

MINUTES OF THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD #1
HELD
NOVEMBER 16, 2004
PUBLIC SCHOOL 234
292 GREENWICH STREET

The Vice Chairperson, Richard Kennedy, called the meeting to order.

Public Session:

Marshall Brown reported to the Board regarding a WIFI network to be established in Battery Park along with a community portal. It will include a computer laptop and PDA connection to the Internet in order for people to find information, tours and other useful links for use in Battery Park. Website: www.batteryportalize.org in development.

Executive Session:

The minutes of the monthly meeting held on October 19, 2004 were adopted as presented.

Vice-Chairperson's Report:

Richard Kennedy reported on the following issues:

- Site 5B negotiations are still going on
- Friends of Community Board No. 1 fundraising event went well. About 329 people attended. Honorees were City Planning Commission Chair Amanda Burden, JP Morgan Chase Vice-President Charles Maikish, and builder and developer Frank Sciamè.

Committee Reports:

NOTE: SEE RESOLUTIONS AT END OF MINUTES

A. Battery Park City Committee

Anthony Notaro presented a report on Goldman Sachs' plans for their new tower on Site 26. He stated that all four sides of the site would contain a walkway with a bridge shed for pedestrians to use during the time of construction. The walkway would be open 24 hours a day and each corner of the site will have a flagman and will provide security.

The targeted completion of the construction is in the year 2007 or 2008.

The Community Garden's lease has been terminated and is not going to be renewed. Anthony Notaro stated that as of November 12, 2004, the lease would not be extended, though he indicated that a letter from the Committee to the leasing manager would be sent in order to express their desire to seek agreement to keep the garden there.

On North End Avenue, from Murray Street to Warren Street, the BPCA is proceeding to develop a dog run.

B. WTC/Redevelopment Committee

Richard Kennedy reported on the Blue Ribbon Panel study by the Urban Land Institute for retail at the World Trade Center Site. He stated that the intent was to integrate all communities and to provide neighborhood growth and commercial development.

The report is scheduled for public release in December of 2004.

C. Waterfront, Financial District and Seaport/Civic Center Committees

RE: East River Waterfront Plan

By a vote of 34 in favor, 0 opposed, and 1 abstention, the Board approved a resolution calling for the restoration and revitalization of the East River Waterfront. Included in this vote were comments about collaboration efforts with the Downtown Alliance. Also, the Board desires information about the effect on traffic on the FDR Drive, specifically south of the Brooklyn Bridge.

The Board is supportive of elements of the City's waterfront plan including the restoration of Pier 15, a new park on Peck Slip, and the esplanade beneath the FDR Drive provided that the retailers are carefully selected to serve the needs of the residents and workers of the area.

The Board strongly urges that the limited resources likely to be available for this project be utilized for our most pressing needs; the creation of far more open space and additional destinations to attract residents, workers and tourists to this waterfront.

The Board, therefore, recommends that the following improvements listed in the 2002 Concept Plan for the East River Waterfront also be implemented as part of the Phase I foundation improvements:

- Utilization of half the FDR Drive as an Upper Esplanade
- A Community Building featuring a swimming pool, boat house, indoor recreation, bike and boat rentals
- A Public Indoor Market
- A significant Cultural Destination/Building possibly utilizing the Battery Maritime Building
- A fleet of Floating Barges to be outfitted with a public facility such as a swimming pool, skating rink, performance stage, and a green park
- A small Marina to accommodate day-trippers

D. **Financial District Committee**

RE: 26 Cortlandt Street, BSA Application by Century 21 Department Store for a floor area variance to permit an existing mezzanine to be expanded by 4,583 square feet

By a vote of 35 in favor, 0 opposed, and 0 abstained, the Board supports the BSA application for the expansion of the mezzanine for Century 21 at the 26 Cortlandt Street location.

RE: Proposed newsstand on the east side of Broadway between John and Fulton Streets

By a vote of 35 in favor, 0 opposed, and 0 abstained, the Board approved the resolution to reject a newsstand on the east side of Broadway between John and Fulton Streets.

E. **Seaport/Civic Center Committee**

Marc Donnfeld reported to the Board regarding the NYU Downtown Hospital Site and on the interest the Board has in this project. He stated that Pace University, being unable to agree to financial terms with the developer, has pulled out of the project.

The Community Board has asked for gym space and a swimming pool. We are now exploring the possibility of putting the new eastside K-8th grade school in the building.

A meeting for parties and public officials interested in this issue is to take place on November 23, 2004.

F. **Seaport/Civic Center and Youth and Education Committees**

RE: 250 Water Street site for a new school

The Board is aware that 250 Water Street, a site within the newly rezoned Seaport Historic District (implemented in 2003), is under consideration for a possible K-8 school. The Board is concerned that the City or developer may seek a waiver of the 120-foot height restriction now in place for 250 Water Street in order to permit construction of a school on that site.

By a vote of 38 in favor, 0 opposed, and 0 abstained, the Board objected to any waiver of the 120 foot height restriction applicable to 250 Water Street and urges that the Department of Education consider alternative sites for the new K-8 school on the east side of the district, particularly the NYU Downtown Hospital parking lot space, which lost Pace University as a planned tenant of the building.

G. **Financial District, Seaport/Civic Center and Tribeca Committees**

RE: Proposed subway booth closures

The MTA NYC Transit is seeking to close 21 subway booths in 16 Lower Manhattan stations. These closures are one of the measures put forth by the MTA to close their \$2.6 billion deficit in the 2005 operating budget. Many people are rightly concerned about the safety in subways and the personnel in these booths provide security to the riders. The busy subway stations in Lower Manhattan slated for these cutbacks should continuously have security personnel to address any and all emergencies as well as address customer services. The MTA, prior to these desired subway booth closures, should have looked into additional administrative restrictions or other less onerous cuts to address their deficit.

By a vote of 38 in favor, 0 opposed, and 0 abstained, the Board opposes these proposed subway station booth closures.

H. **Tribeca Committee**

RE: 45 Lispenard Street, special permit application to allow residential conversion of portions of the ground floor mezzanine and cellar

The owners of 45 Lispenard Street have applied to the City Planning Commission for a Special Permit to convert the ground floor with accessory cellar space into two loft dwellings. The conversion will not harm the commercial and manufacturing character of the surrounding area or have any adverse effect on the building.

By a vote of 38 in favor, 0 opposed, and 0 abstained, the Board does not oppose the City Planning Commission granting of a Special Permit for the conversion of the ground floor and cellar to live/work loft dwelling use for 45 Lispenard Street. The Community Board is concerned, though, with the procedure, which allowed some floors to be used as residential before the change of use occurred.

RE: 53 – 55 Beach Street, application to amend a previous variance that allowed the operation of a school on the first floor and cellar to retain the school use on the first floor but shift use from the cellar to the second floor

By a vote of 38 in favor, 0 opposed, and 0 abstained, the Board approved the Board of Standards and Appeals' application to grant a variance to allow the expansion from the cellar to the second floor for the Montessori School at 53 – 55 Beach Street.

I. **Landmarks Committee**

RE: 377 – 383 Greenwich Street, application to amend the approved design of a new hotel building

The new application is for a Group 5 Transient hotel; the design of which the Committee felt is a great improvement on all previous proposals. The Committee commended the architect and owners for their careful attention to detail and craftsmanship, but expressed concern regarding the additions of one floor and 8,500 square feet to the building.

By a vote of 38 in favor, 0 opposed, and 0 abstained, the Board recommends that the Landmarks Preservation Commission approve the application contingent upon the LPC resolving the Community Board's concern regarding the addition of one story to result in a six-story hotel. This land use question will also come back to the Tribeca Committee when their needed BSA application is filed.

RE: 145 Hudson Street, application to legalize the existing penthouse

By a vote of 38 in favor, 0 opposed, and 0 abstained, the Board concluded that it could not make a recommendation on the matter of 145 Hudson Street without further clarification from the Landmarks Preservation Commission. It was noted that when this application was approved in 1996, representations were made by the architect that the penthouse would not be visible from the street. Since the 1996 application, the building's architectural construction had been taken over by another firm, using documents already approved by the LPC. But, the penthouse addition at 145 is quite visible from the street.

It is the Board's understanding that no violations had been issued to 145 Hudson Street by the LPC; therefore, there is no legalization issue to render a decision.

RE: 408 – 410 Broadway, new storefront infill

By a vote of 38 in favor, 0 opposed, and 0 abstained, the Board approves the plan recommending that the shutters are restored, brick (not stucco) be used as infill on the Cortlandt Alley side, with balanced or appropriate matching door (including a hatch), be installed on the north end of the Cortlandt Alley side with no exterior roll down gates.

RE: Fulton Street/John Street Historic District

The Historic District Council is continuing to study the creation of a Fulton Street/John Street Historic District and presented a report to the Board.

J. **Tribeca Licensing Task Force**

RE: 83 – 85 Worth Street, cabaret license for 83 Worth Street Restaurant Inc. D/B/A Nikki Sam

The proposed maximum hours of operation are 8 AM until 10 PM Sunday through Thursday and 8 AM until 2 AM Friday and Saturday. Residents of the surrounding buildings attended the meeting of the Task Force and objected to the granting of the proposed cabaret license, testifying that the previous owner of the site had operated a cabaret on the premises for many years and that the community complaints about the noise and nuisance were continually ignored because the owner had a cabaret license.

By a vote of 36 in favor, 0 opposed, 1 abstained, and 1 recused, the Board recommends that this application be rejected based on the record of the community's opposition to the granting of the cabaret license and the owner's failure to present a detailed plan to address any complaints about noise and nuisance.

RE: 329 Greenwich Street, liquor license application for Tribeca Food Corp.

The applicant proposes to operate a restaurant in space located on the ground floors of a residential building located at 329 Greenwich Street – with a maximum of 72 people, with 50 – 60 seats, which will include a “bar only” with 10 – 20 seats. By a vote of 37 in favor, 0 opposed, 0 abstained, and 1 recused, the Board does not oppose the application for a new liquor license for Tribeca Food Corp at 329 Greenwich Street for a period of two years subject to compliance by the applicant with certain conditions spelled out in the resolution.

RE: 130 West Broadway, restaurant wine license for Bouley Duane Street, LLC

By a vote of 36 in favor, 0 opposed, 1 abstained, and 1 recused, the Board does not oppose the application for a new liquor license for Bouley Duane Street, LLC at 130 West Broadway for a period of two years subject to compliance by the applicant to the conditions in the resolution.

K. **Youth & Education Committee**

Paul Hovitz reported to the Board concerning the Youth Fair held on November 4, 2004. He stated it was light on turnout due to the weather.

The Youth Community Newsletter is in progress.

He will be reporting back to the Board soon on next summer's community sailing program for youth at BPC.

A Youth Officer from the 1st Precinct is scheduled to meet with the Committee to review any youth related problems in the district.

The meeting was adjourned.