

MINUTES OF THE MONTHLY MEETING OF
MANHATTAN COMMUNITY BOARD # 1
HELD
JANUARY 15, 2008
PS/IS 89 AUDITORIUM
201 WARREN STREET

1. Public Session:

- A) John Ricker (Office of Comptroller William C. Thompson) introduced the Comptroller's Update that attacks the below par Federal Aviation Association (FAA) performance in the New York Area. The airports' escalating flight delays outpace those in the rest of the nation, adversely affecting our competitive edge in the marketplace. Moreover, New York is recognized as having the worse flight delays in the nation. Comptroller Thompson is pushing for a sufficient number of air controllers to be hired to maintain adequate air flight controls for both departures and arrivals.
- Comptroller Thompson sent a letter to President Bush requesting that he restore Homeland Security funds for the City so as not to have to drain taxpayer's dollars. www.comptroller.nyc.gov.
- B) Foiz Ahmed – 130 Duane Street requested that the beer and wine application be removed from Board consideration until the full Board has an opportunity to review it.
- C) Barry Malin, esq., representing 25 N. Moore Street, asked that the Board rescind the original support for 200 Water Group LLC at 25 N. Moore Street because of the applicant's misrepresentations. The applicant presented a completely different plan to the State Liquor Authority than was presented to the Tribeca Committee. The 65 neighbors present are in opposition to this resolution. Seventy-five protesters attended the Tribeca Committee Meeting, opposing this resolution.
- D) Alan Murabayashi, president of 22 N. Moore Street, also in opposition to 200 Water Group LLC at 25 N. Moore Street, managed by former managers of Buster's Garage who presented a misrepresentation of facts for the approval of its application.

- E) Paul Goldstein (NYS Speaker Sheldon Silver's Office). Deutsche Bank has been mute until LDI Services was designated to replace the John Galt firm in the deconstruction of the Deutsche Building. This firm promises to do a good job as it has a good safety record. Bovis Lend Lease, site manager who works for L.M.D.C., was also present and determined to ensure that safety takes priority. Mr. Master, supervisor for all of Bovis' projects will be the person in charge of 130 Liberty Street and his staff will be there around the clock. D.E.P. indicated that they will also work around the clock with L.M.D.C.
- The noise at the WTC is a concern. There is a plan to mitigate the noise, including windows for the local residents living adjacent to the site and equipment will be put in place to quiet the noise. Ceasing the work at 11 PM is now the noise abatement highlight.
 - Elected Officials are working with Gateway and Battery Park City to continue rent stabilization. A letter has been sent out to the Lefrak organization to this end.
 - Merrill Lynch is expected to renew their lease at the World Financial Center for another 5 years.
 - \$400 M is expected to be set aside this year for the affordable housing efforts throughout the state.
- D) Anthony Notaro – Acting President 1st Precinct Council. The next meeting will be held on January 31, at the Precinct. All are welcome, last Thursday of each month at 6:30. First Precinct Council's email is www.firstprecinct.org.
- E) Bess Matassa (Office of Assembly Member Deborah J. Glick) is opposed to the licensing of the 200 Water Group LLC at 25 N. Moore Street and their misrepresentation to the State Liquor Authority. She is extremely concerned about the Greenwich and Duane Streets intersection and lack of traffic mitigation device. She hopes to arrange a joint meeting with the other elected officials and Department of Transportation Commissioner to make this a safer intersection. Additionally, she has serious concerns with Intro 650 City Council that will put serious constraints on environmental testing. She opposes it because it is an antithesis of an open democracy.
- F) Michael Post, local artist will submit an application for a grant to LMCC soon. He's interested in bringing additional art to the area. The site of interest is located between the Customs House and Bowling Green Park, in the plaza; and a site at Wall St. and Exchange Place. He's also open to suggested sites.
- G) Erin Drinkwater (Office of State Representative Jerrold Nadler) – Labor Appropriations Bill, including \$ 108 Billion dollars of funding for health needs related to 9/11. This is the first time funding will be available for residents and students.

- The Congressman is concerned about City Council Intro 650. If this was in effect on 9/11, there would be serious ramifications pertaining to independent data gathered to state that the EPA sampling was incorrect.
 - Calls pertaining to the placement of mailbox have been received
 - Pier 26, Hudson River Park Chair, Diana Taylor follow-up meeting, with the Community Board will continue.
- H) Matt Viggiano (NYS Senator Martin Connor's Office) updated us on Senator Connor's position on Congestion Pricing, which will come up for vote by March 31, 2008. Surveys are important and Matt encouraged all to send in our responses. Four hundred responses have been submitted so far.
- On January 2, Senator Connor met with other elected officials at L.M.C.C.C. to discuss noise mitigation at certain hours in the Greenwich Street South Area. Senator Connor also phoned the Governor urging him that Port of Authority needs to do a better job regarding the noise at the indicated location.
 - The Port Authority's 6-point plan has been released. Senator Connor will review this plan and his office will work closely with the PA and the Community Board with the anticipation of creating a quieter Greenwich Street South Area.
 - Matt Viggiano (NYS Senator Connor's Office) participated in a Battery Park City Community Center Task Force meeting to discuss a Request For Proposal.
 - Matt Viggiano (NYS Senator Connor's Office) also attended the recent Tribeca Committee meeting in response to 130 Duane Street Hotel, proposal for a wine and beer license. The Senator's concern is that if we allow this boutique hotel to acquire the license, they will return for a full-fledged liquor license that would therefore establish a precedent that we do not want.
 - Nelle Fortenberry, President of The Friends of Washington Market Park, which has been lobbying for a comfort station, a 300 square foot structure, for many years. Council Member Alan J. Gerson earmarked, through the Department of Parks, the seed money for the comfort station and secured the remainder from L.M.D.C. in 2006. Of the 3 viable sites, the recommended site is in the northwest corner of the park that borders the IPN fence and the BMCC stairs. The Friends of Washington Market Park requests: (a) the relocation of the 8 plots on the eastern part of the garden following construction, restoring the garden to 60 plots; (b) the reconstruction of heirloom plants during construction; and (c) that the 60 gardeners will act as consultants when discussing issues pertaining to soil, etc. during the restoration and enhancement of this lovely park and community garden.
 - Sanford Wurmfold, representing the Friends of City Hall Park. Respectfully asked CB 1 to continue our vigilance regarding City Hall Park. He said the greening of the plaza has not taken place and complained that City Hall Park is being used as a gymnasium for several schools. He would like for the park to be maintained properly and used accordingly.
 - Jean Grillo represented a group of Duane Street residents opposing the Hercha Hotel, the only boutique hotel that wants a beer and wine license.

- I) Pam Frederick – Friends of Washington Park Board, followed Nelle Fortenberry’s position that Parks has chosen the best site for the bathroom.
- J) Gregory Brender (Office of MBP Scott Stringer) – Access television will increase public access to various community boards through Civic Channel T.V. (CCTV). Companies such as MNN have not raised their fees for providing public access. On February 7 from 3:00 -7:00 PM, at the Tribeca Performing Arts Center at BMCC, there will be a meeting to further discuss this.
- K) Anne Libby – Duane Street Block Association, is in support of the N. Moore Street residents pertaining to paying very close attention in monitoring liquor licenses. It’s important that we look closely at these neighborhood establishments to protect our teens.

II. **Business Session**

A) Adoption of Minutes

B) Chairperson’s Report

J. Menin

- Update identifying L.V.I. as the new subcontractor assigned to continue work on 130 Liberty Street is promising. Their accomplishments credit them to have completed 15 impressive abatement jobs.
- A Town Hall will be held on January 24, at 250 B’Way, 19th Floor, to answer any questions regarding L.M.D.C.’s subcontractor, L.V.I., responsible for dismantling 130 Liberty Street.
- John Fratta will chair an East Side Task Force that’s being created. General Growth Properties is planning a proposal and this Task Force will work on a potential community benefit.
- CB 1 is still actively assisting 90 West through the tenants’ leader.
- Attended CB 3 meeting re: ball fields. L.M.D.C. offer to give \$3M for the ball field to include all of L.M.D.C.’s purview.
- Pat Moore, C.B. 1 Member, and all local elected officials who fought so diligently to abate the noise in Lower Manhattan, are to be commended.
- Council Member Alan J. Gerson is presenting a Congestion Pricing Forum tomorrow, January 16th, at 7 W.T.C., 40th Floor, at 6:00 PM, following the QOL meeting. C.B. 1 has not yet taken a position on this proposal, as the City has not presented it formally.
- Attended Speaker Silver’s Battery Park City Community Center Task Force meeting regarding upcoming request for proposals.
- The next CB Meeting and those to follow will be held on the 4th Tuesday of the month, moved from the third Tuesday of each month (February 26, 2008).

C) District Manager’s Report

N. Pfefferblit

- No cut planned for this fiscal year, but on July 1, 2008, one is proposed for \$10K. This may mean personnel cut, but we shall try to make sure this doesn’t happen.

- We have instituted a more formal means of assessing applications for C.B. 1 Public Membership. Michael Levine will assist Noah with interviewing persons interested in becoming Public Members.
- 90 Broad Street, Community has presented Swig Equities with 3 final applicants. This process is on schedule and Swig should be able to select someone within the next 3 weeks.

D) Treasurer's Report J. Kopel

- Quarterly report was distributed.

III. Committee Reports

A) **Tribeca Committee** C. DeSaram

- 1) 25 North Moore Street, application for on-premises liquor license for 200 Water Group LLC Inc. – resolution rescinded.

In Favor: Opposed: 41 Against: 0 Abstained: 2 Recused: 0

- 2) Report on Route 139 Rehabilitation Holland Tunnel Project Update - Expected to begin soon. Traffic will be snarled, in Lower Manhattan's West Side, as well as in New Jersey, during this work period.
- 3) Report on Greening of Tribeca - Proposal to plant trees in Tribeca was discussed. Anyone interested can contact the Office.
- 4) Washington Market Park Comfort Station – Resolution
Several entities, i.e., Parks Department, Gardeners and neighbors, etc. presented their preferences.

Roll Call Vote: Unanimously adopted. In Favor: 42 .

- 5) 40 Walker Street, CPC application for 74-711 special permit to allow residential use in floors 2 through 6 and office and/or retail space in the cellar and ground floor – Resolution

Unanimously adopted. In Favor: 42.

- 6) 189 Franklin Street, application for liquor license for New York Steak & Burger Co. Inc. – Resolution

Unanimously adopted. In Favor: 42.

- 7) 130 Duane Street, application for wine and beer license for 130 Duane Street Hotel – Resolution

Board Vote: TABLED.

Roll Call. Unanimously adopted. In Favor: 42.

- 8) 22 Warren Street, application for liquor license for Tom Stagias/or Corp. to be Formed – Resolution

Unanimously adopted. In Favor: 42.

- 9) 181 Duane Street, application for renewal of wine license for 181 Duane Ristorante, Inc. d/b/a MAX – Resolution

Unanimously adopted. In Favor: 42.

- 11) 190A Duane Street, application for new unenclosed sidewalk café for ROC Restaurant – Resolution.

Unanimously adopted. In Favor: 42.

- 12) 78-82 Reade Street, application for renewal of unenclosed sidewalk café for Cup Café NY LLC d/b/a MOCCA – Resolution.

Unanimously adopted. In Favor: 42.

- 13) 136 West Broadway, application for renewal of unenclosed sidewalk café Edwards – Resolution.

Unanimously adopted. In Favor: 42.

- B) **Quality of Life/Affordable Housing** P. Moore
The Quality of Life Committee will meet the 3rd
Thursday of every month. The first item at each meeting will
be presented by the LMCCC

- 1) Report on presentation by the New York Foundation for Senior Citizens Services, a not-for-profit Citywide program that assists senior citizens with housekeeping chores on a sliding scale basis. Anyone interested in using this service may contact our District Office for their contact information.
- 2) Report on Presentation by the Downtown Alliance on the impact of Weekday Street Fairs on Congestion in Lower Manhattan. The Alliance visited the committee to discuss street fairs and how they impact our neighborhoods. There is a street fair committee that should be contacted for relevant issues.
- 3) Report on D.O.T. Bike Group and its current and planned work. There will be additional bike lanes brought into neighborhoods Citywide. Also, new installations, i.e., bike racks are also forthcoming.

C) **WTC Redevelopment Committee** C. McVay Hughes

- 1) Report on Port Authority updates – Australia’s Westfield Group, the same as before, will be responsible for retail at the WTC site. They will jointly develop and operate the \$1.45 billion, 500,000 sq. ft. retail project. The slope is no longer an issue; different mixture of retail and will be back to get community feedback.
- Outstanding issues that need to be discussed further include: 1) Dust and mud, especially at Vesey Street and along Church Street; 1) Integration of the elevated plaza park and Liberty Street Bridge; 3) N/R Cortland Street Station’s downtown service may not open until PATH Station is ready; 4) Lack of elevator to the E train for the several years during the PATH station construction project; 5) Pedestrian flow along Church Street when the construction starts for Tower 3 & Tower 4; 6) No update on the PAC; and 90 West residents still have some outstanding reimbursement issues.
- Noise – The Port Authority announced a noise mitigation program, thanks to Speaker Sheldon Silver, Council Member Alan J. Gerson, Congressman Jerold Nadler and State Senator Connor. The Millennium Hotel has lost \$200,000 of business as a result of the noise at the WTC.
The WTC Health Registry deadline is approaching. For questions pertaining to it, you may call 866-692-9827, or e-mail wtchr@**health.nyc.gov**.
- 2) Report on presentation on the National September 11 Memorial and Museum at the WTC – It hasn’t been determined whether there will be an entry fee. Two historic remnants remain: the exposed slurry wall and some box columns. There will be a section regarding 9/12 and residential and business community. There will also be a section to include those who perished due to illnesses attributed to 9/11. The outstanding issue is that we have requested that they return with a presentation on where the tour buses will drop off, load and park.
- 3) Update on 130 Cedar Street – Decontamination requires numerous permits and is proceeding. Demolition requires permits too and the façade is expected to be demolished in May. Construction will begin late June, or early July. They must work around 130 Liberty Street. The design is proposed to be approximately 20 feet above grade.
- 4) 130 Liberty Street, January 24th Town Hall Meeting. LMDC and its subcontractors: Bovis and LVI will be present. The proposal was just presented to the EPA and is awaiting final approval.
- 5) Councilman Alan Gerson’s Diesel Reduction Plan is intended to abate excessive emissions throughout the City. This diesel reduction plan, Intro 650, is going before the City Council Committee for public safety. Manhattan Borough President Scott Stringer, Assembly Member Deborah Glick, and State Representative Jerrold Nadler and Council Member Alan J. Gerson support this legislation.
- 6) Action to reduce particulates in the air includes 5-step plan. This legislation would mandate the S.I. Ferry to clean up its act of spewing unhealthy air on its voyages. School buses would also be addressed.

D) **Financial District Committee**

R. Sheffe

- 1) 21 West Street, application for liquor license for West Street Gourmet – Resolution

Unanimously adopted. In Favor: 43.
- 2) 120 Greenwich Street, application for Liquor license – Resolution

Unanimously adopted. In Favor: 43.
- 3) 25 Broadway, liquor license for 25 Broadway Enterprises LLC – Resolution
In Favor: 43/Unanimous adoption.
- 4) 5 Hanover Square, application for renewal of wine and beer license for 5 Hanover Farm, Inc. – Resolution*

Unanimously adopted. In Favor: 43.
- 5) Report on presentation about 99 Church Street by Silverstein Properties - Update. A two phase reconstruction process, to include lead paint abatement, will commence soon.

E) **Planning and Community Infrastructure Committee**

J. Galloway

- 1) Brooklyn Battery Tunnel Approach – Resolution
More information is needed from the City and State agencies regarding this and other issues.

F) **Battery Park City Committee**

J. Galloway

- 1) Report on meeting regarding affordable housing at Gateway Plaza, with its 1,700 units. The affordability issues are not just important to these residents, but its character helps to define the character of BPC for residents who've decided to make BPC their home. If it loses its sustainability, it will become a transient area.
- 2) BPC is generating an RFP for an operator to run the community center.
- 3) Update by the Battery Park City Authority — Recent developments suggest that there will not be a North Battery Park City made from landfill.

G) **Landmarks Committee**

R. Bryom

- 1) Battery Maritime Building – Resolution
The renderings showed us a revision of several previously presented drawings of the proposed development. Restorations to improve the condition of this building were included in the presentation. The presenters met with the Landmarks Committee three times. The last two presentations addressed many of the committee's concerns, but for them to succeed financially, it's important to have more bulk than the committee would like to approve. Questions and arguments

were raised from the full board, pertaining to the committee's "strong objection to its bulk" followed by its approval. The words, "strong objection" were argued, pro and con. The original statement remained.

Roll Call Board Vote

In Favor: 30 Against: 6

- 2) 26 Broadway, LPC application for exterior signage – Resolution.

Unanimously adopted. In Favor: 36.

- 3) 249 Church Street, LPC application is to renovate the building lobby entrance and apply signage. The applicant was not able to present historical photographs to help direct the Committee's review of the proposed design that are standard for the applicant to provide, and the applicant agreed to table the scheduled LPC Hearing and present a complete application, including historic photographs to the Committee at its February 14 meeting, now CB#1 and the applicant recommend that the Landmarks Preservation Commission hold over this application until after February 14.

- 4) 87 Chambers Street, LPC application to restore façade and add floor to the roof -
– Resolution

In Favor: 34 Against: 0 Abstained: 2 Recused: 0

- 5) 35 North Moore Street, LPC application for reconfiguration of north skylight and replacement of windows and plating material – Resolution

The applicants requested significant modification of a highly visible skylight extension atop a building located on the south side of the Holland Tunnel rotary and within the Tribeca West Historic District, raising the angle of the skylight's pitch from the current 40 degrees to 15 degrees, and extending the enclosure slightly towards the front of the roof, but not changing the height of the extension.

Unanimously adopted. In Favor: 36.

H) **Seaport/Civic Center Committee**

J. Fratta

- 1) Winter Market presentation – One Day Sustainable Food Celebration was held on one of the worst weather days this year, but it was very successful as it was well attended by the community – Report.
- 2) CB 1 Member, Joe Morrone, resigned – letter read. Chair, Julie Menin thanked Joe for his service and said he'll be certainly missed.
- 3) Friends of City Hall Park – Update
Commissioner Castro met with the committee. We'll continue to work with the Department of Parks to attempt to reach a settlement on outstanding issues

concerning the improvements sought by Friends of City Hall Park. A Request For Proposal (RFP) will be issued to identify a qualified operator to oversee the maintenance.

I) **BPC Community Center Task Force** A. Notaro

- 1) Report on meeting with Assembly Member Sheldon Silver regarding sites 23/24. Battery Park City is generating an RFP to solicit an operator for a community center. The committee made suggestions for the RFP and they will meet again. It has been agreed that members of CB 1 will review the RFP prior to issuance. The project site will be 52,000 sq. feet.

IV. **Old Business**

V. **New Business** - A representative from Borough President Scott Stringer's office presented a proposal for Manhattan Neighborhood Network, MNN, to provide enhanced television cable coverage of community board meetings and other civic events. The proposal would be voted on at the upcoming Manhattan Borough Board meeting. The board voted to authorize Chair Julie Menin will support the proposal at the Borough Board Meeting.

VI. **Adjournment**

*A resolution on this application was drafted at a special meeting of the Financial District Committee held immediately prior to this meeting of the full board.

Respectfully submitted by: Noel E. Jefferson