

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 41 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Governors Island

WHEREAS: Community Board #6 in Brooklyn has requested that Mayor Bloomberg transfer jurisdiction of Governors Island from Community Board #1, Manhattan to Community Board #6 in Brooklyn, and

WHEREAS: Governors Island has been a part of Manhattan since 1783 and, in fact, it was originally sold to the Dutch by the Manahatas Indians who also sold them Manhattan Island in 1637, and

WHEREAS: Community Board #1 has played, for over a decade, an extremely active role in the redevelopment of Governors Island as evidenced by our membership on or involvement in:

- The Mayor's Governors Island Task Force (Member)
- The Governor's Governors Island Advisory Council (Member)
- The RPA's Governors Island Group (Member)
- Governors Island Alliance (Member)
- The new Governors Island Preservation and Education Corporation
- The Urban Land Institute's Governors Island Study (Co-sponsor)
- The Van Alen Institute's Governors Island Ideas Competition
- The NYU Robert Wagner School Governors Island Study, and

WHEREAS: Community Board #1 has testified at numerous public hearings, worked closely with City, State and federal agencies involved in Governors Island, and assisted in the drafting of legislation concerning the Island, and

WHEREAS: Community Board #1 continues to work closely with the entire **Manhattan** delegation of elected officials on the future of Governors Island, and

WHEREAS: The fact that Governors Island is a few feet closer to Brooklyn than Manhattan is a poor justification for removing it from its historic connection to the island of Manhattan, and

WHEREAS: Community Board #1 has always sought to make Governors Island open and accessible to **all** New Yorkers and others and not the exclusive domain of our district or Manhattan, and

WHEREAS: Governors Island has always been connected to **Lower Manhattan** by ferry and the ride takes only five minutes, and

- WHEREAS: The larger number of people and visitors passing through Lower Manhattan everyday makes it a sensible gateway to Governors Island if we truly want it to be accessible to large numbers of people from New York City and beyond, and
- WHEREAS: Community Board #1 has no objection to Community Board #6-Brooklyn participating in planning the future of Governors Island in the same manner as Community Board #1, and in fact there has never been an effort to exclude them from this process, and
- WHEREAS: Community Board #1 is disturbed that Community Board #6-Brooklyn took this action without any consultation with our Board and that we learned of their resolution from members of the media, and
- WHEREAS: The Community Board #6 correspondence on this matter contains a good deal of inaccurate information such as understating our population (which exceeds 50,000 today), overstating our waterfront resources (most of our piers have crumbled into the river or are condemned and closed), and misstating that “the budget of Manhattan CB #1 was significantly enhanced” for planning purposes when, in fact, we have not received any additional City funding, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 strongly urges that Mayor Bloomberg continue to allow Governors Island to be part of Manhattan as it has been since 1783, and reject the request of Community Board #6-Brooklyn to transfer jurisdiction of Governors Island from Manhattan Community Board #1 to Brooklyn Community Board #6.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 5 In Favor 2 Opposed 1 Abstained 0 Recused

BOARD VOTE

TO TABLE: 24 In Favor 10 Opposed 1 Abstained 0 Recused

RE: Amendment to allow height and setback modifications on scientific research and development facilities in C6 districts

WHEREAS: Columbia University and the NYC Economic Development Corporation have proposed a text amendment to allow for modifications of the height and setback regulations to facilitate the creation of scientific research and development facilities in C6 districts, and

WHEREAS: The proposed text amendment would only allow modification of the height and setback regulations if the changes do not obstruct the access of light and air to adjoining properties or public streets, and

WHEREAS: All scientific research and development facilities are required to seek a special permit from the City Planning Commission and are thus subject to Community Board review, and

WHEREAS: The most hazardous biomedical chemicals (bio-level #3 and bio-level #4 materials) are not permitted in C6 zones, and

WHEREAS: Biotechnology is a fast growing sector of the US economy and New York hopes to compete with cities such as Boston and San Francisco, which lead the field, in attracting such businesses, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 recommends that the City Planning Commission approve the above referenced application to allow for the modification of height and setback regulations for scientific research and development facilities in C6 districts.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 3 In Favor 1 Opposed 1 Abstained 0 Recused
BOARD VOTE: 30 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 430 Greenwich Street, application to relocate and reconstruct the canopy

WHEREAS: This well and appropriately restored building was approved by Community Board #1 and Landmarks Preservation Commission sometime ago, and

WHEREAS: The size of the proposed canopy will be 16' 11" by 6' and it will be made from high quality stainless steel with a sturdy bracket whose design was based on a nearby canopy in the Historic District, and

WHEREAS: The canopy would not be painted and contains a discrete low lighting system to illuminate the entrance, and

WHEREAS: One member of the committee felt it would have been more appropriate to make the canopy the full length of the building and another member felt it would be more appropriate to construct the canopy of reinforced glass but a majority of the members approved of both the location and the design of the proposed canopy, and

WHEREAS: The architect is well known for his quality restoration of buildings in the neighborhood, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 recommends that Landmarks Preservation Commission approve the application to relocate and reconstruct a canopy at 430 Greenwich Street in accordance with the plans exhibited at this meeting of the Landmarks Committee.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 30 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Revised designs for Tribeca Park

WHEREAS: The NYC Parks Department presented to the Tribeca Committee a new design for Tribeca Park which includes more extensive plantings and new seating areas, and

WHEREAS: The NYC Parks Department has an aggressive schedule to finish the construction of the park by May 1, 2004, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 fully supports the new design for Tribeca Park as presented to the committee.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 1 Recused
BOARD VOTE: 29 In Favor 0 Opposed 0 Abstained 1 Recused

RE: 43 Murray Street, liquor license application for Below Murray, Inc.

WHEREAS: The applicant will operate a restaurant for 100 people with 21 tables and 89 seats which will include a bar area with 11 seats, and

WHEREAS: The hours of operation will be 5 PM until 2 AM on Tuesday and Wednesday and 5 PM until 3AM on Thursday through Saturday, and

WHEREAS: The applicant will have background music only and agrees to have adequate soundproofing, and

WHEREAS: The applicant will not be seeking a cabaret license or a sidewalk cafe license, and

WHEREAS: The applicant agreed to add these conditions to the SLA application, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the new liquor license application for Below Murray Inc. at 43 Murray Street.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 1 Recused

BOARD VOTE: 28 In Favor 1 Opposed 0 Abstained 1 Recused

RE: 157 Hudson Street, tavern wine license application for Nucifera LTD
(Club Vinyl)

WHEREAS: Club Vinyl, AKA: Nucifera, 157 Hudson Street is applying for a tavern,
beer and wine license, and

WHEREAS: The applicants/representatives attending the Tribeca committee informed the
committee their business name was "ARC" not "Nucifera", and

WHEREAS: The applicant did not present the required Community Board application and
materials to the Tribeca committee, and

WHEREAS: On April 16th, 2002, CB #1 passed a unanimous resolution, as well as previous
resolutions since 1995 opposing a liquor license for Club Vinyl, and the same reasons
are still valid for opposing this current December, 2003 tavern, beer and wine license,
(see attached 4/16/02 resolution), and

WHEREAS: CB #1 and local residents in attendance at the committee meeting feel that the SLA
should take into account the continuing negative impact and quality of life issues
being endured by the Tribeca community from Club Vinyl even though NO type of
alcohol is currently being served, and

WHEREAS: Many residents continue to register complaints due to the noise, rowdiness, and
public urination, which will proceed many hours after 4:00AM because Club Vinyl
stays open after hours, in addition to the garbage and advertisement flyers which litter
the neighborhood, all of the above as a direct result from Club Vinyl, and

WHEREAS: The applicant stated at the Tribeca committee meeting that if Club Vinyl was granted
a tavern, beer and wine license that he would not start to ask patrons to exit the club
until after 5:00 AM, and

WHEREAS: Club Vinyl has had a history of fighting and illegal drug dealing and consumption the
New York City Police have in the past made arrests and have had to respond to
numerous complaints involving this club, and

WHEREAS: The local residents have indicated that the applicant continues to keep the same
method of operation, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 strongly opposes a tavern, beer and wine license for Club Vinyl, 157 Hudson Street, New York, NY, AKA: "ARC", or AKA: "Nucifera", or AKA: "Headley".

03resdec.16

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 1 Recused

BOARD VOTE: 29 In Favor 0 Opposed 0 Abstained 1 Recused

RE: 285 West Broadway, cabaret license for Canal Room

WHEREAS: The Canal Room, a night club formerly known as Shine at 285 West Broadway, has applied for a cabaret license, and

WHEREAS: The Canal Room will be owned and operated by Sam Lott and Mark Linial who have run Shine since 1997 and who have proven to be responsible neighbors as evidenced by the absence of complaints to the First Precinct and CB #1, and

WHEREAS: CB #1 previously approved the granting of a cabaret license to these operators in a resolution dated December 15, 1998, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 has no objections to H & M Bar LLC's d/b/a Canal Room application for a cabaret license, provided that:

- The license is non-transferable and limited to the current owners/operators.
- Granting this permit complies with all zoning regulations, including the requirements for a BSA special permit for dancing in drinking establishments with entertainment and a capacity of more than 200 persons.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: WITHDRAWN

RE: Temporary ticket booth between Piers 16 and 17 in the South Street
Seaport Historic District

WHEREAS: The Committee and the Landmarks Preservation Commission previously
approved a temporary ticket booth for NY Waterway to be placed between
Pier 16 and 17 during the summer months when the ferry operates from
this location, and

WHEREAS: It was noted that NY Waterway now does not want to remove the
temporary structure, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends that the Landmarks Preservation Commission note the
violation to the permit for the temporary structure and take appropriate
steps to ensure its immediate removal during the months that the ferry
does not operate from this location.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 36 In Favor 3 Opposed 2 Abstained 0 Recused

RE: Street Vendor Legislation

WHEREAS: The proliferation of street vendors has long been a serious problem in Community Board #1, and

WHEREAS: Such vendors obstruct sidewalks on our busy and narrow streets, and

WHEREAS: These vendors provide virtually no revenue to the City while they compete with retailers paying high rents and taxes, and

WHEREAS: The State Legislature recently allowed the legislation governing street vendors to expire due to a dispute regarding the fingerprinting of arrested vendors, and

WHEREAS: The failure to approve a new vendor law has exacerbated the already chaotic and dangerous overcrowding on our busiest streets and needs to be immediately addressed, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 strongly urges the State Legislature to quickly resolve their differences and agree to new legislation restricting where vendors are permitted, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 particularly urges that vending be made illegal or be greatly restricted on our busiest streets in the vicinity of the World Trade Center, and on Broadway, Fulton and Canal Streets here in Lower Manhattan.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 39 In Favor 1 Opposed 0 Abstained 0 Recused

RE: Liberty Bonds, need for revised legislation

WHEREAS: In the aftermath of the September 11th attacks, Congress passed legislation authorizing \$8 billion in tax-free Liberty Bonds financing to encourage the commercial revitalization of Lower Manhattan, particularly in and around the World Trade Center site, which suffered the most serious economic and physical destruction as a result of the attacks, and

WHEREAS: The Liberty Bond program is currently set to expire at the end of 2004, and

WHEREAS: Under current law, a maximum of \$1.6 billion in Liberty Bond financing may be utilized for market-rate rental residential real estate projects in Lower Manhattan, and

WHEREAS: Under current law, Liberty Bonds cannot be used to finance development of condominium or co-op buildings, thus encouraging developers to build smaller apartments (studio and one-bedroom units) rather than larger, family-sized units, and

WHEREAS: Smaller rental housing units encourage transitional living arrangements and discourage the establishment of longer term roots and commitments to the community, and

WHEREAS: Currently, there are 13,000 new units of market-rate housing already under development in Lower Manhattan, most of which will be smaller apartments that don't accommodate growing families, and

WHEREAS: It has been proposed to amend the law to increase the share of Liberty Bond financing available to fund market-rate transitional housing development in Lower Manhattan from \$1.6 billion to \$3 billion, and

WHEREAS: Under current law, a maximum of \$2 billion in Liberty Bond financing can be used for commercial development projects outside of Lower Manhattan, and much of this funding capability has already been allocated to projects like the Bank of America office in Midtown for \$650 million and the Astoria Energy LLC power plant in Astoria, Queens for \$400 million, and

WHEREAS: If \$2 billion in Liberty Bonds are allocated to commercial development outside of Lower Manhattan and \$3 billion are spent on market-rate rental housing Downtown, there will be less than \$2.5 billion in Liberty Bond financing available for rebuilding the World Trade Center site and for other commercial endeavors throughout Lower Manhattan, and

WHEREAS: There are several projects in development for Lower Manhattan that need Liberty Bond financing in order to be viable, and

WHEREAS: Without sufficient Liberty Bond financing available to ensure the redevelopment of the commercial and retail space at the World Trade Center site, our community will be left with a 16-acre undeveloped site in the middle of it, and

WHEREAS: To realize the purpose of the initial legislation – that is, the commercial and economic revitalization of Lower Manhattan, particularly in and around the World Trade Center site – an extension of the Liberty Bond program and the preservation of financing available for commercial development are necessary, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 strongly urges the City and State NOT to approve any further Liberty Bond financing for any other projects located outside of Lower Manhattan, and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 does NOT support amending the current law to increase the authorization to use Liberty Bonds for residential development Downtown beyond the currently authorized \$1.6 billion, and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 supports an extension of the Liberty Bond program to the end of 2009 subject to the above mentioned resolutions to allow for the appropriate planning and design of the buildings on and around WTC site, and development of other commercial projects in Lower Manhattan, and

BE IT
FURTHER
RESOLVED

THAT: Any additional residential housing must set aside a substantial percentage of its units to affordable and subsidized housing.

03resdec.16

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEES OF ORIGIN: LANDMARKS & FINANCIAL DISTRICT

COMMITTEES VOTE:	13 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	30 In Favor	0 Opposed	0 Abstained	0 Recused

RE: John Street-Maiden Lane Historic District

WHEREAS: The New York State Office of Recreation and Historic Preservation has accepted the Historic Districts Council's nomination of a new Manhattan historic district as eligible for listing to the State and National Registers of Historic Places. The proposed new district consists of almost four square blocks, the boundaries of which are roughly as follows: (also see attached):

The east side of Broadway running north to the north side of Fulton Street, running east to the west side of Dutch Street, running west to the north side of John Street, running south to the north side of John Street, running west to the west side of Nassau Street, running south to the north side of Liberty Street, and running west to the east side of Broadway, and

WHEREAS: Unlike New York City landmarking, listing on the State and National Registers is basically just an honorific, with little practical effect on property owners, who may alter or even demolish their buildings without restriction. Such listing does, however, require State Preservation Office oversight of any property alterations using state or federal funds, and

WHEREAS: While listing on the State and National Registers usually has little significance, it is of unique and fundamental importance in the proposed John Street-Maiden Lane Historic District because the mere acceptance of nomination puts this state oversight requirement into force; in other words, state oversight of alterations using any state or federal funds within the proposed district is already in force, and

WHEREAS: Also unlike the city landmarking process, apparently no public hearing or comment is necessary to make the listing permanent, only the agreement of a majority of property owners within the proposed district, and

WHEREAS: This proposed John Street-Maiden Lane Historic District is in an area the prior New York City Landmarks Commissioner, Sherida Paulsen, desired to designate, calling it the Fulton Street Historic District, and for which she sought out the advice and participation of Community Board #1, and

WHEREAS: The Landmarks Committee of Community Board #1 held open meetings with Commissioner Paulsen regarding this in the months immediately before September 11, 2001; on an informal basis, the Landmarks Committee agreed with the commissioner that, not only was a Fulton Street Historic District a potentially valuable historic site, but that it included some of the richest old, unrecognized buildings in downtown Manhattan, and was an extraordinarily appropriate candidate for designation, and

WHEREAS: After the shattering events of September 11, 2001, the Community Board heard not another word about this proposal until last month, at which time the Historic Districts Council made a presentation concerning its efforts to revive a possible designation, and

WHEREAS: Only following a tour of the proposed district on December 11, 2003 was it announced to a combined Financial Committee–Landmarks Committee meeting that, on September 26, 2003, this John Street-Maiden Lane Historic District had been declared eligible for listing on the New York State and National Registers of Historic Places, and

WHEREAS: Because the Historic Districts Council is the chief proponent of preservation in New York City, and a constant ally with Community Board #1 over many years, committee members expressed concern about the lack of consultation on this eligibility ruling, and expected to discuss options regarding the district rather than being presented with a *fait accompli*, and

WHEREAS: The walking tour made it clear to all that some of the proposed district's buildings are essential to preserve, and that others could appropriately give way to the urgent need for reconstruction, and that the balance between these two vital neighborhood concerns require study, and

WHEREAS: The exact boundaries and composition of the listing are yet to be finalized, now

THEREFORE
BE IT
RESOLVED

THAT: The Community Board requests that all state agencies involved closely consult with Community Board #1 in any further consideration of this matter, and

BE IT
FURTHER
RESOLVED

THAT: The listing process should be delayed until it can be integrated with the needs of the community, in direct consultation with the community, and

BE IT
FURTHER
RESOLVED

THAT: The Community does not support the district as presented and requests and expects the State Preservation Office to work with the community to define the final boundaries.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: DECEMBER 16, 2003

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

BOARD VOTE: 32 In Favor 3 Opposed 1 Abstained 1 Recused

RE: Eight Final Designs for the WTC Memorial

WHEREAS: The WTC Memorial will clearly be a key element of the redeveloped WTC site, and

WHEREAS: Community Board 1 is already on record laying out certain design principles for the WTC memorial site, and

WHEREAS: These design principles are consistent with the Memorial Mission Statement and Program, and

WHEREAS: Among the residents and workers in Community Board 1 are many who lost friends and loved ones on September 11 and who themselves survived the attacks, including thousands who narrowly escaped death as they fled the World Trade Center and surrounding areas, whose homes were damaged resulting in displacement for weeks and months, and whose children were evacuated from neighborhood schools after witnessing the attacks, and

WHEREAS: Notwithstanding the horrific effects of the attacks on the homes and workplaces within Community Board 1, our community is determined to rebuild and reclaim our homes and workplaces, while never failing to remember and honor the friends, family, neighbors and rescuers who gave up their lives that day, and

WHEREAS: Hundreds of thousands of residents and workers within the Community Board 1 neighborhoods continue to live and work within sight of the World Trade Center site and will experience the memorial daily, and

WHEREAS: The LMDC Memorial Jury is now considering eight final potential designs for the WTC Memorial, now

THEREFORE
BE IT
RESOLVED
THAT:

Although Community Board 1 commends the LMDC for its decision to select a memorial design through an open competition and for its selection of a jury to evaluate and choose the final design from among those submitted, and although Community Board 1 further commends the Jury itself for its public service in carrying out its mandate free from the influence of politics or lobbying, Community Board 1 shares the broadly expressed disappointment with the eight final proposed designs.

We believe, however, that a fitting memorial can nonetheless spring from this process if the Jury gives due consideration to the concerns set out in this resolution, summarized below:

- The entire memorial space should be accessible and inviting to the public. The memorial should include outdoor space for public ceremonies and celebrations.
- The memorial should reflect its setting in the heart of a vibrant residential and commercial neighborhood, and should be integrated into the fabric of that neighborhood.
- The memorial should be forward-looking and affirm life rather than morbid or funereal; the memorial should not only remember the lost lives, but also recognize the strength and endurance of those who survived, thousands of whom will see the memorial every day.
- Simpler is better, not only in terms of maintenance and practicality, but also in terms of achieving a timeless quality.
- The Program Element of an area of contemplation for “families and loved ones” should not be interpreted as setting aside a private space for an inherently impossible-to-define set of “family members” and “loved ones.”
- Designs that contemplate individual input from survivors of each and every victim are not practical and risk inequitable treatment among victims.
- The memorial should include appropriate surviving artifacts of the original World Trade Center.
- All designs suffer from attempting to fill an extremely large space with a memorial; consideration should be given to placing all memorial and cultural buildings within the “bathtub” area.
- The final design should not be selected until after practical issues associated with the designs are addressed, including requirements of maintenance, effects of seasonal changes, horticultural elements, effects of wind and shadows in light of the existing and contemplated tall buildings in and near the site, and effects of nighttime lighting, and

BE IT
FURTHER
RESOLVED
THAT:

Community Board 1 recommends that the Jury give strong consideration to the following more detailed comments and recommendations, which reflect the feelings of many survivors of the attacks, local residents and workers:

- While all of the designs provide places for contemplation and mourning, the eight final proposed designs differ significantly in ways that are important to the residents and workers in Community Board 1, including the following:

- The memorial should always welcome and invite the public in. The barriers to entry characteristic of many of the designs are at cross-purposes to this goal.
 - Suspending Memory, Garden of Lights and Inversion of Lights do not invite the public in.
- The Memorial Program Elements include a requirement of space for public ceremonies and celebrations.
 - Suspending Memory and Garden of Lights provide no such space outdoors. To the extent that Lower Waters does not contemplate the public having general access to its prairie grass areas, it would provide no meaningful outdoor public space either.
- We object to designs that effectively restrict public access to large areas of the memorial site and believe the site, including the “footprints” should be as open and accessible to the public as possible.
 - Garden of Lights and Inversion of Light are the most restrictive – according to the designers’ programs, the street level portion of the site would be closed to the public for all but two hours every day for Garden of Lights, and completely restricted for Inversion of Light. Such closures are not only wholly inappropriate for a public space intended to be part of the community and accessible to the visiting public but also raise insurmountable practical problems in view of the enormous crowds expected to visit the site.
- In addition to being inviting, the memorial site should be integrated into the WTC site as a whole as well as the adjacent neighborhoods. None of the designs contemplate convenient access through the memorial site along the southwest to northeast axis, which is the most natural path to and through the site for the large residential communities of Tribeca and southern Battery Park City.
 - Two designs inherently block SW-NE access: Suspending Memory and Garden of Lights. The other designs retain the potential for such access, with Passages of Light: Memorial Cloud offering the best integration into surrounding neighborhoods with the least alteration to the current design (slight changes at the SW corner of this design would provide good street level access to the site from and to the SW corner). The sloping grass plane of Lower Waters superficially appears to encourage access, but its dead-end walkways conflict with the sloping plane’s invitation and act to thwart transit through the site.
 - Reflecting Absence would be physically well-integrated into the neighborhood but for the inappropriate placement of an impractically narrow cultural building

along West Street. Such a building would effectively create a wall between the WTC site and Battery Park City and the waterfront, which is directly contrary to the fundamental principles of the WTC site redevelopment.

- We strongly oppose elements of any design that evoke cemetery images.
 - Suspending Memory appears designed specifically with a cemetery motif: the designers' video presentation even includes an image of a mourner placing flowers at the foot of a tombstone-like glass column.
 - Garden of Lights refers to a constellation of stars that shine down on tombstone-like "altars."
- As a general rule, each of the eight design finalists tend more toward inducing mourning than toward transcendence or inspiring hope for the future. The designs seem rooted in the acute grief of the moment and none of them have the quality of timelessness we think is essential to the memorial. We encourage the jury to request the selected designer to consider modifications to look forward, in addition to remembering the past, and to better reflect the spirit of hope.
 - Suspending Memory is clearly the most mournful and does not appear susceptible to any modification that would inspire hope.
- More is not better in memorial design and we would prefer simpler designs. Simpler designs ideally would permit the memorial to mature over time, as the passage of time permits the public to better appreciate the full magnitude and import of the events and losses of September 11. Complex designs can be expected to age less gracefully or to seem dated and will require a significantly greater level of maintenance in order to preserve their intended effect.
 - Dual Memory and Suspending Memory are the most overly-complex, with Dual Memory appearing likely to become dated within a generation and Suspending Memory likely to suffer severe maintenance issues due to the proposed flooding of most of the site.
 - Votives in Suspension and Garden of Lights are nearly as complex. The individual lights of Votives in Suspension present numerous problems, including how to fuel the lights, the safety of any fuel storage, how to address the inevitable extinguishment of a certain number of lights at any given time. Garden of Lights presents similar maintenance issues, with its massive use of glass and over 40,000 lights.
 - Reflecting Absence appears to be the simplest design concept although as noted it contemplates an unacceptable barrier on the West side of the site.

- Many designs interpret the Program Element requiring an area of contemplation for “families and loved ones” as requiring a private area open only to a specified group of family members of those who died. We believe this interpretation is unwise and likely to generate disharmony among those who lost relatives and friends. It may be impossible fairly to determine who qualifies as a “family member” or “loved one” entitled to access. The “area for families and loved ones” should be open to all members of the public who feel the need to contemplate and mourn the losses of September 11.
- Designs that contemplate individual input from survivors of each and every victim are not practical and risk inequitable treatment among victims.
 - Suspending Memory is objectionable for this reason in that it contemplates that a unique glass column for each victim containing a “timeline of a victim's defining moments.” Dual Memory and Garden of Lights suffer from similar individual biography requirements.
- We urge that the selected design be modified to include appropriate surviving artifacts of the original World Trade Center, as contemplated by the Program Elements. In particular, we believe that the Fritz Koenig sculpture, currently part of the temporary memorial in Battery Park, should be included within the selected memorial design. We do not believe that access to any portion of the bedrock is necessarily either desirable or an essential element of the Memorial Program.
- We believe that all of the designs suffer from the requirement of filling too much space with the memorial. The resulting designs share a general blandness and reflect a lack of focus on the events and meaning of September 11. We suggest consideration be given to placing all of the memorial and cultural buildings within the “bathtub” area as a means of condensing the memorial space and enhancing its power and focus.
- The memorial design should anticipate seasonal changes. Fountains and pools in New York almost invariably are drained in wintertime to avoid the effects of freezing. Designs that depend on running water for their effect may appear dreary or desolate in the winter. Heating pools of water during winter, as suggested in the design for Suspending Memory, creates a different set of problems, including the risk of enclosing the memorial in a dense fog for many months of the year.
- Designs that contain horticultural elements should anticipate growing conditions at the site and maintenance considerations. For example, large prairie grass areas, although full of life in the summer, may look dull and uninviting in winter and early spring, and certain species of trees may not grow at the site or

may be adversely affected by shadows cast by buildings or other elements of the overall design of the WTC site.

- Although the desire to make a memorial statement through the use of light at night is understandable, we believe that the memorial must have its primary impact in daylight hours, when most visitors will experience it. Moreover, care must be taken to avoid undesirable light intrusion on the surrounding residential neighborhoods.
- Selection of the final memorial design should not be completed without benefit of wind and shadow studies. The WTC redevelopment master plan contemplates numerous very tall buildings adjacent to the memorial site, in addition to the tall buildings already existing in Battery Park City.
- For the following reasons, Community Board 1 recommends that the WTC Memorial Jury select the following designs as a “short list” of finalists subject to modification to take account of the above considerations:
 - Passages of Light: Memorial Cloud: superior access to and through the site; a good setting for reflection and the most amenable to use as a site for commemoration and celebration of the future;
 - Reflecting Absence: good access to and through the site; easier to maintain than other designs, although proposed trees would be difficult to grow at the site; proposed building/barrier along West Street is unacceptable, however;
 - Inversion of Light: green open space is welcome, and has the potential for providing good access to and through the site; programming elements, restricting access to significant portions of the site, are unacceptable;
 - Votives in Suspension: a good setting for reflection although fuel lights are not acceptable, and significant aesthetic and maintenance issues must be addressed for electric lights; open space is good and design is relatively clean.
- Community Board 1 recommends that the jury not select Suspending Memories as the basis for the final memorial design, because the inherent nature of this design renders it incapable of modification such that it would be acceptable.