

**MINUTES OF THE MONTHLY MEETING OF**  
**MANHATTAN COMMUNITY BOARD # 1**  
**HELD**  
**DECEMBER 18, 2007**  
**BOROUGH OF MANHATTAN COMMUNITY**  
**199 CHAMBERS STREET**

1. Public Session:

A) Martin Connor, NYS Senator

- Pushing Albany to obtain traffic control devices, at Duane and Greenwich Streets.
- Committed to continue working with Gateway Plaza – facing 2009 rental protection expiration.
- Collaborating with other elected officials to support affordable housing.
- Complimented and thanked all CB 1 Members and workers for our outstanding work.
- Extended Holiday greetings.

Alan J. Gerson, NYC Council Member

- Extended gratitude and wished much success to alum Sayar Lonial, Deputy Chief of Staff and Liaison to CB1, recently appointed to serve LMDC.
- Extended appreciation, while emphasizing his dedication, to Paul Hovitz for his outstanding service while working on many successful projects resulting in major accomplishments.
- We cannot lose any more affordable housing. The creation of the Lower Manhattan Affordable Trust, to be administered by HPD, represents a major initiative, with an anticipated \$7 M in funding.
- We must reduce diesel particulates and protect our children's lungs. Hearing at City Council was first to focus on legislation that the Council Member introduced in this area. This program addresses the Staten Island ferry and other publicly owned ferries spewing hazardous emissions. Endorsing this bill in conjunction with Local Law 77 focusing on public construction sites and other areas spewing unacceptable levels of emissions.

- All agencies must agree on noise protocol at the World Trade Center site for it to be effective. We'll meet on Thursday, 12/20. Time is to be determined.
- Diesel safety press conference took place on 11/27/07 in front of 60 Hudson Street. The Secret Service called the First Precinct to alert the station of an intended riot at the peaceful location.
- Introduced legislation to ban manual transference of diesel fuel.
- There must be set in place an emergency and community notification plan geared towards this diesel fuel issue to include maintaining fire walls around all the diesel fuel.
- The Mayor's Community notification plan is satisfactory, but not complete. We need to expand it beyond email and text messaging because not everyone communicates through these methods.
- Council funded its first swimming program for elementary school. Visited and is impressed with the pool for second and third graders to learn to swim.
- Extended all happy holidays and a good party!

John Ricker (Comptroller William C. Thompson Jr.'s Office)

- Refer concerned homeowners to visit Comptroller Thompson's mortgage foreclosure prevention guide @ [website.www.comptroller.nyc.gov](http://website.www.comptroller.nyc.gov).
- Seasons greetings.

Al Lansberg, Rivers Alive

- The "Rivers Alive" project, aimed to provide full public access can be found on [www.riversalivenyc.org](http://www.riversalivenyc.org).

Bess Matassa (NYS Assembly Member Deborah J. Glick's Office)

- Assembly Member Glick's proposed Slate Law monitors student lending practices, culpability and school transparency.
- A maximum of 2 winning art students may qualify for the 2008 Legislative Art Exhibit prizes to be awarded in Albany.

Alan Tannenbaum

- Michael Levitt, Federal Health And Union Services Secretary, has terminated funding to establish a Center to assist first 9/11 responders living outside of the local area.

Arthur Gregory

- Congratulated Paul Hovitz and Julie Menin for the Site 2B school accomplishment.
- Apologized for recent inactivity, resulting from injuries sustained in a fall, that subsequently led to his CB 1 termination.

Gregory Brender (M.B.P. Stringer's Office)

- Announced applications for joining the Community Board are available at meeting and online.
- CB 1 Board applications must be received by January 15, 2008.

Erin Drinkwater (NYS Congressman Jerrold Nadler's Office)

- Signed, collectively with local Senators, the \$180M appropriation bill targeted for the 9/11 first responders.
- The bill is awaiting the President's signature.
- Extended Holiday greetings.

## II. Business Session:

### A) Adoption of Minutes:

The minutes were adopted as presented.

### B) Chairperson's Report:

J. Menin

- Congratulated Sayar Lonial on his promotion to a challenging position with LMDC. Sayar's LMDC phone contact: 212-962-3752; and email: [SayarLional .@www.Renewnyc.com](mailto:SayarLional@www.Renewnyc.com).
- Community Notification, a pilot program, is now effective. The two-step process was confusing, but will be revised so more people can sign onto the pilot program.
- Port Authority assured us close consultation rights during the Lower Manhattan redevelopment plan.
- Port Authority announced, with regrets, a delay of a year beyond its originally expected 2010 to complete the Memorial.
- Pursuing stabilization measures for Gateway tenants.
- Holiday Party will commence after tonight's meeting.

### C) Pauline Yu (Mayor's Community Affairs Unit):

- Last weekend's WTC vicinity vendor enforcement efforts resulted in 59 arrests and the confiscation of more than 1,000 illegal bags and Rolex watches.
- The 1<sup>st</sup> and 5<sup>th</sup> Precincts conduct vendor enforcement in Lower Manhattan.
- Contact the 1<sup>st</sup> Precinct first if you'd like to report vendor problems.
- Further notification can be made to Pauline, at [www.Pyu1@cityhall.gov](mailto:www.Pyu1@cityhall.gov).

### D) District Manager's Report:

N. Pfefferblit

- In regard to the proposed budget cuts, we're working diligently to overturn any cut to our already restricted budget, as it will present a hardship.
- Gave an update about status of grant from Friends of Lower Manhattan. The release of the funds has still not been approved by the NYS Attorney General's Office. As soon as CB1 has a definite date when it will have the

funds, we will seek a highly qualified staff person to manage special projects; one who would work with committee chairs as well as in the District Office.

- Happy Holidays!

E) Julie Menin:

- LMDC is working on the RFP for grants that would be available to public schools within the LMDC catchment area.
- The maximum sum a school can request is \$250,000.00
- LMDC will focus on arts programs for these funds.

F) Paul Hovitz:

- Suggested LMDC would best make an expeditious decision-making process to assist the schools.

G) Rebecca Skinner:

- Suggested a sufficient time allotment for the schools to prepare following award notices.

III. Committee Reports

A) Street Fair Task Force - Report

B. Love

- Met with Joe Giovanni, Mardi Gras Productions, to review the following proposed 2008 street fair locations: 1. W. Broadway will house the former Fulton Street fair and is expected to generate approximately \$8,000. Other locations, discussed for suitability, include: 2) Maiden Lane; 3) Whitehall St.; and 4) Lafayette Streets. This dialogue will resume at the January 29<sup>th</sup> Task Force meeting.

B) Review Panel for Expressions of Interest in Community Facility Space @ 90 Broad Street - Report

R. Byrom

The panel has selected 3 of 11 applicants received. The time period was extended, allowing the panel more time to identify the following candidates:

- 1) NYC Council for Humanities now operating on Broadway;
- 2) NY International Children's Film Festival, heavily affected by 9/11, is willing to work around the office space challenge to screen films; and
- 3) Women's Media Center. These selections will move forward for a final decision.

C. Youth & Education Committee/New School Task Force - Reports

P. Hovitz

R. Skinner

- Meeting with Andrew Miller, Division of Youth & Community Development (DYCD), raised questions pertaining to the appropriation of funding for programs based within CB1.
- Although all kids deserve funding, CB 1 would like assurance of equitable financial distribution.

- The committee asked to be apprised of the DYCD funds serving the area and that there be a minimum reestablished to ensure fair allocation for all community boards, particularly CB 1.
- Moreover, the committee requested that CB 1 be added to DYCD's mailing list whereby we'll receive all Requests For Proposals.

#### Security School Safety - Report

- Teenagers and high school kids, particularly on Fulton Street, but also in the surrounding area, occasionally causing disturbances.
- Sergeant Kott, from the 1<sup>st</sup> Precinct, met with and advised the committee that from 1:30 PM– 5:00 PM on most school days, there is police presence at Burger King – unless the officers are called away to handle emergency issues.
- Paul countered the sergeant's response stating the officers' habit of occasional assessment visits, followed by lax follow-up – as they may deem necessary, should not be considered a sufficient measure.
- We are looking forward to working with the local schools to determine strategies to thwart issues that are considered to be creating neighborhood disturbances.
- Paul Goldstein, from Speaker Silver's Office, has spoken with the Murray Bergtraum Principal, who is awaiting the approval from the Department of Education to meet with us, hopefully soon.

#### School Grading System – Report

- Postponed until January, since no one from the Board of Education was available to attend our November or our December meetings.
- We are concerned with the value of the new grading systems and question the manner in which school reporting is conducted. Under the present system, IS 89, recipient of the Federal Education Department Blue Ribbon Award, received a “D” grade. We hope to address these inconsistencies at the January committee meeting.

#### Schools and Youth Amenities – Gratitude

- Extended gratitude to our Elected Officials – in particular to Assembly Member Shelly Silver and Council Member Alan J. Gerson for their tremendous support and diligence while gaining momentum for our schools and youth program.
- Many thanks also to David Feiner, Council Member Gerson's representative, and to Paul Goldstein who worked tirelessly as CB 1's Former D.M., and continues to do so as Speaker Shelly Silver's representative.
- Our rewards include: PS 234, IS 89, Millennium H.S., the new Beekman School, the new site for the 2B School, the new community center and the new ball fields we'll have near Pathmark – in addition to the other community amenities we look forward to having in the future.

The End of 15 Good Years as Chair

- Paul is graciously stepping down from a 15-year run as committee chair to spend more time with his family.
- Co-chair, Rebecca Skinner Liebowitz will take the reins as chair.
- Ann DeFalco has been appointed to become Rebecca's co-chair.
- Happy Holiday to all!

D. WTC Redevelopment Committee  
Report

B. Love

- The Port Authority offered \$750.00/day (\$6,000.00/8 days) for 90 West Street residents – following a major sewer line breakage that affected the residential building and its residents.
- Each recipient was expected to sign a Disclaimer waiver promising not to pursue future legal liability or claims resulting from the damages.
- Although Julie Menin subsequently suggested revisions for the disclaimer, the NYNJ PA have yet to reply.
- July 1, 2007 marked the effective date for changes to the Citywide Noise Code.
- The Noise Code is not limited just to construction.

Roll call vote:

E. Financial District Committee

R. Sheffe

- 1) 20 Maiden Lane liquor license for the Wyndham Garden Financial District Hotel – Resolution  
BOARD VOTE: Unanimous Approval
- 2) Proposed street closure on Tuesday, April 1, 2008, Stone Street between Coenties Alley and Hanover Square by Ahead Realty LLC – Resolution  
BOARD VOTE: 34 In Favor 1 Opposed 0 Abstained 0 Recused
- 3) Proposed street closure on Monday, October 13, 2008, Broadway between Battery Place and Liberty Street by the Bowling Green Association – Resolution.  
BOARD VOTE: 34 In Favor 1 Opposed 0 Abstained 0 Recused
- 4) Proposed street closure on Tuesday, November 11, 2008, Broadway between Fulton Street and Battery Place by John Huess House – Resolution.  
BOARD VOTE: 34 In Favor 1 Opposed 0 Abstained 0 Recused
- 5) Proposed street closure on Friday, September 26, 2008, Old Slip between South Street and Water Street by the NYC Police Museum – Resolution  
BOARD VOTE: 34 In Favor 1 Opposed 0 Abstained 0 Recused
- 6) Proposed street closure on Saturday, May 3, 2008, Broadway between Fulton Street and Battery Place by Ziua, USA - Resolution

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

- 7) Proposed street closure on Friday, August 1, 2008, West Broadway between Barclay Street and Chambers Street by the First Police Precinct Community Council Street.

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

- 8) Proposed street closure on Friday, June 6, 2008, West Broadway between Vesey Street and Chambers Street, by Independence Plaza Tenants Association

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

- 9) Proposed street closure on Friday, May 9, 2008, Murray Street between Broadway and Church Street, by Chabad of Wall Street.

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

- F) Planning and Community Infrastructure Committee J. Galloway

1. Brooklyn Battery Tunnel Approach – Resolution.

Chairperson Julie Menin suggested tabling this resolution to allow LMDC an opportunity to include their viewpoints and to obtain input from other affected parties.

BOARD VOTE: TABLED.

2. Proposed Zoning Text Amendments: Floor Area Calculations in Stairwells of Residential Building Taller than 125 Feet – Resolution

A change in NYC Building Code, adopted in 2007, will require an increase in the width of stairwells of residential buildings taller than 125 Feet without an increase in floor area. This will provide safety and evacuation ability. Yet, this loss of bulk will result in someone bearing the financial burden. The committee suggested the following as a means of applying the proposed zoning changes while not increasing the housing costs: 1) Build more than one additional floor; 2) Application would not apply to buildings in excess of a footprint of 5,000 sq. feet unless there's an affordable housing element included; and 3) Any increase in permissible height or bulk may not be transferred.

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

3. Bulk Modifications and a Clarification Proposal by the American Institute of Architects – Resolution

A contextual zoning amendment, proposed by the NY Chapter of the AIA, was presented to the committee. Of six points, five appear to be applicable to CB 1. 1) Zoning will allow greater lot coverage for smaller corner lots; 2) Remove a limitation on no more than 2-residential units to allow additional units as permitted by height and bulk limitations; 3) Restrictions on rear building dormers will be waived to allow bulk to be shifted more efficiently; 4) Allow the first setback to be adjusted so that it is consistent with neighboring building's adjust setbacks; 5) Allow greater bulkhead flexibility; and the sixth one does not apply to CB 1.

BOARD VOTE: 34 In Favor 2 Opposed 0 Abstained 0 Recused

G) Landmarks Committee:

B. Ehrmann

1. 48 Warren Street, LPC application to reconstruct the façade – Resolution  
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
2. 38-44 Laight Street, LPC Application – unreasonable request for an exterior stair from penthouse to roof.  
BOARD VOTE: Unanimously Opposed.
3. 243 Water Street, LPC application for flag installation. Rejected the size and inappropriateness for this South Street Historic District and Landmark building  
BOARD VOTE: Unanimously Opposed.

H) Seaport/Civic Center/Financial District and Waterfront Committees

R. Sheffe

J. Nadel

J. Fratta

South Street Seaport Community Center Needs – Update

General Growth Properties met with committee to determine the needs for a community center. The company has not yet developed a plan, but promised to have one in about 3 months. The group's consensus was to reject a high rise structure. All suggested a recreational space, cultural space and a theatre space. The committee requested that Julie Menin set up a task force to meet with General Growth Properties on an ongoing basis. Also, General Growth Properties agreed to pay for a scope of work consultant to develop plans for the seaport recreational site.

I) Seaport/Civic Center

J. Fratta

1. 111 South Street Liquor license on-premises application for Fish Market Restaurant 1,400 sq. ft.; operating hours are from noon-11PM weekdays and noon till midnight on weekends – Resolution.  
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
2. 10 Reade Street Sidewalk Café renewal application for unenclosed sidewalk café for Albachiara LLC d/b/a Alba.  
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
3. Friends of City Hall Park, Skip Blumberg – Update  
Skip Bloomberg returned to the committee to complain that the Parks Department renegeed on 8 points they'd previously agreed upon. Parks Department Commissioner Castro will address this claim at the next meeting.

J) Waterfront Committee

J. Nadel

1. Henry Hudson River Park Trust needs money to build out Pier 25 - Update.  
Its interim usage is unclear.
2. East River Waterfront Plan – Resolution.  
Because the committee agreed the plans presented needed revision, they TABLED the resolution, rather than offer specific concerns so as not to hold up this important project longer than necessary. They need to know what is acceptable and what’s not.  
BOARD VOTE: TABLED.

NOTE: IF YOU WISH TO RECEIVE A COPY OF A RESOLUTION SUMMARIZED IN THE MINUTES, PLEASE CONTACT THE CB 1 OFFICE AT 212-442-5050.

K) Tribeca Committee

M. Ameruso

1. 73-77 Reade Street, a/k/a 91-95 Chambers Street. CPC application for a special permit to facilitate the enlargement and reuse of an existing building from commercial to residential use – Resolution.  
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
2. 200 Chambers Street, application for on-premises liquor license for Palm NY Downtown LLC d/b/a Palm Restaurant.  
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
3. 101 Warren Street, 270 Greenwich Street, application for liquor license for Burak T. Karacam (Corp. to be named later) – Resolution.  
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
4. 325 Church Street, beer and wine license application for 325 Church Street Company, LLC d/b/a Saluggi’s - Resolution  
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
5. 181 Duane Street, addition of seasonal unenclosed dining patio within property line in front of restaurant for 181 Duane Ristorante d/b/a Max - Resolution.  
BOARD VOTE: 35 In Favor 0 Opposed 0 Abstained 0 Recused
6. 185 Duane Street, renewal of liquor license for Five Acorns LLC d/b/a Five Acorns – Resolution.  
BOARD VOTE: 32 In Favor 2 Opposed 0 Abstained 0 Recused
7. 329 Greenwich Street application for unenclosed sidewalk café for Tribeca Food NY LLC d/b/a Industria Argentina – Resolution.  
BOARD VOTE: 34 In Favor 1 Opposed 0 Abstained 0 Recused
8. Application for Newsstand in front of 254 Canal Street – Resolution.  
BOARD VOTE: 18 In Favor 15 Opposed 2 Abstained 0 Recused

8. April 25, 2008, street closure on Friday, at Warren Street between Broadway and Church Street by the Downtown Independent Democrats – Resolution.  
BOARD VOTE: 32 In Favor 2 Opposed 1 Abstained 0 Recused
  
9. Friday, September 26, 2008, street closure on Warren Street between Broadway and Church Street, by the Downtown Visiting Neighbors – Resolution.  
BOARD VOTE: 32 In Favor 2 Opposed 1 Abstained 0 Recused

A roll call vote unanimously adopted this resolution.

- IV. Old Business – Julie Menin informed us that the Tribeca Community is concerned about the application for a new “Restaurant/Bar” to be located at 25 N. Moore Street. This was presented to the Committee as a family style restaurant, but neighbors have alleged that it is really intended to be a sports bar.
  
- V. New Business
  
- VI. Adjournment

Respectfully submitted,

Noel E. Jefferson  
Secretary