

MINUTES OF THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD #1
HELD
APRIL 19, 2005
SEAMAN'S CHURCH INSTITUTE
241 WATER STREET

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

Public Session:

Martha Gallo, a resident of Downtown, praised Madelyn Wils' effective leadership as Chair of Community Board #1. She spoke of Madelyn's accomplishments in the Downtown area post-9/11 and also criticized the manner in which the Borough President, C. Virginia Fields, took Madelyn off the Board. Ms. Gallo made it clear that she will not support Fields' mayoral campaign this year.

Yvonne Morrow, a former staff member of Sheldon Silver, first reported on the need to stop the development of the West Side Stadium (pointing to the "Stop the West Side Stadium" shirt). She then praised Madelyn for her work in the rezoning of Tribeca. Ms. Morrow credited Madelyn for her great working relationships, especially with the opening of Millennium High School, in the district.

Robert Rhodes, Principal of Millennium High School, also praised Madelyn for her dedication to the opening of the school as well as the needs of Downtown.

Richard Corman of the Tribeca Organization will miss Madelyn and her effective leadership of the Board and thanked her for all of her hard work.

Gwen Bey, a resident of Battery Park City was shocked by the outrageous removal of Madelyn from the Board by C. Virginia Fields. She thanked Madelyn for her community outreach and supports the 29 members who signed the letter to the Borough President.

Madelyn Wils gave a few words about her time with the Board. She thanked her husband, Steven, for standing by her during her many hours working for Downtown. She thanked the staff at Community Board #1, the staff at Friends of Community Board #1, her fellow Board Members, Alan Gerson and others. She looks forward to working with the Board on numerous issues facing downtown. She promised that whatever we have started as a community, we would finish as a community.

Laura Starr, a resident of 270 Water Street and a landscape architect, thanked Madelyn for her tireless leadership as a builder and designer of the Downtown area.

Dr. Michael Lunski, of Life Matters, spoke about his post-9/11 healing program. Life Matters is a non-profit organization formed in the wake of 9/11. Their office is located at 3 New York Plaza. They provide educational outreach programs and summer youth programs in Chinatown.

Lana Farina and Kelley Dugen from the Infant-Toddler Pre-school Post-9/11 Initiative spoke about their organization. It is a no-cost therapy and research program for children, 2-to-8-years-old, who lived below Canal Street on 9/11. She also thanked Community Board #1 for listing the program in the 2005 Youth Directory.

Letricia Watler from the Borough President's Office gave the Borough President's Report to Community Board #1. She spoke about the Health Department's overlooking of minority communities and their health issues, the Hudson Rail Yards, expansion of the Jacob Javits Center to the north, and costly school construction delays.

City Council Member Alan Gerson first thanked Madelyn for her work on the Community Board and her continued work on other Boards such as Hudson River Park Trust and Lower Manhattan Development Corporation.

The Council Member then gave a report on issues facing Downtown residents:

- He spoke about the Town Hall meeting (Community Youth Forum) sponsored by his office and Community Board #1. He is absolutely assured that every child Downtown will have the option to attend a middle school in the community. He contacted Region 9 about short-term and long-term plans to accomplish the task. He is asking for expansion of the schools in the area by less than a homeroom-class size and wishes to construct a Middle School Task Force to deal with the issue.
- He gave a report on the construction of Telecom Hotels to house diesel fuel near residences. The Department of Buildings is favoring variances to allow an increase in storage capacities in exchange for additional safety conditions (firewalls, safety drills, etc). The Council Member has yet to receive these conditions in writing. He also has been informed that the DOB is looking to increase the storage capacity in these buildings without regard for residents. At the present time, the DOB has put the issue on-hold until a meeting with the Council Member has been arranged within the near future.

- A report was given on the Solid Waste Disposal Plan. At the present time, City garbage is shipped out of the area and recycled, except for Lower Manhattan refuse. The garbage from Lower Manhattan is shipped to New Jersey and then incinerated. With the wind shifting from the West (New Jersey) to the East (Lower Manhattan), residents in the area get the smell and fumes. The Council Member is asking all residents and the Community Board to write letters to the City Council opposing this practice.
- Regarding the Lower Manhattan Development Corporation, they are still sitting on \$700-to-800 million. The LMDC ruled out money to be given to Human Services, but unfortunately many post-9/11 counseling services, including job-training programs, are up for renewal. They need the money. Also, the Hudson River Park is in need of money. The Council Member submitted to the LMDC a Renaissance Plan for distribution of the money.

Nancy Owens, a Community Board #1 Public Member and former Community Board #1 Member, praised Madelyn as Chair.

Executive Session:

The minutes of the monthly meeting held on March 15, 2005 were adopted as presented.

Chairperson's Report:

Richard Kennedy reported on the following issues:

- He expressed his gratitude to Madelyn as a friend and the Chair of CB #1.
- West Street construction is on schedule.
- Some details on the Greenwich Street South presentation were given.
- Park Row is going to open in May to vehicular and pedestrian traffic, connecting Chinatown to the Seaport.
- Ballots for the Nominating Committee were taken from the Board Members.

Committee Reports:

NOTE: SEE RESOLUTIONS AT END OF MINUTES

A. Executive Committee

Michael Connolly spoke in favor of the resolution, praising and thanking Madelyn Wils. He thought that the language should be much stronger. The Borough President should be mentioned. He stated that the Borough President has proven to be out of touch with her constituents' needs. He will campaign against her in her bid for mayor.

Anthony Notaro spoke about Madelyn's ability to raise the bar of great leadership at Community Board #1.

Bruce Ehrman also expressed his deep gratitude to Madelyn.

Tim Lannan spoke in thanks for Madelyn's work.

Jeff Galloway reported that the Borough President's move could be seen as a violation of City Charter. Appointments are for two-years. No such thing as a one-year term.

Paul Goldstein explained that there is such a thing as a one-year term and that it is not uncommon. If a member leaves the Board prior to the expiration of their term, and the seat has to be filled, the Borough President will appoint someone to that seat for the remainder of the term of that seat. When the term is up, the member will be up for reappointment.

Jeff Galloway stated that it should be examined whether or not Madelyn was appointed to fill such a member's seat at the time of her appointment last year.

Arthur Gregory spoke about becoming a Community Board Member after moving here post-9/11. He thanked Madelyn for her hard work and said that he will be watching the candidates for Chair closely.

Pearl Scher expressed her gratitude towards Madelyn and told of her decision of becoming a Board Member two years ago at the suggestion of Madelyn.

Patricia Moore directed her question towards Jeff Galloway about whether or not, if it's true that the Borough President violated the City Charter, the Board should take action. Jeff responded that we would need the support of the full Board and of Madelyn in order to take any action.

Una Perkins asked if the Borough President was invited to defend herself against these allegations of wrongdoing. She recommended that the Borough President be invited to next month's full Board meeting. Raymond O'Keefe seconded the motion, which the full Board endorsed.

RE: The departure of Madelyn Wils and thanking her

Inviting the Borough President to next month's Community Board #1 meeting to discuss the departure of Madelyn Wils was added as a Friendly Amendment.

By a vote of 39 in favor and 3 abstaining, the Board expresses its gratitude to Madelyn Wils and thanks her for the many significant contributions she has made to Community Board #1 and the Downtown community.

B. Youth & Education Committee

Paul Hovitz reported that Rebecca Skinner had been appointed Assistant Superintendent for the Hempstead School District.

The Youth Directory is now available. Thanks were extended to Mary Kate Cudahy, the staff at Community Board #1, Tom Goodkind and the rest of the Youth & Education Committee for all of their hard work. A special thanks was given to Julie Menin and Wall Street Rising for funding the production of the directory.

The Youth Fair is to be held on May 18th from 4 PM to 7 PM at the Southbridge Towers Community Room.

RE: PS 150 After-School Program

By a unanimous vote, the Community Board asks Governor Pataki and the New York State Department of Children and Family Services to extend all the contracts of current Advantage After-School grants that are set to expire this year.

RE: Creating additional Middle School seats in Community Board #1 for local children

By a unanimous vote, Community Board #1 specifically urges that Region 9 take steps to implement the following options intended to create additional middle school seats in our district:

- Creation of new locally zoned middle school(s) in CB #1
- Giving official preference to local children seeking admission to IS 89 if they list the school as their first choice
- Establishing a selection process wherein, if a CB #1 5th grade child is denied admission to IS 89 as their first choice, notice from the regional administrator as to why the child was denied admission, notice as to the appeal process, and an alternative placement in the best interest of the family will be provided

Region 9 and Community Board #1 establish a joint advisory and planning committee to begin determining how the new Beekman Street school will serve the children of our ever-growing Lower Manhattan district.

Region 9 and Community Board #1 establish a joint advisory and planning committee to oversee the planning of the new middle schools and IS 89.

C. Combined Seaport/Civic Center, Financial District, WTC Redevelopment Committees

Richard Kennedy presented on the LMDC off-site studies report. He said that the LMDC made a presentation to the Committee on Greenwich Street South and the Chinatown/Seaport Circulation Study. Park Row is to open in May for buses allowing for direct access between Chinatown and the Seaport.

D. Combined Financial District, Landmarks and Battery Park City Committees

Ray O'Keefe presented to the Board about the Pier A development. There is a new Principal in charge of Pier A, but he has run into bureaucratic problems on his plans to reopen this facility.

RE: Bowling Green, new canopy for escalator and new ADA elevator kiosk

The new canopy is to be made of a granite base, stainless steel arched frame and clear reinforced glass.

The Community Board was unable to see a rendering of the proposed kiosk.

Many members feel that the design was inappropriate for the location. They would prefer a less conspicuous design that would not draw so much attention.

The Committee would normally ask the applicant to return having given consideration to these comments, but they did not want to delay the completion of this important public amenity.

By a unanimous vote, CB #1 recommends that the Landmarks Preservation Commission take these comments into account when approving the application.

**The members of the 2005 Nominating Committee
are:**

- **Albert Capsouto**
- **Catherine McVay Hughes**
- **Patricia Moore**
- **Raymond O'Keefe**
- **George Olsen**

E. **Tribeca Committee**

RE: 55 Avenue of the Americas, City Planning Commission Special Permit Application

The applicant has applied to the City Planning Commission for four Special Permits for the rehabilitation and conversion of the former light manufacturing or commercial building located at 55 Avenue of the Americas, which is on the southwest corner of Canal Street and Avenue of the Americas.

The four Special Permits requested for the conversion are (a) conversion of a loft building with a greater than 5,000 square foot floor plate to loft dwelling or joint live work quarters, (b) enlargement of a building containing loft dwellings within an area with an M1-5 zoning designation, (c) to allow a community facility in a M1-5 zoning district, and (d) to allow an accessory parking garage with 47 parking spaces (including 9 reservoir spaces).

The owners of 55 Avenue of the Americas specifically acknowledged and agreed that if the requested Special Permits for conversion and enlargement of the building are granted (a) they will appoint a neighborhood construction liaison to address concerns of neighboring residents, (b) they will not apply for a permit to work after hours or on weekends except in the case where the work is deemed too dangerous by the Department of Buildings to be scheduled during regular work hours such as crane installations, and (c) they will work with the New York City Department of Transportation to arrange for the installation of improved traffic safety equipment and signage in the area, and particularly on York Street and St. John's Lane, which will both be used for access to the building and proposed accessory parking garage.

They also agreed that if the requested Special Permit for Accessory Parking is granted the proposed accessory parking garage will be used in accordance with such Special Permit only for accessory parking for occupants of 55 Avenue of the Americas and their guests and in strict compliance with any other conditions imposed by the City Planning Commission. They will not seek a license from the Department of Consumer Affairs or any other agency to operate a transient or permanent public parking garage in the building and the proposed accessory parking garage will not be used for transient or permanent public parking under any circumstances

Community members including residents of nearby buildings expressed strong concerns about traffic disruption and pedestrian safety issues along Avenue of the Americas, York Street and St. John's Lane that may result from the proposed project as well as noise and dust generated from the construction site.

Paul Yeager, a resident in the area, testified in opposition to the proposal. He does not think that the glass “tower” is fitting in the surrounding area. He also believes that the site will pose a traffic hazard to vehicles and pedestrians in an already busy area (there is already a hotel with a parking garage located within its property in the immediate area). Regarding the zoning change proposal, Mr. Yeager brought it to the Board’s attention that the height of the building will, in fact, be higher than what is stated in their proposal.

By a vote of 36 in favor, 4 opposed, and 2 abstentions, the Board does not object to the conversion of the building at 55 Avenue of the Americas to loft dwellings. Community Board #1 does not object to the enlargement of this manufacturing building containing loft dwellings despite the fact that it is located in an M1-5 zoning district subject to compliance with conditions and limitations as the City Planning Commission deems necessary. Also, the Board does not object to the granting of a Special Permit by the City Planning Commission for an attended accessory parking garage with a maximum capacity of 47 parking spaces (including 9 reservoir spaces).

Community Board #1, while not objecting to allowing a community facility in the building, which thereby creates additional allowable floor area in the building, has concerns about the proposed height of the new addition to be created, and therefore requests that the Department of City Planning evaluate the height of the proposed building at 150 feet in light of the Community Board’s possible future proposal to change the M1-5 zoning district to a C6-2A zoning district with a 120 foot height limit.

In furtherance, while the Board expects the developer will successfully retain Chinese American Planning Council to occupy the space, the Board asks that the applicant work with them if the City Planning Commission plan does not go through.

F. **Waterfront Committee**

Linda Roche gave a report on the status of the Governors Island RFP. She reported that Jim Lima, the President of GIPEC, has resigned. The New Globe Theatre is interested in occupying the Castle Williams space.

People interested in receiving more information on the status of the New Globe Theatre on Governors Island are urged to go to www.newglobe.org.

G. **Battery Park City Committee**

RE: 102 North End Avenue, new sidewalk café application for Battery Park Freso LLC, d/b/a Chevy’s for 21 tables and 60 seats

By a vote of 40 in favor, the Board approved the application for a one-year sidewalk café permit.

RE: Adding additional 5,000 square feet of space to the BPCA Community Center planned for Sites 23/24

The Battery Park City Authority is developing design plans for the Community Center to be built on Sites 23/24. The current plans are for 45,000 gross square feet, yet a Memo of Understanding between CB #1, BPCA, BPC Parks Conservancy and the district's then-Council Member Freed dated February 13, 2001, calls for a total of 50,700 gross square feet.

The Board requests that the BPCA adjust their plans to include the full 50,700 gross square feet and meet with CB #1 representatives to discuss the final design of the Community Center. The Resolution was tabled and a meeting will instead be arranged to address this issue.

RE: Hallmark Residence designated parking on North End Avenue

The Hallmark Residence located on North End Avenue owns and operates a handicap accessible van for the use of its residence.

By a vote of 40 in favor, the Board requests that the BPCA and the NYC Department of Transportation designate a permanent parking space in front of the Hallmark Residence exclusively for their van.

A report was given on the Cirque de Soleil troupe coming to Battery Park City.

H. **Financial District Committee**

Ray O'Keefe reported on the 4/5 line rehabilitation at the Wall Street Station.

RE: Street activity permit for Thames Street between Broadway and Trinity Place for Big Al's Pizza for May through September on weekdays

By a vote of 40 in favor, Community Board #1 approves the granting of a street activity permit to Big Al's Pizza.

RE: High School of Economics and Finance, street activity permit to conduct a Health Fair on Cedar and Thames Streets on May 21st

By a vote of 40 in favor, the Board approves the granting of a street activity permit to The High School of Economics and Finance.

I. **Landmarks Committee**

Bruce Ehrman reported on the meeting members from the Committee had with the Landmarks Preservation Commission.

RE: 85 Leonard Street, application to legalize transoms above the door

The applicant has appeared before the Landmarks Committee of Community Board #1 on more than one occasion, attempting to prove that 85 Leonard Street's newly installed transoms are historically correct, and that the transom drawings approved by the Landmarks Preservation Commission were an error of the applicant's architect.

By a vote of 40 in favor, the Community Board has decided that they cannot make a recommendation to the Landmarks Preservation Commission regarding the transom legalization because the Board simply cannot establish an appropriate historical record.

RE: 143 Franklin Street, application to install transformer vault in sidewalk

The applicant failed to attend the meeting.

CB #1 recommends that the Landmarks Preservation Commission holdover the application until CB #1 is given the opportunity to review the proposal.

RE: 401 Washington Street, application to legalize thoro seal used on building façade

The thoro seal was applied to a very large and visible section of the parapet wall over the faded painting of the name of the building's former occupant – Heller & Usdan Paper Company.

Significant damage to the brickwork would occur if the thoro seal were now to be removed. The applicant had sought the advice of the Landmarks Conservancy.

The Committee agreed with the Landmarks Conservancy's advice to carefully paint over the thoro seal to match the brick color of the faded sign.

By a vote of 40 in favor, CB #1 recommends that the Landmarks Preservation Commission approve the application.

RE: 277 Water Street, application to install new handicap ramp and new storefront façade.

One element of this application is a new storefront to replace 277 Water Street's existing, long-ruined street-level façade, located a few steps away from the Brooklyn Bridge anchorage. The application's other element is a handicapped-accessible ramp with

a simple tubular railing, replacing but of the same width as, and visually less intrusive than, an existing concrete slab in front of the building.

By a vote of 40 in favor, Community Board #1 agrees with the architect that this good proposal would be further enhanced by the applicant's desire for the storefront treatment and recommends that the Landmarks Preservation Commission approve both parts of this application.

RE: 363 Greenwich Street, application to legalize air conditioning unit installed without LPC permits

By a vote of 40 in favor, the Board defers to the Landmarks Preservation Commission's judgment of this application.

RE: 127 Fulton Street, Keuffel and Esser Building

The "K&E" building was built in 1893 by De Lemos & Cordes, for the company that made mechanical pencils and drafting equipment.

The use of arches, banded decoration and wonderful detailing and metal work is a signature of De Lemos & Cordes who also designed the nearby Fulton Building, Macy's Herald Square store and the palatial Siegel- Cooper store on Sixth Avenue and 18th Street.

By a vote of 40 in favor, the Board recommends that the Landmarks Preservation Commission urgently approve this building as an individual landmark.

J. **Seaport/Civic Center Committee**

RE: 21-23 Peck Slip, sidewalk café renewal application for Lemage, d/b/a Quartino for 10 tables with 24 seats – Resolution

By a vote of 40 in favor, the Board approves the sidewalk café license renewal for Lemage Inc. at 21-23 Peck Slip for a period of two years.

The proposed hours of operation will be 8 AM until midnight Sunday to Thursday and 8 AM until 1 AM on Friday and Saturday.

K. **Tribeca Licensing Task Force**

RE: 18 Murray Street, liquor license application for Rajid Tanwag Corp

The applicant failed to appear before the Committee.

By a vote of 36 in favor and 1 abstention, the Board recommends the SLA not approve a liquor license for 18 Murray Street until the applicant presents this application before the Tribeca Licensing Task Force.

RE: 211 West Broadway, restaurant wine license application for Firehouse Wine Company, d/b/a “Vino Vino”

By a vote of 36 in favor and 1 abstention, the Board does not oppose the new wine license application for Firehouse Wine Co, d/b/a “Vino Vino” for a period of two years.

RE: 222 West Broadway, sidewalk café renewal application for Franklin Street Station Café for 8 tables with 20 seats

By a vote of 36 in favor and 1 abstention, the Board does not object to the sidewalk café license renewal for Franklin Station Café at 222 West Broadway for a period of two years.

There being no further business, the meeting was adjourned.