renaming of Collect Pond Park to honor these deceased court officers but the creation of a new park at Collect Pond has not yet been approved which resulted in Lodge 35 making this revised request instead, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 approves the co-namings as outlined above to recognize Captain William Thompson, Court Officer Thomas Jurgens, and Court Officer Mitchell Wallace who lost their lives responding to the WTC tragedy on 9/11.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE: 4 In Favor 1 Opposed 0 Abstained 0 Recused
PUBLIC VOTE: 2 In Favor 2 Opposed 0 Abstained 0 Recused
BOARD VOTE: 33 In Favor 4 Opposed 2 Abstained 0 Recused

RE: Recreational Space Within Route 9A South Promenade Project, Between and Adjacent to West Thames and Albany Streets

WHEREAS: The New York State Department of Transportation (“NYSDOT”) has begun reconstruction of Route 9A from Battery Place at Washington Street to West Thames Street, and has begun the concept/design phase for the reconstruction of Route 9A from West Thames Street to Albany Street (the “West Thames/Albany Segment”), and

WHEREAS: As part of that project, the pedestrian portions along the east and west sides, and the recreational space along the west side, of Route 9A will be improved (the “South Promenade”), and

WHEREAS: In a Resolution of Community Board #1, dated February 15, 2005, CB#1 approved a conceptual design for the South Promenade between Battery Place at Washington Street to West Thames Street; however, in said Resolution, CB #1 exempted the recreational space between 3rd Place and West Thames Street (the “3rd Place Space”), noting that this space would be designed and programmed as part of the design and programming of the West Thames/Albany Segment, and

WHEREAS: For at least the past fifteen years, the following recreational uses have been sited within or adjacent to the 3rd Place Space and West Thames/Albany Segment: basketball courts (currently two half-courts), a tot lot, a dog run, an active recreation lawn and community gardens (the “Existing Recreational Uses”), and

WHEREAS: These existing recreational uses have been very popular among residents and visitors to Battery Park City, and the spaces currently devoted to such uses have been occupied at or above the reasonable capacity for such uses, and

WHEREAS: Residential development currently under construction or in the design phase in southern Battery Park City and in the Greenwich South area is likely to place additional demands on recreational space in this area, and

WHEREAS: NYSDOT has requested input from CB#1 regarding the design and programming for the 3rd Place Space and West Thames/Albany Segment, and a task force of CB#1 members and local residents has to that end worked with NYSDOT in developing such design and programming, now

THEREFORE
BE IT
RESOLVED

THAT: CB#1 requests that NYSDOT preserve the Existing Uses and place such Existing Uses within the 3rd Place Space and West Thames/Albany Segment in a manner that maximizes the benefits to the local community of such Uses, consistent with good design practices and due regard for the relationship between such Uses and the surrounding areas, and

BE IT
FURTHER
RESOLVED

THAT: Although CB#1 is not at this time expressing a view as to the exact locations of the Uses to be programmed, CB #1 recommends that the dog run use be located within the 3rd Place Space (along with any other compatible Uses for which there may be space), and that such dog run be of a sufficient size to make practicable separate areas for large and small dogs, and

BE IT
FURTHER
RESOLVED

THAT: CB#1 recommends that NYSDOT consider adding a third half-basketball court in addition to the two that are part of the Existing Uses, to the extent that this can be done without adversely affecting other Existing Uses, and that the basketball courts be designed in such a manner that will permit simultaneous use of the basketball courts by younger children and by players ages 13 and above, without undue interference with one another, and without undue interference between the older players and the children using the tot lot, and

BE IT
FURTHER
RESOLVED

THAT: CB#1 requests that NYSDOT work with CB#1 to develop its final design and programming for the 3rd Place Space and West Thames/Albany Segment, including the locations, dimensions and character of the recreational spaces to be included, and to present such final design and programming to CB#1 for its approval.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 105 Franklin Street, application to remove a fire escape, install new storefront infill and rooftop bulkhead

WHEREAS: This application calls for alterations and additions to a beautiful Second Empire-style loft building with a slate mansard roof, marble façade and original cast-iron storefront, a relatively small and ornate loft structure typical of the Tribeca East Historic District, and

WHEREAS: The removal from the front of the building of a fire escape is a desirable component of this application, and

WHEREAS: A rooftop bulkhead, set back 30 feet from the front cornice and visible from West Broadway, would replace the current shorter but more visible bulkhead, which the Community Board considers an acceptable trade-off, and

WHEREAS: The proposal calls for a completely new storefront, made of wood frame and painted black, and employing the format of the current double transom lights, and

WHEREAS: Any new lighting elements –none of which are in the current request -- should be filed separately, and

WHEREAS: The applicant did not bring to the Landmarks Committee meeting the customary historic photos, color samples and signage placements, now

THEREFORE
BE IT
RESOLVED

THAT: While we are disposed to approve this application, Community Board #1 cannot make a recommendation because the Board was not given a completed presentation.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	8 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	28 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 414 Washington Street, application to construct a ten story building

WHEREAS: The applicant presented the amended application taking into account the Committee's comments in their October meeting, and

WHEREAS: The proposal is to build a new brick building on this open 50' by 82' site presently used as a parking lot and is designed to match the proposal for another new brick building across the street at 415 Washington Street, and

WHEREAS: The most prominent material remains red brick with large metal framed windows, 12" deep window sills capped with stone, ceiling heights of 12' and small mortar joints of 1/8", and

WHEREAS: The spiraling street wall, terraces and set backs from the earlier application have been removed and replaced with a uniform street wall of 88' 6" for the main six-story building with a 20' set back and a two story square opening with sloping penthouse skylights and walls encased in the same red brick, resulting in an overall height of 110' as previously submitted, which the Committee liked, and

WHEREAS: The base of the building as shown in the initial application was not distinguished from the upper levels, which the Committee considered inappropriate for the North Tribeca Historic District; the revised application reflected a tripartite design with a square top to the first floor windows, segmented arches for the windows on floors two through five and a rounded arch on the sixth story windows with a brick cornice, which the Committee liked, and

WHEREAS: The name of the building would be painted on the front wall, with a corrugated steel canopy over the 2' recessed entrance, which would contain completely concealed lights and intercom, and

WHEREAS: The total height of the building remains 110' and is within the FAR 5 zoning limit, with the top two set back floors being totally invisible from the street, and

WHEREAS: The applicant agreed to strictly follow any approved design by LPC and to allow the zoning calculations and building work to be carefully monitored by local residents, and

WHEREAS: The applicant represented that the owner was Atlantic Walk LLC, the only members of which are Gerald Longo, Shiraz Sanjana and Joseph Scarpinito, and

WHEREAS: The applicant agreed to provide the Committee with a full color set of the detailed plans to attach to this resolution for use in monitoring any approved design, and

WHEREAS: The Committee felt the new design was much more appropriate but felt that the sloping elevation on the second floor of the set back would be better if it were a continuous two story straight brick face, which the applicant agreed to consider, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends that the Landmarks Preservation Commission approve the application after very careful review of the detailed application with the amendments noted above, and

BE IT

FURTHER

RESOLVED

THAT: CB #1 recommends that the Landmarks Preservation Commission carefully issue any approval and work with the community to strictly monitor the construction of the approved design.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	5 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	28 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 415-423 Washington Street, application to construct a nine story building

WHEREAS: The applicant presented the amended application taking into account the Committee's comments in the October meeting, and

WHEREAS: The proposal is to build a new brick building on this open 83' by 115' site presently used as a parking lot and is designed to match the proposal for another new brick building across the street at 414 Washington Street, and

WHEREAS: The most prominent material remains red brick with large metal framed windows, 12" deep window sills capped with stone, ceiling heights of 12' and small mortar joints of 1/8", and

WHEREAS: The spiraling street wall, terraces and set backs from the earlier application have been removed and replaced with a uniform street wall of 88' 6" for the main six- story building with a 20' set back and a 2 story square opening with sloping penthouse skylights and wall encased in the same red brick, resulting in an overall height of 110' as previously submitted, which the Committee liked, and

WHEREAS: The base of the building as shown in the initial application was not distinguished from the upper levels, which the Committee considered inappropriate for the Tribeca North Historic District; the revised application reflected a 3' high loading dock round the whole frontage made of diamond plate and an ADA ramp, a tripartite design with a square top to the first floor windows, segmented arches for the windows on floors two through five and a rounded arch on the sixth story windows with a brick cornice, which the Committee liked, and

WHEREAS: The name of the building would be painted on the front wall, with a corrugated steel canopy over the 2' recessed entrance which would contain completely concealed lights and intercom, and

WHEREAS: The total height of the building remains 110' and is within the FAR 5 zoning limit, with the top two set back floors being only slightly visible from the street, and

WHEREAS: The applicant agreed to strictly follow any approved design by LPC and to allow the zoning calculations and building work to be carefully monitored by local residents, and

WHEREAS: The applicant reported that the owner was Atlantic Walk LLC, the only members of which are Gerald Longo, Shiraz Sanjana and Joseph Scarpinito, and

WHEREAS: The applicant agreed to provide the Committee with a full color set of the detailed plans to attach to this resolution for use in monitoring any approved design, and

WHEREAS: The Committee felt the new design was much more appropriate but felt that the sloping elevation on the second floor of the set back would be better if it were a continuous two story straight brick face, which the applicant agreed to consider, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 recommends that the Landmarks Preservation Commission approve the application after very careful review of the detailed application with the amendments noted above, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 recommends that the Landmarks Preservation Commission carefully issue any approval and work with the community to strictly monitor the construction of the approved design.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: INTERNAL WORKINGS TASK FORCE

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 37 In Favor 1 Opposed 0 Abstained 0 Recused

RE: Amendment of CB #1 By-Laws to Correct Error Regarding Term of Office

WHEREAS: Section II.A. of the By-Laws of CB #1 currently provides that officers of CB #1 will be elected to a two-year term and this is supported by the legislative history of the By-Laws, and

WHEREAS: Section III.B. of the By-Laws of CB #1 consists of an erroneous statement that is in conflict with the foregoing provision and legislative history, now

THEREFORE

BE IT

RESOLVED

THAT: Section III.B. of the By-Laws of CB #1 relating to the term of office of each CB #1 office is hereby revised and amended by changing it to read as follows in its entirety, with deleted language indicated by [brackets] and added language indicated by underscoring:

“The term of each office shall begin on July 1, following the election, and terminate on June 30th of the [following] next even-numbered year”, and

BE IT

FURTHER

RESOLVED

THAT: Section II.A. of the By-Laws of CB #1 relating to terms and term limits is hereby revised and amended by changing it to read as follows in its entirety, with deleted language indicated by [brackets] and added language indicated by underscoring:

“Election of officers will occur [on] in even numbered years and officers will be elected to a two-year term. The election procedures outlined below (B-F) apply to even-numbered years only. An officer may be [reelected] elected to the same position for a maximum of three consecutive terms. However, the foregoing limit of two consecutive terms shall not apply to an uncontested election for a particular office, nor shall a partial term served by a successor due to the early departure of an incumbent from office be counted against the limit.”

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: INTERNAL WORKINGS TASK FORCE

COMMITTEE VOTE: 8 In Favor 3 Opposed 0 Abstained 0 Recused
BOARD VOTE: 7 In Favor 30 Opposed 1 Abstained 0 Recused

RE: Amendment of CB #1 By-Laws Regarding Term Limits

WHEREAS: The By-Laws of CB #1 currently provide that the organization's officers are limited to a maximum of three consecutive two-year terms, and

WHEREAS: CB #1 is cognizant of the need to establish the proper balance between (i) allowing individual officers to remain in office for a sufficient time to execute their ideas and maximize their effectiveness in advancing the objectives of CB #1 and (ii) setting limits to guard against the tendency toward centralization of power in the organization through entrenchment, especially when Board election votes of individual CB #1 members are a matter of public record, and

WHEREAS: CB #1 believes that limiting its officers to two two-year terms strikes a better balance than the current limit between the foregoing objectives, especially if provisions are added that allow flexibility in the event of offices with uncontested elections and that do not apply the limit to service of a partial term by a successor due to the premature departure from office of an incumbent, now

THEREFORE
BE IT
RESOLVED

THAT: Section II.A. of the By-Laws of CB #1 relating to terms and term limits is hereby revised and amended by changing it to read as follows in its entirety, with deleted language indicated by [brackets] and added language indicated by underscoring:

“Election of officers will occur [on] in even numbered years and officers will be elected to a two-year term. The election procedures outlined below (B-F) apply to even-numbered years only. An officer may be [reelected] elected to the same position for a maximum of [three] two consecutive terms. However, the foregoing limit of two consecutive terms shall not apply to an uncontested election for a particular office, nor shall a partial term served by a successor due to the early departure of an incumbent from office be counted against the limit.”

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

NOVEMBER 15, 2005

COMMITTEE OF ORIGIN: INTERNAL WORKINGS TASK FORCE

COMMITTEE VOTE: 10 In Favor 0 Opposed 1 Abstained 0 Recused
BOARD VOTE: 34 In Favor 0 Opposed 4 Abstained 0 Recused

RE: Response to Proposal from Friends of Lower Manhattan

WHEREAS CB #1 and Friends of Lower Manhattan (“FOLM”) have been engaged in negotiations to resolve issues between the two organizations relating to potential expenditure of the remaining funds previously raised by FOLM (“Remaining Funds”) when its name was “Friends of Community Board No. 1,” and

WHEREAS: Following an initial proposal from CB #1 to FOLM for a resolution of these matters, FOLM has responded by proposing an alternative involving (i) a 2006 operating grant to CB #1, with detailed budget and line-item expenditures, having a total value of approximately \$120,000 (which includes approximately \$27,000 from the Red Cross grant for a staff person and associated fringe benefits) and (ii) a proposal to establish an FOLM Community Fund (the “Community Fund”) to award an initial round of \$125,000 in grants to not-for-profit community organizations for the benefit of Lower Manhattan, and

WHEREAS: Under the proposed structure of the Community Fund, a panel of the Community Fund comprised of 10 members (the “Panel”), all of whom are to be appointed by the Board Chair of FOLM but 5 of whom are to be so appointed upon the designation of the Board Chair of CB #1, will review proposals submitted and recommend grant awards, and

WHEREAS: CB #1 wishes to continue to work toward a resolution of the issues with FOLM and to ultimately establish a more positive and cooperative relationship between the two organizations in dealing with the problems of Lower Manhattan, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 agrees to participate on the Panel as proposed (based on assurances provided by FOLM regarding CB #1’s proposed Panel members being accepted as designated by the Board Chair of CB #1 and the Panel’s recommendations being implemented by FOLM), and

BE IT
FURTHER
RESOLVED

THAT: The Board Chair of CB #1 is hereby authorized to designate five members of CB #1 as CB #1's representatives on the Panel (the "CB #1 Panel members"), with such authorization to include the ability and discretion to remove and replace an existing CB #1 Panel member at any time for any reason and to designate a new CB #1 Panel member to fill any vacancy that may exist at any time among the CB #1 Panel members, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 requests that FOLM restructure its proposal somewhat so that the total commitment is \$250,000 distributed from the Remaining Funds as follows: (i) the 2006 operating grant to CB #1 is \$120,000, exclusive of the \$27,000 from the Red Cross grant allocated for 2006, and the cash portion is provided as a lump sum to be utilized by CB #1 as it sees the need without line item budget restrictions and (ii) the initial round of Community Fund grants is increased to \$130,000, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges FOLM to continue discussions and negotiations with CB #1 aimed at agreeing on an "advise and consent" decision process regarding the expenditure of the balance of the Remaining Funds.