

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused

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

RE: **Capital and Expense Budget Requests for FY 2006**

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 recommends the implementation of the following
(on the attached) budget requests for FY 2006.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: BATTERY PARK CITY

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

BOARD VOTE: 29 In Favor 0 Opposed 0 Abstained 5 Recused

RE: **Preservation of Gateway Plaza as Affordable Housing**

WHEREAS: CB #1 has recognized that availability of affordable housing in this District is vital to preserving and enhancing the character of the District as a vibrant residential community, and

WHEREAS: Although our District has seen significant new residential development in the last three years, much of that development is market rate "luxury" rental housing, and very little of it can be classified as "affordable" in any sense, and

WHEREAS: The most effective and efficient means of maximizing the availability of affordable housing requires maximum effort at preserving *existing* affordable housing, and

WHEREAS: Battery Park City was originally conceived and developed as part of plan to bring more affordable housing to Lower Manhattan, and

WHEREAS: Gateway Plaza, the first project built in Battery Park City, was originally developed and financed as "affordable housing" pursuant to a HUD regulatory program, and

WHEREAS: In settlement of a lawsuit brought by the Gateway Plaza Tenants Association ("GPTA") placing in issue Gateway's actual status as of that time as market rate housing, effective July 1, 1985, GPTA, the landlord (a partnership formed by the Lefrak, Fisher and Olnick real estate interests, "LFO") and BPCA entered agreement providing keys components of rent stabilization protection for a period of 10 years, expiring June 30, 1995 (the "Gateway Stabilization Agreement"), and

WHEREAS: The Gateway Stabilization Agreement was subsequently extended such that its current expiration date is June 30, 2005, and

WHEREAS: Through efforts of Speaker Sheldon Silver, GPTA and LFO have agreed, subject to LFO taking advantage of certain refinancing requiring government approval, to extend the Gateway Stabilization Agreement for approximately 5 more years, and

WHEREAS: Because of reasons unrelated to the Gateway Stabilization Agreement, LFO has not yet taken advantage of the above-mentioned refinancing, with the result that the Gateway Stabilization Agreement has not yet come into effect, and

WHEREAS: The existence of the Gateway Stabilization Agreement, which has been in effect nearly 20 years, has materially contributed to the creation of a stable, family-friendly neighborhood in Battery Park City

- Gateway Plaza is the largest residential complex in Battery Park City; its character has a major effect on the character of Battery Park City as a whole
- The requirement of the Gateway Stabilization Agreement that LFO offer renewal leases at increases governed by the Rent Stabilization Guidelines, has encouraged individuals and families who wish to make Battery Park City their permanent home to make their homes in Gateway Plaza
- Gateway Plaza is home to families, seniors and others who have now lived in Battery Park City for ten years or more; some residents have made Gateway Plaza their home for over 20 years, and

WHEREAS: The existence of rent stabilization protection has also had a crucial effect on preserving the stability of Gateway Plaza through the period of disruption and grief post-September 11, and continued rent stabilization protection will similarly be crucial to continuing that stability through the long and disruptive rebuilding process, and

WHEREAS: The above-mentioned approximately 5 year extension of rent stabilization is a good first step in preserving stability and a degree of affordability at Gateway Plaza, it is but a first step towards a more desirable long term stability and affordability solution, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 urges landlord, Mayor Michael Bloomberg, Governor George Pataki, Speaker Sheldon Silver, Councilmember Alan Gerson and BPCA to set high priority on preserving the affordability status of Gateway Plaza, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges LFO to promptly implement the above-described five year extension agreed to with Speaker Sheldon Silver and GPTA, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges that LFO, Mayor Michael Bloomberg, Governor George Pataki, Speaker Sheldon Silver, Councilmember Alan Gerson and BPCA, work with GPTA to develop a long term solution for stability and affordability at Gateway Plaza, extending beyond the above-described five year extension to preserve Gateway's affordable status.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: LANDMARKS

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

BOARD VOTE: 34 In Favor 0 Opposed 1 Abstained 0 Recused

RE: **157 Hudson Street, application to alter the ground floor and construct a three-story rooftop addition with mechanical equipment and an application to request that LPC issue a report to the City Planning Commission for a modification of use**

WHEREAS: This application calls for the conversion of a significant structure in the Tribeca North Historic District from manufacturing and commercial to residential usage, and

WHEREAS: The Renaissance Revival building, which also has Gothic elements, was built in 1866-67, and expanded in 1898-99, as the stables of the American Express Company, which had its headquarters a few blocks south on Hudson Street, and

WHEREAS: The now virtually derelict premises, with formal but also rhythmic and lyrical façades and an irregular interior layout is a beloved element of the neighborhood streetscape and architecturally defining of the Tribeca Historic District, and

WHEREAS: The applicant promises a thorough – and urgently needed -- restoration of the property, in exchange for a Landmarks Preservation Commission recommendation to the City Planning Commission accepting residential usage under the “74/711 Process,” for which Community Board #1 does not object, and

WHEREAS: The applicant presented detailed proposals to refurbish or alter each of the structure’s many façades, which run along much of Laight Street between Collister and Hudson Streets; the entire east side of Collister Street between Laight and Hubert Streets; prominently on part of Hubert Street between Collister and Hudson Streets, and mid-block on Hudson Street between Hubert and Laight Streets, and

WHEREAS: Since so many architectural elements are involved, this resolution will not describe each one. Suffice it to say that the Landmarks Committee finds most of the intended work harmonious with both the original building and the landmarks district, but the committee members take unanimous exception and disapprove following items:

- The proposal to replace the horse carriageway opening on the east side of Laight Street with an irregular, gated garage elevator entrance. The elevator gate entrance needs to be more congruent with the rest of the façade, and more unified in scale and height;

- The plan to set two sconces into the brickwork around the main entrance on Collister Street. In an otherwise flawless presentation, the applicant had no tear sheet of the lamps and, in fact, the fixtures have not yet been chosen. It is important that they be historically appropriate;
- The intention to completely replace the existing Hudson Street first-floor façade with glass infill, consisting of many glazed panels framed in steel, squaring off the existing arch, and adding unspecified painted commercial signage. This entire scheme is unacceptable, and results in a run-of-the-mill storefront masquerading as “Ye Olde South Street Seaport,” and

WHEREAS: The program to add an additional 30 feet of height and three stories plus mechanical equipment to the existing approximately 50 feet and 3.75 stories (which includes the unusually high above-grade portion of the structure’s English basement) -- minimized visually by double setbacks at each new story – is intractably controversial. A number of neighborhood residents spoke out in favor of the restoration and conversion, but strongly against the rooftop addition. The applicant’s representations of the addition from various view corridors show relatively minimal visibility, except from Vestry Street -- albeit primarily from an open lot scheduled for development – where the new construction would be a jarring sight, and

WHEREAS: The contemporary but not dislocating design scheme for the addition is not of concern to committee members, and the applicant’s overall presentation was thoughtful, now

THEREFORE
BE IT
RESOLVED

THAT: As regards the 74/711 Process, the Landmarks Committee of Community Board #1 -- without prejudice to the Community Board’s Tribeca Committee zoning deliberations – unanimously recommends that the Landmarks Preservation Commission advise affirmatively to residential conversion in exchange for total restoration, and

BE IT
FURTHER
RESOLVED

THAT: The committee unanimously recommends that the L.P.C. reject the elements itemized in the sixth “WHEREAS,” otherwise approving the proposed façade alterations.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: LANDMARKS

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

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **77 White Street, application to construct a two-story rooftop addition, modify entrances and install a canopy**

WHEREAS: The applicants did not appear before the committee, and

WHEREAS: This is the second time in a row that the applicants have cancelled their appearance before the committee, and

WHEREAS: During the intervening period, the applicants nevertheless had their public hearing at the Landmarks Preservation Commission, where the commission rejected this proposal, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 urges the Landmarks Preservation Commission to insist that applicants not only schedule a Community Board presentation, but represent that they have appeared before the relevant Community Board, prior to their L.P.C. public hearing.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: LANDMARKS

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

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **452 Greenwich Street, application to legalize LPC violations regarding lintels and sills and for pointing**

WHEREAS: The architect who prepared the original application and oversaw the approved work has received four violations from the LPC for work not consistent with the approved plans, and

WHEREAS: The first was for the color of the lintels that was significantly different from the approved application, and

WHEREAS: The second was for the detailing on the lintels that was different from the approved application, and

WHEREAS: The third was given because one lintel was missing from the approved application, and

WHEREAS: The fourth was because LPC believed the building had been re-pointed but the applicant states it was not, and

WHEREAS: The Committee was concerned by the poor management by the applicant of the approved application, and

WHEREAS: The Committee could not approve the legalization of these violations, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends that the Landmarks Preservation Commission not approve the application.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: LANDMARKS

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

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **67 Greenwich Street, application to designate as an individual landmark**

WHEREAS: This building was the subject of our resolution of September 16, 2003 (attached) in which we strongly recommended that LPC urgently calendar designation hearings for this and three other Federal-era buildings, and

WHEREAS: The owner's lawyer reminded the Committee that the owner did not support the designation, which was also noted in our earlier resolution, and

WHEREAS: The Committee was informed that the applicant had not been told of the matter coming to this meeting, and

WHEREAS: The Committee was told that the owner would appear at the hearing at LPC and give testimony opposing the designation, and

WHEREAS: The owner would attend a future LPC meeting to present their reasons for opposing the application, and

WHEREAS: The Committee was encouraged by the representation of the owner's lawyer that no action would be taken to do any damage to the building during the designation hearing process, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 recommends that the Landmarks Preservation Commission not make a determination on the designation until the owner has had the opportunity to present their views to the Landmarks Committee.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: TRIBECA

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

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **ADA upgrade of the Chambers Street/West Broadway subway entrance**

WHEREAS: In mid 2005, the MTA NYC Transit will begin a project to upgrade the Chambers Street station served by the 1, 2, 3 and 9 lines, and

WHEREAS: The project will include rehabilitation of the station control area to improve station circulation, security and appearance, repair of structural elements, and upgrades of the lighting and communication systems throughout the station, and

WHEREAS: The project will also include the installation of three elevators, one at street level and two at the mezzanine level, in order to make the station fully ADA accessible, and

WHEREAS: The installation of the street level elevator will be on the northwest corner of Hudson and Chambers Street and will require extension of the sidewalk, thus eliminating the western parking lane of Hudson Street, and

WHEREAS: While the Committee was concerned about the effects of the proposed street narrowing on vehicular traffic, there seemed to be no alternative location that was suitable for the elevator, and

WHEREAS: This station is one of the oldest in the system and the project will include the cleaning and refurbishment of all the mosaics and many of the historical elements, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves the MTA New York City Transit's plans to upgrade the Chambers Street Station at West Broadway and wishes to commend the MTA on the design and the sensitivity to the historical elements.

COMMUNITY BOARD #1 - MANHATTAN
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DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **125 Church Street, application to construct a new entrance in front of 25 and 31 Warren Street including new sidewalk and stairs**

WHEREAS: The developers of 125 Church Street have proposed a new entrance in front of 25-31 Warren Street which would include the installation of steps to below grade vaults in order to create new commercial space, and

WHEREAS: This proposal would create a significant loss of public sidewalk space to accommodate this below grade commercial space, and

WHEREAS: Downtown sidewalks are already overcrowded and with proposed new developments this condition will increase, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 strongly disapproves this application.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **Proposal to co-name Elk Street between Duane Street and Chambers Street “African Burial Ground Way”**

WHEREAS: In 1993 the Landmarks Preservation Commission designated the African Burial Ground and the Commons Historic District encompassing City Hall and the blocks bounded by Chambers Street, Duane Street, Broadway, Centre Street and Foley Square, and

WHEREAS: Many Africans and their descendants lived in the area during the 17th and 18th centuries, and

WHEREAS: The African Burial Ground is the earliest major, documented African – American burial ground in the United States and appears to be the largest Colonial-era burial ground of any kind in New York City, and

WHEREAS: It is important to publicly recognize important historic sites in New York, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 supports the proposal to co-name Elk Street between Duane Street and Chambers Street “African Burial Ground Way”.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 7 In Favor 1 Opposed 1 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **Proposal to co-name Water Street between Fulton Street and John Street “New York Naval Militia Place”**

WHEREAS: The NY Naval Militia is the only federally recognized Naval Militia with continuous, unbroken service dating back to the American Revolution, and

WHEREAS: The NY Naval Militia has a long history and tradition of voluntarism and service to the nation and State of New York, and

WHEREAS: NY Naval Militia members must serve as Navy or Marine Corps Reservists, most of whom are currently in service here and overseas in Iraq and Afghanistan, and

WHEREAS: The Naval Militia also performs many maritime-related support activities throughout New York Harbor, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 supports the co-naming of Water Street between Fulton and John Streets “NY Naval Militia Place” in recognition of their many years of excellent service to our nation and state.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 9 In Favor 0 Opposed 1 Abstained 0 Recused

BOARD VOTE: 26 In Favor 3 Opposed 5 Abstained 1 Recused

RE: **NYU Downtown Hospital site**

WHEREAS: Community Board #1 has been negotiating the disposition of the NYU Downtown Hospital site for many years with City and Hospital representatives and since the beginning of the year with representatives of Forest City Ratner, the designated developer, and

WHEREAS: Throughout this period the Community Board has consistently made clear its desire to see a community amenity included in this large scale building, and

WHEREAS: The Community Board role in land use planning and oversight is firmly established in the City Charter and it is the Community Board, along with our local elected officials, that traditionally speaks for and represents the community in land use discussions and negotiations, and

WHEREAS: Community Board #1 has been both aggressive and effective in negotiating with developers and the City to create new schools, parks, libraries, community centers etc. which are urgently needed to sustain and enhance the livability of our growing Lower Manhattan district, and

WHEREAS: The Community Board is concerned that Forest City Ratner is making little effort to create the type of public amenity sought by the Community Board for the entire community and has instead entered into negotiations to pay for physical improvements in a nearby private housing complex, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 strongly urges all parties to the NYU Downtown Hospital site negotiations to be guided by the resolution and recommendations of the Community Board vis-à-vis a community amenity to be created in conjunction with this project, and

BE IT

FURTHER

RESOLVED

THAT: Community Board reiterates its insistence that this huge (75 story, 1 million s.f.) proposed tower include a minimum 50,000 s.f. community center to serve our **entire** community.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

COMMITTEE OF ORIGIN: TRIBECA LICENSING TASK FORCE

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 1 Recused

RE: **305-309 Church Street, liquor license application for North River**

WHEREAS: The applicant failed to appear before the committee, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends the SLA not approve a liquor license for 305 Church Street unless and until the applicant presents this application before the Tribeca Licensing Task Force.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: OCTOBER 19, 2004

BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

RE: **Additional EPA testing and clean-up**

WHEREAS: The Lower Manhattan and Brooklyn communities, both residents and workers, have, for three years, called on EPA to clean up the contaminants left behind by the terrorist attacks of September 11, 2001, and

WHEREAS: For three years, EPA has been unresponsive to the appeals of our communities, our elected representatives, and EPA's own Inspector General, and

WHEREAS: For the last eight months, Lower Manhattan and Brooklyn residents and workers have worked, in good faith, as closely with the EPA WTC Technical Expert Review Panel as we have been permitted to do. We appreciate the efforts of panel members and we hope to be able to continue working with the panel, and

WHEREAS: Eight months after this panel began its work, no additional environmental testing or clean up has been conducted, and

WHEREAS: Our children, our neighbors, our co-workers, and our firefighters continue to live with the uncertainty of possible exposure and unnecessary risk after three years commitment to testing and decontamination, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 calls upon the EPA, by the end of October 2004, to publicly commit itself in a written statement released at a press conference presided over by an official EPA spokesperson to the following seven principles:

1. EPA will conduct with appropriate input from the community, comprehensive indoor environmental testing for multiple contaminants. The testing will occur as promptly as possible.
2. EPA will expand the geographic range of the testing from its original boundaries to include, at a minimum, additional southern Manhattan communities, including all of Chinatown, the Lower East Side, and also the neighborhoods in Brooklyn impacted by the World Trade Center dust.
3. EPA will test both residences and workplaces. Landlords, residents, employers, and employees will all be given the option of volunteering to have their respective buildings, residences, and workplaces tested.
4. EPA testing will include mechanical ventilation systems.

5. Where test results warrant, EPA will decontaminate not only the tested buildings but the neighborhoods affected by 9/11 contaminants. The clean-up clearance criterion for each identified contaminant will be based upon consideration of health-based benchmarks and background levels, utilizing the criterion that is more protective.
6. EPA will, with appropriate community input, take the lead role in supervising the environmental safety of all 9/11-related clean-up, demolition, and reconstruction activities.
7. As EPA evaluates unmet health needs resulting from the attacks, it will support all necessary national and local efforts to ensure public health education, outreach, and long-term medical follow-up for affected communities and to ensure medical care for affected individuals.