

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: SEPTEMBER 15, 1992

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	36 In Favor	0 Opposed	1 Abstained

RE: Whitehall Ferry Terminal

WHEREAS: The NYC DOT and EDC have identified a conceptual redesign option for the reconstruction of the Whitehall Ferry Terminal which was seriously damaged by a fire on September 8, 1991, and

WHEREAS: This option should address both the needs of the ferry commuters as well as urban design issues including pedestrian flow and open space needs affecting the ferry terminal vicinity, and

WHEREAS: The DOT offices of approximately 10,000 sq. ft. to be located at the terminal will be for staff who directly operate the facility and will be transferred from the Battery Maritime Building, thus freeing up that space for cultural users as requested by the Community Board, and

WHEREAS: DOT has determined that the restored Whitehall Ferry Terminal will not accommodate ferries which carry passenger automobiles, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 supports the Whitehall Ferry Terminal conceptual redesign option selected by EDC & DOT which appears to address the assorted design goals and other considerations including cost and timing facing the City and is pleased that this program calls for the following modifications:

- 1)Improved pedestrian accessibility
- 2)Creation of a large open space by reconfiguring and expanding Peter Minuit Plaza
- 3)Attractive redesigned exterior architecture compatible with the Battery Maritime Building
- 4)Continuous waterfront esplanade
- 5)Subway access
- 6)Large waiting room
- 7)Enlarged retail areas and improved revenue potential for the City, and

BE IT

FURTHER
RESOLVED
THAT:

CB #1 insists that it be fully consulted during the design phase of this project and is particularly interested in the reconfiguration and expansion of Peter Minit Plaza and how this open space will serve the district and how revised traffic flow and parking patterns will impact Battery Park and elsewhere, and

BE IT
FURTHER
RESOLVED
THAT:

CB #1 strongly urges that the City make every effort to obtain the U.S. Coast Guard property south of the ferry terminal which would enable it to open up additional piers for commuter ferries and connect Battery Park, the Whitehall Terminal and the Battery Maritime Building thus allowing pedestrians to enjoy the continuous waterfront esplanade we all desire.

COMMUNITY BOARD #1 MANHATTAN
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DATE: SEPTEMBER 15, 1992

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained

RE: Negro Burying Ground and the Commons Historic District

WHEREAS: The proposed Negro Burying Ground and the Commons Historic District encompasses City Hall Park and the blocks bounded by Chambers St., Duane St., Broadway, Centre St., and Foley Square, and this proposed district contains the site of the Negro Burying Ground and the Commons, of colonial New Amsterdam and colonial New York, and

WHEREAS: The Negro Burying Ground, with the Commons, is the earliest major, documented African-American burial ground in the United States, active for most of the eighteenth century; it appears to be the largest Colonial-era burial ground of any kind of New York City, and

WHEREAS: Nineteenth-century construction, much of it on extensive landfill, covered the site of the Negro Burying Ground, and it is only through recent excavations that the extent of the surviving burial ground has been revealed; more than 400 burials have been excavated, while another 200 to 300 are probably still at the northeast corner of the block bounded by Reade St., Broadway, Duane St. and Elk St.; and the burial ground is now believed to contain over 20,000 burials, mostly African-American, and

WHEREAS: City Hall Park and the buildings within this proposed historic district reveal the role of this area throughout the city's history as a center of civic life; and the uncovering of the Negro Burying Ground has brought awareness of another, equally important, part of New York's colonial heritage, and

WHEREAS: The proposed Negro Burying Ground and the Commons Historic District appears to be among the most important historic sites in New York City, and

WHEREAS: In two previous resolutions (2/11/92 and 5/12/92) Community Board #1 requested that the General Services Administration (GSA) and the U.S. Congress preserve the Negro Burying Ground, and create a permanent memorial to African-Americans and other disenfranchised people who lived in colonial New York, now

THEREFORE

BE IT
RESOLVED

THAT: CB #1 enthusiastically supports the creation of the "Negro Burying Ground and Commons Historic District", and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges that the following actions be taken to properly memorialize the persons interred at this site.

- a)Protect remaining graves, human remains and artifacts threatened by the excavations required for the construction of a new Federal building.
- b)Create an appropriate memorial to the individuals interred there.
- c)Salvage, classify and preserve archeological objects removed from the site.
- d)Establish a museum on the site to portray the unique historical background of the location.
- e)Compile and publish an accurate and concise history of the Commons.

COMMUNITY BOARD #1 MANHATTAN
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DATE: SEPTEMBER 15, 1992

COMMITTEE OF ORIGIN: TRIBECA/WASHINGTON MARKET

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	28 In Favor	0 Opposed	6 Abstained

RE: Proposed Corporate Policy for HRPC

WHEREAS: CB #1 is already on record as opposing the entity now being established as the Hudson River Park Conservancy because of the lack of public accountability inherent in quasi-public private corporations like UDC, and

WHEREAS: The Governor and the Mayor have chosen to proceed with the establishment of the HRPC in spite of the objections raised by many parties, and

WHEREAS: HRPC now seeks public comment on its proposed Corporate Policy (which is identical to the Memorandum of Understanding between Governor Cuomo and Mayor Dinkins regarding implementation of the recommendations of the West Side Waterfront Panel), now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 reaffirms its opposition to the newly formed UDC subsidiary known as HRPC, and submits the following comments to identify some of our specific concerns with the HRPC as proposed:

Public Participation

Paramount among our concerns is our belief that public review and approval procedures are not adequately defined to insure proper and thorough oversight and accountability. As a means of addressing this concern we recommend the following:

- 1)An increase in HRPC's board to include three (3) additional members, one each to be chosen by Manhattan Community Boards 1, 2, and 4.
- 2)That the duties of the HRPC must include consulting with Manhattan Community Boards 1, 2, and 4 in all phases of planning, design and construction of the project and related activities.
- 3)That the amount of time for public review and comment, as stipulated in paragraph 4 of the MOU, be increased from 30 days to 60 days.
- 4)That HRPC be mandated to adequately fund community environmental, planning and design consultants; said consultants to be hired by the community boards involved, subject to

approval by HRPC, such approval not to be unreasonably withheld.

5) That representatives of Manhattan Community Boards 1, 2 and 4 must be invited, with sufficient notice, to participate in all environmental scoping sessions.

Clarification of Terms

We found that our review of the MOU was significantly hampered by the lack of a clear definition of some important terms used in the document and vagueness on some crucial points. For example, what is meant by "possessory interest", "the property" and "the park"? Furthermore, the MOU does not specify exactly which procurement guidelines HRPC will follow.

Financing

In the area of financing, the board feels strongly that the powers granted to the HRPC by the MOU are too broad. Some assurances should be provided that HRPC will use the revenues it raises only for park related purposes and not to subsidize non-park development and non-park infrastructure.

A more detailed list of our specific concerns and comments is attached.

Community Board #1 Comments on the Hudson Park Conservancy's (HRPC) Proposed Corporate Policy as Reflected in the May 17, 1992 Memorandum of Understanding (MOU).

The following comments reflect the specific concerns of Manhattan Community Board #1 vis-a-vis the MOU between Governor Cuomo and Mayor Dinkins that would establish the HRPC.

Successor Entity

Par. 2 (b). HRPC's board should be increased to include 3 additional members to be chosen by Manhattan Community Boards 1, 2, and 4.

Par. 3 (b). Use of the term "possessory interest" appears to be an attempt to by-pass the New York City Charter which regulates the transfer of title to city land.

Par. 3 (c). What "design" is being referred to here? The Westside Waterfront Panel report is not a plan.

Par. 3 (d). Public review and approval procedures are not adequately defined to insure proper oversight and accountability.

Par. 3 (e). We recommend that this paragraph be deleted. The City Planning Commission and other existing bodies already exist for this purpose.

Par. 3 (f). A clear and detailed definition of the term "park" is needed. Does it refer to just the grass and trees or to the whole project?

Par. 3 (h). Specify Community Boards as instrumentalities with which the HRPC should work. Also provide protection for construction of the proposed "park" as well as the roadway.

Par. 3 (i). This needs to be spelled-out. Exactly what mechanisms would be employed to insure public participation?

Par. 3 (j). Assurances should be provided that financing will not be provided by HRPC for non-park projects.

Par. 3 (k). HRPC should be prohibited from issuing any bonds and/or notes, negotiable or non-negotiable.

Par. 3 (l). Specify which procurement guidelines would be applicable. City? State?

Par. 3 (m). This paragraph is too broad and wide open. It must be more carefully defined and limited.

Par. 3 (o). A catch-all clause that is unnecessary. It should therefore be deleted.

Par. 4. This paragraph is meaningless without more oversight and accountability of HRPC. The two-thirds rule is stacked in favor of the Governor and the Mayor. Thirty days is not an adequate amount of time for public review and comment. Sixty days would be more realistic.

Par. 5. We concur with Assemblymember Richard Gottfried's comments on this paragraph to wit: "Preserves provisions relating to 'governmental uses' in the 1988 MOU. What about other provisions? Why no mention of the 1989 court stipulation, including the requirement to apply for the maximum possible payback waiver? Most of what HRPC will work on is inconsistent with that requirement."

The Property

Par. 6. The term "property" needs to be more clearly defined and less ambiguous. A map would be helpful to this end.

Transfer of the Property

Par. 7. Again, a definition of "possessory interest" is needed. If this is the rough equivalent to a lease, what is the term? Is it open-ended? Also, the mechanism for the transfer of existing leases (Amazon Club etc.) is not explained. Will they be grandfathered, renegotiated...? We oppose the deliberate avoidance of City Charter provisions and procedures (ULURP etc.) vis-a-vis the transfer of city owned land.

Funding

Par. 9. Pier/apron reconstruction should be included here.

Par. 10. (b). Funding HRPC through lease revenues inherently favors development and makes the park a mere amenity.

Par. 10 (b) (iii). Lease revenues and contributions from developers should be used to maintain the park not subsidize non-park development and non-park infrastructure.

Par. 11. We would prefer a specific legal agreement to determine jurisdiction and how HRPC will comply with ULURP and all other city and state land use review processes.

Par. 12. Same as above.

Par. 13. In our opinion the height and bulk controls of the City Planning Commission are preferable to those of the Westside Waterfront Panel.

Par. 15. HRPC should be mandated to fund community environmental, planning and design consultants not merely authorized to do so.

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DATE: SEPTEMBER 15, 1992

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	7 In Favor	0 Opposed	1 Abstained
BOARD VOTE:	9 In Favor	22 Opposed	6 Abstained

RE: Pier 17 railings

WHEREAS: CB #1 and members of the Seaport Community Coalition have sought for several years to modify the dangerous railings around Pier 17 which do not provide sufficient protection to prevent children and others from falling into the river, and

WHEREAS: The Manhattan Borough President's Office has provided \$55,000 in discretionary funds to modify the Pier 17 railings, and

WHEREAS: Several meetings which included representatives of the South Street Seaport Corporation, the Economic Development Corp., the Landmarks Commission, the Borough President's Office and CB #1 have resulted in a modified railing design which is subject to review by several City agencies, and

WHEREAS: This design appears to address some of the safety issues as well as the landmark issues associated with this site, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 endorses the modifications proposed by the South Street Seaport Corporation to the existing main level railings around Pier 17 and urges that this work be done as soon as possible, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges that the South Street Seaport Corporation install by Oct. 15th, on an interim basis, plastic mesh on the railings which would provide a more immediate solution to this safety problem, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 would like to thank all the parties involved for their cooperation in finally addressing this problem and in particular the Manhattan Borough President's Office for providing the funding and leadership needed to resolve this matter.