

MINUTES OF THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD #1
HELD
JANUARY 20, 2004
NEW YORK LAW SCHOOL
57 WORTH STREET

Vice Chairperson, Richard Kennedy, called the meeting to order in the Chair's absence.

Public Session:

Pat Dillon, a member of the IPN Tenants Association, discussed her concerns regarding diesel emissions in Lower Manhattan. The Governor signed an executive order for low-diesel fuel, but the Governor, Silverstein Properties, and some other entities are saying that ultra-low-sulfur diesel (USLD) is being used at the construction site of 7 World Trade Center, and will continue to be used. The reality is that at 7 WTC, only three out of seven of the large diesel pieces were retrofitted to use low-diesel fuel. The community needs to be diligent because we cannot trust that low-diesel fuel is being used. Ms. Dillon requested that the Community Board urge and keep on top of proper fuel usage at all the construction sites in our community.

Jenna Orkin stressed that we must enforce legislation because of the destructive components contained in the fuel. Diesel exhaust is a major contributor to pollution, which causes premature deaths. EPA regulations are scheduled to be enforced in two to three years, nationally.

Ms. Orkin also pointed out that there are misconceptions about the World Trade Center Health Registry. The registry does not screen or monitor health problems. Registry data is based on patients self-reporting their symptoms, so it will not be as scientifically valid as it would if handled by doctors. The registry is limited to respiratory illnesses, however, there are many more diseases associated with all the contaminants.

Jason Wyner, a resident 90 Washington Street, spoke about the plight of residents in the building. The brand-new building, financed with Liberty Bonds, is in disrepair.

The tenants need help regarding the conditions in the building, which currently holds a temporary Certificate of Occupancy. There is no heat, there are safety issues, and the elevators are inoperable. Tenants are living in hotels because of the many issues in the building. Mr. Wyner came to ask for assistance in getting someone to look into the issues. The Fire Department has open violations on the building, but because the Certificate of Occupancy is temporary, they cannot do much to the owner. The building is owned by the Moinian Group.

Steve Schall spoke about the World Trade Center Health Registry. He said the survey is looking to compile a database of health information collected from people living south of Chambers Street who were in the vicinity on September 11, as well as individuals involved in the recovery at the World Trade Center site and in Staten Island. The Registry is conducting 20,000 interviews, but is looking to reach even more people. Letters went out to residents, and should be received by early February. Mailing packages out to parents of children of all grade levels in school during 2001 in the WTC vicinity. The registry is looking for more people to come forward.

Executive Session:

The minutes of the monthly meeting held on December 16, 2003 were unanimously approved.

Chairperson's Report:

Richard Kennedy announced with sadness that Madelyn Wils's mother passed away and that Madelyn and her family would be sitting shiva at her home for the next several days.

On behalf of the Community Board, Richard Kennedy presented Yvonne Morrow, our liaison to Assembly Member Sheldon Silver's Office, with a plaque in appreciation for her valued support to our community over the many years she has been our liaison. The Board Members of CB1 wanted to extend their appreciation for all the many years she has worked with us for the betterment of our community, and wish her well in her retirement.

Yvonne introduced Debra Lesser, who is the new community liaison to the board. Debra can be reached at 212-312-1423.

The Vice Chairperson then gave the following updates:

- The Memorial Design has been chosen, and will be on display for viewing in the World Financial Center.
- The proposed development of the parking lot at NYU Downtown Hospital is moving ahead, and the community's request for a lower/middle school is being addressed.

Treasurer's Report:

The 2nd Quarter 2004 Financial Report was distributed to the Board for their review. Joe Lerner was unable to attend the meeting, however, any questions regarding the report should be submitted to the Community Board.

Committee Reports:

NOTE: SEE RESOLUTIONS AT END OF MINUTES

A. Youth & Education Committee:

Michael Koffler gave a presentation regarding the new private school to be opened near the Millennium High School called the Claremont Preparatory School. The school will have a full student body of 1,000 students, and plans to open in September 2005 with 500 students.

RE: YDDP REP cancellation – Resolution

In response to the YDDPS request, several Community Board members went through extensive training and hours of review of RFPs, and made recommendations to the Youth Bureau on programs, and on how money should be allotted. The minimum amount to be given to communities was raised to \$60,000. Last year, almost all of the money allotted for CB1 was given to Murray Bergrum HS, which does not serve residents of CB1. The CB1 Youth Committee recommendations were disregarded by YDDP.

Recently YDDP announced that they decided to review the whole process, and have cancelled all funding allocations. Funding for this year will be given in the same amount to the same organizations as last year. The City spent a lot of money to work with and train the volunteers on the RFP process. Paul Hovitz indicated that the allocation is based on census data alone, and YDDP claims CB1 has only 3% of the city's youth. However, Paul pointed out that parents who don't live in the neighborhood bring their children to our schools, and these people don't show up as residents.

Janice Molnar, Christian Corniel, and Lisette Nieves attended the meeting from the Department of Youth and Community Development. They said that the staff was also surprised by the cancellation of the allocations. The Mayor is putting new initiatives toward youth, and a new plan is due May 13. They recognize and are sympathetic to our issue, and to the fact that CB1 serves youth that do not live in the neighborhood.

Community Board members spoke in support of youth funding being allocated to programs that serve our youth, and not to organizations that serve high school students from other parts of the five boroughs.

The resolution supporting the current inequity in the allocation by YDDP. A roll call vote was taken with the following results: 38 In Favor; 0 Opposed; 0 Abstained; 1 Recused.

RE: Site 5C Recreation Center -- Resolution

The Youth Committee presented a resolution requesting that the proposed residential development on Site 5C, for which the developer has agreed to house a community recreation center, negotiate in good faith to increase the space to 40,000 s/f. Board members discussed the merits of the resolution, whether there should be joint meetings of the Youth and Tribeca Committees on this issue, and the issue of the height and bulk of the proposed building. Some board members feel that the current size of the building is out of context with the surrounding buildings, and do not want a building of that size in order to accommodate a recreation center. Some felt that the board would be sending a mixed message that we are willing to sacrifice the bulk and height of the building in order to gain a rec center.

Several suggestions were made and accepted by the Youth Chair to enhance the resolution. Discussion continued on the merits of the resolution, and the message we want to send to the developer and EDC regarding the recreation center and the size of the building.

Rick Landman said that from procedural point of view he would like to table the resolution to allow for a joint committee resolution by the Youth and Tribeca Committees.

A motion to table the resolution was made and seconded with the following results: 17 In Favor; 20 Opposed; 0 Abstained; 1 Recused.

Michael Connolly proposed a friendly amendment to remove the 5 and 6 whereas clauses. Paul Hovitz said it is important to establish background, but will accept friendly amendment and remove "Whereas" 5 and 6, and to replace "sizable" with 40,000 s/f in the "Therefore Be It Resolved".

A vote was taken on the resolution as amended with the following results: 37 In Favor; 0 Opposed; 1 Abstained; 1 Recused.

B. WTC Redevelopment Committee:

RE: Design of the Freedom Tower – Report

The Committee was given an informative presentation on the design of the Freedom Tower. The Committee will be meeting regularly with the developers to ensure we are kept in the loop.

RE: WTC Health Registry – Update

As mentioned by our public speakers, the registry is trying to reach out to as many people as possible. We have had some indication that people are having difficulty reaching the registry. They have a website and can be reached by phone as indicated in their flyer.

C. Landmarks Committee:

RE: New rules relating to the installation of public pay telephones in areas under LPC jurisdiction -- Resolution

The Committee supports having rules for pay phone installation, but would like the rules to be tighter than they are. The Committee's resolution puts forth additional rules we would like to see instituted.

A hand vote was taken with the following results: 37 In Favor; 0 Opposed; 0 Abstained; 0 Recused.

RE: Relocation of the statue of Mayor DePeyster from Hanover Square to the northeast corner of City Hall Park – Resolution

Due to the construction of the British Memorial Garden in Hanover Square, the Committee is recommending that the statue be relocated to City Hall Park.

A vote was taken with the following results: 34 In Favor; 0 Opposed; 2 Abstained; 0 Recused.

Bruce Ehrmann reported that he had an interesting conversation with SHIPA regarding the possible landmarking of the WTC site for the National Historic Registry. CB1 raised issues with them regarding the patchwork way in which they are defining the site. The State called us back to discuss our concerns and the fact that the Community Board was overlooked in this process. State officials have invited CB1 to come to their next board meeting to review their proposal. There will be a walking tour in early spring to define the boundaries. CB would like the site to be defined as one coherent plan for review and planning purposes.

D. Tribeca Committee:

RE: Reconstruction of Chambers Street from Broadway to West Street – Resolution.

Beginning June 2004 and for two years thereafter, DOT will be working on the reconstruction of Chambers Street. The CB is asking that DOT take measures to minimize the impact to the community and take the lead in coordinating with all agencies

involved. DOT has committed to working with the CB, residents, and businesses to try to mitigate disruptions. The project is being paid for with federal money.

A vote was taken with the following results: 35 In Favor; 0 Opposed; 0 Abstained; 0 Recused.

RE: 185 Duane Street, liquor license application for 185 Duane Street Restaurant Inc. – Resolution

There was no discussion of this resolution and a vote was taken with the following results: 31 In Favor; 0 Opposed; 3 Abstained; 0 Recused.

RE: 25 Hudson Street, liquor license application for Shinobi NY - Resolution

There was no discussion of this resolution and a vote was taken with the following results: 34 In Favor; 0 Opposed; 0 Abstained; 0 Recused.

RE: 250 West Broadway, liquor license application for Della Rovere – Resolution

There was no discussion of this resolution and a vote was taken with the following results: 32 In Favor; 0 Opposed; 2 Abstained; 0 Recused.

RE: 25 N. Moore Street, liquor license application for Brandy Library Lounge LLC – Resolution

There was no discussion of this resolution and a vote was taken with the following results: 31 In Favor; 0 Opposed; 3 Abstained; 0 Recused.

RE: Proposed Development at 408 Greenwich Street – Resolution

Howard Weiss, Esq. spoke to the board. Mr. Weiss represents the applicant Ramirez and Co., a bond trading company who purchased the property and plans to use the space as commercial/residential space. They want to increase the building from 5FAR to 7.5, from five stories to nine stories, and allow for mixed use. The applicant feels the variance of FAR is justified since it will not have an adequate rate of return. Since the Ramirez family will work and live in the building they are not as concerned about the rate of return.

Morris Adjmi of MAP Architects and Bill Higgins of Higgins & Quosbarth, consultants to LPC, also appeared before the Board on behalf of the developer. They presented plans for the building, which they feel shows how the larger scale would fit into the neighborhood. Landmarks has approved the design of the building, and has issued a certificate of appropriateness. They feel that this building is less bulky than most of the buildings surrounding this site.

The Committee resolution feels the hardship claims made by the applicant are without merit, and disagrees that this is a minimal variance, and that it is needed to make the project economically viable. The resolution calls upon the Board of Standards and Appeals to reject the request for a variance.

A vote was taken with the following results: 34 In Favor; 0 Opposed; 1 Abstained; 0 Recused.

E. Financial Committee:

RE: Liberty Plaza new design -- Resolution.

Brookfield Properties came before the committee to present the design for the plaza. The new design will address the severe grade change, eliminating the need for many stairs, and will include a grove of 52 trees. The Committee supports the new design

A vote was taken with the following results: 34 In Favor; 0 Opposed; 0 Abstained; 0 Recused.

F. Seaport/Civic Center Committee:

RE: Co-naming of 37 Park Row after Susan B. Anthony and Elizabeth Cady Stanton – Resolution

The resolution supports the proposed co-naming of the northeast corner of Park Row and Beekman Streets for two women who published the Revolution newspaper from 1868 to 1869 at the site.

There was discussion regarding the co-naming of streets and the moratorium recently enacted by the board, and a motion to table this resolution was made and seconded.

A vote was taken on tabling the resolution with the following results: 11 In Favor; 20 Opposed; 0 Abstained; 0 Recused.

A motion to vote on the resolution as presented was called and seconded and the vote was taken with the following results: 25 In Favor; 1 Opposed; 8 Abstained; 0 Recused.

RE: 5 Beekman Street BSA application to retain existing 10-story atrium and open access stair unenclosed as part of a residential conversion -- Resolution.

This is a landmark building, and the committee was very concerned about the construction, but the developer seems to be doing a good job. The resolution urges the Board of Standards and Appeals to approve the application.

A vote was taken on this resolution with the following results: 31 In Favor; 0 Opposed; 1 Abstained; 0 Recused.

RE: 140 Fulton Street, liquor license application for Fulton Fire House Inc. – Resolution

The Committee resolution does not oppose the application. A vote was taken with the following results: 31 In Favor; 0 Opposed; 3 Abstained; 0 Recused.

G. Battery Park City Committee:

RE: DOT traffic signals – Report

The Committee will conduct a site visit of the area with DOT to review the traffic lights and speed limit signage.

RE: Proposed milling and paving for south Battery Park City -- Report

Review of the streets showed that the streets were not badly damaged. The milling and paving work will only last a few days.

There being no further business, the meeting was adjourned by the Vice Chairperson.