

Terri Cude, *Chair*
Daniel Miller, *First Vice Chair*
Susan Kent, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Keen Berger, *Secretary*
Erik Coler, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village ✦ Little Italy ✦ SoHo ✦ NoHo ✦ Hudson Square ✦ Chinatown ✦ Gansevoort Market

Hon. Andrew Cuomo, Governor
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Hon. John J Flanagan, Senate Majority Leader
State Capitol Building, Room 330
Albany, NY 12247

Hon. Carl Heastie, Assembly Speaker
Legislative Office Building, Room 932
Albany, NY 12248

Hon. Brad Hoylman, State Senator
Legislative Office Building, Room 413
Albany, NY 12247

Hon. Deborah Glick, Assemblymember
Legislative Office Building, Room 717
Albany, NY 12248

Hon. Brian Kavanaugh, State Senator
Legislative Office Building, Room 515
Albany, NY 12247

At its May 24, 2018 meeting, the CB2 Manhattan Full Board adopted the following resolution:

Whereas

1. In December, 2017, Community Board 2, Manhattan, approved a report from its Future of Pier 40 Working Groups; and
2. The timing of the resolution was intended to provide ample opportunity for further discussion prior to a possible amendment of the Hudson River Park Act during the 2018 legislative session; and
3. With only one month left in the legislative session, there is no time for open consideration of any proposed amendment;

Therefore, it is resolved

1. CB 2 does not support any amendment of the Act during the current legislative session; and
2. CB 2 recommends as follows only with respect to any amendment that is nevertheless considered during the current session:

A. THE AMENDMENT SHOULD RECOGNIZE CHANGED CONDITIONS AND NEEDS SINCE THE ACT WAS PASSED AND ASSURE THAT IRREPLACEABLE PUBLIC RESOURCES ARE NOT DISPOSED OF UNLESS THERE IS A DIRECT BENEFIT TO PARK USES BEYOND REVENUE GENERATION FOR PARK OPERATIONS. Any amendment should first of all recognize the highly successful and essential open space resources provided by the completed parts of the park, and the continuing importance of the park as it continues to grow. These uses were not supported on

the waterfront when the Act was written. An amendment should also recognize the greatly increased and still increasing need for open space recreation resources based on the major development of the adjacent communities all along the park, the conditions for which development being created by the success of the new park.

B. OFFICE DEVELOPMENT SHOULD BE ALLOWED ONLY AS PART OF A PROJECT THAT OFFERS A BALANCE OF USES INCLUDING DIRECT BENEFITS TO ADJACENT COMMUNITIES. Any change to the Act expanding the definition of compatible uses should require that a project at Pier 40 include a balance of uses which may include commercial offices but should also include arts, educational, and recreational uses providing benefits to the park and the community as well as limited eating and drinking and entertainment uses contributing to the park environment. Some car parking should be retained for monthly parking as well as to serve the needs of pier visitors, but any space used for parking should be counted as floor area. All these uses should be scaled to assure compatibility with the park consistent with the purposes of the Act and the needs of adjacent communities.

C. LEASES EXCEEDING 30 YEARS SHOULD BE ALLOWED ONLY FOR PROJECTS THAT LIMIT THE SCALE OF COMMERCIAL DEVELOPMENT AND PROVIDE SUBSTANTIAL IMPROVEMENTS TO PARK USES. Leases should not exceed 30 years except where a longer term is allowed for projects that limit the gross floor area of commercial uses at the pier to an area no larger than the amount of floor area currently built at the pier which amount has been represented by HRPT to be 761,924 square feet. No longer lease should be allowed unless any additional floor area is used exclusively for park administration uses and arts, educational, and recreational uses that provide direct benefits to the park and the community. (See note.)

D. DEVELOPMENT OF THE PIER SHOULD ALLOW CONTINUOUS AND UNDIMINISHED RECREATIONAL USE, INCLUDING DURING CONSTRUCTION, AND BUILDING HEIGHT SHOULD BE RESTRICTED. Adaptive reuse of the existing structure is preferable, and a development with additional floors should increase the ground level open space for recreation on the pier and improve openness of the park to the river. If the current height is exceeded, the footprint should be reduced to allow a minimum of 50% of the ground floor level of the pier to be used exclusively for open space recreational uses. In any case, the building height should not exceed the height of the tallest existing gantry, and shadows on any open space resources within the park should not be increased.

3. CB 2 urges all parties to recognize that 20 years have passed since the Hudson River Park Act was passed and following changes to underlying conditions have occurred:

In 1998, the area now comprising the park was largely a dilapidated and abandoned industrial waterfront, and the value of waterfront recreation to Manhattan and the City and State was not widely recognized or supported. At the same time, parks throughout the City were underfunded and run down, and committing to the costs of maintaining a major new park seemed unworkable.

As a result, a compromise was created by the Act whereby the City and State would build the park, but with the anticipation that its maintenance and operation would be largely supported by limited park-compatible commercial uses within the park. Since then, the development of the park has been a major contributor to the successful development of inland areas adjacent to the park, with consequent revitalization, substantial increases in real estate tax revenues, and important benefits to tourism and commerce nearby.

With many millions visiting the park each year, the development of open space recreation on the waterfront is now widely supported. Establishing long term leases for such uses would now appear to squander extraordinary and irreplaceable public resources, permanently degrading opportunities for ongoing contributions of the waterfront to the improvement of our neighborhoods, our Borough, our City, and our State.

It no longer makes sense to assume the necessity of generating the majority of operating funds from commercial uses within the park, and CB2 recommends that before the Act is amended to broaden the allowed uses, the City and State should review the policies that were established under very different conditions 20 years ago.

There have been significant moments when our great city made the right decision to protect our parks from practical proposals, such as the idea to build public housing on the northernmost third of Central Park or the idea to build an expressway through Washington Square. This may be such a moment with respect to the Manhattan shore of the magnificent Hudson.

VOTE: Passed unanimously, with 40 Board members in favor

Sincerely,

A handwritten signature in cursive script that reads "Terri Cude". The signature is written in dark ink and is positioned above the printed name and title.

Terri Cude, Chair
Community Board 2, Manhattan

C: Hon. Corey Johnson, City Council Speaker
Hon. Gale Brewer, Manhattan Borough President