

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 10 In Favor 0 Opposed 1 Abstained 1 Recused  
BOARD VOTE: 36 In Favor 0 Opposed 1 Abstained 1 Recused

RE: **500 Canal Street**

WHEREAS: Greenwich Triangle Number 1, LLC has submitted an application for a BSA waiver to construct an 8 story, 6 FAR residential building on a lot zoned for 5 FAR commercial, and

WHEREAS: This lot presents a unique set of documentable hardships because of the usual triangle shaped lot, its proximity to the Holland Tunnel, and an underground canal that flows close to street level, which will significantly increase the cost of construction, and

WHEREAS: The developer has proactively solicited input from neighbors who will be affected, has responded to community concerns, and has pledged to convene a representative group to provide advice and input on design and construction issues on an ongoing basis as the project proceeds, and

WHEREAS: The building will be contextual with the neighborhood and will use demolition and construction procedures, similar to those used for Route 9A, that do not create vibrations that will endanger older buildings in the landmarked district, and

WHEREAS: The developer has indicated that plans call for:

- Making a construction manager available to address community issues during construction
- Maximum height of 98'
- Set back of 75'
- Minimize visibility of mechanicals
- Maintain bulkheads of <20
- No cooling towers
- No clubs or bars in the offering plan
- Top floors only are to have fireplaces and minimize visibility of chimneys
- Minimize noise issues in materials used and during construction

WHEREAS: Those who live near the site have expressed support for the application, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 supports BSA approval of this application subject to compliance by the developer with the indicated plans and continued community outreach through the representative group, and

BE IT

FURTHER

RESOLVED

THAT: The support of this BSA application should not be considered a precedent.

04res.june15

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 12 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 42 In Favor 0 Opposed 1 Abstained 0 Recused

RE: **Retail Plans for the WTC Site**

WHEREAS: The Port Authority of NY and NJ is in the process of developing a retailing plan for the WTC site, and

WHEREAS: The WTC had been a key retail center of Lower Manhattan prior to 9/11, and

WHEREAS: The Lower Manhattan retail sector has been badly hurt by 9/11 with the loss of many businesses, and

WHEREAS: A survey of local residents conducted by Friends of Community Board No. 1 in April found that 48% of our residents go outside the neighborhood for their daily shopping due to the lack of retail stores downtown, and

WHEREAS: The same survey found that the restoration of local retail services was the most important improvement we could make that would entice them to remain in their neighborhood, and

WHEREAS: The restoration of retailing options at the WTC will also enliven nearby streets and will significantly upgrade the urban fabric of the WTC area, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 strongly supports plans to restore at the WTC site at least an equivalent amount of retail space as existed pre – 9/11 and urges that most of the retail space have street level entrances, and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board #1 recommends that the retail include a Nordstrom - type major anchor department store, a large food retailer such as Whole Foods as well as an eclectic mix of unique and interesting retailers and restaurants so that the shopping experience, which should be geared particularly towards local residents and workers, goes well beyond the typical mix of national stores found in most malls, and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board #1 urges the PANYNJ build out the retail space as soon as possible, utilizing podiums, and not delay it until the commercial towers are built possibly many years down the road, and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board #1 recommends that the office towers at the WTC place their lobbies on the third floor or above so that sufficient ground floor/street level space is available for retail uses, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 also encourages the creation of sidewalk cafes wherever possible as well as an expedited approval process for their establishment, and

BE IT  
FURTHER  
RESOLVED

THAT: Community Board #1 is on record for having Cortlandt Street built as a through street. CB #1 would like to have more discussions with the Port Authority on retail plans before any decision is made to do otherwise, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 urges that the PANYNJ institute a more transparent and open process to gain valuable public input regarding future retail services at the new WTC and urges that they sponsor public hearings and meetings on this issue.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: WATERFRONT

COMMITTEE VOTE: 12 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 40 In Favor 0 Opposed 1 Abstained 0 Recused

RE: **Proposed relocation of buses that currently lay over on West Street to the FDR Drive from the Brooklyn Bridge to Wall Street**

WHEREAS: The NYS Department of Transportation is seeking to relocate the commuter buses, which have for many years queued up along West Street in the afternoon, in order to rebuild and landscape the street, and

WHEREAS: NYSDOT has proposed that a parking area to accommodate 18 of these buses be created in two of the three current southbound lanes of the FDR Drive between the Brooklyn Bridge and Wall Street, and

WHEREAS: In order for these buses, most coming from New Jersey via the Holland or Lincoln Tunnel, to reach the FDR they need to travel in a long, circuitous route around the Battery and onto many of our most congested eastside streets including South Street, Peck Slip and Pearl Street and past the always crowded entrances to the Brooklyn Bridge and FDR Drive, and

WHEREAS: CB #1 and the Alliance for Downtown New York put forth a widely praised plan for the East River Waterfront in 2002 which called for converting two of these very same FDR Drive lanes into an upper pedestrian promenade providing this side of Lower Manhattan with urgently needed open space and recreation space, and

WHEREAS: To instead convert these lanes into a bus parking lot, at a time when the State and City have been removing such uses from the waterfront on the west side and elsewhere, is an awful use of this valuable waterfront, and

WHEREAS: This plan will greatly increase road congestion and pollution on the east side of our district, and

WHEREAS: Any so-called "interim" plan to park buses on the FDR Drive is likely to continue indefinitely since NYSDOT and the City acknowledge that they have no permanent solution in mind of the storage of these commuter buses, and

WHEREAS: This plan will also impede efforts by the City, which is currently preparing a major revitalization plan for the East River Waterfront, to implement any such plan, and

WHEREAS: CB #1 has listed the revitalization of the East River Waterfront as our top priority for funding from the remaining LMDC controlled federal rebuilding dollars, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 strongly opposes the proposed use of the FDR Drive for the lay-over of commuter buses, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 implores NYSDOT and the City to instead spend their limited resources to improve, beautify and revitalize this dilapidated portion of the East River Waterfront and turn this extremely valuable property into an attractive asset for the hundreds of thousands of residents and workers in the area, and

BE IT  
FURTHER  
RESOLVED

THAT: These buses should be relocated away from any waterfront area, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 again, as it has for almost two decades, calls upon the City and State to build a commuter and tour bus storage facility here in Lower Manhattan to address this most serious local problem and to get these buses off our congested streets.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **50 New Street, liquor license application for Before/B4**

WHEREAS: The applicant will operate a bar with a public assembly capacity of 50 people, and

WHEREAS: The hours of operation will be 10 AM until 10 PM Monday to Sunday, and

WHEREAS: The applicant will have background music only and agreed to provide adequate sound-proofing, and

WHEREAS: The applicant will not be seeking a sidewalk café license nor will he be seeking a cabaret license, and

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

THEREFORE

BE IT

RESOLVED

THAT: CB #1 approves the new liquor license application for Before/B4 at 50 New Street for a period of two years.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 37 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **Proposed newsstand at the N/E corner of Pine and Water Streets**

WHEREAS: A new newsstand has been proposed for the northeast corner of Pine and Water Streets, and

WHEREAS: There is already an existing newsstand on the block and the committee questioned the need for an additional stand, and

WHEREAS: This location has a very high level of foot traffic and the addition of this newsstand would further add to the already congested conditions, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 rejects this application for a newsstand at the north east corner of Pine and Water Streets.



**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 39 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **311 Greenwich Street, BSA application to permit the expansion of a physical culture establishment**

WHEREAS: The New York Sports Club has filed an application with the BSA to extend the term of the previously granted special permit for a physical culture establishment and to permit an expansion of the establishment by 1,500 square feet, and

WHEREAS: The New York Sports Club has operated at this location since 1989 and serves the local community, and

WHEREAS: The proposed expansion will enable NYSC to better serve the existing membership and offer more services, and

WHEREAS: The Community Board has received no complaints regarding this establishment, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 supports the granting of the BSA special permit for a physical culture establishment and the proposed expansion of the establishment by 1500 square feet.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 6 In Favor 1 Opposed 2 Abstained 1 Recused  
BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused  
1 Present not voting

RE: **33 Leonard Street, sidewalk cafe application for TK Restaurant Corp., dba The Square Diner for 15 tables with 31 seats**

WHEREAS: The applicant has applied for a sidewalk cafe license for 15 tables and 31 seats, and

WHEREAS: The proposed hours of operation will be 6 AM until 9 PM Monday through Friday and 8 AM until 4 PM on Saturday and Sunday, and

WHEREAS: CB #1 has not received any complaints of loud noise or opposition from the local community, and

WHEREAS: The applicant agreed to revise their application to maintain a minimum of 8 feet clearance between the tables and the existing trees, and

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not object to the sidewalk café license for TK Restaurant at 33 Leonard Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 1 Recused  
BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused  
1 Present not voting

RE: **313 Church Street, liquor license application for Anguillara, Inc.**

WHEREAS: The applicant proposes to operate a restaurant with 25 tables with 60 seats and a bar with 5 seats, and

WHEREAS: The proposed maximum hours of operation will be 12:00 PM until 10:30 PM Sunday through Friday, 5:00 PM until 11:30 PM on Saturday and will be closed on Sunday, and

WHEREAS: The applicant agreed to have quiet background music only as appropriate for an establishment located where it is, and to provide adequate sound-proofing, and

WHEREAS: The applicant represented that it will not be seeking a cabaret license or a sidewalk café license, and

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

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the new liquor license application for Anguillara, Inc. at 313 Church Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 39 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **388 Broadway, BSA application to permit a physical culture or health establishment**

WHEREAS: The Eden Spa has filed an application with the BSA for a special permit for a physical culture establishment, and

WHEREAS: The Eden Spa has operated at this location since June 2001 and serves the local community, and

WHEREAS: The Community Board has received no complaints regarding this establishment and one resident of the building spoke on behalf of the application, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 supports the granting of the BSA special permit for a physical culture establishment for the Eden Spa located at 388 Broadway.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 1 Recused  
BOARD VOTE: 38 In Favor 0 Opposed 0 Abstained 0 Recused  
1 Present not voting

RE: **305-307 Church Street, liquor license application for Solounge II, Inc.**

WHEREAS: The applicant proposes to operate a restaurant with 23 tables with 74 seats and a bar with 25 seats, and

WHEREAS: The proposed maximum hours of operation will be 11:30 AM until midnight Sunday through Thursday and 11:30 AM until 2:00 AM on Friday and Saturday, and

WHEREAS: The applicant agreed to have quiet background music only as appropriate for an establishment located where it is, and to provide adequate sound-proofing, and

WHEREAS: The applicant represented that it will not be seeking a cabaret license but would be seeking a sidewalk café license, and

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

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the new liquor license application for Solounge at 305 Church Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 4 In Favor 2 Opposed 0 Abstained 1 Recused

BOARD VOTE: 39 In Favor 3 Opposed 1 Abstained 1 Recused

RE: **51-53 Walker Street, application to construct a new ten-story building**

WHEREAS: This proposal calls for the construction of a new ten-story residential building on the south side of Walker Street, just west of Broadway, on what is currently a parking lot in the Tribeca East Historic District, and

WHEREAS: It should be noted that, although the original application called for a nine-story building, this resolution refers to a ten-story building. The difference is purely semantic, since the height, envelope, and bulk remain the same, and that what was previously referred to as a mezzanine is now called a floor, and

WHEREAS: The applicant returned to the June Landmarks Committee meeting with the materials and color samples requested of the applicant by the committee in May, and

WHEREAS: The applicant describes the proposed new structure's spandrel panels as alabaster-colored "alucobond" formed metal, with window frames of articulated "black forest green" aluminum – virtually black – well set in from the facade, and

WHEREAS: The base of the building will be of charcoal black Coldspring granite, and

WHEREAS: The applicant's architect responded to the committee's previous concern with his design for the building's cornice by adding curves and brackets to the cornice, reducing its "pigeon coop" effect, and proposing a painted copper green and white paint scheme for it, and

WHEREAS: The back and sides of the penthouse level, represented to be invisible from the street, will be faced with corrugated cream-white metal, and

WHEREAS: While the committee appreciates the applicant's responsiveness, we still feel that an uneasy marriage exists in both color and design between the cornice and the rest of the building, and that while, in massing and articulation, the architect has done a commendable job, more could be done with surface detail, now

THEREFORE

BE IT

RESOLVED

THAT:

The Landmarks Committee of Community Board #1 Manhattan recommends that the Landmarks Preservation Commission approve this application, after working with the applicant to refine the cornice and the facade's surface details.

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**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: LANDMARKS

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

BOARD VOTE: 43 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **30 Water Street, application to legalize the installation of a bracket sign without LPC permits**

WHEREAS: The applicant did appear at the Community Board, but at the wrong meeting, through which he sat for a number of confused hours, now

THEREFORE

BE IT

RESOLVED

THAT: The Landmarks Preservation Commission is urged to hold over this application until the applicant makes its presentation before the Landmarks Committee of Community Board #1 Manhattan.



**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

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

BOARD VOTE: 28 In Favor 0 Opposed 6 Abstained 0 Recused

RE: **The International Children's Center**

WHEREAS: The children of Lower Manhattan have lived through the events of September 11, 2001 and that they continue to live through the rebuilding efforts, and

WHEREAS: This experience has taught them many lessons, which will prove useful to other children in other parts of the world, and

WHEREAS: Lower Manhattan is and will continue to be a major tourist attraction to people and their children from all over the world, and

WHEREAS: Although the children of Lower Manhattan were witnesses to these events, they are not participants on the planning and building of the future Lower Manhattan, and

WHEREAS: A Center for children of Lower Manhattan, visiting children and children all over the world will provide an avenue for the exchange of ideas and understanding, and

WHEREAS: The Center would provide a way for the existing schools and community programs to reach out across the globe and tell their story, and for them to hear from visiting children the world over, and

WHEREAS: The Center would provide a place for children's art, photographs, and other works by children, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 supports the concept of creation of the International Children's Center, and

BE IT

FURTHER

RESOLVED

THAT: CB #1 will play an integral role in the shaping and creation of the design to serve the children of Lower Manhattan and the children of the world.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: EXECUTIVE

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

BOARD VOTE: 40 In Favor 0 Opposed 1 Abstained 0 Recused

RE: **Salary Adjustment**

WHEREAS: The City recently reached a contract settlement with its largest municipal union, DC 37, which will result in raises for two of our staff members, Judy Duffy and Lucy Acevedo for the first time since 9/11, and

WHEREAS: The settlement calls for a 3% raise retroactive to July 2003, a 2% raise on July 1, 2004 and a one time lump sum of \$1000 per employee which will not be permanently added to the base salary, and

WHEREAS: Paul Goldstein, as District Manager, is not covered by this negotiation settlement and his salary is determined by the Community Board, and

WHEREAS: Paul likewise has not received a raise since 9/11, and

WHEREAS: The Community Board staff does a good job and the office is operated in an efficient and responsible manner, and

WHEREAS: Paul has served as our District Manager for over 20 years and there are eleven current District Managers who receive a higher salary than Paul, and

WHEREAS: The raise negotiated by the City is not exorbitant, and

WHEREAS: The Community Board budget, which is currently \$175,758 from the City and \$16,000 per year raised by sponsoring several street fairs, can accommodate these raises and other operating expenses, and

WHEREAS: It is also anticipated that the City will be increasing our operating budget now that they have negotiated these wage hikes, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves for our District Manager the same salary adjustment, as described above, as was approved for our other two CB #1 staff members.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

BOARD VOTE: 43 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **WTC Memorial Center Advisory Committee Draft Recommendations**

WHEREAS: On June 2, 2004, the World Trade Center Memorial Center Advisory Committee issued its Draft Recommendations for the Memorial Center, and the Lower Manhattan Development Corporation has submitted these Draft Recommendations for public comment, and

WHEREAS: Among the residents within the CB#1 District are thousands of adults and children who witnessed the events of 9/11 and barely escaped with their lives; local residents also include many friends and family members of those who died; as such, the residents of this District are important stakeholders in, and should be contributors to, the development of the Memorial Center, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 commends the Memorial Center Advisory Committee for its work in developing recommendations for a powerful and moving Memorial Center, and CB#1 supports the Draft Recommendations as written, and

BE IT

FURTHER

RESOLVED

THAT: CB #1 urges that as the Memorial Center design and programming move forward, that consideration be given to the special circumstances of the local residents, and to the strong personal and emotional impact that will continue to be felt by those residents as they are reminded of the events of 9/11. In this regard, we note that local residents, unlike others who remain emotionally traumatized, do not have a choice about visiting the street level elements of the Memorial - they will necessarily confront them every day, and in some cases see them out their apartment windows. For this reason, we urge that decisions regarding street level elements of the Memorial be made with sensitivity to the residents' concerns, and

BE IT

FURTHER

RESOLVED

THAT: CB #1 requests that LMDC continue to consult this Board as the Memorial Center design and programming move forward.

**COMMUNITY BOARD #1 - MANHATTAN**  
**RESOLUTION**

DATE: JUNE 15, 2004

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 12 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 39 In Favor 0 Opposed 2 Abstained 1 Recused

RE: **Fulton Street Transit Center Draft Environmental Impact Statement**

WHEREAS: CB #1 strongly supports construction of the proposed Fulton Street Transit Center ("FSTC" or the "Proposed Action") to rationalize access to subway lines originally designed to compete with each other, creating a public crossroads and significantly improving access to, from and within Lower Manhattan, and

WHEREAS: Residents and workers will be in constant proximity to the site of the Proposed Action and will be subject to significant adverse environmental and quality of life effects related to the construction of the FSTC and all other Lower Manhattan Recovery Projects that will be simultaneously under construction in Lower Manhattan, and

WHEREAS: Lower Manhattan businesses, residents and workers depend on small stores, restaurants and other businesses within and near the site of the Proposed Action, which may be temporarily or permanently relocated or displaced by the Proposed Action or otherwise adversely affected, and

WHEREAS: Because the Proposed Action is one of the driving forces for the economic revitalization of Lower Manhattan and a catalyst for development in areas beyond the boundaries of the site of the Proposed Action, a thorough assessment of the aggregate impact of all other Lower Manhattan Recovery Projects that are expected to occur during the period of construction of the Proposed Action, including the redevelopment of the World Trade Center (WTC) site, construction of the new PATH Terminal, reconstruction of the South Ferry Terminal, construction of the proposed LIRR/JFK rail link, the Second Avenue Subway line, the reconstruction of Route 9A, the deconstruction of 130 Liberty Street, the reconstruction or replacement of Fiterman Hall, and other commercial and civic projects such as the proposed construction of the new Goldman Sachs and Verizon buildings and renovation of the Post Office building should all be included as part of the Final Environmental Impact Statement, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 has the following comments on the FSTC Draft Environmental Impact Statement (DEIS):

## **Cumulative Impact**

Although it purports to address the cumulative effect of the numerous and substantial construction and development projects proceeding in Lower Manhattan during the same time-frame as the FSTC, we believe that the DEIS risks underestimating the actual cumulative impact for two independent reasons:

- The use of differing methodologies for estimating key impacts (such as traffic or noise pollution) among the separate Environmental Impact Statements for the various projects precludes an “apples to apples” comparison or any meaningful aggregation of the cumulative effects of the various different projects.
- Merely adding up the effects specifically attributable to each different project fails to take proper account of the synergistic economic and growth stimulation that the Proposed Action and other planned projects can be expected to have on Lower Manhattan.

## **Business Relocation and Easements**

- Both build alternatives contemplate the permanent relocation of over 100 retail and commercial tenants, and numerous other businesses will suffer temporary disruptions as part of the planned construction activities. We believe that appropriate compensation should be made to the relocated businesses and to businesses affected by condemnation or easements. In addition, every effort should be made to offer the comparable or improved retail services as those currently enjoyed by Lower Manhattan residents, workers, businesses and visitors in the area of the FSTC, especially given the increase in density expected in the community over the next several years.
- We urge that the retail plan for the FSTC be planned and developed in consultation with representatives of the local community and that it be designed to best serve the community. We are concerned about the initial “vertical” retail plan for the FSTC (retail stores that occupy only a mezzanine or second floor level) because it would not encourage pedestrian traffic to move through the Transit Center

- The easement that currently reaches grade near 85 Nassau Street should be included in the scope of the Proposed Action and should be rehabilitated as part of the development of the FSTC. This easement is dark and dingy and because people are expected to use it to access a spectacular new transit facility, it should be upgraded.
- The details regarding the acquisition of easements and vault spaces should be clearly addressed. Specifically, we are concerned about when these spaces will be acquired and what impact that the acquisition of these spaces will have on surrounding buildings and businesses.

### **Economic Impact**

- The Proposed Action will significantly affect the small businesses in and around the site of the FSTC. Those that are not directly relocated or displaced will also be disrupted economically. Therefore, the establishment of a Commercial Relocation Coordination Group (CRCG), including representatives from CB #1, the Alliance for Downtown New York and other interested groups, will be essential to address the issues of relocation and displacement and to ensure proper mitigation of adverse economic effects. The cumulative effect of other redevelopment and reconstruction projects in Lower Manhattan will also have a significant effect on the retail currently in the neighborhood.
- The significant disruption of the neighborhood resulting from the Proposed Action will impact decisions by existing retailers and prospective retailers to remain in Lower Manhattan, and we need to insure that mitigation techniques address these concerns.

### **Construction**

- Construction activities are expected to be carried out in two (2) eight (8)-hour shifts, six days a week for the majority of construction tasks, with some activities occurring anytime within a 24-hour/seven (7)-day per week period. CB #1 recommends construction to be limited to Monday to Friday in deference to the residents who live near the site. All such construction activities, as well as truck movements that the DEIS indicates may occur at anytime within a six (6)-day week, including during morning and evening peak hours, should be carefully planned and coordinated to minimize disruption to local businesses, residents, workers, commuters and visitors.
- Construction of the Fulton Street Transit Center will take place in the vicinity of several major Lower Manhattan destinations including the Millennium Hilton Hotel and Century 21 Department Store. In addition, Dey and Fulton Streets serve as major pedestrian and vehicular thoroughfares. The DEIS describes strategic construction phasing as a mitigation technique for restricted pedestrian access to construction areas, and CB#1 supports that strategy. However, it is important for the MTA to work with affected businesses and residents directly and through the Lower Manhattan Construction Coordination Committee and CB#1, to stage construction so as to best accommodate the needs of the community and protect access to businesses and residences during what promises to be a very challenging and intense construction period. It is also essential that a more detailed timeline

regarding the strategic construction phasing be issued to the affected property owners, business operators and residents.

- CB #1 also strongly supports the adoption of an overall Maintenance and Protection of Traffic Plan (MPT Plan) in coordination with NYCDOT and in conjunction with the MPT Plans of other project sponsors in Lower Manhattan such as the PANYNJ and LMDC with respect to the proposed redevelopment of the WTC site and the NYCDOT with respect to the proposed rebuilding of Route 9A. The MPT Plans should be developed on a coordinated basis with advice from the proposed Lower Manhattan Construction Coordination Group (LMCCG) and CB#1 and should also take into account all other Lower Manhattan Recovery Projects that are expected to occur during the period of construction of the Proposed Action.
- Street and sidewalk closures as a result of proposed construction activities, including the planned cut and cover construction of the proposed Dey Street Passageway and reconstruction of the A/C mezzanine (including Dey Street between Church Street and Broadway and Fulton Street between Broadway and Nassau Street), will divert vehicular and pedestrian traffic and will have a disproportionate impact on surrounding residents and businesses. As stated in the DEIS, the “closure of Dey and Fulton Streets to through traffic would limit truck access to business.” Appropriate mitigation plans should be developed on a coordinated basis with input from the proposed LMCCG and CB#1.

### **Traffic**

- The conclusion stated in the DEIS that there will be no adverse traffic effects during the construction of the Proposed Action is difficult to accept in view of the fact that (a) one lane each of Broadway and Church Street will be closed during construction; (b) bus traffic on Broadway will be diverted into one of the two remaining open lanes; (c) construction of the Proposed Action will take place during the peak years of construction for other Lower Manhattan projects, including at the WTC site and Route 9A; (c) the DGEIS projects considerable heavy construction traffic on Broadway and Church Street during the construction of the Proposed Action; and (d) construction will occur from 7:00 am to 11:00 pm six days a week.
- The DEIS states that “[t]raffic projected to use Dey and Fulton Streets is expected to use alternate routes in the study area. None of the intersections analyzed would experience an impact as a result of truck traffic generated by the construction or related lane and roadway closures. Delay increases would be relatively minor and all would be within the established threshold.” We are concerned about the accuracy of the preceding statements in the context of the overall MPT for the area and the cumulative effect of construction activities relating to the Proposed Action and other projects in the study area and surrounding neighborhoods. (ES17)
- According to the WTC FGEIS, the traffic study methodology used in the FSTC DEIS assumes that traffic will be diverted elsewhere once it reaches a certain critical level. We request clarification whether the DEIS traffic modeling similarly projected that traffic will be diverted from the studied streets and

intersections to other streets or intersections, and, in particular, whether (if, if so, to what extent) the modeling projected that traffic would be diverted to Route 9A. Common experience suggests that traffic is commonly diverted between Route 9A and either Church Street or Broadway. The DEIS does not study this effect – either by examining traffic patterns on Route 9A (other than at Chambers Street) or by taking into account the fact that the WTC Redevelopment and Route 9A projects will tend to divert traffic to Church Street and Broadway while the construction of the FSTC will tend to divert traffic in the opposite direction.

- The DEIS assumes, unrealistically we believe, that construction workers will not use personal vehicles to travel to the worksite. This is contrary to experience, which suggests that construction workers commonly use their personal autos to travel worksites, often parking illegally (or with invalid permits displayed) on adjacent streets and sidewalks, or in staging areas (resulting in larger than necessary staging areas). Permits for personal vehicles should be strictly limited, parking rules in the surrounding streets thoroughly enforced, and incentives provided to encourage use of public transportation.

### **Noise and Vibration**

- CB #1 supports the guidelines established by MTA and NYCT to mitigate noise disruption. However, we request that the final EIS specify precisely how these guidelines will be enforced among the many contractors required for this construction.
- The DEIS states that a proposed Noise and Vibration Plan “may include a Community Liaison and Complaint Hot Line” (page 13.3). We support this initiative and request a detailed description of how this number will be disseminated to the Lower Manhattan community and how the plan will be implemented.
- The DEIS reduces the estimated noise impact of stationary construction equipment by employing an “average distance method” (page 13.2) While we appreciate the intent of this method, we reject its use as inappropriate, since the Proposed Action will be built directly adjacent to residential housing. We request that the final EIS use only the “minimum distance method” in calculations. (Compare Table 13-11 to Table 13-13.)
- The DEIS indicates that FTA noise and vibration standards may be exceeded in some circumstances but that the Action area is within a Central Business District which “already experiences high ambient noise levels...” We urge that given the large number of residences and businesses in close proximity to the site of the Proposed Action, that every effort be made to keep the noise and vibration within applicable standards.

### **Treatment of The Corbin Building**

- Based on the limited information available in the DEIS, CB #1 supports Alternative 10, which provides for acquisition of the building and its incorporation into the design of the FSTC and would include complete restoration of the exterior and significant elements of the interior.



- Alternative 10 also provides additional retail space and entry points that CB #1 strongly supports.

### **Air Quality and Contaminated Materials**

- CB #1 strongly supports the adoption of strict Lower Manhattan Federal Transportation Recovery Projects Common Environmental Commitments (EPCs) as well as a Construction Environmental Protection Program (CEPP) and related plans with respect to the Proposed Action that would reflect environmental protection commitments made in the EIS, permit requirements, and NYCT's registration and commitment to ISO 14001. The site of the Proposed Action is in a heavily populated mixed-use area in which both residential and commercial buildings are located directly adjacent to the site of the Proposed Action. Adherence to the strictest possible environmental standards is essential to protect residents and workers in the area from further adverse environmental effects and to avoid or mitigate air pollutant and noise emissions associated with truck trips, onsite construction equipment, vehicular emissions and dust generation.
- On-going air quality and contaminated materials monitoring during the years of construction around the FSTC and other WTC related redevelopment is essential to insure that proper steps are actually taken to minimize mobile and stationary sources. We also support on-site emissions testing of diesel machinery to ensure compliance with applicable law. Air quality and emissions testing data should be posted on a website and frequently updated.
- We urge the Federal Transit Administration (FTA) (as the LMDC proposed in the FGEIS for the World Trade Center site) to supply HEPA filters at fresh air intakes for nearby residences, hotels and office buildings.
- We urge strict enforcement of the idling law and required use of ultra low sulfur diesel fuel and retrofitting of non-road diesel engines as well as moving vehicles including concrete and waste removal trucks as well as implementation of certification requirements to ensure that all trucks and construction vehicles use ultra low sulfur diesel fuel and have been properly retrofitted.
- The increase in PM2.5 and PM10 cumulative concentrations must be calculated as under the FGEIS for the WTC site (Figures 22-13, 14, 15, 16, 17, 18) and if there are excess concentrations despite proposed mitigation methods additional off-setting measures should be implemented within the affected areas. This is of particular concern since two (PM and O3) of the six air pollutants regulated under the National Ambient Air quality Standards are of concern in the WTC area.
- We recommend the use of dust suppression techniques so that lead-based paint in the station is handled according to relevant removal and disposal protocols, especially since children use the FSTC on a daily basis to commute to school. In addition, the buildings in the area of the Proposed Action may have been subjected to the potentially contaminated fallout of dust and debris resulting from the events of September 11, and

FURTHER  
RESOLVED

THAT: Community Board #1 requests that the MTA and NYCT provide regular updates and submit for review and comment specific designs and proposals for mitigating potential adverse effects of the Proposed Action, including pollution controls, street closures and traffic management plans, security barrier installations and all other design and construction elements that will affect the residents, workers, businesses and visitors to Lower Manhattan

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