

MINUTES OF THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD #1
HELD
FEBRUARY 21, 2006
NEW YORK LAW SCHOOL
57 WORTH STREET

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

Public Session:

Jason Richelson, owner of The Greene Grape Downtown, announced he will be opening this new location at 55 Liberty Street.

Senator Martin Connor spoke to the Board about the need for a New York City resident to be appointed to serve as a New York State Liquor Authority Commissioner. He further spoke about the New York State Liquor Authority's 500 - foot hearings, and the need for more stringent enforcement of the 500 - foot rule. These hearings are held when the State Liquor Authority receives an application for an on-premises liquor license in a municipality of 20,000 or more people, where there are already 3 or more on-premises liquor licenses within 500 feet of the applicant's establishment. Senator Connor also spoke about the two Lower Manhattan schools being cut from Mayor Bloomberg's budget, and the Mayor's action to misdirect pressure to achieve more funds for the City. He stated that the Mayor must maintain his commitment made to the Lower Manhattan community for these schools. Finally, the Senator spoke about the SUNY maritime program for qualifying students interested in a scholarship, and an opportunity to earn an engineering degree through this program.

Alyssa Ziegler of Assemblymember Glick's office spoke to the Board, and encouraged CB #1 to support the proposal for the appointment of a New York City resident to serve as a New York State Liquor Authority Commissioner.

John Ricker spoke on general issues.

Mary Cooley of the Borough President's office spoke about the Borough President's request to the Independent Budget Office for a review of the WTC lease.

Averell Golub provided a reminder to males aged 18 and older of the need to register for the Selective Service.

Sayar Lonial of Councilmember Gerson's office announced that a public hearing will be held on 2/27/06 on post 9/11 air quality issues. He further announced that a public hearing will be held on 3/9/06 regarding the WTC lease dispute.

Business Session:

The minutes of the monthly meeting held on January 17, 2006 were adopted as presented.

Chairperson's Report:

Julie Menin reported on the following issues:

- Ms. Menin spoke about CB #1's outrage over the Mayor's budget cuts which eliminated funding for two schools in Lower Manhattan.
- LMDC has decided not to build a residential facility at the location of Pearl Street Park. The park will be preserved and renovated.
- The Fulton Street project is moving forward.
- A public hearing will be held on March 2, 2006 to discuss the rezoning of the Jack Parker Corporation's site.
- A public hearing was held on January 25, 2006 to appeal the variance granted by the Department of Buildings that legalized the storage of additional diesel fuel at 60 Hudson Street. Ms. Menin and other members of the Board spoke at the hearing in opposition to the variance.
- Ms. Menin discussed the request of The Borough President's office for a review of the WTC lease issue by the Independent Budget Office, and emphasized her support of this request for a review.
- Ms. Menin announced the resignation of Judy Duffy, Assistant District Manager. She thanked Ms. Duffy for her years of service and extended her best wishes to Ms. Duffy.
- Ms. Menin noted that the Battery Park City Authority agreed to allow the local little leagues to be exempt from user fees.
- Carole Desaram will now serve on the Hudson River Advisory Board.
- Six board members volunteered to be candidates for the Nominating Committee.

They are:

- George Olsen
- Paul Sipos
- Jeff Galloway
- Linda Belfer
- Janiece Brown Spitzmueller
- Ray O'Keefe

Committee Reports:

NOTE: ONLY RESOLUTIONS THAT HAVE BEEN REVISED / MODIFIED ARE ATTACHED HERE. PLEASE CONTACT THE CB #1 OFFICE FOR COPIES OF OTHER RESOLUTIONS.

A. Executive Committee

RE: Proposed recommendation to Governor Pataki that the next appointment to serve as a State Liquor Authority Commissioner be given to a resident of New York City

A New York State Liquor Authority Commissioner vacancy currently exists. The residency and experience of the current Commissioners, none of whom reside in New York City, does not leave them adequately familiar with the special circumstances faced by NYC communities regarding liquor licenses to effectively represent those communities or adjudicate those communities' issues regarding liquor licenses.

By a unanimous vote, the Board strongly supports the letter by NYS Assemblymember Deborah Glick, calling for the appointment of a NYS Liquor Authority Commissioner who resides in the City of New York, and supports the proposal that requests Governor Pataki consult with the legislative delegation from New York City in considering the appointment of the next New York State Liquor Authority Commissioner.

RE: Grant requests to Friends of Lower Manhattan to support Community Board operations and projects

By a vote of 33 in favor and 1 abstention, Community Board #1 requests that Friends of Lower Manhattan provide the Community Board with funds totaling \$92,100 for operations and project expenses.

RE: Appointment of Community Representation to the Board of the Battery Park City Authority

On January 13, 2006, Governor Pataki signed into law the Public Authorities Accountability Act of 2005 (the "Act"), which provides for the increase in the number of board members of the Battery Park City Authority (the "BPCA") from three to seven.

One of the stated purposes of the Act is to "ensure greater efficiency, openness and accountability for our State's public authorities," including specifically, the BPCA.

By a unanimous vote, the Governor is respectfully requested to include among his new appointments to the enlarged BPCA board a resident of Battery Park

City, and to fill vacancies on the board in the future with the objective of having at all times at least one board member who is a resident of Battery Park City.

RE: Thanking Judy Duffy for her services to Community Board #1

Judy Duffy has served as the Assistant District Manager for the past eleven years, and has consistently performed her duties at CB #1 in a professional and effective manner.

By a unanimous vote, CB #1 wishes to extend its sincere thanks to Judy Duffy for her eleven years of excellent service to Community Board #1.

RE: Support of IBO Review of WTC lease issue

The Independent Budget Office (IBO) provides non partisan economic analysis for the people of New York City. The IBO has provided an analysis of other major land use projects including the Westside Stadium, Atlantic Yards and the NY Stock Exchange expansion project.

By a unanimous vote, the Community Board supports the IBO conducting an independent analysis of the City and Silverstein Properties economic conclusions regarding the ability of Silverstein Properties to build out the WTC site.

- The salary adjustment for the CB #1 District Manager was discussed.

B. Arts & Entertainment Task Force

RE: Cultural enhancement funds (LMDC) for not-for-profit organizations

The LMDC has established a \$35 million Cultural Enhancement Fund and plans to utilize these funds to provide grants to cultural groups south of Houston Street. Eligible organizations must be not-for-profit groups that run, or would like to run, dance, theatre, arts or other cultural programs.

By a vote of 33 in favor and 1 recusal, Community Board #1 authorizes that letters of support are provided to each of the following organizations which presented their proposals before our Arts & Entertainment Task Force:

- 1) Battery Dance Company
- 2) Collective: Unconscious
- 3) Synagogue for the Arts
- 4) Three Legged Dog Theatre
- 5) TriBattery Pops

C. Waterfront Committee

- Una Perkins reported on the possible uses for the newly remodeled Battery Maritime Building. One option may be to open a food market there.
- Ms. Perkins also reported on the status of Governors Island. Several possible uses are being considered, including the possibility of opening the ball fields for use in Spring / Summer.

D. Financial District Committee

- Ray O'Keefe reported on the 4/5 Wall Street Station rehabilitation project. Rector Street will need to be closed during the project work. The committee requested to have additional bus service during the project, as well as signage. James Garvey will provide artwork.

E. Battery Park City Committee

- Linda Belfer reported on Poets House at site 16/17. Poets House is currently located on Spring Street, and will be relocated to site 16/17. Poets House will open in 2007.
- The Gateway Plaza taxi stand issue was discussed. A problem exists with the location of the taxi stand and the entrance and exit areas of the nearby garage at Gateway Plaza. NYPD temporarily eliminated the taxi stand. A meeting was held at the Battery Park City Authority, and Steve Weber of NY City DOT was asked to address the problem. The problem will continue to be addressed.
- The hours of operation of the free bus service provided by the Downtown Alliance for Lower Manhattan was discussed. A request was made by CB #1 to extend service hours. The Downtown Alliance cannot accommodate this request.

RE: Extension of #22 bus service into southern portion of Battery Park City

Prior to 9/11, the #9 bus from South End Avenue, ran up Vesey Street to Park Row (City Hall) and continued to Chinatown adjacent to the courts. Vesey Street is now closed to traffic and the #9 bus now has been rerouted via State and Water Streets. The #22 bus runs from Vesey Street and North End Avenue to Chambers and Centre Streets and then to Park Row (City Hall) before continuing to Chinatown. On the return trip the #22 bus enters North End Avenue at Chambers Street makes a left turn at Murray Street, a right turn at West Street and a right turn on Vesey Street to its last stop.

By a unanimous vote, CB #1 urges the MTA to extend the route of the #22 bus so that, instead of terminating at Vesey Street, it continues down West Street to enter southern Battery Park City at West Thames and turns right onto South End Avenue, to terminate at the #9 terminus at Gateway Plaza, thereby returning to residents and visitors to southern Battery Park City access to the City Hall area.

F. Seaport / Civic Center Committee

RE: Association of Indians in America Street Activity Permit for October 1, 2006

The Association of Indians in America has applied for their annual street fair which takes place on John, Water and Front Streets between Fulton, Fletcher and South Streets on October 1, 2006 from 8 AM – 10 PM (includes set-up, break-down and clean-up).

By a unanimous vote, Community Board #1 approves this event.

RE: Southbridge Adult Senior Center, Inc. Street Activity Permit for September 8, 2006

The Southbridge Adult and Senior Center has applied to conduct a street fair on Fulton Street between Water and Gold Streets on September 8th from 9 AM – 7 PM (includes set-up, break-down and clean-up).

By a unanimous vote, Community Board #1 approves this event.

RE: Community Board #1 Street Activity Permit May 5, 2006

Community Board #1 has applied to conduct a street fair on Fulton Street between Water and Gold Streets on May 5, 2006 from 9 AM – 7 PM (includes set-up, break-down and clean-up).

By a vote of 34 in favor and 1 opposed, Community Board #1 approves this event.

RE: 213 Front Street, liquor license application for One Stella Maris Corp. d/b/a Mara

The applicant proposes to operate a restaurant with approximately 15 tables and 36 seats and a bar area with 18 seats.

By a vote of 34 in favor and 1 recusal, CB #1 approves the liquor license application for One Stella Maris Corp. d/b/a Mara at 213 Front Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

- The Ratner / Beekman Street site plans were discussed.

RE: Expanding Pearl Street Park

The Community Board is very pleased that the City has decided to retain the Pearl Street Park and allocate funds received from the LMDC to renovate this

heavily used park. This park is the only children's playground located east of Broadway in CB #1 and this area is experiencing a dramatic increase in its residential and youth population. There is an opportunity to expand this park to the west by closing the lightly trafficked leg of Pearl Street which runs along the west side of the park and expanding the park into this space.

By a unanimous vote, CB #1 strongly urges the LMDC, the NYC Department of Parks and Recreation and the NYC Department of Transportation to close the existing one block stretch of Pearl Street which lies west of Pearl Street Park between Beekman and Fulton Streets and to expand the Pearl Street Park into this area.

G. World Trade Center Redevelopment Committee

- Catherine McVay Hughes reported on the proposal for a public / greenmarket at the World Trade Center site.
- The deconstruction of the Deutsche Bank building at 130 Liberty Street was discussed. It was noted that the emergency notification plan is not complete.
- The proposed full build retail option for the WTC site was discussed. No decision has been made between NYC Dept. of City Planning and the Port Authority regarding retail plans.

RE: Appointment of Federal September 11 Health Czar

Tens of thousands of first responders, Federal employees and residents and workers and volunteers in Lower Manhattan may suffer from health problems caused by exposure to toxins at or near the World Trade Center site, including asbestos, lead, mercury, pulverized glass and other toxic substances.

By a unanimous vote, Community Board #1 strongly supports the bipartisan call by Representatives Carolyn Maloney and Vito Fossella for the appointment of a September 11 Federal Health Czar to coordinate the Federal government's response to short and long term adverse health effects resulting from September 11. The Federal government must assume responsibility for this and should allocate the necessary federal funds to ensure that all Lower Manhattan residents, workers, students and responders have reasonable access to health and mental health monitoring and treatment.

RE: Proposed State legislation to relocate WTC remains from the Fresh Kills Landfill

The NYS Legislature is currently considering proposed legislation which would require the Port Authority of NY and NJ to relocate the ashen remains from September 11th from the Fresh Kills Landfill to the site of a memorial to be determined by the Governors of NY and NJ. The NJ Legislature has already passed similar legislation, signed into law by the Governor, also requiring that the Fresh Kills remains

be relocated but their legislation specifically says that it should be returned to the WTC site in Lower Manhattan.

By a vote of 35 in favor and 1 abstention, CB#1 strongly opposes any effort to re-introduce any WTC debris that currently sits at the Fresh Kills Landfill, back to the WTC site or anywhere else.

RE: EPA's 2005 Final Test and Clean Program

The destruction of the World Trade Center not only killed thousands but also caused multiple contaminants, including polycyclic aromatic hydrocarbons (PAHs), lead, man-made vitreous fibers (MMVF), mercury, asbestos, and other toxic substances, to be deposited upon and within residences, places of employment, and mixed-use buildings in Lower Manhattan. In the summer of 2002, EPA implemented a poorly publicized, voluntary residential test and clean program that failed to adequately characterize and clean up WTC contaminants and that provided an inadequate cleanup of only 3,425 of the more than 25,000 apartments below Canal Street.

By a unanimous vote, CB #1 calls on the EPA to abandon its technically and scientifically flawed 2005 Test and Clean Program, and work with the residents and workers, community and labor organizations and elected officials to design and implement an effective, science based sampling and cleanup program for residences and workplaces in all affected areas.

CB #1 also calls for the Government Accountability Office (GAO) to undertake an investigation into the EPA's failure to establish an effective, science-based testing and clean-up plan in response to the September 11, 2001 terrorist attacks.

H. Tribeca Committee

RE: Taste of Tribeca Street Activity Permit

The Taste of Tribeca has applied for a street activity permit for Greenwich Street from Jay to Duane Streets and Duane Street from Hudson to Greenwich Streets for May 20th. This event provides much needed funding for the local schools and has become one of the most anticipated downtown events of the year.

By a unanimous vote, Community Board #1 approves the granting of a street activity permit to the Taste of Tribeca for May 20th.

RE: Tribeca Family Festival Street Activity Permit

The Tribeca Family Festival has applied for a street activity permit for Greenwich Street from Hubert to Duane Street for May 4th, 5th and 6th as part of the 5th Annual Tribeca Film Festival. The organizers of the festival have worked closely with those impacted by the festival to mitigate the effects of the street closures, including

the Independence Plaza Tenants Association, Friends of Greenwich Street and businesses in the area.

By a vote of 34 in favor and 1 opposed, Community Board #1 approves the granting of a street activity permit to the Tribeca Family Festival for May 4th, 5th and 6th.

RE: 275 Church Street, beer and wine license for Neighborhood Inc.

The applicant proposes to operate a restaurant with 4 tables and 12 seats.

By a vote of 34 in favor and 1 abstention, CB #1 does not oppose the beer and wine license application for Neighborhood, Inc. located at 275 Church Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

RE: Tribeca North Re-Zoning

Community Board #1 concurs with the Department of City Planning's comprehensive approach to having a Study Area that includes all of the remaining land in the Special Tribeca Mixed Use District.

Community Board #1 concurs with the planning concept of dividing the block fronts between West Street and Washington Streets into two different areas, where the street wall and other criteria for the buildings facing the narrow Washington Street would be at a lower height.

Community Board #1 concurs with the Department of City Planning that the area known as "A1" (northeastern portion of the Special District) should be a C6-2A with an FAR of 5.0.

Community Board #1 concurs with the Department of City Planning that the area known as "A4" (north central portion of the Special District) should also be a C6-2A, but with an FAR of 5.0 consistent with the FAR of the surrounding areas.

By a vote of 34 in favor and 1 abstention, Community Board #1 urges the Department of City Planning to work with the Community Board to expeditiously develop a comprehensive plan for the entire Special Tribeca Mixed Use District and to clarify its stance and actions in reference to the EIS process.

RE: Jack Parker Site Rezoning Proposal

In 2004, after meeting on several occasions with members of CB 1, the NYC Department of City Planning created a study area to examine the area of northern Tribeca in a comprehensive manner which includes the subject area of the this proposed zoning change ("Parker Site").

The NYC Department of City Planning has sent representatives several times to discuss the analysis developed by CB #1 and its consultant and their proposed study to re-zone the northern Tribeca subject area in a comprehensive manner and promised to respond to our issues in a timely fashion.

The NYC Department of City Planning recently finalized a rezoning of the area immediately to the north of the Parker Site in its Hudson Square rezoning and in analyzing that rezoning, City Planning performed a full Environmental Impact Statement wherein alternative zoning scenarios were reviewed and their respective impacts analyzed.

By a unanimous vote, CB #1 strongly urges that the City Planning Commission NOT consider the “Parker Site” application ready for certification until all items including, but not limited to, a full Environmental Impact Statement has been completed, and we further urge that the Department of City Planning expeditiously move on preparing its own Environmental Impact Statement and work with CB#1 to develop a comprehensive plan for the entire study area.

RE: Canal Area Transportation Study intersection enforcement demonstration pilot project

By a unanimous vote, Community Board #1 supports the CATS Intersection Enforcement Demonstration Pilot Project. Community Board #1 recommends that NYPD traffic enforcement personnel be deployed at the following Canal Street intersections in the Demonstration Pilot project: 6th Avenue, Varick Street, Hudson Street, Greenwich Street, Washington Street and West Street.

I. Youth & Education Committee

- Paul Hovitz provided a report on the New York Academy of Sciences.
- An update was given on the Beekman Street School.
- Mr. Hovitz discussed the MS 104 bus transportation for Grade 6 students.
- A report was given on the Ballfields Task Force.

J. Landmarks Committee

RE: 14 Jay Street, application for window replacement and new entrance to the residential building

The proposal is to replace all windows with new aluminum one-over-one windows with clear tempered glass that will have a profiled transom that will fill the original arched brick openings.

By a unanimous vote, CB #1 recommends that the Landmarks Preservation Commission approve the application, with the noted amendment to the entry to the building.

RE: 117 Hudson Street, application for a penthouse addition

The applicant failed to be present at the meeting.

By a unanimous vote, CB #1 recommends that the Landmarks Preservation Commission hold over this application until the Community Board is given the opportunity to review the proposal.

- Roger Byrom reported on the extension of the Tribeca South Historic District.

New Business:

- Marc Ameruso spoke about a pilot program from the CATS II study.

There being no further business, the meeting was adjourned.