

MINUTES OF THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD # 1
HELD
NYC Police Museum
100 Old Slip, Roosevelt Room
February 26, 2008

1. Public Hearings:

- A) Kenrick Oh - School Construction Authority reported that public hearings replace the ULURP process where school construction is concerned. Following the hearing, there is a 45-day period whereby written comments are accepted for review and consideration. The anticipated capacity for the pre-K to 8th grade school is 950 students.
- B) Firat Adriansen – architectural designer for the anticipated 8-story school described the site 2B’s location, on Battery Place, at the southernmost tip of BPC. September 2010 is its anticipated opening date. The K-3rd grades will occupy the lower 3 stories adjacent to the outdoor play area. The higher levels will be occupied by the middle school where shared spaces, e.g., cafeteria will also be situated. The school will also have a green room.
- C) Richard Paige – resident in the 2B site vicinity, expressed concerns relating to traffic hazards, over-crowding and other concerns resulting from the decided location for the school’s proposed construction. Moreover, he charged a Kafkaesque plan and accused the Board and politicians of not appropriately vetting the impact the school construction will create at this location.
- D) Chairperson Menin rebuffed Paige’s untoward claims.
- E) Another resident expressed concerns relating to the anticipated building materials he hopes will reflect the beautiful BPC area.
- F) Gregory Brender – (MBP Scott Stringer’s Office) reported the BP’s pleasure that site 2B will soon have the school that he and local politicians announced in September, 2007. Accommodations for 100 special education students will be provided.

II. Public Session:

- A) Gary Fagin – Former board member is a conductor and composer for the Knickerbocker Classical Chamber Orchestra. Its start-up will commence in November, 2008 at the John Street Methodist Church.
- B) Juan Reyes – Proposed rezoning, located between Walker and White Streets. Will request a residential FAR of 6.02 and 6.5 for community facility. Two-thirds of this block is situated in the Landmark District. Between 14 – 26 apartments are expected to be built.
- C) Mark Speitzer – Prefers that developer proposes a stronger residential emphasis as opposed to building plans leaning more to commercial projects, as suggested by increasing the existing FAR 5.0 to 6.0.
- D) Yvette Georges Deeton – Owner/occupant 85 Walker St. artist loft building, who received a C of O before “Tribeca,” also opposes increasing the FAR to 6.0 as taller buildings rob historic 5.0 buildings of natural light.
- E) Bill Bialosky – Owner who shares 2 lots within the rezoning proposal also opposes the zoning change, but is open to changing the use. Requested that we table the proposal.
- F) John Ricker – (Comptroller William C. Thompson’s Office) introduced the Comptroller’s Update requesting increased transparency and accountability in the New York Industrial Development Agency (NYIDA) in regards to the selection of program beneficiaries, improving transparency in its communications and enhancing public involvement. He has joined Assemblyman Dov Hikind to further the fight against hate crimes. For more information, please refer to www.comptroller.gov.
- G) Local resident complained about the dust coming out of the WTC Site. Vice Chair Hughes responded by informing him that following many requests, a study revealed that the street sweeper in use was determined to be ineffective and will soon be replaced.
- H) Isah Jaussen-Faith – Dir. Coffee Cup Show, Access Theatre, requests the community’s support for theatre’s shows, located on Broadway between Walker and White Streets. The thematic “love stories” reflect subway experiences.

III. Business Session:

- A) Adoption of Minutes
- B) Chairperson’s Report J. Menin
 - One Hundred Thirty Liberty Street Updates from LMDC have been requested regularly, and they have committed to doing a public meeting.
 - Fulton Street Transit Center plans have been put on hold. This creates a major concern, as it’s essential to our community.
 - Affordable Housing Council Hearing was held and Noah attended it
 - Harold Reed has been appointed to the Board of the South Street Seaport Museum.

- Nomination of members to serve on Nominating Committee must be submitted by March meeting.

NOTE: IF YOU WISH TO RECEIVE A COPY OF A RESOLUTION SUMMARIZED IN THE MINUTES, PLEASE CONTACT THE CB 1 OFFICE AT 212 442-5050

IV. Committee Reports:

A) Executive Committee J. Menin

1) New York City Traffic Congestion Mitigation Commission's Final Implementation Plan – Resolution

This resolution supports traffic congestion through pricing, but also presents concerns about deleterious affects that will be thrust upon Lower Manhattan residents. We've therefore asked for a tax credit for low and middle income residents. CB 1 Member Marc Ameruso expressed strong objection to congestion pricing and feels that if it's implemented, 'Manhattan residents with registered vehicles should be exempt.' Several members objected to Marc's objection. Albear Capsuto emphasized the effects on the small businesses, more than on residents, in the Lower Manhattan Area.

In Favor: 22 Opposed: 16

B) Waterfront Committee J. Nadel

1) Amphibious vehicle ramp at Pier 6 -- Resolution

A ramp installation proposal, for use by ADA-compliant amphibious vehicles at Pier 6 would be constructed on the north side of Pier 6. The committee questioned whether there would be a conflict between the proposal and the location of the fuel storage for the heliport on the same pier. The applicant answered that the two would not intersect.

Unanimously adopted: 38

2) Rivers Alive! – Resolution

A \$25 M art/environmental/public space concept was proposed. Once their operating budget and funds are in place they are expected to return with an updated proposal.

Adopted unanimously.

3) EDC presentation referencing the Pier 6 heliport operation, including proposed fuel storage – Update.

An RFP is being issued for a new operator. Helicopters will be able to refuel at Pier 6 rather than flying to other sites for fueling. EDC will return to CB1 with updates as needed.

- 4) HRPT's designation process for a Pier 40 developer -- Report .
Also, monies for Pier 25 have been held up in Albany because the initial fund allocation is being linked to other projects that may be delayed, as reported Bob Townley. Paul Goldstein reported that Albany expects to use monies from anticipated sales of land adjacent to the Javits Center for Pier 25. Julie Menin will inquire through written correspondence.

- C) WATERFRONT J. Nadel
SEAPORT/CIVIC CENTER J. Fratta
FINANCIAL DISTRICT R. Sheffe
LANDMARKS R. Byrom

Pier 15 – Resolution

Joint committee presented a resolution on a proposed use for pier 15.

Unanimously adopted: 38.

- D) Quality of Life/
and Affordable Housing P. Moore

- 1) Update on Construction Projects in Lower Manhattan.
LMCCC discussed dust generated by the WTC and other nearby construction sites. It'll be taken care of. There will be stronger language to assist tenants in fighting situations affecting them adversely.
- 2) Report on legislation introduced by Council Member Dan Garodnick to protect tenants from harassment from their landlords. The Quality of Life did not decide whether to support this as the information seems scant.
- 3) Senior Citizen's Advisory Task Force – Report.
Ruth Olman has been appointed as the CB1 representative to the Manhattan Borough President's Office Senior Advisory Committee. Please give any senior citizen issues directly to Ruth Ohman as she will convey them to that Committee.

- E) Youth & Education Committee A. DeFalco

- 1) Potential East Side Community Center – Report.
Debbie Hirschman, consultant for General Growth Properties has been meeting with all appropriate organizations and individuals in Lower Manhattan.
- 2) Paul Goldstein reported on discussions pertaining to after school bad behavior issues involving Murry Bergtrum School students.

- 1) DYCD grants – Report.
Grants for the successful RFPs and more info will be released and can be found on the website. The CB 1 organizations successful in receiving grants can also be identified on the website.
- 2) Forthcoming presentation on Forest City Ratner Beekman Street project, including the new school — Update.

A meeting has been scheduled for March 11th where the construction time line will be discussed along with other pertinent matters

F) WTC Redevelopment Committee C. McVay Hughes

- 1) Fulton Street Transit Center/MTA – Update.
CB # 1 urges the MTA to live up to its promise by building the Fulton Street Transit Center as initially proposed, including the complete 23,000 square feet of retail space, as originally proposed. This project was promised to our community and LMDC funds were transferred to MTA for this project with an anticipated completion date during 2008.

Adopted unanimously: 37.

- 2) Opening the Cortland Street W/R train station Northbound/Southbound Platform – Resolution.

It may be possible for the MTA to open the northbound platform of the W/R at Cortland Street in as little as 6 months. Opening the southbound platform is much more challenging but they are exploring how it can be done.

Unanimously adopted: 37.

- 3) Adverse Effects of Reconstruction at the WTC Site – Resolution.
The Port Authority’s sound mitigation plan includes only 100 ft. from Liberty Street. CB #1 requests that the Port Authority expeditiously extend the area in which they will reimburse property owners to cover installation of noise mitigating windows that presently includes only a portion of 125 Cedar Street, to include all buildings within one block of the WTC site, or at minimum within 100 feet of the Port Authority owned WTC site and future related development sites (specifically 130 Liberty St which will be soon transferred from LMDC to the Port Authority).

Unanimously adopted: 37.

- 4) ADA access to the WTC E Subway Station – Resolution.
CB1 is urging the Port Authority to work with the MTA to install an elevator to provide access to the “E” train during the 4-yr. period needed to complete the permanent station.

Unanimously adopted: 37.

G) Financial District Committee

R. Sheffe

- 1) Application for a sidewalk café by SJM Greenwich, LLC, d/b/a Seh Ja, Meh 114 Greenwich Street – Resolution.

Unanimously adopted: 33.

- 2) Liquor License Application for Restaurant Associates, LLC at 26 Broadway (the Sports Museum) – Resolution.

Unanimously adopted: 37.

- 3) Proposal for newsstand at southeast corner of Broadway and Liberty Street – Resolution.

Unanimously opposed: 37.

- 4) Proposed street closure Friday, May 16, 2008, Maiden Lane between South Street and Water Street by Community Board # 1 – Resolution.

Unanimously adopted: 37

- 5) Proposed street closure Friday, June 13, 2008, Maiden Lane between South Street and Water Street by Community Board # 1 – Resolution.

Unanimously adopted: 37

- 6) Proposed street closure Friday, August 8, 2008, Maiden Lane between South Street and Water Street by Community Board # 1 – Resolution.

Unanimously adopted: 37

- 4) Proposed street closure Friday, September 12, 2008, Whitehall Street between Beaver Street and Water Street by Community Board # 1 – Resolution.

In Favor: 36 Opposed: 1

- 8) Proposed street closure Friday, October 17, 2008, Maiden Lane between South Street and Water Street by Community Board # 1 – Resolution.

Unanimously adopted: 37

H) Financial District Committee and Arts & Entertainment Task Force R. Sheffe
H. Reed

- 1) Creative Time Proposal – Resolution.
David Byrne, musician and visual artist will install an art piece during late May through Labor Day, coinciding with the River to River Festival and Governors Island Ferry schedule. CB #1 wholeheartedly supports this project as Creative Time has a history for its sensitivity in working with historic structures such as the U.S. Customs House.

Unanimously adopted: 37.

I) Financial District R. Sheffe

- 1) Proposed street closure Friday, May 2, 2008, on West Broadway between Barclay Street and Chambers Street by Community Board # 1-M – Resolution.

Unanimously adopted: 37.

Financial District and Tribeca R. Sheffe
R. Byrom

- 2) Proposed street closure, Friday, September 19, 2008, West Broadway between Barclay and Chambers Streets, by the Southbridge Senior Center – Resolution.

Unanimously adopted: 37.

- 3) Proposed newsstand on the Southeast corner of Broadway and Liberty Street – Resolution.

Unanimous opposition: 37.

J) Planning and Community Infrastructure Committee J. Galloway

1. Brooklyn Battery Tunnel Approach – Resolution

Because the sunken area south of Morris Street and north of the Tunnel structure comprises more than a million square feet of development rights associated with it, under the terms of the Lower Manhattan Special Zoning District and other regulations, CB # 1 strongly recommends that the LMDC, Department of City Planning, EDC and other relevant city agencies provide the Community Board with detailed information pertaining to the size of development rights within the Lower Manhattan Special District and all pertinent information in regards to future development, along with a detailed list of any and all potential receiving

lots that meet the Special Permit provisions of the Special District that could be included and a full comprehensive long-term plan for the area and other information spelled out in detail in the resolution.

Unanimously adopted: 37.

K) Battery Park City Committee B. Love

- 1) Proposed street closure on Saturday, June 21, 2008, Warren Street between North End Avenue and West Street by the Tribeca Spiritual Center – Resolution.

Unanimously adopted: 36.

- 2) CB 1 members researched the area to identify rent stabilized buildings in the CB 1 area. There are many. This undercover research will be banked for future use in the event that a resident needs to refer to it.

L) Seaport/Civic Center Committee J. Fratta

- 1) Proposed street closure Friday, July 18, 2008, Lafayette Street between Walker Street and Leonard Street by Community Board # 1 – Resolution.

Unanimously adopted: 36.

- 2) Proposed street closure on Friday, July 4, 2008, Water Street between Broad Street and Fulton Street by the Pearl Street Park Association – Resolution.

Unanimously adopted: 36.

- 3) Proposed street closure on Saturday, August 16, 2008, Water Street between Fulton Street and Broad Street by the Seaport Community Coalition – Resolution.

Unanimously adopted: 36.

- 4) Proposed street closure on Sunday, October 5, 2008, John Street between South Street and Water Street by the Association of Indians in America Inc. – Resolution.

Unanimously adopted: 36.

- 5) Proposed street closure on Wednesday, April 16, 2008, Spruce Street between Gold Street and Pace Plaza by the Pace Board/Greek Council Pace University – Resolution.

In Favor: 22

Opposed: 11

- 6) Proposed street closure on Saturday, April 19, 2008, Lafayette Street between White Street and Franklin Street by NYU Residential Education – Resolution.

Unanimously adopted 36.

- 7) East Side Community Center - Report
GGP offered 30,000 sq.ft. for a proposed Center, but the space was deemed not to be large enough, so it was taken off the table.

- M) Tribeca Committee C. DeSaram

- 1) Tribeca North Rezoning Uses – Resolution.

CB # 1 requests that the Department of City Planning rezone North Tribeca to echo the C-6 rezoning in South Tribeca, including all of the TMU restrictions set forth in the 1995 zoning text and adding additional restrictions. CB #1 Member Albert Capsuto objected to one of these restrictions that would limit the size of business establishments in the Tribeca North Area, noting that his business is 5,000 sq. ft. and believes that this is a reasonable size for a business situated on an avenue.

In Favor: 21 Opposed: 7 Abstained: 3

- 2) Proposed Zoning Map Amendment, 84 White Street, M1-5 to C6-2A – Resolution.

TABLED.

- 3) BSA Section 73-53 Special Permit Application, 53-55 Beach Street, to allow enlargement in floor area to expand existing warehouse – Resolution.

Unanimously adopted: 31.

- 4) AIA Zoning Text Amendments – Report.

Having received much dissention from local elected officials,
AIA withdrew their application.

- 5) 109-111 West Broadway, application for liquor license for Brush Strokes Real Estate LLC – Resolution.

WITHDRAWN.

- 6) 183 Duane Street, application for wine & beer license for Tokyo Bay Japanese Restaurant – Resolution.

Unanimously adopted.

- 7) 239 West Broadway, application for liquor license for Corton LLC – Resolution.

Unanimously adopted: 31.

- 8) 227 West Broadway, application for wine & beer license for Rosario's Kitchen, LLC – Resolution.

Unanimously adopted: 31.

- 9) 105 Chambers Street, application for beer license for The New York City Hot Dog Company – Resolution.

Unanimously adopted: 31.

- 10) 251 Church Street, application for wine and beer license for Delicioso Restaurant III L.P. – Resolution.

Unanimously adopted: 31.

- 11) 95 West Broadway, application for beer and wine license for Cosmopolitan Café – Resolution.

Unanimously adopted: 31.

- 12) 134 Reade Street, application for transfer of liquor license for Forge Restaurant LLC d/b/a Forge – Resolution.

Unanimously adopted: 31.

- 13) 6 York Street, application for a restaurant liquor license – Resolution.

Unanimously adopted: 31.

- 14) 347 Greenwich Street, application for an enclosed sidewalk café for Dean's Restaurant – Resolution.

In Favor: 30 Abstained: 1

- 15) 145 West Broadway, application for an renewal enclosed sidewalk café for Odeon Inc. – Resolution.

In Favor: 30 Recused: 1.

16) Proposed street closure on Saturday, May 17, 2008, Greenwich Street between Duane Street and Reade Street by the Taste of Tribeca – Resolution.

Unanimously adopted.

17) Proposed street closures May 1 – May 3, 2008 by the Tribeca Film Festival – Resolution.

Unanimously adopted.

18) Jack Parker Development – Resolution.

CB # 1 urges City Officials and DOB to regulate the construction industry with uncompromising safety standards by applying stricter regulations, “rules that have real enforcement teeth” (NY Times Editorial 02/08/08), and provide manpower for such enforcement to insure the protection of adjacent neighbors, the public and workers. Recently, a crane fell near Albert Capsouto’s business.

Unanimously adopted: 31.

V. Old Business

VI. New Business

VII. Adjournment

Respectfully submitted by: Noel E. Jefferson