

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

December 12, 1989

**COMMITTEE OF ORIGIN: ARTS & CULTURAL AFFAIRS**

COMMITTEE VOTE:       4 In Favor       0 Opposed       0 Abstained  
BOARD VOTE:           26 In Favor      0 Opposed      2 Abstained

**RE:                   Artists Space Gallery**

WHEREAS:            In recognition of Artists Space, a valued, non-profit gallery which for 15 years has made an invaluable contribution to the cultural life of the Lower Manhattan community, and

WHEREAS:            Community Board #1 respects the right of this cultural institution -and all others - to present art which is thought-provoking, timely and culturally significant, and

WHEREAS:            Artists Space's current exhibit: "Witness: Against Our Vanishing" represents work which focuses attention on AIDS, one of the most serious contemporary health and social issues confronting not only the world and nation but our community, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

Community Board #1 opposes government intervention, and specifically recent National Endowment for the Art's (NEA) action which challenge the rights of freedom of speech and artistic expression of artists and cultural institutions, and

BE IT  
FURTHER  
RESOLVED  
THAT:

Community Board #1 is dismayed by the NEA's inappropriate action against the current exhibit at the Artists Space and deplores the Endowment's recent decision to rescind a grant award in partial support of "Witness: Against Our Vanishing", nevertheless

BE IT  
FURTHER  
RESOLVED  
THAT:

At the same time, Community Board #1, commends the NEA's incoming chairman for reversing his decision and reinstating the grant and hopes that in the future the NEA will give more careful consideration to similar decisions which are of enormous

consequence to artists and arts organizations in Lower Manhattan who contribute vitally to the national cultural heritage.

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Date: December 12, 1989

**COMMITTEE OF ORIGIN: ARTS & CULTURAL AFFAIRS**

COMMITTEE VOTE:      4 In Favor      0 Opposed      0 Abstained

Note: Tabled for further consideration by the committee

RE:                    **Procedures For Review of Temporary Art Work - CB #1**

BE IT

RESOLVED

THAT:Community Board #1 approves **Procedures for Review of  
Temporary art Work** as official policy and procedure.

**NOTE:**              Please see the attached.

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

Date: December 12, 1989

**COMMITTEE OF ORIGIN: WASHINGTON MARKET**

COMMITTEE VOTE:	5 In Favor	0 Opposed	1 Abstained*
BOARD VOTE:	21 In Favor	0 Opposed	1 Abstained

\* J. Stratton for cause

**RE:** Applications for a minor modification at: 71 Warren Street (N 880741 4CM), 137-9 Reade Street (N 890915 ZCM), 141 Reade Street (N 880742 ZCM), 143 Reade Street (N 880739 ZCM) and 143 Duane Street (N 880740 ZCM)

**WHEREAS:** The above addresses are owned, or at least managed and operated by the same organization, and have been marketed together, Community Board #1 will treat them as one for the purposes of this resolution, and

**WHEREAS:** Community Board #1 has been reluctant to agree to allowing Use Group 6 on the ground floor spaces in the LMM zone because it results, in effect, to spot zoning, and because it increases real estate pressure on existing as-of-right uses on such ground floor spaces, and as these sites are all located on narrow side streets, allowing retail will also increase both pedestrian and vehicular traffic on already overburdened sidewalks and streets, and

**WHEREAS:** The above addresses only produced a letter from the **New York Times** stating that these properties were advertised only in the Sunday **Times**, and were advertised in a block rather than individually, and no evidence was presented showing that these properties were advertised in any other publication, although they did show evidence that they were listed with various brokers, and

**WHEREAS:** These properties were marketed at the relatively high rate of \$13.00 per square feet at a time when these buildings were totally unrentable, in that they were in most cases either boarded up or allowed to become completely run down and decrepit and at least two were taken over and used by the homeless, showing a general disregard of these properties and even to date these properties remain basically unrentable because they are still badly kept (a

Department of Sanitation violation was issued on Monday, December 11th to 71 Warren Street, even though we were assured at our committee meeting that the building had been sealed and cleaned), and

WHEREAS: The owners of these properties have not only shown an obvious reluctance to seriously care for their buildings and to market them, but they have also shown a complete disregard and disrespect to this community by allowing these buildings to become decrepit eyesores which are perceived to contribute to crime in the community, and which pull down the entire neighborhood and encourage disregard by other building owners, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

Community Board #1 finds that, since there has been no showing of a serious effort to rent these properties, including the fact that the asking price at the time for advertising was unrealistically high given the state of the buildings and since the advertising was insufficient in that it was only in the Sunday **Times** and not in any local papers, these applications must be denied at this time, and

BE IT  
FURTHER  
RESOLVED  
THAT:

Community Board #1 finds that it may be willing to reconsider these applications if the following conditions are met: the properties are cleaned up and renovated to such a degree that they are marketable, the properties are advertised not only in major daily but also in local papers and listed separately with brokers at a reasonable market rate, and that such advertising be done for at least six months after these properties are in rentable condition.

COMMUNITY BOARD #1 MANHATTAN  
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Date: December 12, 1989

**COMMITTEE OF ORIGIN: WASHINGTON MARKET**

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	22 In Favor	0 Opposed	0 Abstained

RE:               **11 Vestry Street, Application for a Minor Modification**

WHEREAS:       The applicant has demonstrated and documented a good faith effort to market, for a period of not less than one (1) year, the second floor space as conforming commercial/light manufacturing use, and

WHEREAS:       Although the space was advertised at \$15.00 a square foot, but since this was represented by the applicant as having been done in consultation with the NYC Office of Economic Development which deemed this asking price for fully improved space reasonable, and

WHEREAS:       It has been the longstanding policy of Community Board #1 to recommend approval of applications for conversion to loft dwellings when the above condition has been met, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

Community Board #1 recommends that the City Planning Commission approve the above referenced application for a minor modification.

COMMUNITY BOARD #1 MANHATTAN  
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Date: December 12, 1989

**COMMITTEE OF ORIGIN: EXECUTIVE**

COMMITTEE VOTE:       4 In Favor       0 Opposed       1 Abstained  
BOARD VOTE:           27 In Favor       0 Opposed       2 Abstained

RE:                   **Manhattan Cable Television, Inc. (MCTV), Application  
for Renewal of a Franchise**

WHEREAS:           Manhattan Cable Television, Inc. (MCTV) has applied  
for renewal (20 years) of an existing franchise to  
continue to construct, maintain and use a cable  
television system, and

WHEREAS:           It is the experience of cable television users in  
the Community Board #1 area that significant  
shortcomings exist in current service with MCTV, and

WHEREAS:           Terms of this franchise require renewal unless  
violations of the agreement are found, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

Community Board #1 opposes renewal of the MCTV  
franchise. However, should the Board of Estimate  
decide to renew the franchise, this should be done  
only after the following conditions are met:

1. That the renewal be limited to three(3)years,  
during which improvements to service should be  
evaluated. (If a new franchise is awarded, the  
agreement should not exceed ten (10) years.)
2. That MCTV automatically provide credit to all  
cable users on a common line when it is PROBABLE  
that an outage has occurred, whether or not  
users have telephoned to demand credit;
3. That MCTV significantly upgrade repair service,  
establishing call-to-confirm procedures, night  
service, and better methods for determining  
whether a trunk line is affected or only an  
individual station user;
4. That MCTV meet its mandated improvements in  
telephone response including: installation of

state-of-the-art equipment and quicker response in answering phone calls, etc.

5. That MCTV guarantee that the general quality of picture and sound be balanced on all cable channels, and in particular that levels of sound be brought into balance;
6. That MCTV, as it embarks upon its campaign to convert all subscribers to new converters, is required to provide all customers free of charge with remote switching devices which can provide options equal to those offered by remote for most television sets; namely volume control, quick view, and mute; and additionally to give credit for payments made by subscribers who were forced to rent the remotes.
7. That MCTV offer wider options of service, including a more restricted basic service for less money and an expanded basic service (adding current premium channels) at more marketable rates; specifically, that the franchise impose less expensive rates, and not charge customers high rates when each new channel is added.
8. That MCTV initiate a program allowing persons with low-income, the elderly, shut-ins and the handicapped to receive cable service at a minimum service charge.
9. That MCTV provide substantial funding, two to three percent (2-3%), of its profits for "access cable".

COMMUNITY BOARD #1 MANHATTAN  
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Date: December 12, 1989

**COMMITTEE OF ORIGIN: CIVIC CENTER**

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

RE:     **24-28 Peck Slip, Application for a Certificate of Appropriateness**

WHEREAS:     The Metropolis Group has previously received approval from Community Board #1 and the Landmarks Preservation Commission (LPC) to renovate and rebuild a number of buildings in the South Street Seaport Historic District which will be used as retail and hotel space, and

WHEREAS:     The Metropolis Group is now proposing that a new, six story building be constructed at 24-28 Peck Slip to replace structures which had been destroyed by fire, and

WHEREAS:     The proposed new building is to be of a size, scale and design which is consistent with nearby and adjacent structures that characterize the South Street Seaport Historic District, and

WHEREAS:     The new building, as per the directions of the LPC, is to incorporate portions of the facade of the old building which survived the fire, and

WHEREAS:     This new building, which will be a component of the retail and hotel project, again proves that developers can maintain the sensitive character of the South Street Seaport Historic District and still create an economically viable structure, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

Community Board #1 recommends that the LPC grant a Certificate of Appropriateness to the proposed new six story building at 24-28 Peck Slip.

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

Date: December 12, 1989

**COMMITTEE OF ORIGIN: CIVIC CENTER**

COMMITTEE VOTE:       4 In Favor       0 Opposed       0 Abstained  
BOARD VOTE:           24 In Favor       0 Opposed       1 Abstained

RE:                   **Modification to Chung Pak (Everlasting Pine) Special Permit**

WHEREAS:            In 1983 thousands of community residents protested the proposed detention facility to be located on Walker Street between Centre and Baxter Streets, and

WHEREAS:            The City subsequently agreed to sponsor a mixed-use commercial/residential project on the Walker Street side of the site, and

WHEREAS:            Community Board #1 has fully supported this mixed-use project which is to include 88 units of senior citizen housing rising above a three story commercial base which will pay for the total foundation costs of the project, and

WHEREAS:            This Chung Pak project, after many years, is ready to obtain mortgage financing from Citibank for the commercial base and H.U.D. financing for the senior citizen housing, and

WHEREAS:            The original Board of Estimate resolution permits 32,000 square feet of commercial space which will not be exceeded by virtue of the proposed commercial mezzanine in the first floor retail space, and

WHEREAS:            It is in the community's interest to finalize the plans and financing for this project, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

Community Board #1 recommends the approval of the application by the NYC Division of Real Property to modify the previously approved special permit by adding a commercial mezzanine above the first floor retail commercial space.

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**COMMITTEE OF ORIGIN: PARKS AND ENVIRONMENT**

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

RE: **Miniature Golf Concession at Battery Park**

WHEREAS: The Department of Parks has proposed that a miniature golf concession in Battery Park be created, and

WHEREAS: The Parks Department proposal suggested that this concession be located in one of the few open, unobstructed grassy spaces in the park, and

WHEREAS: Community Board #1 has been attempting for many years to locate additional open grassy areas in our fast growing community which are suitable for active recreation and would not favor the elimination of such a space where one now exists, and

WHEREAS: Community Board #1 has consistently gone on record resisting the over-commercialization of our limited park space in, particular Battery Park, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

Community Board #1 strongly opposes the proposal by the Parks Department to create a miniature golf concession at Battery Park.

COMMUNITY BOARD #1 MANHATTAN  
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Date: December 13, 1989

**COMMITTEE OF ORIGIN: CIVIC CENTER**

BOARD VOTE:           24 In Favor     0 Opposed     1 Abstained

RE:                   **250 Water Street**

WHEREAS:           The Landmarks Preservation Commission (LPC) is now considering the fifth Certificate of Appropriateness application put forth by the Milstein organization for a new 15 story 480,000 sq. ft. office building at 250 Water Street in the South Street Seaport Historic District, and

WHEREAS:           Three of the previous four applications were unanimously rejected by the LPC (the fourth application was withdrawn prior to a vote) due in large part to the overwhelming size, scale, mass and volume of the proposed new structures, and

WHEREAS:           The LPC has carefully and properly protected and preserved the character of the entire historic district since its inception by insuring that all proposed new buildings or alterations to existing structures respect and maintain the low scale harmony of the district, and

WHEREAS:           It was clear from the LPC discussion of the current application at its December 5th meeting that the Commission finds the proposed 10 FAR building, which is very similar in overall size to the buildings which had been rejected by LPC in the past, to be inappropriate due to its large size and scale, and

WHEREAS:           Rather than rejecting the application and referring this issue to City Planning so that the area can be properly downzoned as requested for many years by this Community Board and many other organizations and public officials, the Chairman of the LPC instead took the unusual action of forming a sub-committee to work directly with the developer in order to design a somewhat smaller building for this site, and

WHEREAS: The Community Board is greatly concerned that this new process established to redesign the building will discount the views of so many concerned individuals, organizations and public officials who have fought for the past seven years to prevent this unnecessary and harmful intrusion into the South Street Seaport Historic District, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

Community Board #1 again strongly urges that the LPC reject the Certificate of Appropriateness application put forth by Milstein Properties for a 15-story, 480,000 sq. ft. office building at 250 Water Street and

BE IT  
FURTHER  
RESOLVED  
THAT:

Community Board #1 rejects the notion that the 250 Water Street site can and should accommodate more bulk and height than allowed on other sites in the South Street Seaport Historic District, and

BE IT  
FURTHER  
RESOLVED  
THAT:

The LPC not attempt to redesign this building for the Milstein organization and instead should refer the matter to the City Planning Commission so that the entire district can be properly re-zoned, and

BE IT  
FURTHER  
RESOLVED  
THAT:

Community Board #1 demands that if the LPC insists upon coming up with its own redesign for 250 Water Street, that the newly configured building be made a new application so that an additional public hearing would be held and the public would have an opportunity to give its input on this matter which has been the subject of a great deal of public concern for the past seven years.

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

Date: December 12, 1989

**COMMITTEE OF ORIGIN: LANDMARKS PRESERVATION**

BOARD VOTE:            22 In Favor    2 Opposed    5 Abstained

RE:                    **11 Proposed Landmark Structures**

WHEREAS:            Having held a public hearing on the 11 buildings under consideration for designation as landmarks, and

WHEREAS:            Having heard 2 objections to landmarking from owners representatives, one being the added bureaucracy of another City agency, and the other the restriction on the demolition of their buildings, and

WHEREAS:            Community Board #1 includes many non-landmarked buildings and vacant sites suitable for development, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

Community Board #1 recommends that the 11 buildings be designated as landmarks, and

BE IT  
FURTHER  
RESOLVED  
THAT:

That the Landmarks Preservation Commission join with Community Board #1 and building owners to address the issue of administrative delays and possible assistance to owners of landmark buildings.

COMMUNITY BOARD #1 MANHATTAN  
RESOLUTION

Date: December 12, 1989

**COMMITTEE OF ORIGIN: LANDMARKS PRESERVATION**

BOARD VOTE:            23 In Favor      0 Opposed      5 Abstained

RE:                    **Anthony Tung for Chairman of Landmarks Preservation  
Commission**

BE IT  
RESOLVED  
THAT:

Community Board #1 recommends that Mayor-elect David  
Dinkins appoint Anthony Max Tung as chairman of the  
Landmarks Preservation Commission.