

MINUTES FROM THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD # 1
HELD
May 27, 2008
120 Warren Street
Downtown Community Center

I. **Public Session**

- A) Comments by members of the public
(3 minutes per speaker)

II. **Business Session**

- Daniel Squadron – Opposes the Duane Street Hotel’s beer and wine license application and strongly urges the community to reject the proposal.
- Manhattan Borough President Scott Stringer – Welcomed CB 1’s new board members and thanked Vice-Chair Catherine McVay Hughes for chairing “Construction Watch” Borough wide. He advised that the initiative will involve the Department of Buildings and will monitor construction programs going on throughout the borough. The Department of Building’s Acting Commissioner LiMandri promises to look at problems at all construction sites.
- The Borough President also voiced great concern regarding the growing problem of school overcrowding. We’re now reviewing data that indicates a 3,900-seat shortage in the city’s schools. Numerous schools are already over capacity. He noted that Comptroller Thompson is also working with the committee addressing concerns about our overcrowded schools, construction, etc. There will be a meeting at P.S. 234 on June 12th. We continue to advocate for additional resources with the hope of resolving some of these issues soon.
- B.P. Stringer reported recent negotiations that will result in regular Cable access through a Civic Channel TV that will be available to the public, thus allowing broader public access to issues pertaining to community activities, events and issues that our local Community Boards discuss, propose and resolve.

- Encourages us all to study Charter revisions to broaden our understanding of land-use as we prepare to make decisions for future developments. He cited PlanNYC, a forward thinking document to study so that we can effectively participate or act as spokespersons, as necessary.
- Discussed the budget and the growing fiscal crises. Our priorities must be rational. In tandem with cutting, we must balance our spending and identify stopgap measures when identifying schools overcrowding issues.
- The city needs a more aggressive Capital Plan, which is a five-year plan.
- Acknowledged politically motivated parents who are forming a movement to improve our schools.
- Bob Townley, Director of Manhattan Youth Community Center and host for this first meeting at the new center – thanked the community and all community board members for their diligence and good will in making the center a reality. For 17 years, Bob has worked toward this goal and looks forward to its success.
- Bess Matassa, Assembly member Glick’s Office – Bess will leave our community as she is going to be pursuing other opportunities. She circulated a survey that assesses what is needed to improve problems with city schools. The Assembly member can be reached at glickd@assembly.state.ny.us.
- Erin Drinkwater, Congressman Nadler’s Office – The congressman will attend the very important 130 Liberty Street Community Advisory Meeting Friday, May 30, 2008. The Pier 26 meeting will take place in June. The money issues surrounding the Hudson Park Trust are being studied carefully. An effort to combat mailbox graffiti has resulted in an “Adopt a Post Box” plan whereby concerned neighbors will receive blue and green paint to use to paint the affected mailboxes. All interested should contact the Congressman’s Office.
- John Richter – Comptroller’s Update. Asked NYC Dept of Aging to revise Service delivery plans to seniors. The Comptroller has proposed changes to current forms, to provide more transparency. Concerned about water and sewer ratepayers’ payments, he sent a letter to the Water Board suggesting steps to help ease the burden for more New Yorkers. This letter and suggestions about transparency and accountability in the city’s budgeting process can be found on Comptroller Thompson’s website: www.comptroller.nyc.gov.
- Paul Goldstein – Speaker Silver’s Office was very concerned about the accident that occurred on the Goldman Sachs construction site, so close to the Little League’s ballpark. This accident has resulted in immediate work suspension, as well as a new safety plan to go beyond the current safety plan. We have received from Goldman promises that there will also be a temporary weekend work suspension. The new safety plan will include netting on various floors and an independent site supervisor.
- School overcrowding – Speaker Silver is chairing a special task force to come up with interim solutions to reduce school overcrowding. Bob Townley has agreed to consider donating some space for a short-term solution to resolve some of the school overcrowding issues. Battery Park City space is also being

considered. Tweed Court House space is also under consideration as are other alternatives. Input will be appreciated in making suggestions and commenting on those mentioned. The Speaker supports the Fiterman Hall resolution. The Speaker is also paying close attention so that the City does not shortchange the school budget. He is also reviewing the affordable housing issues.

- Rudy Greco, Senator Connor's Office – The Senator urges DOB to look into the activities surrounding the Goldman Sachs construction last weekend when the accident occurred. He also recently met with Luis Sanchez, Department of Parks regarding local issues.
 - John Scott – Is organizing a Green Fair that will offer, among other things, electronic recycling. Warren St. between West Street and North End.
 - Gideon Friedman, Downtown Alliance – Supports resolution in favor of 50 William Street's Special Permit for underground parking.
 - Goldman Sachs Representatives – Jeff Schroeder regarding 5/17th incident. They care about the safety of everyone and will not allow Tishman Construction, which shares this concern, to work again until safety measures have been improved. They care deeply that the construction site is a safe one.
- 2) Timur Galen - Safety is important. 3) John Livingston, President of Tishman Construction, expressed his sorrow regarding the incident. He considers the safety of the community to be foremost and informed us that this incident was the first of this nature. The company is implementing additional safety measures, i.e., tying down the metal plates from the hoist, installing full-height netting rather than limiting it to the 6,400 required by the Department of Buildings.

Adoption of Minutes – Unanimous.

A) Chairperson's Report

J. Menin

- Requested on-site safety monitor, no weekend construction work at the Goldman Sachs site during the Little League Season.
- Port Authority funding deficiency for the Calatrava Path Station. We will fight for full funding.
- Avi Schick will join the private sector, but as Gov. Patterson has requested, he will stay on as LMDC and GIPEC Chairman.
- Thanks to DOB for issuing the stop-work order on construction at the Goldman Sachs site and not lifting it until Goldman Sachs met with the community board.
- Recent board appointments include: Former NYS Assemblymember Paul Viggiano; and Peter Braus Co-Chair of the Tribeca Committee.
- Testified at a City Council Hearing on the WTC Memorial, convened by Alan Gerson.
- Our district's population growth is an indication that there is a great need for proper planning.
- In 2010, District #1's population is expected to be approximately 76,000, up from 26,000 in 2001. There is no other neighborhood that has experienced

- In another incident at a construction site, debris fell from 130 Liberty Street, causing great concern for CB 1. Julie and Catherine McVay Hughes wrote a letter to David Emil to request a special session to discuss this incident.
- Joined B.P. Scott Stringer at his press conference opposing the budget cuts to Community Boards.
- Bill Love pointed out 2 inconsistencies, non-compliance issues involving CB 1 practices and our by-laws; The first inconsistency is that our by-laws state that all board actions shall be decided "by a majority vote of those members present and voting," whereas the community board provisions of the City Charter require that the action shall be by, "The majority of the members present entitled to vote during the presence of a quorum." A vote to abstain has the same effect as a "no" vote with respect to passing a motion. For a resolution to pass through committee of 40 there must be 21 or more "yes/no" votes. The second by-law inconsistency is that our by-laws state that the quorum for a committee or task force meeting "shall be one-third of the membership of any committee or task force." State law, however, requires that "a majority of the whole number . . . shall constitute a quorum". A committee or task force will need a minimum of 8 "yes/no" votes to pass a body membership of 15.

C) District Manager's Report

N. Pfefferblit

Mayor's proposal reflects a 5% reduction representing a \$ 10K deficit. Our priority will be to maintain our current staff, but we cannot use private funds for city allowances. The Community Board Office may need to change a staff member to a consultant status because doing so would enable the use of private funds for all or part of the consultant's salary. Spoke at a City Council hearing on the budget where many of our Council members supported the Community Board and our need to for the monies proposed for cuts.

- Basha Estroff, Planning Fellow from the Borough President's Office is graduating and will be leaving to pursue a full-time career. She was very helpful in providing demographic information that will be very helpful to our Community Board and she was highly respected and liked by all. Basha received a jubilant show of appreciation for her dedicated and tireless work with Michael Levine on the CB 1 Use Groups. The results of her work are now a foundation for us to follow.

III. **Committee Reports**

A) **Landmarks Committee**

R. Byrom

RE: 172 Duane Street, LPC application for rooftop addition – Resolution
Architect Vincenzo Polsinelli AIA, Partner of Cooper, Robertson & Partners
Outlined a rooftop proposal for the owner's residence, a landmark Tribeca

RE: Proposed street closure on Saturday, June 14, 2008, South Street between John and Beekman Streets by General Growth Properties/South Street Seaport – Resolution.

In Favor: Adopted unanimously.

RE: DeLury Square Park Site Acquisition ULURP Application – Resolution.

Southbridge Towers agreed to sell this parcel to the Department of Parks.

In Favor: The Board unanimously adopted this proposal.

RE: Overview of Existing Seaport Area Zoning – Report.

Pier 17 is the most regulated property in Lower Manhattan. The Committee plans to meet with respective agencies regarding this issue. Paul Viggiano raised numerous concerns, i.e., how far out will the landfill extend?

Response: “We’ll be receiving General Growth’s proposal in June. The ULURP will probably come in December.”

Albert Capsouto requested that the Planning Committee also be involved with this Planning project. General Growth has offered us 29,000 sq. ft. of usable space for a community center.

F) **East Side Community Center Task Force** - Report J. Fratta
Bob Townley inquired about “assisted living” for seniors. To deliver senior housing is a serious area to consider. Mariama Jones responded that the East Side does have assisted living, but no recreational area.

G) **Tribeca Committee** C. DeSaram

RE: 130 Duane Street, application for wine and beer license for Duane Street Hotel – Resolution.

Beer and wine application presentation by representatives of the Duane Street Hotel went to the Full Board after it fell short of winning the Committee’s approval. The threshold for a public hearing for a liquor license does not apply to a beer and wine license. The applicant is not the previous owner. Neil Shah, the sole owner, says he wants to target upscale and high end clientele and to cater primarily to international travelers. He also said he wants to continue working to gain the trust of our community.

- Tammy To – Council Member Gerson – opposes the application.
- Andrew Daugherty – referenced 2 letters of support from business owners in the area.

- Linda Pollak – resident of 130 Duane Street countered the assertion by another speaker that the owner of this hotel is not the same as of the prior business. She opposes the application based on size and location of where the bar will be situated. The opening is next door to her building’s entrance.
- Jean Grillo – Pres. of the Duane Street Alliance and representing more than 50 Duane Street residents and businesses, opposes this proposal.
- Jeremy Gentry – spoke in favor for the license.
- Jeff Ehrlich - opposed the license.
- David Cleaver - favored the license.

Room service, mini bar and bar downstairs will provide wine and beer if this license is approved.

In Favor: 20 Opposed: 19 Abstained: 1 Recused: 0

RE: 140 Church Street, application for beer license for Paul Seven Eleven 2 Inc. – Resolution.

In Favor: 39 Opposed: 1 Abstained: 0 Recused: 0

RE: 2 Desbrosses Street, application for alterations to Apogee Events, Inc. – Resolution.

In Favor: 39 Opposed: 1 Abstained: 0 Recused: 0

RE: 22 Warren Street, application for alterations to White Rose Restaurant, Inc. – Resolution.

In Favor: 39 Opposed: 1 Abstained: 0 Recused: 0

RE: 94 Chambers Street, application for liquor license for Ma Maria, Inc. – Resolution.

In Favor: 39 Opposed: 1 Abstained: 0 Recused: 0

RE: 90 Chambers Street, application for liquor license for Lekker Stuk LLC – Resolution.

In Favor: 39 Opposed: 1 Abstained: 0 Recused: 0

RE: 363 Greenwich Street, application for alteration of liquor license to include a sidewalk café for Devin tavern – Resolution.

In Favor: 39 Opposed: 1 Abstained: 0 Recused: 0

undeground work, yet no news has surfaced regarding the above-ground structural design. MTA will return to meet with us in June or July – hopefully with good news, since the architect is looking to repackage the bids.

- Since MTA is negotiating the scope of work with the Port Authority, the reopening of the R/W Cortland Street is expected to take from 6-8 months.

RE: Report on Lower Manhattan Construction Command Center updates
Robert Harvey, Acting Executive Director gave a “terrific” Power Point presentation, outlining how the billions of dollars will be spent downtown. We’re not at the hump of the bell curve yet. Manhattan is in non-compliance with environmental rules. More can be found on:
www.lowermanhattan.info/extras/pdf/051208_cb1latest_RNH_small.pdf.

RE: Report on Lower Manhattan Development Corporation updates
Bill Love inquired about the deal between Goldman Sachs, the City, etc.

RE: Lower Manhattan WTC PATH Transit Hub – Resolution.

CB1 asks New York State Governor David Paterson and New Jersey Governor Jon Corzine to take whatever steps are necessary to ensure that the promised entire allocation – including the contingency funds – intended to fund the Lower Manhattan PATH Transit Hub remain in place so that the PA can build the WTC PATH Station as designed. CB1 also asks the Lower Manhattan Development Corporation, which was created to oversee the development of the WTC site, to become actively involved in this issue.

In Favor: The Board unanimously adopted this proposal.

RE: NYC Funding for Fiterman Hall Redevelopment – Resolution.

Community Board 1 is deeply concerned about the possibility that the promised funding necessary to move forward with demolishing and redeveloping Fiterman Hall in the coming year will not be made available. CB 1 therefore urges Mayor Bloomberg to allocate sufficient funds in this year’s budget to match the amount allocated by the State so that Fiterman Hall can be demolished and redeveloped as planned. We want this to move forward as it was recently reported there may not be movement on the project because of the de-funding issue.

In Favor: The Board unanimously adopted this proposal.

J) **Quality of Life Committee**

P. Moore

RE: Construction Projects in Lower Manhattan – Update.

- LMCCC is normally scheduled to be the first item at each meeting of this committee. Please bring any concerns regarding quality of life to the meeting for discussion and review.
- Film Shoots in Lower Manhattan - Update.

The Mayor’s Office of Film Theatre and Broadcasting (MOFTB) met again with the committee. They will do their best to place a moratorium on future requests, in certain areas, but cannot rescind already permitted filming requests. Filming is a revenue-generating business that employs New Yorkers. Placing moratoriums on filming would have a negative impact on the economy and therefore be financially counter-productive. Regarding issues pertaining to film locations, you may report them directly to either MOFTB during business hours, or after hours call the NYPD, at: 718-281-1235.

- Placard Parking Presentation - Report.
The NYPD’s Internal Affairs Unit is monitoring this topic.

K) **Youth & Education Committee**

R. Skinner

RE: Incident at the Goldman Sachs Construction Site on Saturday, May 17 – Resolution.

- There was incredible coordination between City/State/Goldman Sachs and CB 1 Chair, Julie Menin, and others who met for hours to discuss safety measures that must be put in place to prevent another accident and to ensure the community that the site provides a safe environment for all. Mark Costello received a special thanks from Ann.

I In Favor: The Board unanimously adopted this proposal.

RE: Development of gym and indoor field space on Pier 40 for Community Board One Youth – Resolution.

- Indoor space is needed for a gymnasium and other amenities. If state or city funds, or tax credits are to be used for the renovation of spaces such as Pier 40, then public amenities for Lower Manhattan families, including those from Community Boards One, Two and Four, must be considered. There are few opportunities for desperately needed athletic facilities to be created in Lower Manhattan – with the exception of state-owned land at Pier 40.

In Favor: The Board unanimously adopted this proposal.

RE: Battery Park City Library programs for Youth - Report.

Although an extensive program has been promised, there is a shortage of in funds that can be allocated for the books. There has been discussion about approaching Goldman Sachs to provide funds for the books.

RE: Murray Bergtraum High School – Report.

The Principal of Murray Bergtraum addressed concerns at a Meeting that all the students being spoken about may not be enrolled at Murray Bergtraum H.S.

RE: Task Force on School Overcrowding Meeting – Report.

The Task Force is responding to growing concern about overcrowding affecting our communities and the children residing in them. Schooling must be a priority in developing communities.

RE: Community Role in Zoning for New Schools – Report.

The Committee will discuss forming a subcommittee to review school zoning.

L) **Financial District Committee** R. Sheffe

RE: Application for two Vessel Liquor Licenses for SeaStreak, LLC – Gouveneur Lane and South Street – Pier 11 – Resolution.

In Favor: The Board unanimously adopted this proposal.

RE: Application for a sidewalk café by Pearlstone Burger Corporation d/b/a Burger Burger, 77 Pearl Street – Resolution.

In Favor: The Board unanimously adopted this proposal.

RE: Application for additional parking spaces at 15 William Street – Resolution.

In Favor: The Board unanimously adopted this proposal.

M) **Planning and Community Infrastructure Committee** J. Galloway

RE: Planning and Community Infrastructure – Report.

Progress is moving forward with development of a comprehensive set of guidelines and principles that will govern the Board's planning-related decisions (ULURP, etc.) for implementation over the coming years. Jeff presented the

Committee's resolution – the Borough President's Development Principles for Manhattan – a questionnaire that will be provided to any developer seeking a Community Board's discretionary approval in connection with the developer's project. The Manhattan Borough President's questionnaire is intended to be a borough-wide document. The B.P. invited each Community Board to create a district-specific supplement to accompany the questionnaire.

RE: Proposed Development Principles for Manhattan – Resolution.

Borough President initiatives should be based on site-specific criteria relevant to the application criteria.

In Favor: The Board unanimously adopted this proposal.

IV. **Old Business**

V. **New Business**

VI. **Adjournment**

Respectfully submitted by: Secretary Noel Jefferson