

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

DATE: FEBRUARY 14, 1989

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 6 In Favor	0 Opposed	0 Abstained
BOARD VOTE: 31 In Favor	0 Opposed	1 Abstained

RE: Buildings Department Process

WHEREAS: The Community Board's attempts to stay current with developments at the Department of Buildings are invariably frustrated by agency practices which make building plans unavailable and department records confusing, and

WHEREAS: Only minor changes in the process would correct the system's most serious flaws, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 urges that the Department of Buildings institute the following changes in procedure:

1. With any set of buildings plans submitted to the agency there should also be a copy, provided by the developer, which will remain in the file when current plans are in use. The file itself should never leave the agency. A copy of any Buildings Department response to a set of plans (e.g. a list of objections) should remain in the building file at the Department of Buildings at all times.
2. Community Board representatives who seek access to building files should present documentation to the clerk on duty and thereafter bypass the usual routine for accessing plans.
3. New Building and Alteration numbers (NB's and ALT's) should be given a suffix letter to identify when plans have been revised. (A first set of plans would be assigned, say, NB 999-89, NB 999-89-A....)
4. The Buildings Department should notify the Community Board when a demolition permit, certificate of occupancy, or a temporary C of O is issued.

(resoluti.feb#1/7)

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

DATE: FEBRUARY 14, 1989

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 4 In Favor	1 Opposed	1 Abstained
BOARD VOTE: 29 In Favor	0 Opposed	1 Abstained

RE:           **Public Development Corp.**

WHEREAS:     The Public Development Corporation is a quasi-city agency empowered to negotiate the lease or sale of public property to user-developers who satisfy certain criteria such that a public benefit will result, and

WHEREAS:     These actions may be admirable in the outer boroughs, where large developments are rare, but in dense Manhattan the projects are often disruptive of the surrounding community and bitterly opposed by community groups and area representatives, and

WHEREAS:     When PDC signs a letter of agreement with a user-developer the city in effect is guaranteeing an outcome prior to the findings of any environmental impact statement, prior to ULURP, and prior to input from any city agencies or approval by the Board of Estimate, and

WHEREAS:     This contractual guarantee that the project will eventually be approved in its basic form can be used as a bludgeon during the review process to ensure its passage, because the city might face legal liability were the project to be rejected, and

WHEREAS:     PDC enters into negotiations with a potential developer with no competitive bidding, no public scrutiny, and no concern for any other public use to which the property could eventually be put, and

WHEREAS:     Many of the PDC projects receive valuable tax rebates, including real estate tax abatements and less expensive electrical power, and

WHEREAS:     PDC arranges for the disposal of city land despite total lack of supervision by the City Council or Board of Estimate, and which, as an agency, spends millions of dollars each year in city funds which are not accountable in the ordinary budgetary process, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

Community Board #1 calls on the PDC to:

1. Cease its practice of sole-source negotiation and return to the Request for Proposal method of seeking developers.
2. Cease its practice of writing letters of agreement in advance of the ULURP process, and bring the process into the full light of day by making public each step in the process.
3. Cease its practice of offering tax incentives for Manhattan (below 96th Street) real estate, which is already so valuable that potential developers can readily be found without this give-away; instead, improvements in city service (e.g. public transportation, sanitation, schools) and quality of life (e.g. use of open space, improved vehicular and pedestrian movement) would go much farther in keeping businesses here in the city. Community Board #1 withdraws this objection if a tax break is necessitated because City or community facilities are built as part of the development.
4. Withdraw any current proposals for lease or sale of Manhattan real estate until its methodology and conclusions can be re-examined from the standpoint of an RFP.
5. Examine with input from the respective Community Board the future needs of an area and the uses to which a piece of public land could be eventually put, and use this to weigh against the currently expedient proposal, and

BE IT  
FURTHER  
RESOLVED  
THAT:

Community Board #1 calls upon the New York City Charter Revision Commission to put under the budgetary process any agency which deals with the disposal of city-owned real estate.

lma  
(resoluti.feb5-6/7)

- a) When a mitigation is identified to correct an impact, the city agency responsible for the mitigation should be required by law to implement it, and guarantee that the results of the mitigation will bring the impact back to acceptable levels.
- b) When an existing situation is in clear violation of the Clean Air Act and a project increases the overload, the responsible city agency should be required to show that the situation AFTER the project is built can be brought into compliance with the Clean Air Act, NOT just back to the current unacceptable condition.
- c) Current projects are often given impact assessments based on standard rates of trip-generation developed in the 1970's when densities were quite different in Manhattan. The city CEQR agency should be required to develop up-to-date parameters for trip-generation, so that trip rates will be appropriate to both the expected use and the neighborhood in which the project will be located.
- d) Responsibility for writing an EIS should NOT be turned over to a city agency, as provided in the legislation, because this would add much expensive staff to the city payroll, and create the potential for such problems as patronage and bureaucratic delay; instead, provision should be made for Community Board input during the scoping process and during the progress of the study, so that issues of concern to the neighborhood will be addressed.
- e) The EIS process should be streamlined so that its costs can be controlled and its time frame stabilized, allowing a developer to know the fate of his project in a reasonable time. Better scoping, earlier community input, and reducing "boilerplate" in the EIS would help everyone.

lma  
(resoluti.feb3-4/7)

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

DATE: FEBRUARY 14, 1989

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 6 In Favor	0 Opposed	0 Abstained
BOARD VOTE: 30 In Favor	0 Opposed	1 Abstained

RE: **Environmental Impact Statements**

WHEREAS: Community Board #1 has had numerous problems in the past with environmental impact statements associated with major projects, because the methodology of such analyses did not seem to lead to results which properly assessed the impacts of the project, and

WHEREAS: A bill before the state legislature would modify the EIS process and correct some of the defects we have experienced, and

WHEREAS: Community Board #1 has encountered other problems which are not remedied by the legislation, and

WHEREAS: A recent court decision (by Justice McCooe) has ruled that the way the city environmental quality review is now conducted violates state law, so that the entire process may soon face major rewriting, and

WHEREAS: The EIS and the mitigations which arise from it are all that stands between a community and real harm to its environment by a project which does not have the proper safeguards, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

1. Community Board #1 strongly endorses the concept that modifications be made to the EIS process, and approves the following proposals in the legislation:
  - a) The EIS would have to take into account impacts of other developments in the project area.
  - b) The State Department of Environmental Conservation would have authority to review and overrule a city agency which decides an EIS is not required for a project.
  
2. In addition, Community Board #1 urges the following amendments to the legislation, which, if adopted, would strengthen the environmental process and correct many of its present shortcomings:

COMMUNITY BOARD #1 MANHATTAN  
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DATE: FEBRUARY 14, 1989

COMMITTEE OF ORIGIN: PARKS & ENVIRONMENT

COMMITTEE VOTE: 12 In Favor	0 Opposed	0 Abstained
BOARD VOTE: 17 In Favor	4 Opposed	5 Abstained

RE:           **Battery Park**

WHEREAS:      Community Board #1 has made the redesign and renovation of Battery Park one of its top budget priorities for several years, and

WHEREAS:      The proposed changes promise to:

1.            Improve pedestrian circulation in the park
2.            Establish a single, continuous and unified procession of monuments to replace the current random placement
3.            Rebuild and modernize the children's playground
4.            Provide a new two-tiered waterfront esplanade
5.            Establish a "town green" area which is suitable for informal recreation
6.            Improve the concession area, now

THEREFORE  
BE IT  
RESOLVED

THAT:         Community Board #1 endorses the proposed schematic design for Battery Park with the following provisions:

1.            The Parks Department re-examine the holding pattern for ferry boat users and seek to minimize interference with other pedestrians seeking access to the waterfront
2.            Additional open green space should be designed and identified for informal recreational activities
3.            Reduce the bulk of the design of the concession building
4.            Assure that funds are provided for security, maintenance and recreation programs within the park, and

BE IT  
FURTHER  
RESOLVED

THAT:         Community Board #1 strongly recommends that the City provide funding for the future stages of this project, final design and construction, and

BE IT  
FURTHER  
RESOLVED

THAT:         Community Board #1 commends the Parks Department for seeking our input and responding to our needs and urges that this collaborative process continue.

lma (resolution.feb2/7)

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

DATE: FEBRUARY 14, 1989

COMMITTEE OF ORIGIN: WASHINGTON MARKET

COMMITTEE VOTE:	4 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	24 In Favor	0 Opposed	0 Abstained

RE: Delphi Restaurant (109-111 West Broadway), application for an enclosed sidewalk cafe (renewal)

BE IT  
FURTHER  
RESOLVED

THAT: Community Board #1 recommends that the Bureau of Franchises approve the **Application for Revocable Consent** (5 years) for the continued operation of an enclosed sidewalk cafe at the above-referenced location.

lma  
(resoluti.feb8/7)

COMMUNITY BOARD #1 - MANHATTAN  
RESOLUTION

DATE: FEBRUARY 14, 1989

COMMITTEE OF ORIGIN: WASHINGTON MARKET COMMITTEE

COMMITTEE VOTE: 4 In Favor	0 Opposed	0 Abstained
BOARD VOTE: 23 In Favor	1 Opposed	0 Abstained

RE: Proposed sidewalk newsstand on the N/W/C of Murray Street and Broadway

WHEREAS: The proposed site is heavily congested with both pedestrian and vehicular traffic during the morning and evening rush hours and lunch hour, and

WHEREAS: The opening of the New York Public Library branch at 9 Murray Street in the near future will create even greater pedestrian traffic, and

WHEREAS: The installation of the proposed sidewalk newsstand would interfere with the view of City Hall (looking East from Murray Street), which is a landmarked structure as well as a major tourist attraction, and

WHEREAS: A sidewalk newsstand already exists on the N/E/C of Murray Street and Broadway, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 is opposed to the proposed installation of a sidewalk newsstand at the N/W/C of Murray Street and Broadway, and

BE IT  
FURTHER  
RESOLVED

THAT: The Department of Consumer Affairs instruct City departments reviewing this application to conduct inspections during A.M. and P.M. rush hours or lunch hour to make inspectors aware of the heavy pedestrian traffic and congestion at this location.

(resoluti.feb#1/jc2)

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

DATE: FEBRUARY 14, 1989

COMMITTEE OF ORIGIN: WASHINGTON MARKET

COMMITTEE VOTE: 4 In Favor	1 Opposed	1 Abstained
BOARD VOTE: 22 In Favor	2 Opposed	0 Abstained

RE: Greenwich Street Health and Fitness Club, 311 Greenwich Street

WHEREAS: The Committee has reviewed the above referenced application to the Board of Standards and Appeals (BSA) by Town Squash, Inc. (TSI) for the operation of a physical culture establishment (health club), and

WHEREAS: TSI currently operates 10 health clubs in the U.S. and Europe, including 6 in New York City, and

WHEREAS: The applicant is known to run well-managed facilities which do not impact negatively on the community, in part evidenced by letters of endorsement by Community Boards and other neighbors attesting to the reputation of their other New York City facilities, now

THEREFORE  
BE IT  
RESOLVED

THAT: Community Board #1 recommends that the BSA approve the application of TSI to operate a health club at 311 Greenwich Street.

lma  
(resoluti.feb7/7)

COMMUNITY BOARD #1 - MANHATTAN  
RESOLUTION

DATE: FEBRUARY 14, 1989

COMMITTEE OF ORIGIN: BATTERY PARK CITY COMMITTEE

COMMITTEE VOTE:	3 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	15 In Favor	1 Opposed	0 Abstained

RE:           **Ferry Terminal at the North Cove**

WHEREAS:      Community Board #1 has gone on record in support of the new proposed ferry service between Hoboken, New Jersey and Battery Park City, and

WHEREAS:      Our initial concerns regarding the siting of the ferry terminal have been amicably resolved by relocating the terminal to the currently proposed location north of the North Cove, and

WHEREAS:      A temporary ferry terminal is now needed to initiate this important and worthwhile commuter service, now

THEREFORE  
BE IT  
RESOLVED

THAT:           Community Board #1 endorses the application put forth by the Port Authority of New York and New Jersey for a temporary ferry terminal at Battery Park City and urges that the U.S. Army Corps of Engineers approve this proposal as submitted.

(resoluti.feb#2/jc2)