

MINUTES OF THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD #1
HELD
SEPTEMBER 20, 2005
NEW YORK LAW SCHOOL
57 WORTH STREET

The Chairperson, Julie Menin, called the meeting to order.

Public Session:

Charles Maikish, Executive Director of the Lower Manhattan Construction Command Center (LMCCC), spoke to the Board about the progress of the many construction projects occurring in Lower Manhattan. The total value of these projects over the next five years is \$20 billion.

He reported on the following projects:

- The plans for the deconstruction of the Deutsche Bank building, which will be an engineered deconstruction project were presented. Beginning immediately, scaffolding will be erected, and the netting will be removed. The decontamination process will take place, beginning at the top level of the building. The project will be completed by 1st Quarter 2007.
- He also discussed the development at the World Trade Center site, the construction of the PATH and Fulton Street transit centers, the construction of the Goldman Sachs complex at site 26, and the development of the Promenade South project.
- Traffic management and air quality programs will be in place, and coordinated by the LMCCC.

Arthur Gregory spoke to the Board about the small business community, and expressed his concern that small businesses in Lower Manhattan are struggling to maintain their businesses. Mr. Gregory requested the support of the Board at this time.

Arturo Garcia-Costas from Congressman Nadler's office spoke to the Board on various issues concerning the district such as:

- Congressman Nadler's concern regarding Hurricane Katrina relief efforts, and the need for improved emergency response capabilities
- Congressman Nadler's correspondence to President Bush regarding Hurricane Katrina relief efforts and environmental conditions, and his concern that the Environmental Protection Agency (EPA) has not yet properly tested for hazardous contaminants

Robert LaValva, a representative of Slow Food USA, spoke to the Board about the business' hand crafted foods. He discussed the market event that will be held on Sunday October 2, 2005 at the New Amsterdam Market, located at 1 Centre Street.

Lyndon Harris spoke to the Board about several projects he has initiated in order to promote world peace and religion in society, including the Sacred City Project, and a Garden of Forgiveness, to be located at or near Ground Zero. He announced that a lecture titled "Courage to Forgive" will be held on September 21, 2005 at St. Peter's Church. He requested the support of the Board regarding these efforts.

Business Session:

The minutes of the monthly meeting held on July 26, 2005 were adopted as presented.

Chairperson's Report:

Julie Menin reported on the following issues:

- Hurricane Katrina Relief Efforts:
The office of Community Board No. 1 created a list of organizations, located in Lower Manhattan, that are participating in relief efforts. The list has been posted on the CB #1 website.
- P.S. 234 Noise Issue:
Ms. Menin discussed the serious issue regarding noise levels at the construction site near P.S. 234. At a meeting with Mr. Minskoff, the decision was made to reduce the time limit for pile driving work to 8 weeks. Additionally, sound mitigation efforts and the possibility of encasing pile - driving equipment were discussed at the meeting.
- Goldman Sachs Development:
The community amenity package to be donated by Goldman Sachs was discussed. Ms. Menin and CB #1 board members presented Goldman Sachs with a request for an additional contribution; however, Goldman has, to date, not responded to this request.

- Friends of Lower Manhattan:
In conversations with Madelyn Wils, Ms. Menin addressed concerns, and reported that any misunderstandings will be resolved.
- Audit from the Controller's Office:
An audit completed by the Controller's Office identified 8 areas of non-compliance. These non-compliance issues will be corrected immediately.
- Battery Park City Pedestrian Crossing:
The continued problem regarding inoperable pedestrian elevators in Battery Park City is unacceptable. In response to the lack of progress made in providing workable elevators, a task force will be created to address this issue.
- Youth Fair:
The Youth Fair will be held on September 28, 2005, from 3:00pm to 6:00pm, at St. John's College. Everyone is invited to attend this exciting event.

District Manager's Report:

Paul Goldstein reported on the following issues:

- In order to activate the development of the East River Waterfront project, EDC and City Planning are considering an interim solution that would utilize two possible locations: location north side of Pier 17, and the New Market Building. This issue will be discussed with the Waterfront Committee.
- Regarding the Goldman Sachs project, the memorandum of understanding is being completed. Major issues of the memorandum include the plan for black cars, the site construction plan and the dispersal of funds for the library and community center.
- Regarding complaints over the past month, most have involved construction work occurring before and/or after approved work schedules. CB #1 is following up on these complaint issues. Other complaints include sanitation concerns, quality of life concerns, complaints about the effectiveness of 311, and noise issues.
- Annual budget consultations with City agencies will be held on October 6, 2005.
- A Communications and Outreach Coordinator for CB #1 was hired in September, and was introduced to the Board. This position was created as a result of the American Red Cross grant awarded to CB #1.

Committee Reports:

NOTE: SEE RESOLUTIONS AT END OF MINUTES

A. **Executive Committee**

Julie Menin spoke about the Hurricane Katrina resolution established by the Executive Committee. The resolution will be sent to various elected officials.

RE: Hurricane Katrina Disaster

By a vote of 35 in favor and 1 abstention, the Board urges immediate action to improve the effectiveness of federal government agencies.

The resolution recommends:

- Adequately funding much-needed disaster relief in New Orleans and other affected areas on the Gulf Coast as well as adequately planning for rapid response to future catastrophic events such as hurricanes and other natural disasters and terrorist attacks
- Ensuring that emergency management planning and preparation receive appropriate attention at the highest levels of government
- Ensuring that there is improved coordination among state, local, and federal authorities as to disaster planning and preparedness as well as disaster response
- Appointing an independent commission with subpoena power to investigate the failure of FEMA, the Homeland Security Department, the EPA and other federal agencies to recognize and respond quickly and effectively to events as they developed in the aftermath of Hurricane Katrina.

B. **Battery Park City Committee**

Linda Belfer reported on the following issues:

- The Fourth Annual Street Fair was held last week. The Battery Park City Broadsheet received the annual honors award.
- Numerous pedestrian bridges and elevators at the West Street, Vesey Street, Liberty Street and Chambers Street crossings are inoperable. A task force will be created to address this ongoing concern.
- Construction began on Little West Street at Battery Place on September 12, 2005, and is expected to continue until May 2006. This work is part of the South Promenade project, which will create more pedestrian-friendly, open walk space. Due to construction, Little West Street will be closed to pedestrians until May 2006, but open to bicycle traffic.

- At the September 6, 2005 committee meeting with Goldman Sachs, a traffic engineer presented a comprehensive plan for the staging of black cars. Regarding the community amenities package, the MOU remains unchanged, and details are being finalized at this time. Ms. Belfer urged the Board to determine further amenities requests, and present these requests to Goldman Sachs.

RE: Street activity permit for September 24th event on Battery Place

By a vote of 35 in favor and 1 abstention, the Board recommends the approval of the Harmony on Hudson street activity permit.

C. **WTC Redevelopment Committee**

Catherine McVay Hughes reported on the following issues:

- LMDC will host a full presentation and open house in late October to discuss the 130 Liberty Street deconstruction project.
- Currently, LMCCC's air monitor program is in place, and a real-time air monitor reading is accessible online.
- On September 7, 2005 the Port Authority made a compelling presentation of the new PATH station, which will accommodate approximately 80,000 riders daily.
- On September 28, 2005, a special presentation of the International Freedom Center will be held. Details are to be determined.

RE Fulton Street Transit Center

CB #1 reiterates its strong support as set forth in our resolution dated June 27, 2004, for construction of the proposed Fulton Street Transit Center ("FSTC" or the "Proposed Action"), which is designed to rationalize access to subway lines, create a public crossroads and significantly improve access to, from and within Lower Manhattan.

The MTA recently made a presentation to CB #1 on the current status of the FSTC project at which several important issues were raised concerning the Proposed Action. In particular, the Community Board is distressed that the MTA has eliminated the connection between the R/W and E subway lines.

By a unanimous vote, the Board requests that the MTA allocate a portion of the \$833 million surplus to reincorporate this improvement into the Proposed Action.

The Board also reiterates its request that the MTA keep CB #1 fully informed of the progress of this important project and that it regularly consult with CB #1 during the remainder of the design process and at each stage of the construction phase of the Proposed Action.

D Seaport / Civic Center Committee

RE: Greenmarket relocation from the WTC PATH Station to Broadway adjacent to City Hall Park bet. Chambers and Warren Streets

Marc Donnenfeld reported that the Greenmarket was requesting a new location on Broadway between Chambers and Warren Streets. This was intended both to replace the old City Hall Park Greenmarket and to provide another location for some of the farmers who have stopped working the WTC Greenmarket due to slow sales.

One WTC farmer, Harold Hahn, read a written statement regarding this issue, and ensured the Board that the market farmers want to remain at the WTC location. Members of the Board responded, and requested additional information and fact gathering in order to better understand this issue. The resolution was tabled.

RE: African Burial Ground 2005 Commemoration Ceremonies

By a vote of 35 in favor, the Board recommends the approval of the street activity permit to conduct the 2005 African Burial Ground Commemoration Ceremonies during the weekend of September 30th to October 2nd.

RE: 45 Peck Slip, beer and wine license application for Dodo, Bird, Inc.

By a vote of 35 in favor, CB #1 does not oppose the beer and wine license application for Dodo Bird at 45 Peck Slip for a period of two years subject to compliance by the applicant.

RE: 246 Front Street, BSA application for a new seven story building

The Community Board is on record approving the construction of a new residential building at 246 Front Street (October 2003/Landmarks application and December 2004/BSA application), and local residents continue to express concerns about potential damage to nearby and adjacent structures during the course of construction due to the age of these buildings in the Seaport Historic District.

By a vote of 35 in favor, Community Board #1 urges that the BSA, which is about to render a decision on the 246 Front Street variance application, mandate the hiring of a structural engineer by the developer, preferably Robert Sillman or another engineer of his stature, to oversee the construction of this new building and to ensure the safety of nearby and adjacent historic residential buildings.

E. **Tribeca Committee**

Carole DeSaram reported the following:

- The NYC DOT will be invited to speak at an upcoming committee meeting regarding the NJ Route 139 Project.
- The Board was invited to attend a City Planning presentation on September 21, 2005.

RE: 111 Reade Street, liquor license application for QDT, Inc.

By a unanimous vote, CB #1 does not oppose the liquor license application for QDT at 111 Reade Street for a period of two years subject to compliance by the applicant.

RE: 121 Hudson Street, liquor license application for MC Tribeca LLC

By a unanimous vote, CB #1 does not oppose the liquor license application for MC Tribeca LLC at 121 Hudson Street for a period of two years subject to compliance by the applicant.

RE: 188 Duane Street, liquor license application for Daumal Inc. d/b/a Washington Market

By a unanimous vote, CB #1 opposes the liquor license application for Daumal Inc. d/b/a Washington Market.

The second floor and above is residential and does not have a fire escape or sprinkler system and the noise and congestion generated by the proposed establishment which plans to be open seven days a week until 4 AM would adversely affect the quality of life on Duane Street which is a narrow side street.

RE: Street activity permit to close the north sidewalk of North Moore Street between West Street and Greenwich Street on October 27th

By a vote of 33 in favor, CB #1 approves the street activity permit for the Smith Barney Sr. Women's Council for the North Moore Street sidewalk on October 27th.

F. **Internal Workings of the Board Task Force**

Bill Love reported on the following issues:

- The committee is working to resolve outstanding issues with Friends of Lower Manhattan, and issue a memorandum for the upcoming October meeting.

G. **Quality of Life Committee**

Patricia Moore reported on the following issues:

- The status of the Lower Manhattan water main project was discussed. All complaints regarding the project may be directed to DDC's field office, located at 156 William Street, 11th Floor. The DDC may be contacted by phone at 212-791-8170.
- A report was given regarding Yvonne Morrow's discussion about social security number theft.

H. **Landmarks Committee**

RE: 366 Broadway, application to modify the entrance

By a vote of 35 in favor, Community Board #1 recommends that the Landmarks Preservation Commission approves this application to modify the entrance subject to compliance with the terms and conditions set forth in the Resolution.

RE: 181 Duane Street, application to install storefront renovations

By a vote of 34 in favor and 1 recused, The applicant is cognizant of Community Board #1's concerns, detailed in the Resolution, and will return to the Board with revisions, during which time CB #1 asks the Landmarks Preservation Commission to hold over this application.

RE: 85 Chambers Street, application to install storefront infill

The applicant did not appear before the Community Board #1 Landmarks Committee.

By a vote of 35 in favor, The Landmarks Preservation Commission is urged to hold over this matter until the applicant makes its presentation before Community Board #1.

RE: 115 South Street, application to install new storefront infill and signage

By a vote of 35 in favor, Community Board #1 recommends that the Landmarks Preservation Commission approve this application.

RE: 71 Hudson Street, application to alter the roofline and install a new bulkhead

Though this is a sensitive application, the presenters showed thoroughness, understanding of historic architecture and appreciation of their landmark.

By a vote of 34 in favor and 1 recused, Community Board #1 recommends that the Landmarks Preservation Commission approve this application with the inclusion of all the proffered restoration elements.

I. **Small Business Task Force**

Joel Kopel reported the following:

- The Committee discussed retail opportunities at the Fulton Transit Center. The transit center can accommodate 20 retail tenants, and may include stores operating on a 24/7 basis. Mr. Kopel requested suggestions for potential retail stores from the Board.
- The committee is currently looking for additional permanent taxi locations for the Financial District.

There being no further business, the meeting was adjourned.