

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 13 In Favor    0 Opposed    0 Abstained    0 Recused  
BOARD VOTE:        35 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                    Appointment of Federal September 11 Health Czar

WHEREAS: Tens of thousands of first responders, Federal employees and residents and workers and volunteers in Lower Manhattan may suffer from health problems caused by exposure to toxins at or near the World Trade Center site, including asbestos, lead, mercury, pulverized glass and other toxic substances, and

WHEREAS: On May 17, 2005, Community Board 1 unanimously passed a resolution supporting post 9/11 health screening to track and treat current and emerging September 11 related disease for Lower Manhattan residents, office workers, students and staff, and

WHEREAS: Residents, office workers, students and staff in Lower Manhattan do not currently have access to free post-September 11 medical screenings or proper medical treatment, which may result in some people being undiagnosed or receiving inadequate medical care, and

WHEREAS: Environmental medicine specialists have stressed that early intervention in such situations can prevent or significantly lessen the severity of related chronic disease, and

WHEREAS: The World Trade Center Medical Monitoring Program found that roughly half of the 16,000 people followed have a medical condition resulting from September 11 and a New York City Fire Department study reported similar findings, and

WHEREAS: Recent media reports indicate that as many as fourteen September 11 workers have died due to their exposure during their service at Ground Zero, and

WHEREAS: In December 2005, the Environmental Protection Agency disbanded the WTC Expert Technical Review Panel before it fulfilled its responsibility to identify unmet public health needs and recommend steps to mitigate health risks associated with the aftermath of the World Trade Center attacks, and

WHEREAS: The WTC Health Registry is solely a health survey that includes no medical exam or screening or treatment, and

WHEREAS: Today, four and a half years after September 11, there is still no Federal agency or Federal official responsible for coordinating efforts to mitigate adverse effects on the health of residents, students, workers and commuters of contaminants from World Trade Center contaminants and there is no Federal funding for their treatment, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 strongly supports the bipartisan call by Representatives Carolyn Maloney and Vito Fossella for the appointment of a September 11 Federal Health Czar to coordinate the Federal government's response to short and long term adverse health effects resulting from September 11. The Federal government must assume responsibility for this and should allocate the necessary federal funds to ensure that all Lower Manhattan residents, workers, students and responders have reasonable access to health and mental health monitoring and treatment.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 13 In Favor 0 Opposed 0 Abstained 0 Recused

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

RE: Proposed State Legislation to relocate WTC remains from the Fresh Kills Landfill

WHEREAS: The NYS Legislature is currently considering proposed legislation which would require the Port Authority of NY and NJ to relocate the ashen remains from September 11<sup>th</sup> from the Fresh Kills Landfill to the site of a memorial to be determined by the Governors of NY and NJ, and

WHEREAS: The NJ Legislature has already passed similar legislation, signed into law by the Governor, also requiring that the Fresh Kills remains be relocated but their legislation specifically says that it should be returned to the WTC site in Lower Manhattan, and

WHEREAS: A total of 1,460,000 tons of debris was delivered from the WTC site to Fresh Kills, the equivalent of over 92,000 truck-loads, and

WHEREAS: City officials maintain that there are no human remains in this debris at Fresh Kills, and

WHEREAS: CB #1 has been, and continues to be, very supportive of the large memorial planned for the WTC site and we feel that this is a most appropriate way to honor the victims of the September 11<sup>th</sup> attack, and

WHEREAS: The environmental health and financial cost of transporting the Fresh Kills debris must be calculated and carefully considered before officials agree to any such plan including possible locations other than the WTC site, and

WHEREAS: The health and well-being of our local population including thousands of senior citizens and children who live in the area or attend the many schools (11 pre-schools, 9 public schools) must also be considered before decisions are made to re-introduce contaminated debris into our community, and

WHEREAS: At a time when we are desperately trying to rebuild our shattered economy and attract new businesses and residents to our community, bringing back tons of contaminated debris to the WTC site would ruin all the plans for the rebuilding of the site and for re-invigorating the economy of Lower Manhattan, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB#1 strongly opposes any effort to re-introduce any WTC debris that currently sits at the Fresh Kills Landfill, back to the WTC site or anywhere else.

06resfeb21

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused  
PUBLIC MEMBERS: 1 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Extension of #22 bus service into southern portion of Battery Park City

WHEREAS: Prior to 9/11, the #9 bus from South End Avenue, ran up Vesey Street to Park Row (City Hall) and continued to Chinatown adjacent to the courts, and

WHEREAS: Vesey Street is now closed to traffic and the #9 bus now has been rerouted via State and Water Streets, and

WHEREAS: The #22 bus runs from Vesey Street and North End Avenue to Chambers and Centre Streets and then to Park Row (City Hall) before continuing to Chinatown, and

WHEREAS: On the return trip the #22 bus enters North End Avenue at Chambers Street makes a left turn at Murray Street, a right turn at West Street and a right turn on Vesey Street to its last stop, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 urges the MTA to extend the route of the #22 bus so that, instead of terminating at Vesey Street, it continues down West Street to enter southern Battery Park City at West Thames and turns right onto South End Avenue, to terminate at the #9 terminus at Gateway Plaza, thereby returning to residents and visitors to southern Battery Park City access to the City Hall area.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: EXECUTIVE

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

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

RE: Appointment of Community Representation to the Board of the Battery Park City Authority

WHEREAS: On January 13, 2006, Governor Pataki signed into law the Public Authorities Accountability Act of 2005 (the “Act”), which provides for the increase in the number of board members of the Battery Park City Authority (the “BPCA”) from three to seven, and

WHEREAS: One of the stated purposes of the Act is to “ensure greater efficiency, openness and accountability for our State’s public authorities,” including specifically, the BPCA, and

WHEREAS: Decisions made by the BPCA have a direct impact on the lives and livelihoods of many members of the CB#1 community, including, not only residents and workers in Battery Park City, but residents and workers in neighboring areas, who use and enjoy the many public facilities in Battery Park City, and

WHEREAS: The BPCA is entering an important transitioning period, as the build-out of Battery Park City nears completion, overseeing which task has been the BPCA’s primary mission, thus leading to a natural shift in focus to maintaining and continuing to improve the many public facilities in Battery Park City, and

WHEREAS: Although CB#1 commends the BPCA for all that it has accomplished in developing Battery Park City as a showcase neighborhood in Lower Manhattan, CB#1 believes that, especially as the build-out of Battery Park City nears its completion, direct community representation on the BPCA board will further enhance the BPCA’s ability to perform those parts of its mission that remain to be accomplished, now

THEREFORE  
BE IT  
RESOLVED

THAT: The Governor is respectfully requested to include among his new appointments to the enlarged BPCA board a resident of Battery Park City, and to fill vacancies on the board in the future with the objective of having at all times at least one board member who is a resident of Battery Park City.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Jack Parker Site Rezoning Proposal

WHEREAS: Zoning changes are considered confiscatory and not constitutional unless the new zoning conforms to a well-considered or comprehensive plan (see footnote below from NYS Court of Appeals case), and

WHEREAS: In 2004, after meeting on several occasions with members of CB 1, the NYC Department of City Planning created a study area to examine the area of northern Tribeca in a comprehensive manner which includes the subject area of the this proposed zoning change (“Parker Site”), and

WHEREAS: A zoning consultant was retained to assist CB#1 in 2004 in analyzing the northern Tribeca study area and came up with preliminary results based on the comprehensive review of the area, and

WHEREAS: The NYC Department of City Planning has sent representatives several times to discuss the analysis developed by CB #1 and its consultant and their proposed study to re-zone the northern Tribeca subject area in a comprehensive manner and promised to respond to our issues in a timely fashion, and

WHEREAS: There are at least two other applications pending (in addition to the City Planning study and this Parker Site application) in the area of northern Tribeca that should also be reviewed in a comprehensive manner, and

WHEREAS: The NYC Department of City Planning recently finalized a rezoning of the area immediately to the north of the Parker Site in its Hudson Square rezoning and in analyzing that rezoning, City Planning performed a full Environmental Impact Statement wherein alternative zoning scenarios were reviewed and their respective impacts analyzed, and

WHEREAS: In a letter from Chairperson Amanda M. Burden dated January 27, 2005 to our elected officials, it is stated that “with respect to the project’s SEQRA classification, you are correct in noting that the project is Type I, rather than Unlisted”, thus requiring a higher level of scrutiny, and

- WHEREAS: In a December 3, 2004 letter to Richard Barth of the NYC Department of City Planning the Chairperson of CB#1 cited reasons, such as SEQRA Section 617.4 (7) – concerning any structure exceeding 100 feet above original ground level in a locality without any zoning regulations pertaining to height, and Section 617.4 (9) – concerning the landmark status of the Fleming Smith Building (LPC 0987 and National Register) directly across the street from the Parker Site as complying reason for a full Environmental Impact Statement, and
- WHEREAS: The Department of City Planning conveyed to CB #1 on several occasions during their joint meetings over the past two years that CB #1 would be advised, and have an opportunity to consult with City Planning, before any decision was made by City Planning concerning the appropriateness of a full Environmental Impact Statement, and
- WHEREAS: CB #1 was not given any opportunity to consult or present the issues as to why a negative declaration was inappropriate in this instance, and
- WHEREAS: The representative from City Planning told our Board that they would be required to complete a full Environmental Impact Statement, similar to the full EIS for the Hudson Square rezoning recently completed, for the entire Study Area, which includes the “Parker Site”, for the zoning change that they are proposing, making it seem quite arbitrary and capricious not to require the same for the “Parker Site”, and
- WHEREAS: Any zoning change that does not conform to a comprehensive plan would be considered “spot zoning” under the law and thus unconstitutional, and
- WHEREAS: A full Environmental Impact Statement (EIS) is probably required by the State Environmental Quality Review Act (SEQR) which states that an action qualifies as “Type 1” when any historical building, structure, facility or site that is listed in the National Register of Historic Places if it occurs “wholly or partially within, or substantially contiguous to an action that would affect it”, and
- WHEREAS: The thresholds in the SEQR Act, an action qualifies as “Type 1” if it exceeds “100 feet above original ground level in a locality without any zoning regulation pertaining to height” such as the A-5 rezoning area in the M1-5 B2 area of North Tribeca, and
- WHEREAS: The “Fleming Building” (on the National Registry) is directly across from the proposed Parker Site rezoning, and
- WHEREAS: The SEQR Act probably requires an EIS for any proposed action that may have one or more significant adverse impacts on the area affected by it such as traffic, water levels, community facilities and light and air, which are among multiple conditions that will create conditions that cannot be mitigated, now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 strongly urges that the City Planning Commission NOT consider the “Parker Site” application ready for certification until all items including, but not limited to, a full Environmental Impact Statement has been completed, and we further urge that the Department of City Planning expeditiously move on preparing its own Environmental Impact Statement and work with CB#1 to develop a comprehensive plan for the entire study area.

Footnote:  
Udell v. Haas 288 NYS2d 888 (1968)

This fundamental conception of zoning has been present from its inception. The almost universal statutory requirement that zoning conform to a "well-considered plan" or "comprehensive plan" is a reflection of that view... The thought behind the requirement is that consideration must be given to the needs of the community as a whole. In exercising their zoning powers, the local authorities must act for the benefit of the community as a whole following a calm and deliberate consideration of the alternatives, and not because of the whims of either an articulate minority or even majority of the community...

06resfeb21

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	9 In Favor	0 Opposed	2 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Tribeca North Re-Zoning

WHEREAS: Community Board #1 concurs with the Department of City Planning's comprehensive approach to having a Study Area that includes all of the remaining land in the Special Tribeca Mixed Use District, and

WHEREAS: Community Board #1 concurs with the planning concept of dividing the blockfronts between West Street and Washington Streets into two different areas, where the street wall and other criteria for the buildings facing the narrow Washington Street would be at a lower height, and

WHEREAS: Community Board #1 concurs with the Department of City Planning that the area known as "A1" (northeastern portion of the Special District) should be a C6-2A with an FAR of 5.0, and

WHEREAS: Community Board #1 concurs with the Department of City Planning that the area known as "A4" (northcentral portion of the Special District) should also be a C6-2A, but with an FAR of 5.0 consistent with the FAR of the surrounding areas, and

WHEREAS: Community Board #1 would like to further discuss the details of the area known as "A5" (land facing on West Street) "Parker Site" with the Department of City Planning but feels that the current FAR of 5.0 is appropriate for the area, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 urges the Department of City Planning to work with the Community Board to expeditiously develop a comprehensive plan for the entire Special Tribeca Mixed Use District and to clarify its stance and actions in reference to the EIS process.

COMMUNITY BOARD #1 - MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC COMMITTEE

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

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

RE: 213 Front Street, liquor license application for One Stella Maris Corp.  
d/b/a Mara

WHEREAS: The applicant proposes to operate a restaurant with approximately 15  
tables and 36 seats and a bar area with 18 seats, and

WHEREAS: The proposed maximum hours of operation will be 11:00 AM until  
midnight Sunday through 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 nor a  
sidewalk café license, and

WHEREAS: The applicant agreed to have a refrigerated garbage storage area, and

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

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 approves the liquor license application for One Stella Maris Corp.  
d/b/a Mara at 213 Front 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: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	1 Opposed	0 Abstained	0 Recused

RE: Tribeca Family Festival street activity permit

WHEREAS: The Tribeca Family Festival has applied for a street activity permit for Greenwich Street from Hubert to Duane Street for May 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> as part of the 5<sup>th</sup> Annual Tribeca Film Festival, and

WHEREAS: The organizers of the festival have worked closely with those impacted by the festival to mitigate the effects of the street closures, including the Independence Plaza Tenants Association, Friends of Greenwich Street and businesses in the area, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 approves the granting of a street activity permit to the Tribeca Family Festival for May 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup>.

COMMUNITY BOARD #1 - MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	1 Abstained	0 Recused

RE: 275 Church Street, beer and wine license application for Neighborhood, Inc.

WHEREAS: The applicant proposes to operate a restaurant with 4 tables and 12 seats, and

WHEREAS: The proposed maximum hours of operation will be 8 AM until 7:00 PM Monday through Friday, 9 AM to 5 PM on Saturday and Sunday, and

WHEREAS: The applicant stated there would be no music, and

WHEREAS: The applicant represented that it will not be seeking a cabaret license or 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 beer and wine license application for Neighborhood, Inc. located at 275 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: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Taste of Tribeca street activity permit

WHEREAS: The Taste of Tribeca has applied for a street activity permit for Greenwich Street from Jay to Duane Streets and Duane Street from Hudson to Greenwich Streets for May 20<sup>th</sup>, and

WHEREAS: This event provides much needed funding for the local schools and has become one of the most anticipated downtown events of the year, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves the granting of a street activity permit to the Taste of Tribeca for May 20<sup>th</sup>.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: EXECUTIVE

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

BOARD VOTE: 33 In Favor 0 Opposed 1 Abstained 0 Recused

RE: Grant requests to Friends of Lower Manhattan to support Community Board operations and projects

BE IT  
RESOLVED

THAT: Community Board #1 request that Friends of Lower Manhattan provide the Community Board with the following budget allocation for 2006:

Consulting Services/Temporary Services	32,000
Newsletter Printing, Shipping, Handling (4 issues)	38,000
Newsletter Postage	15,100
Copier Maintenance	1,000
Computer Supplies	300
Website/Computer Maintenance	2,500
Server for Website/Email	200
Meeting Rooms	500
Postage	500
Subtotal:	90,100
Contingency	2,000
Total:	92,100

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 0 Recused  
BOARD VOTE: 34 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Thanking Judy Duffy for her service to Community Board #1

WHEREAS: Judy Duffy has served as the Assistant District Manager for the past eleven years, and

WHEREAS: Judy has consistently performed her duties at CB #1 in a professional and effective manner, and

WHEREAS: Judy's wealth of knowledge of our community and of agency processes and procedures has enabled her to resolve so many local problems for our constituents and has contributed greatly towards the Community Board advancing many important projects throughout Lower Manhattan, and

WHEREAS: We wish to particularly acknowledge Judy's contributions on the Hudson River Park, starting our local little league and soccer league, getting the BPC ballfields built and to serve our community, advancing work on Governors Island, monitoring and scrutinizing the many construction projects going on throughout Lower Manhattan and getting hundreds of trees planted throughout Lower Manhattan, and

WHEREAS: Judy Duffy has decided to take on a new position as Assistant Director of Government Affairs for NYC Transit Authority, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 wishes to extend its sincere thanks to Judy Duffy for her eleven years of excellent service to Community Board #1, and

BE IT

FURTHER

RESOLVED

THAT: CB #1 congratulates Judy on her new position at the Transit Authority and wishes her the best of luck in the future.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 7 In Favor    0 Opposed    0 Abstained    0 Recused  
BOARD VOTE:        34 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                    Proposed recommendation to Governor Pataki that the next appointment to serve as a State Liquor Authority Commissioner be given to a resident of New York City

WHEREAS: A New York State Liquor Authority Commissioner vacancy currently exists, and

WHEREAS: The residency and experience of the current Commissioners, none of whom reside in New York City, does not leave them adequately familiar with the special circumstances faced by NYC communities regarding liquor licenses to effectively represent those communities or adjudicate those communities' issues regarding liquor licenses, and

WHEREAS: A majority of New York State's liquor licenses are issued in New York City, and

WHEREAS: It is the strongly held belief of Community Board #1-M that a Commissioner who resides in New York City, and most preferably New York county, will be far more effective in weighing the issues regarding liquor licenses in this dense urban environment, with all of the attendant concerns brought about by having residences and businesses in such close proximity to each other simply by the nature of the city, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 strongly supports the letter by NYS Assemblymember Deborah Glick, calling for the appointment of a NYS Liquor Authority Commissioner who resides in the City of New York, and supports the proposal that requests Governor Pataki consult with the legislative delegation from New York City in considering the appointment of the next New York State Liquor Authority Commissioner.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

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

RE: Association of Indians in America Street Activity Permit for October 1,  
2006

WHEREAS: The Association of Indians in America has applied for their annual street  
fair which takes place on John, Water and Front Streets between Fulton,  
Fletcher and South Streets on October 1, 2006 from 8 AM – 10 PM  
(includes set-up, break-down and clean-up), now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves this event scheduled for October 1, 2006.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

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

RE: Southbridge Adult and Senior Center, Inc. Street Activity Permit for  
September 8, 2006

WHEREAS: The Southbridge Adult and Senior Center has applied to conduct a street  
fair on Fulton Street between Water and Gold Streets on September 8<sup>th</sup>  
from 9 AM – 7 PM (includes set-up, break-down and clean-up), now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves this event scheduled for September 8,  
2006.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: ARTS & ENTERTAINMENT TASK FORCE

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

BOARD VOTE:        33 In Favor    0 Opposed    0 Abstained    1 Recused

RE:                    Cultural enhancement funds (LMDC) for not-for-profit organizations

WHEREAS: The LMDC has established a \$35 million Cultural Enhancement Fund and plans to utilize these funds to provide grants to cultural groups south of Houston Street, and

WHEREAS: Eligible organizations must be not-for-profit groups that run, or would like to run, dance, theatre, arts or other cultural programs, and

WHEREAS: LMDC intends to award these grants based upon input from LMDC staff, the LMDC Board, and the Advisory Panel of experts that has been assembled, and

WHEREAS: LMDC intends to base funding decisions on programmatic excellence, financial and technical ability, and ability to spur the cultural and overall revitalization of Lower Manhattan with priority to be given to capital projects, and

WHEREAS: Several organizations planning to submit grant applications for these funds have reached out to the Community Board to obtain a letter of support from the Community Board, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 authorizes that letters of support is provided to each of the following organizations which presented their proposals before our Arts & Entertainment Task Force:

- 1) Battery Dance Company  
Rehabilitate and upgrade rehearsal facilities, funding for a development director and underwrite an arts education partnership for the students of Millennium High School.
- 2) Collective: Unconscious  
Capital improvement to increase theatre space, funding for new staffing including executive director, technical director and administrative and technical support and funding for promotion and marketing initiatives

- 3) Synagogue for the Arts  
Renovation of the Concert Hall and Gallery Space made necessary by severe water damage as well as the installation of an elevator to comply with ADA requirements.
- 4) Three Legged Dog Theatre  
Funding for staffing, rent and new programming
- 5) TriBattery Pops  
Funding to provide for rehearsal space, new uniforms, and equipment and recording expenses.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

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

RE: Community Board #1 Street Activity Permit May 5, 2006

WHEREAS: Community Board #1 has applied to conduct a street fair on Fulton Street between Water and Gold Streets on May 5, 2006 from 9 AM – 7 PM (includes set-up, break-down and clean-up), now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves this event scheduled for May 5, 2006.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

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

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

RE: Expanding Pearl Street Park

WHEREAS: The Community Board is very pleased that the City has decided to retain the Pearl Street Park and allocate funds received from the LMDC to renovate this heavily used park, and

WHEREAS: This park is the only children's playground located east of Broadway in CB #1 and this area is experiencing a dramatic increase in its residential and youth population, and

WHEREAS: There is an opportunity to expand this park to the west by closing the lightly trafficked leg of Pearl Street which runs along the westside of the park and expanding the park into this space, and

WHEREAS: All traffic wishing to either proceed down Pearl Street or turn onto Fulton Street can easily do so by utilizing the leg of Pearl Street that runs along the east side of the park, and

WHEREAS: Expanding the park westward would likely increase the size of this very popular park by about 50% in an area sorely in need of additional parks and playgrounds, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 strongly urges the LMDC, the NYC Department of Parks and Recreation and the NYC Department of Transportation to close the existing one block stretch of Pearl Street which lies west of Pearl Street Park between Beekman and Fulton Streets and to expand the Pearl Street Park into this area, and

BE IT

FURTHER

RESOLVED

THAT: CB #1 urges that this park expansion be done concurrently with the planned park restoration, and

BE IT

FURTHER

RESOLVED

THAT: CB #1 also urges that sufficient LMDC funds be set aside to complete this proposed park expansion.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 8 In Favor    0 Opposed    0 Abstained    0 Recused  
BOARD VOTE:        30 In Favor    0 Opposed    0 Abstained    0 Recused

RE:                14 Jay Street, application for window replacement and new entrance to the residential building

WHEREAS: The existing metal windows have been poorly repaired over the years and are now heavily rusted and in need of replacement, and

WHEREAS: The proposal is to replace all windows with new aluminum one-over-one windows with clear tempered glass that will have a profiled transom that will fill the original arched brick openings, and

WHEREAS: The new windows will more appropriately fit the openings and add 5” to the width and height of the existing the windows, and

WHEREAS: The window in the center of the building will continue to be used as a fire exit and have two single pane doors with a fixed arched transom to match the other windows and opening, and

WHEREAS: The entry to the residential building will be replaced with a single glass pane door and side panels, that meets code, to match the restored storefront part of the building, with a single pane transom of 5’9”, and

WHEREAS: The aluminum will be painted a bronze color, and

WHEREAS: The existing fire escape will be scraped, restored and painted, and

WHEREAS: The Committee liked the effort that was being made to fit the windows into the arched openings but was concerned that the entrance did not match the storefront and suggested adding a mullion to the fixed transom to match the storefront, which was agreed to by the applicant, now

THEREFORE

BE IT

RESOLVED

THAT:             CB #1 recommends that the Landmarks Preservation Commission approve the application, with the noted amendment to the entry to the building.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: LANDMARKS

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

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

RE: 117 Hudson Street, application for a penthouse addition

WHEREAS: The applicant failed to be present at the meeting, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends that the Landmarks Preservation Commission hold over this application until the Community Board is given the opportunity to review the proposal.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: EXECUTIVE

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

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

RE: Support of IBO Review of WTC Lease Issue

WHEREAS: The Independent Budget Office (IBO) provides non partisan economic analysis for the people of New York City, and

WHEREAS: The IBO has provided an analysis of other major land use projects including the Westside Stadium, Atlantic Yards and the NY Stock Exchange expansion project, and

WHEREAS: The City and Silverstein Properties have each reached separate independent conclusions regarding the ability of Silverstein to build out the WTC site, and

WHEREAS: The Community Board has been on record supporting the expeditions rebuilding of the WTC site, and

WHEREAS: The Community Board is under the understanding that the IBO analysis can be completed before the March 14<sup>th</sup> deadline set by Governor Pataki for the Port Authority and Silverstein Properties to reach an agreement, now

THEREFORE  
BE IT  
RESOLVED

THAT: The Community Board supports the IBO conducting an independent analysis of the City and Silverstein Properties economic conclusions regarding the ability of Silverstein Properties to build out WTC site.

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 13 In Favor 0 Opposed 0 Abstained 0 Recused

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

RE: EPA's 2005 Final Test and Clean Program

WHEREAS: The City of New York was suddenly and deliberately attacked on September 11, 2001, and

WHEREAS: The destruction of the World Trade Center not only killed thousands but also caused multiple contaminants, including polycyclic aromatic hydrocarbons (PAHs), lead, man-made vitreous fibers (MMVF), mercury, asbestos, and other toxic substances, to be deposited upon and within residences, places of employment, and mixed-use buildings in Lower Manhattan, and

WHEREAS: The legal responsibility for ensuring a thorough and responsible cleanup of such acts of terrorism, with regard to residences, places of employment, and mixed-use buildings, rests with the United States Environmental Protection Agency (EPA), in accordance with the National Contingency Plan, the National Response Plan, and Presidential Decision Directive 62, and

WHEREAS: In the summer of 2002, EPA implemented a poorly publicized, voluntary residential test and clean program that failed to adequately characterize and clean up WTC contaminants and that provided an inadequate cleanup of only 3,425 of the more than 25,000 apartments below Canal Street, and

WHEREAS: The August 21, 2003 report of EPA's Office of Inspector General was highly critical of EPA's 2002 test and clean efforts in Lower Manhattan and called on EPA to ensure that cleanup meets minimum Superfund site cleanup goals, to treat impacted buildings as a system, to include workspaces as well as residential buildings, and to include all geographic areas impacted by WTC dust, and

WHEREAS: In March of 2004, in response to requests from Senator Hillary Rodham Clinton, Congressman Jerrold Nadler, and the affected communities of residents and workers, EPA convened the WTC Expert Technical Review Panel which was charged with characterizing any remaining exposures and risks, identifying unmet public health needs, and recommending steps to further minimize risks associated with the aftermath of the World Trade Center attacks, and

- WHEREAS: The Government Accountability Office (GAO), in its September 8, 2004 report "September 11 Health Effects in the Aftermath of the World Trade Center Attack," described a broad and continuing health impact, based on evidence that thousands of people involved in rescue, recovery, cleanup, as well as those who lived and worked in the WTC vicinity, were treated mainly for respiratory sicknesses, and
- WHEREAS: On October 19, 2004, Community Board #1 unanimously passed a resolution requesting additional EPA testing and clean-up based on 7 key principles (see <http://cb1.org>). The same resolution was subsequently passed by CB2 and CB3, and
- WHEREAS: Medical experts testifying before the EPA WTC Expert Technical Review Panel and the New York City Council, reported finding evidence of serious, ongoing, and still emerging 9/11-related environmental health impacts among Ground Zero workers, and downtown and Brooklyn residents and workers, and
- WHEREAS: Unless proper scientific testing and cleanup are conducted, undetected toxic contaminants from the collapse and fires at the WTC could pose an ongoing threat to public health, and
- WHEREAS: On November 29th, 2005, the EPA released a final "Test and Clean Program" that, as currently constituted, is grossly underfunded, inadequate, and technically and scientifically flawed, and will repeat the most serious limitations and deficiencies of the 2002 program as delineated by the Inspector General, and
- WHEREAS: EPA's current program, by reverting to the limited geographic area (as defined in the 2002 program to be south of Canal Street and west of Pike and Allen Streets) and by excluding workplaces, schools, small businesses and firehouses, will fail to assess the extent of remaining contamination in buildings and in areas known to have been impacted, and
- WHEREAS: EPA's current program, by addressing individual apartments rather than addressing buildings as integrated systems and by failing to provide for proper assessment and cleanup of building mechanical ventilation systems, is likely to result in inadequate cleaning and/or recontamination of cleaned spaces, and
- WHEREAS: EPA's current program, by failing to use appropriate sampling methodologies and protocols, and failing to specify properly sensitive detection limits, will likely generate a stream of inaccurate data, and
- WHEREAS: EPA's current program, by rendering ineligible apartments previously sampled and cleaned by EPA, will fail to detect and cleanup recontamination, and

WHEREAS: EPA's current program, by omitting from cleanup criteria sampling results from mechanical ventilation systems, plenums, closets, and other areas known to be reservoirs for contamination, will fail to detect hot spots and to trigger clean up of contamination that may pose a continual health threat, and

WHEREAS: Although EPA'S program results from a 21-month deliberation with the EPA WTC Expert Technical Review Panel, it did not receive the endorsement or support of a single panel member at the final December 13, 2005 panel meeting, and

WHEREAS: EPA's current program repeats a familiar pattern in which the Agency has sought to downplay the potential risks and convey false assurances regarding World Trade Center contamination, rather than developing a scientifically sound approach to assessing and reducing these risks, and

WHEREAS: On February 2, 2006, the Federal District Court in Manhattan ruled that a 2004 class action lawsuit against the EPA for failing to warn people of hazardous substances in the air following the collapse of the World Trade Center, and then failing to carry out an adequate cleanup of building interiors, could go forward. Judge Deborah A. Batts wrote, "No reasonable person would have thought that telling thousands of people that it was safe to return to lower Manhattan, while knowing that such return could pose long-term health risks and other dire consequences, was conduct sanctioned by our laws and called former EPA's chief Whitman's actions "conscience-shocking.", now

THEREFORE  
BE IT  
RESOLVED

THAT: CB #1 calls on the EPA to abandon its technically and scientifically flawed 2005 Test and Clean Program, and work with the residents and workers, community and labor organizations and elected officials to design and implement an effective, science based sampling and cleanup program for residences and workplaces in all affected areas, and

BE IT  
FURTHER  
RESOLVED

THAT: CB #1 joins Senator Clinton, Congressman Nadler, Assembly Speaker Silver, Senator Connor, Council member Gerson and the WTC Community-Labor Coalition in calling for the Government Accountability Office (GAO) to undertake an investigation into the EPA's failure to establish an effective, science-based testing and clean-up plan in response to the September 11, 2001 terrorist attacks.

COMMUNITY BOARD #1 - MANHATTAN  
RESOLUTION

DATE: FEBRUARY 21, 2006

COMMITTEE OF ORIGIN: TRIBECA

BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Canal Area Transportation Study intersection enforcement demonstration pilot project

WHEREAS: The Canal Area Transportation Study (CATS) Track II, together with the New York Metropolitan Transportation Council (NYMTC), consultant, Interagency Steering Committee, Community Stakeholders Committee, local elected officials, Community Boards, other community interests and a public outreach program have developed recommendations for medium, and long term transportation investments for the Canal Street Corridor, and

WHEREAS: The study is a multi-modal, multi-agency analysis focused on the Canal Street corridor, and

WHEREAS: Community concerns and observations have shown that vehicular and pedestrian traffic along Canal Street requires intersection mitigation and enforcement during regular day shifts as well as on nights and weekends, and

WHEREAS: The CATS Enforcement Task Force is proposing a six week Intersection Enforcement Demonstration Pilot Program along the Canal Street corridor to analyze the effectiveness of comprehensive and integrated intersection management and enforcement, and

WHEREAS: CB #2 and 3 have also submitted resolutions of support for the Demonstration Pilot Project, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 supports the CATS Intersection Enforcement Demonstration Pilot Project, and

BE IT

FURTHER

RESOLVED

THAT: Community Board #1 recommends that NYPD traffic enforcement personnel be deployed at the following Canal Street intersections in the Demonstration Pilot project: 6<sup>th</sup> Avenue, Varick Street, Hudson Street, Greenwich Street, Washington Street and West Street.