



COMMUNITY BOARD NO. 2, MANHATTAN
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June 30, 2009

Hon. Diana Taylor
Chairperson
Hudson River Park Trust
Pier 40, 353 West St.
New York, NY 10014

Robert C. Lieber, Vice-Chairman
Hudson River Park Trust
Pier 40, 353 West St.
New York, NY 10014

Dear Chairperson Taylor and Vice-Chairman Lieber:

At its Full Board meeting on June 18, 2009, Community Board #2, Manhattan, adopted the following resolution:

Pier 40

WHEREAS

1. The development of Pier 40 has been the subject of extensive discussion on CB2, CB1, the Hudson River Park Trust Advisory Council, and the subject of recommendations, endorsed by all local elected officials and CB2, made by the Pier 40 Working Group;
2. The Hudson River Park Trust Board, at its May 28, 2009 meeting, without advance notice to the Advisory Council or the affected Community Boards, passed a resolution, as part of its "New Business," seeking approval from the State Legislature of an amendment to the Hudson River Park Act which would allow 49-year leases at Pier 40 instead of the current 30-year limitation;
3. Allowance of a 49-year lease at Pier 40 without restrictions would open the door to large-scale commercial development like that proposed by Related Company and opposed by the Community;
4. Pier 40 is in desperate need of immediate repair and is presently losing \$600,000 per year because certain parking spaces are unusable due to falling debris;
5. The Hudson River Park Trust does not appear to have a plan to perform timely repairs at Pier 40 and, instead, has turned to the panacea of an open-ended 49-year lease as a means to attract a developer who would do structural repairs;
6. The Trust Board's resolution demonstrates no consideration of either the immediate needs of Pier 40 or the views of the park user and park-surrounding community;

THEREFORE CB2 RESOLVES AS FOLLOWS:

1. CB2 strongly protests the fact that the HRPT Board voted to submit legislation seeking a major modification of the Hudson River Park Act without first allowing discussion and comment from the Advisory Council and the affected Community Boards.
2. While CB2 has serious reservations about embracing the concept of a 49-year lease at Pier 40, such a dramatic change in the Hudson River Park Act should be in line with the recommendations of the Pier 40 Working Group, whose vision of optimal Pier 40 development was adopted both by the Advisory Council and CB2.
3. Consideration of a 49-year lease should take place only in the context of well considered plans for Pier 40 and should include restriction which would require any developer to:
 - a. leave the courtyard and fields where they are;
 - b. include additional facilities, even if they are operated on a for-profit basis;
 - c. protect the park and bike path by limiting vehicular access; and
 - d. include significant education, cultural and community uses and preclude out of scale commercial and entertainment uses.
4. CB2 calls upon the legislature to reject all efforts to amend the law without proper consultation with the legislatively created Advisory Council and with the affected Community Boards and calls upon the Trust Board to rescind its resolution.
5. In order to address the current structural issues at Pier 40, CB2 calls upon the HRPT to reconvene the Pier 40 Working Group to coordinate with the Trust, a joint Trust-community effort to develop a plan for the pier which would assure development along the lines recommended by the Pier 40 Working Group and encourage community-based efforts to raise money for the Pier's immediate needs.

Vote: Unanimous, with 34 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Brad Hoylman, Chair
Community Board #2, Manhattan

Arthur Z. Schwartz, Chair
Waterfront Committee
Community Board #2, Manhattan

BH/gh

cc: Hon. David A. Paterson, NYS Governor
Hon. Michael R. Bloomberg, NYC Mayor
Hon. Jerrold Nadler, Congressman
Hon. Pedro Espada Jr. NY State Senator
Hon. Malcolm A. Smith, NY State Senator
Hon. Thomas Duane, NY State Senator
Hon. John L. Sampson, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Dean G. Skelos, NY State Senator
Hon. Deborah Glick, Assembly Member
Hon. Richard N. Gottfried, Assembly Member
Hon. Scott Stringer, Man. Borough President
Hon. Christine Quinn, Council Speaker
Hon. Alan Jay Gerson, Council Member
Hon. Rosie Mendez, Council Member
Lolita Jackson, Commissioner, CAU
Angelica Crane, Community Board Liaison, MBPO