



The City of New York

Manhattan Community Board 1

Monthly Board Meeting

Tuesday, June 22, 2021

6:00 PM

Live Remote Meeting - <https://live.mcb1.nyc>

Tammy Meltzer, Chairperson

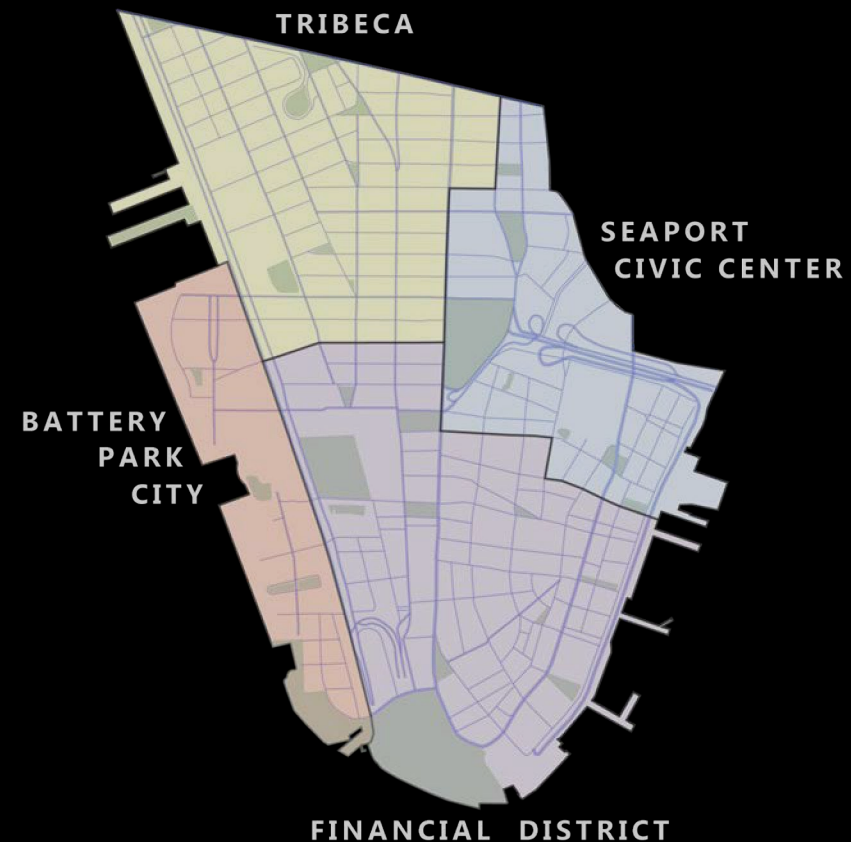
Alice Blank, Vice Chair

Lucian Reynolds, District Manager

Lucy Acevedo, Community Coordinator

Diana Switaj, Director of Planning & Land Use

Jennifer Maldonado, Consultant



MANHATTAN COMMUNITY BOARD 1 OFFICE CONTACT



Manhattan Community Board 1
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The Manhattan Community Board 1 office is closed until further notice. Please use man01@cb.nyc.gov as the principal means of communication with Community Board 1 staff who are working remotely to every extent possible.

MANHATTAN COMMUNITY BOARD 1

Public Session

Comments by members of the public (6 PM – 7 PM)
(1-2 minutes per speaker)



MANHATTAN COMMUNITY BOARD 1

Business Session

- A) Adoption of May 2021 minutes
- B) Updates from Elected Officials
- C) District Manager's Report – L. Reynolds
- D) Chairperson's Report – T. Meltzer

MANHATTAN
COMMUNITY BOARD 1

DISTRICT MANAGER'S REPORT

June 2021

Emergencies happen all the time
in New York City. Join us to learn how to
prepare yourself and your loved ones.

COME TO OUR READY BPC PRESENTATION

ReadyBPC | Ready New York
brought to you by BPCA | NYCOEM

Tuesday, June 29th
6pm-7pm

Virtual session via Zoom

THIS EVENT IS OPEN TO EVERYONE



Scan QR Code With Smart Phone For Link





Manhattan Community Board 1 Chairperson's Report

June 2021 Updates

JUNE UPDATES.... THANK YOU AND WELCOME ABOARD

SINCE LAST MONTH

- HRPT AC – Congratulations to Noreen Doyle as President & CEO of HRPT
- Letter to the DOE from CB1 & CB2 re: High School Admissions
- 5WTC COMMUNITY ADVISORY COUNCIL Walk Through of the site & campus
- Pier 76 Ribbon Cutting Ceremony
- Robert R Douglas Bridge Dedication (AKA West Thames Bridge)
- Climate Coalition for Lower Manhattan – NYCEDC & MOR
- Peck Slip SLT Meeting re: 250 Water Street
- BOROUGH BOARD – Zoning for Accessibility – Passed and onto City Council
- MBPO - Juneteenth celebration & dedication of the Manhattan Borough President's Office Conference Room in honor of Constance Baker Motley
- Lawra Dodge Contract is renewed for 250 Water Street re: Brownfield Cleanup
- 9/11 MUSEUM UPDATE – THE PARK IS OPEN TO THE PUBLIC
- 1st PRECINCT COMMUNITY COUNCIL MEETING/ TOMMY MORAN RETIREMENT
- BMCC – postponed to October



**LOOK AHEAD: VIRTUAL MEETINGS CONTINUE FOR JUNE
NEW BOARD MEMBERS COMMITTEE ASSIGNMENTS**

ZONING FOR ASSESSIBILITY/ CITY COUNCIL VOTE
NYPD 1ST PRECINCT COMMUNITY COUNCIL VOTE

5 WTC – CAC MEETING

PDC UPDATE – SIGNS NOT APPROVED!
NEXT STEP: CB1 sending request for a task force or working group

HOT TOPICS FOR JULY:

- 250 WATER STREET ULURP (LZE)
- SEAPORT MARKETPLACE LEASE ULURP (LZE)
- 250 WATER STREET DEIS (EPC)
- OPEN RESTAURANTS CITYWIDE ZONING TEXT AMENDMENT (LZE)

BPCA -WAGNER PARK, PIER A, THE BATTERY – PDC SUBMISSION & HEARINGS IN JULY

IN THE WORKS & WAITING TO HEAR:

AFTER THE RESOLUTION TONIGHT – CB1 seeks to set up a meeting with DCP re: POPS

240 Greenwich Street FOIL REQUEST- CITY has pushed back to August (from MAY – 2nd delay from Feb request)

DOT NOTES - BROOKLYN BRIDGE BANKS MEETING


BBJ ANSWERS TO QUESTIONS has not been sent; still waiting




EXPLORE LOWER MANHATTAN

i

STONE STREET HISTORIC DISTRICT



The Great Fire of December 1835 leveled more than 20 downtown blocks in the area bounded by Wall Street, Broad Street, Coenties Slip and the East River. It took 1,900 firefighters to bring the fire under control, but not before the city had sustained property losses of \$18 to \$25 million, bankrupting most of New York's fire insurance companies.





HAPPY JULY 4th

Thank you to all of those who serve our great country.

NYC IS OPEN AND READY TO CELEBRATE!

MANHATTAN COMMUNITY BOARD 1

Committee Reports

MANHATTAN COMMUNITY BOARD 1

Executive - T. Meltzer

- 1) Int. No. 1572-2019 - Resolution
- 2) Rescinding the Mayoral Executive Order Permitting Citibike Stations in POPS - Resolution
- 3) NYS State Liquor Authority Legislation - Resolution
- 4) Term Limits for Elected Officers of Community Board 1 - Report

Transportation & Street Activity Permit Committee

June 2021

June 2021 Agenda

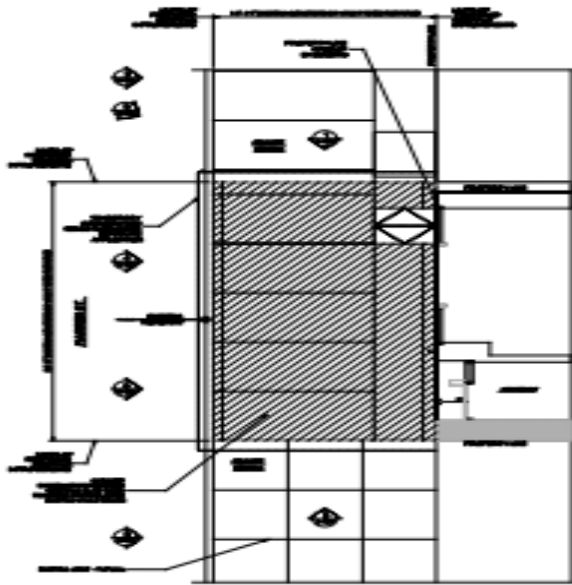
- 1) Cargo Bike Corral Observations - Discussion
- 2) Special Considerations for Student Drop-offs and Pickups at the Titus School -
Presentation by Natalie Brandefine, MSED, Founder, The Titus School LLC
- 3) DOT Updates - Presentation by Jennifer Leung, DOT

MANHATTAN COMMUNITY BOARD 1

Landmarks & Preservation - B. Ehrmann

- 1) 54 Warren Street, application for restoration of existing granite slabs - Resolution
- 2) 145 Hudson Street, application for interior renovation of a mixed-use lobby on the ground floor, enclosure of existing exterior vestibule and replacement of non-historical main entrance doors - Resolution
- 3) 408 Broadway, application to alter storefront and signage at the Cortlandt Alley facade - Resolution
- 4) 44 Laight Street, application for sidewalk replacement - Resolution
- 5) The Need to Protect and Preserve Our Historic Districts - Resolution
- 6) Debrief on 250 Water Street - Report

54 Warren Street, Existing & Proposed Conditions



1 EXISTING SIDEWALK PHOTO LOCATION PLAN



2 EXISTING SIDEWALK PHOTO AT ADJACENT SIDEWALK



3 EXISTING SIDEWALK PHOTO AT ADJACENT SIDEWALK



4 EXISTING SIDEWALK PHOTO



5 EXISTING SIDEWALK PHOTO



6 EXISTING SIDEWALK PHOTO



7 EXISTING SIDEWALK PHOTO



8 EXISTING SIDEWALK PHOTO



9 CONCRETE COLOR SAMPLE

REVISIONS	
1	ISSUED FOR PERMITTING AND CONSTRUCTION
2	ISSUED FOR PERMITTING AND CONSTRUCTION
3	ISSUED FOR PERMITTING AND CONSTRUCTION
4	ISSUED FOR PERMITTING AND CONSTRUCTION
5	ISSUED FOR PERMITTING AND CONSTRUCTION
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20	ISSUED FOR PERMITTING AND CONSTRUCTION

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EXISTING SIDEWALK
LOCATION PLAN
& COLOR PHOTOS



MANHATTAN, NEW YORK

54 WARREN STREET

DATE: 08/14/2018
PROJECT: 54 WARREN STREET
DRAWN BY: J. BERZAK
CHECKED BY: J. BERZAK
SCALE: AS SHOWN

145 Hudson Street, Historical Site Conditions

LOCATION OF
145 HUDSON STREET



Tribeca West
Historic District
Manhattan
Designated May 7, 1991

Historic District Boundaries



1 LANDMARKS HISTORIC DISTRICT MAP
NTS



2 1940s TAX PHOTOGRAPH OF 145 HUDSON STREET
NTS

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LEGEND/NOTES

PROJECT
145 HUDSON LOBBY
145 HUDSON STREET
New York, NY 10013

PROJECT TITLE
HISTORIC DISTRICT MAP &
TAX PHOTOGRAPH

ISSUED / REVISIONS

NO.	DATE	DESCRIPTION

SEAL & SIGNATURE
DATE: 06/27/21
PROJECT No.: 1000
DRAWING BY:
DRAWN BY:
SCALE: A-100.00
52 of 58

145 Hudson Street, Existing Entry Conditions



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PROJECT
145 HUDSON LOBBY
 145 HUDSON STREET
 New York, NY 10013

DRAWING TITLE
PHOTOS OF EXISTING ENTRY CONDITION

ISSUED / REVISIONS

NO.	DATE	DESCRIPTION

SEAL & SIGNATURE **DATE:** 9/27/21
PROJECT No.: 1809
DRAWING BY:
DATE PLOTTED:
A-300.00



14 of 36

1 145 HUDSON STREET - EXISTING ENTRY CONDITION

145 Hudson Street, Proposed New Entry



1 EXISTING RECESSED AND OFF-CENTERED ENTRY DOORS



2 ILLUSTRATION OF PROPOSED NEW ENTRY DOORS AT ARCH

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LEGEND/NOTES


PROJECT
 145 HUDSON LOBBY
 145 HUDSON STREET
 New York, NY 10013

DRAWING TITLE
 EXISTING ENTRY &
 PROPOSED NEW ENTRY
 DOORS

ISSUED / REVISIONS

NO.	DESCRIPTION	DATE	BY

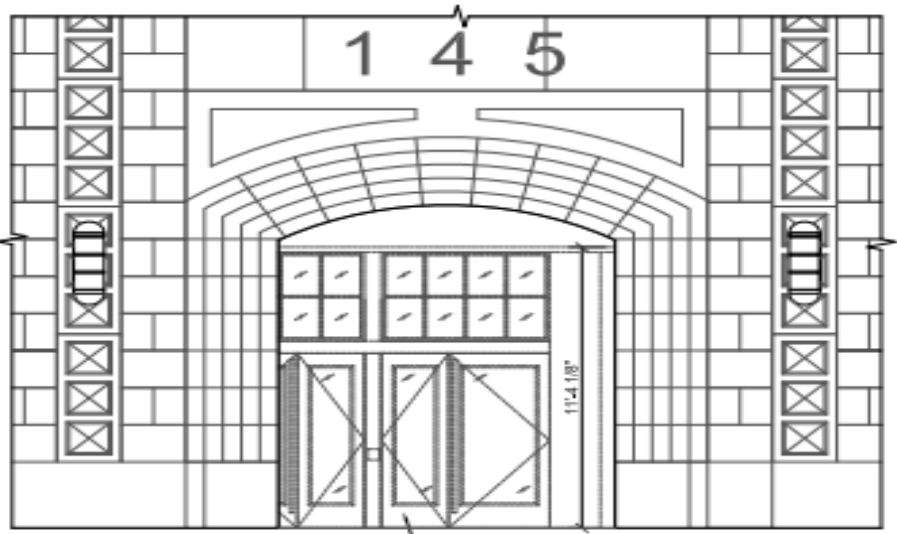
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DATE: 06/21/11
 PROJECT No.: 1008
 DRAWING BY:
 DWG No.: A-400.00

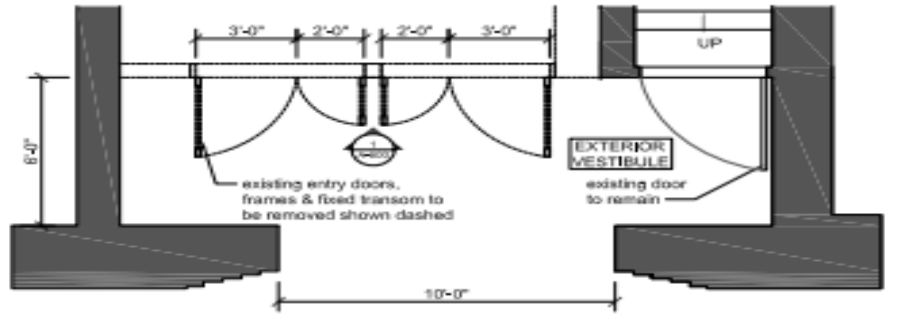
05 of 08

145 Hudson Street, Proposed Plan/Elevation at



existing entry doors, frames & fixed transom to be removed shown dashed

1 PARTIAL DEMOLITION ELEVATION AT ENTRY LOBBY



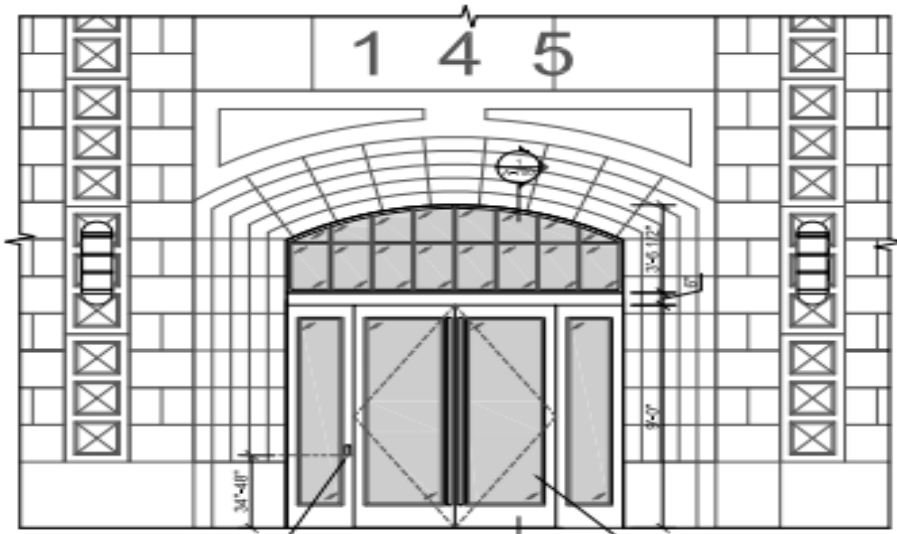
existing entry doors, frames & fixed transom to be removed shown dashed

EXTERIOR VESTIBULE

existing door to remain

HUDSON STREET

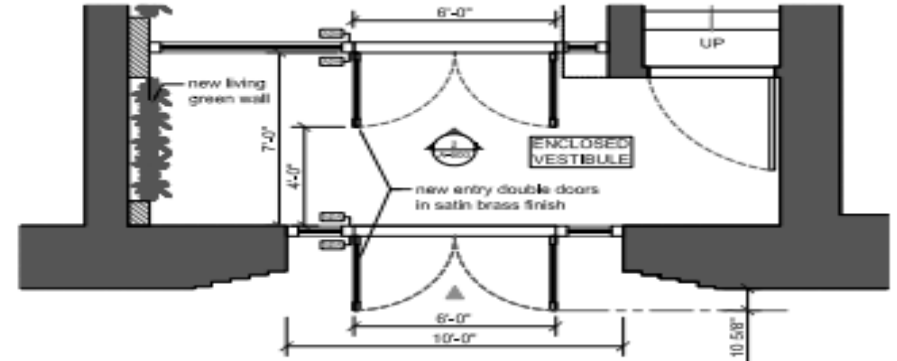
3 PARTIAL DEMOLITION PLAN AT ENTRY



new automatic ADA door actuator

new satin brass entry double doors with fixed transom; rail & stile widths to closely match existing; new door handles in satin brass finish

2 PARTIAL PROPOSED ELEVATION AT ENTRY



new living green wall

new entry double doors in satin brass finish

ENCLOSED VESTIBULE

4 PARTIAL PROPOSED PLAN AT ENTRY

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LEGEND/NOTES

PROJECT
145 HUDSON LOBBY
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New York, NY 10013

DRAWING TITLE
PARTIAL DEMOLITION & PROPOSED PLANS AND ELEVATIONS

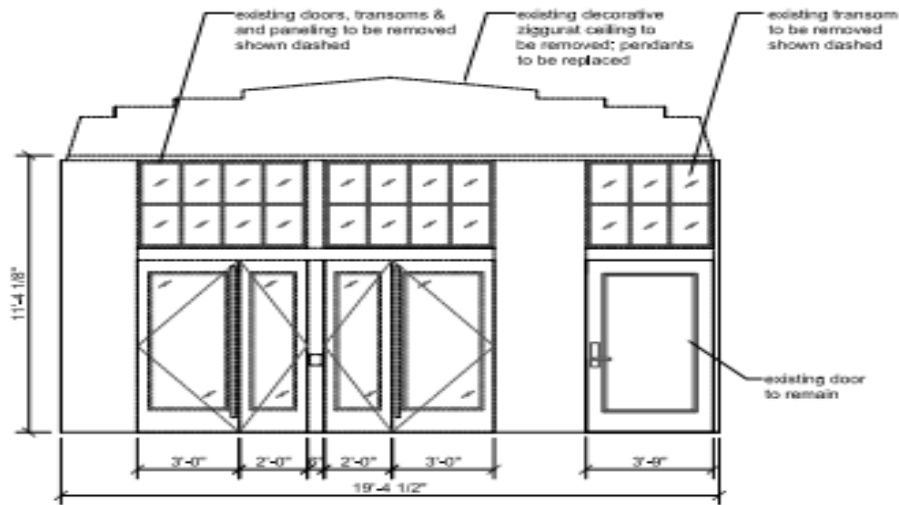
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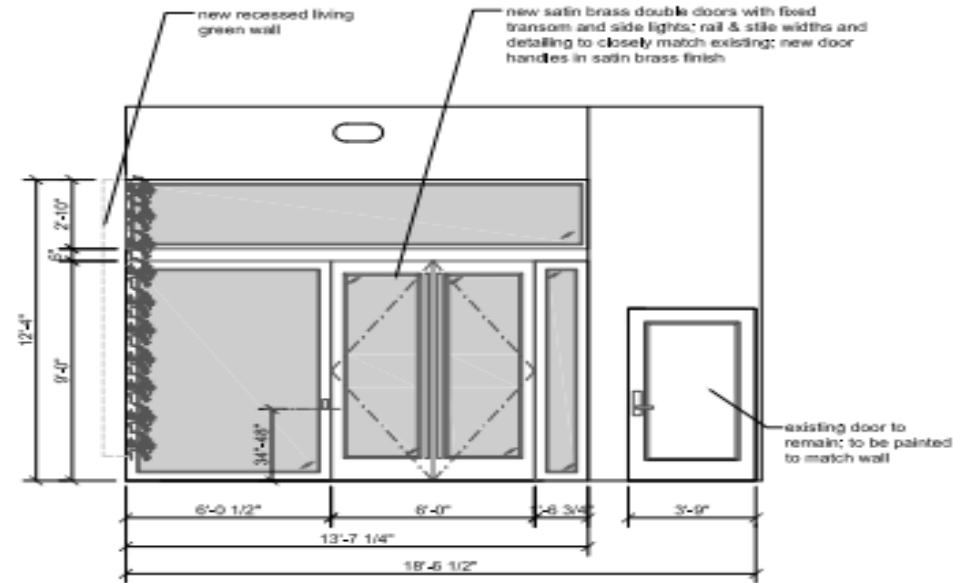
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PROJECT No.: 1808
DRAWING BY:
DWG No.: A-500.00
90 of 98



145 Hudson Street, Proposed Elevation at



1 EXISTING ELEVATION AT EXTERIOR VESTIBULE



2 PROPOSED ELEVATION AT ENCLOSED VESTIBULE

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LEGEND/NOTES

PROJECT

145 HUDSON LOBBY
 145 HUDSON STREET
 New York, NY 10013

DRAWING TITLE

PROPOSED ELEVATION AT VESTIBULE INTERIOR

REVISIONS

NO.	DATE	DESCRIPTION

SEAL & SIGNATURE



DATE: 06/21/21

PROJECT No.: 1808

DRAWN BY:

DATE:

PROJECT No.:

DWG No.:

A-600.00

17 of 28

408 Broadway, Existing Conditions



01 PHOTO AT SOUTHERN—MOST EGRESS DOOR



02 PHOTO AT CENTRAL WINDOW BAYS



03 PHOTO AT NORTHERN—MOST WINDOW BAYS



04 GRILLAGE DESIGN INSPIRATION @ 20 CORTLANDT ALLEY



05 10' TALL RETAIL LOADING DOOR @ 20 CORTLANDT ALLEY



06 CELLAR CLERESTORY WINDOWS @ 380 BROADWAY



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 EXPIRES: 12/31/2024
 XXXXX-XX

Professional Engineer
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 NEW YORK STATE
 EXPIRES: 12/31/2024
 XXXXX-XX



DATE: 10/15/2024
 PROJECT: 408-410 BROADWAY (20 CORTLANDT ALLEY)
 DRAWING NO.: 100-00000000000000000000
 SHEET NO.: 100-00000000000000000000
 SCALE: AS SHOWN
 DRAWN BY: XXXXX-XX
 CHECKED BY: XXXXX-XX
 PROJECT MANAGER: XXXXX-XX
 ARCHITECT: XXXXX-XX
 ENGINEER: XXXXX-XX
 CONTRACTOR: XXXXX-XX
 OWNER: XXXXX-XX

DATE: 10/15/2024

408-410 Broadway
 New York, NY 10013
 Drawing Title
 EXISTING CORTLANDT
 FACADE PHOTOS

DATE: 10/15/2024	PROJECT: 408-410 BROADWAY (20 CORTLANDT ALLEY)
DRAWING NO.: 100-00000000000000000000	SHEET NO.: 100-00000000000000000000
SCALE: AS SHOWN	DRAWN BY: XXXXX-XX
CHECKED BY: XXXXX-XX	PROJECT MANAGER: XXXXX-XX
ARCHITECT: XXXXX-XX	ENGINEER: XXXXX-XX
CONTRACTOR: XXXXX-XX	OWNER: XXXXX-XX
LPC002	

408 Broadway, Rendering of Proposed



01 PHOTO OF EXISTING CORTLANDT FACADE



02 RENDERING OF PROPOSED STOREFRONT

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Architect
XXXXXX
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LIC. NO. 123456

Site Plan
XXXXXX
NEW YORK, NY 10001
LIC. NO. 123456



Notes
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NYC DEPARTMENT OF BUILDINGS (DOB) REGULATIONS AND THE LATEST EDITIONS OF THE NYC DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) REGULATIONS.
2. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
4. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

DATE: 01/01/2024
DRAWN BY: J. SMITH
CHECKED BY: M. JONES

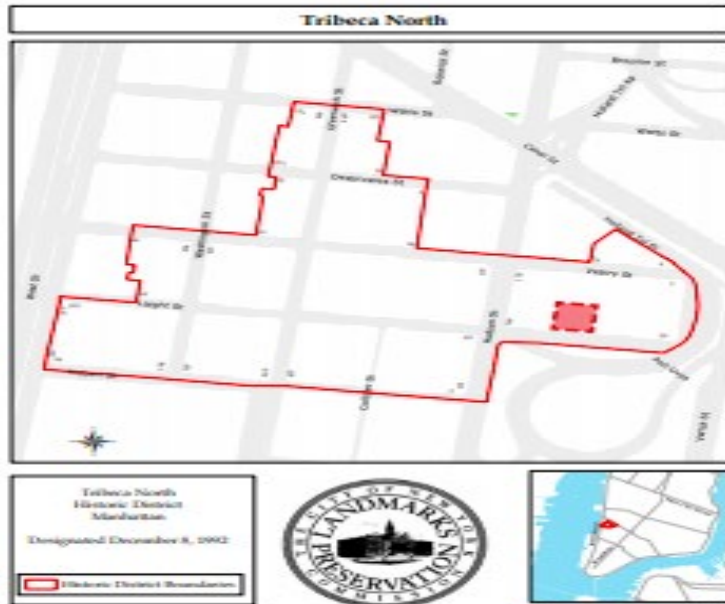
PROJECT NO.: 408-2024-001
SHEET NO.: 01 OF 01

408-410 Broadway
New York, NY 10013

PROPOSED
STOREFRONT
RENDERINGS

LPC004

44 Laight Street, Historical & Existing Site



■ : 44 LAIGHT STREET



HISTORIC PHOTO



CURRENT PHOTO FROM BONE/LEVINE ARCHITECTS

44 LAIGHT STREET

CONSTRUCTED: 1896
ARCHITECT: CLINTON & RUSSELL
TAX BLOCK: 220
TAX LOT: 7503
LANDMARK DISTRICT: TRIBECA NORTH

44 Laight Street, Existing Sidewalk Conditions



APPROACHING FROM THE EAST



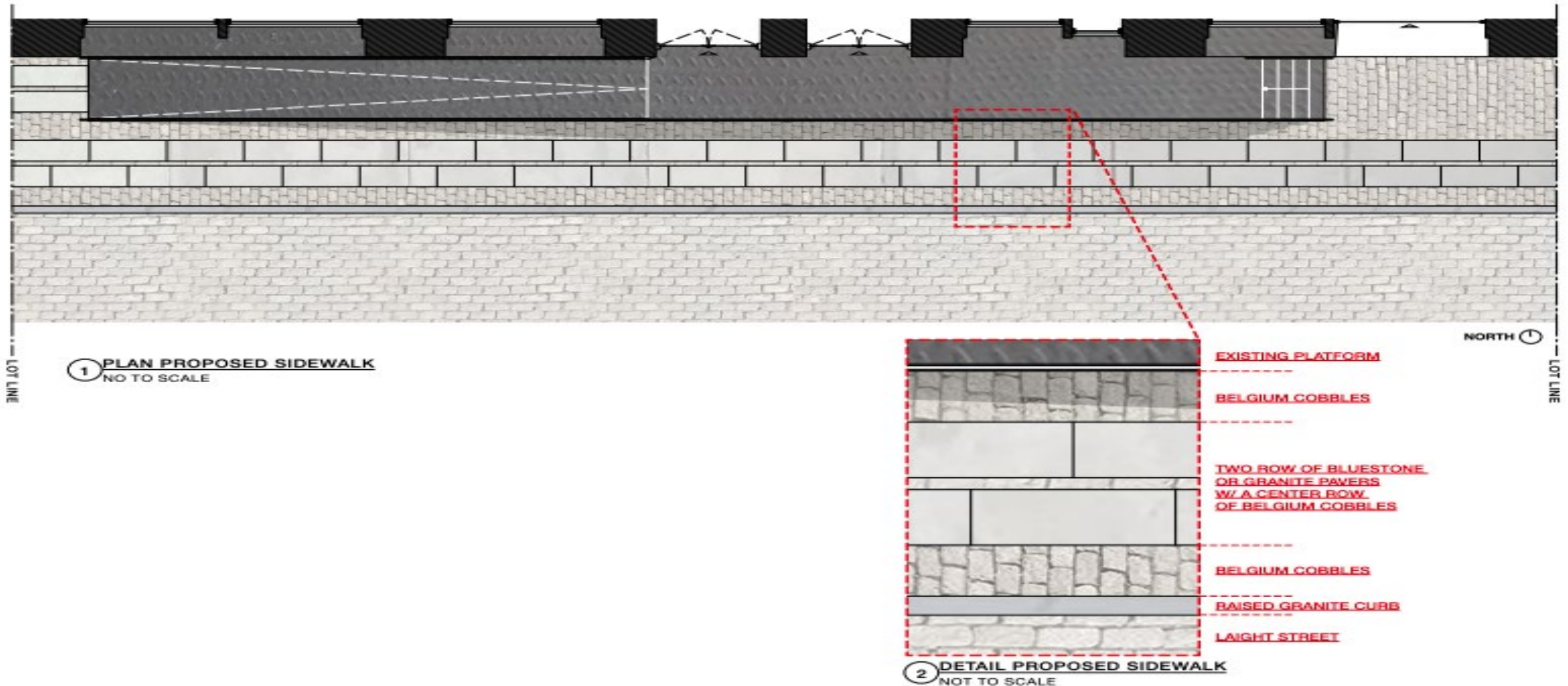
APPROACHING FROM THE EAST



LAIGHT STREET | CURB | SIDEWALK



44 Laight Street, Proposed Sidewalk



MANHATTAN COMMUNITY BOARD 1

Large Venue Working Group – M. James

- 1) Updates on Development of Guidelines for Large Scale Venue Applicants - Report

MANHATTAN COMMUNITY BOARD 1

Licensing & Permits – M. Ameruso

Tribeca area

- 1) 30 Hudson Street, application for liquor license for Forge 30 Hudson LLC d/b/a TBD - Resolution
- 2) 109 West Broadway, application for liquor license for BL 109 WBroadway NY LLC d/b/a Bluestone Lane - Resolution
- 3) 66 West Broadway, application for liquor license for Dellas NYC LLC d/b/a TBD - Resolution
- 4) 458 Greenwich Street, application for liquor license for Stacey Sosa on Behalf of Entity to be Formed d/b/a TBD - Resolution
- 5) 95 West Broadway, application for method of operation change of liquor license to extend serving hours for Tribeca Hotel LLC Tribeca Lobby Bar LLC Primo MGMT LLC d/b/a Primo's - Resolution

MANHATTAN COMMUNITY BOARD 1

Licensing & Permits – M. Ameruso

Financial District area

- 1) 84 William Street, application for liquor license for Food First, LLC d/b/a TBD - Resolution
- 2) Battery Place, State Street and Whitehall Street: Bosque Carousel Kiosk, application for liquor license for The Pixie and The Scout LLC d/b/a TBD - Resolution
- 3) Battery Place, State Street and Whitehall Street: Bosque Fountain Kiosk, application for liquor license for The Pixie and The Scout LLC d/b/a TBD - Resolution
- 4) 928 Craig Road South, application for seasonal liquor license for Entity to be Formed d/b/a TBD - Resolution

MANHATTAN COMMUNITY BOARD 1

Licensing & Permits – M. Ameruso

Seaport/Civic Center area

- 1) 26 Ann Street, application for liquor license for AB Fulton Nominee LLC and Hersha Hospitality Management LP d/b/a Moxy NYC Downtown - Resolution

Battery Park City area

- 1) 2 River Terrace, application for liquor license for BL 2 River NY LLC d/b/a Bluestone Lane - Resolution

MANHATTAN COMMUNITY BOARD 1

Waterfront, Parks & Cultural – P. Goldstein

- 1) African Burial Ground International Memorial Museum and Education Center Act - Resolution
- 2) Governors Island Seasonal Update - Report
- 3) 9/11 Memorial Museum Update - Report
- 4) Art on the Avenue Storefront Project - Report

GOVERNORS ISLAND

2021 Season At a Glance

The Trust for Governors Island

2021 SEASON

- Open every day from May 1 - October 31, 2021
- Mondays-Fridays 10AM-6PM, Weekends and Holiday Mondays 10AM-7PM
- Daily Manhattan service from 10 South Street
- Brooklyn ferry to service two locations, Brooklyn Bridge Park Pier 6 and Red Hook/Atlantic Basin
- NYC Ferry service on weekends via Pier 11 shuttle
- Health & safety protocols in place



FERRY INFO

- Capacity limited, reservations required at govisland.org
- Ferries free for all visitors weekends before noon
- Free ferries at all times for:
 - Residents of NYCHA
 - Seniors
 - Kids under 12
 - Military personnel (former & active)
 - IDNYC holders
 - Community orgs
- \$3 roundtrip for all other passengers
- Face coverings required



EXPANDED HOURS

- Expanded hours return!
- Open until 10PM Fridays and Saturdays July 2-Labor Day weekend
- Manhattan ferry service only for extended hours
- Food and beverage establishments open
- Special evening programming to be announced



Other park amenities

- New field reservation system with priority access to non-profit youth leagues and public schools
- Bike rentals, including free rides on weekday mornings
- Zipline and mini-golf returning
- Grill reservations available at govisland.org
- Self-guided history tours with Urban Archive
- NPS sites to reopen soon



New: Sheep!

- 5 sheep summering on Governors Island to graze on invasive plants in Hammock Grove
- Partnership with Tivoli Farm & Preserve in Albany, NY
- Sheep to eat mugwort & phragmites
- Cared for by Trust horticultural staff
- Visitors may observe but not touch or feed
- Names: Flour, Evening, Sam, Philip Aries and Chad



Food, Beverage & Amenities

New Vendors

- **Joe Coffee** opening new year-round BMB Lobby café
- Partnering with **NYCHA** to offer resident-run food businesses rotating vending opportunity
- New mobile vendors **Malai** (South Asian inspired ice cream) and **Mai Bpen Rai** (papaya salads)

Current Vendors

- 16 total vendors
- **Pizza Yard** site expansion + adding liquor license
- **Meat Hook** to expand to full menu
- **Island Oyster** open daily
- **Collective retreats** open at full capacity w/ monthly community nights
- Kosher, vegetarian/vegan & halal options



LMCC Arts Center Reopened June 12

- Open Thursday-Sunday 12-5
- **Meg Webster's Wave** brings nature inside, using natural materials a vehicle through which to address our relationship to nature
- **Onyedika Chuke's The Forever Museum Archive**, presented in partnership w/ Pioneer Works, part of an ongoing project that mines connections between history, archive, knowledge production and power, focuses on the US carceral system - its starting point and evolution.
- **Muna Malik's Blessing of the Boats** asks the viewer to think about that society they would like to live within and how they might take steps to help shift it in that direction.



Climate Center Next Steps

City Council voted to approve South Island Rezoning with modifications on 5/27

City committed to releasing solicitation (RFP/RFEI) to attract anchor educational or non-profit institution in Spring/Summer 2021

Incorporates goals identified in partnership with Community Advisory Council & CB1 members
RE:

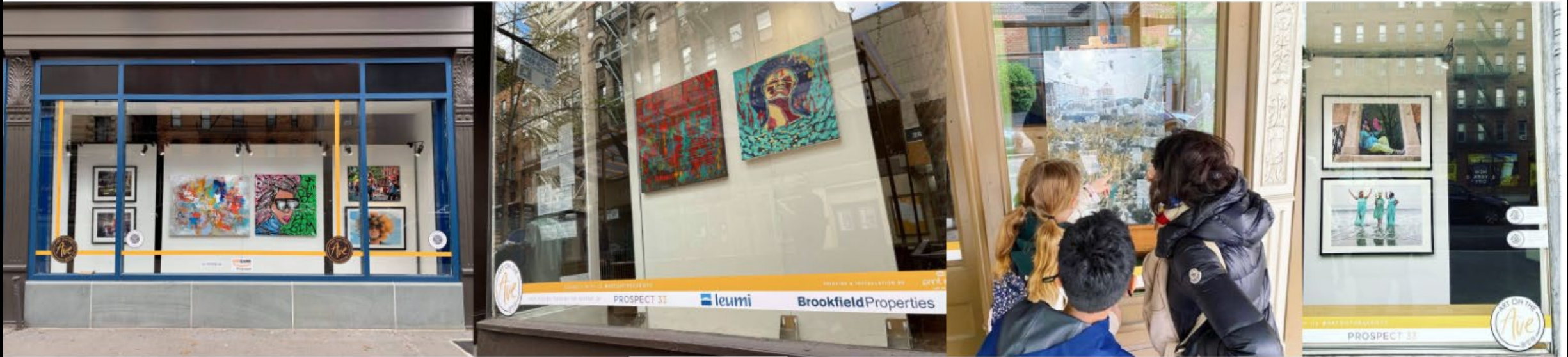
- Public Engagement
- Equitable Educational & Workforce Pipelines
- Design Guidelines

Finalists to be presented to CB1 for feedback following submission deadline

Downtown Alliance

Presents

Art on the Ave



About Art on the Ave



- The Downtown Alliance is working with Art on the Ave, a community arts organization, to place the work of local artists in vacant storefronts in high visibility locations.
- **Art on the Ave has featured exhibitions on Columbus Avenue and in the West Village (up through July 8).**
- Passersby on the sidewalk can purchase works directly from the artists via QR code.
- All artwork will be vetted by Art on the Ave's experienced curators and installed in storefront windows with the permission of property owners.

Goals: Art on the Ave

- **Enliven Lower Manhattan Streets:**

- Improve the sidewalk experience for pedestrians by filling vacant storefronts.
- Enhance the district as people come back to work and as the neighborhood commemorates the 20th anniversary of September 11th.

- **Support NYC-based artists:**

- Amplify underrepresented voices and inspire hope and positive change through the theme of resiliency with art.
- Artists' work will be for sale via QR code. 100% of proceeds will go directly to artists.

Timeline: Art on the Ave



- **Call to Artists - Open Now!**
<https://www.artontheavenyc.com/call-to-art-downtown>
- **July 2: Open call to artists closes**
- **July 23: Final selections made**
- **Late August: Artwork installation**
- **September 7: Program launches**
- **November 28: Program ends**

MANHATTAN COMMUNITY BOARD 1

Youth & Education – T. Joyce

- 1) Trinity Place Gymnatorium – Report
- 2) High School Admissions Results – Report
- 3) Mental Health Impact on Children During the COVID-19 Pandemic - Report
- 4) DOE Updates on Summer Rising Program and SYEP - Report
- 5) Updates on P.S.150 Reopening and Rezoning - Report

MANHATTAN COMMUNITY BOARD 1

Quality of Life & Delivery Services – P. Moore

- 1) Construction Disruption Oversight - Report
- 2) Victim's Compensation Fund Deadline Discussion - Report

MANHATTAN COMMUNITY BOARD 1

Land Use, Zoning & Economic Development – P. Kennell

- 1) Health & Fitness Citywide Zoning Text Amendment application – Report
- 2) 250 Water Street ULURP application - Report



HEALTH & FITNESS

CITYWIDE TEXT AMENDMENT

A proposal to reduce barriers for gyms, spas, and licensed massage

June 2021



Proposed Changes for Gyms and Spas

Remove BSA Special Permit for Physical Culture or Health Establishments (73-36)

Small gyms and spas will be treated similarly to a range of local amenities, such as drug stores, restaurants, or salons.

- Classified in the Zoning Resolution as Use Group 6.
- Limited to 10,000 square feet in Floor Area per establishment.
- As-of-right in all commercial and manufacturing districts.



Large gyms and spas will be treated similarly to banquet halls, music studios, and car showrooms.

- Classified in the Zoning Resolution as Use Group 9,
- As-of-right in C2, C4, C5, C6, C8 and M districts, as well as C1-8, C1-9, and C1 overlays mapped with R9/R10.



Proposed Changes for Licensed Massage Therapy

Remove BSA Special Permit for Physical Culture or Health Establishments (73-36)

Licensed massage therapy will be classified with other ambulatory health care uses as Use Group 4A or Use Group 6B (health care office), permissible in most residential districts and all commercial and manufacturing districts.



- Higher-impact gyms, such as those with significant weights or exercise equipment, will be required to submit documentation to the Department of Buildings certifying that they are designed to sufficiently reduce noise and vibration on adjacent uses prior to being issued a Certificate of Occupancy.
- These additional noise and vibration requirements will be applicable in mixed-use buildings in all commercial and MX districts.
- Low-impact activities such as yoga, isometric exercise studios, and spas will not be required to demonstrate compliance with additional noise and vibration standards. These low-impact activities will still be subject to the NYC Noise Code.

JUNE 14, 2021

MANHATTAN COMMUNITY BOARD 1 - LAND USE, ZONING, & ECONOMIC DEVELOPMENT COMMITTEE MEETING

SOUTH STREET SEAPORT

CELEBRATING HISTORY AND MOVING NEW YORK CITY FORWARD

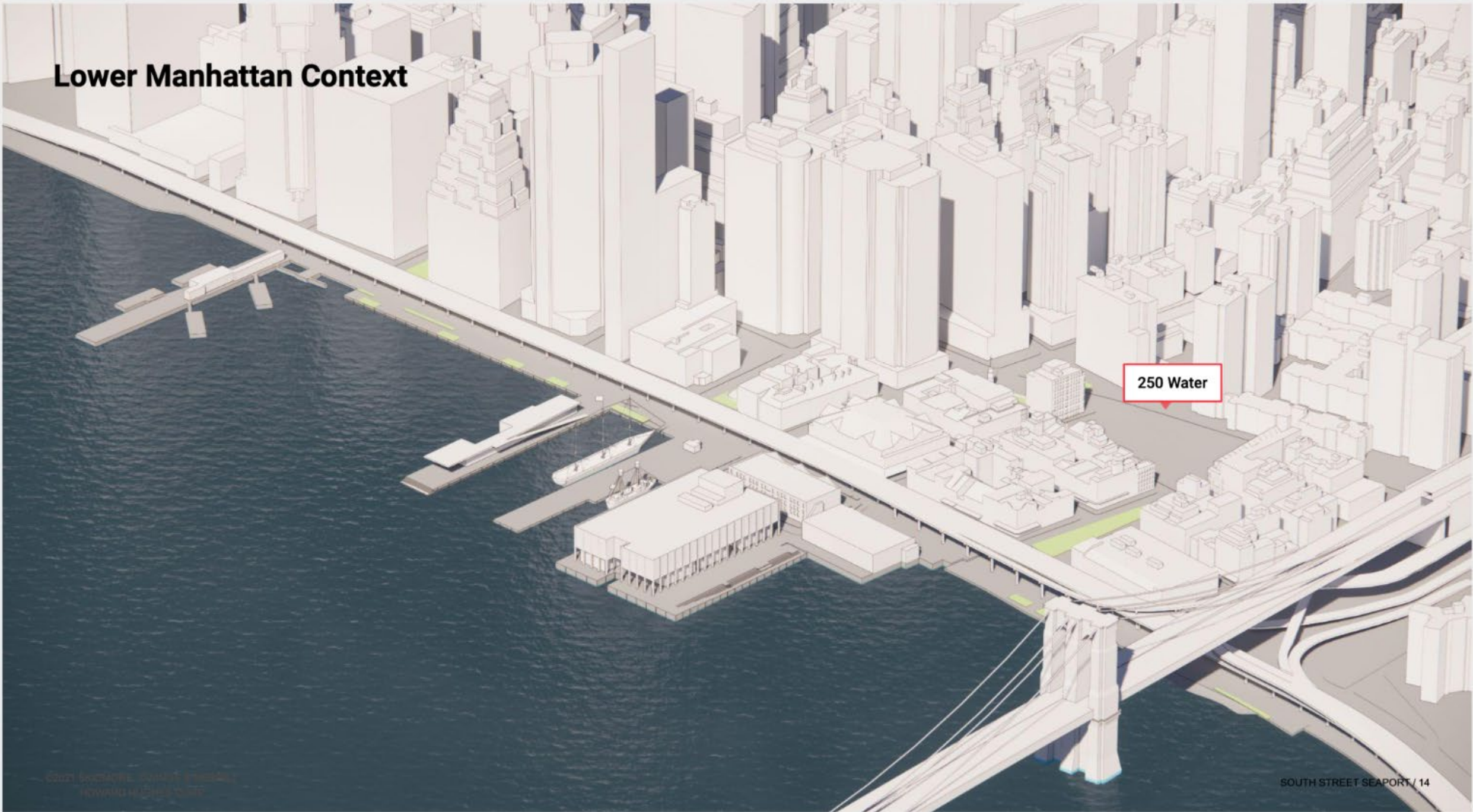
Howard Hughes



SOM



Lower Manhattan Context

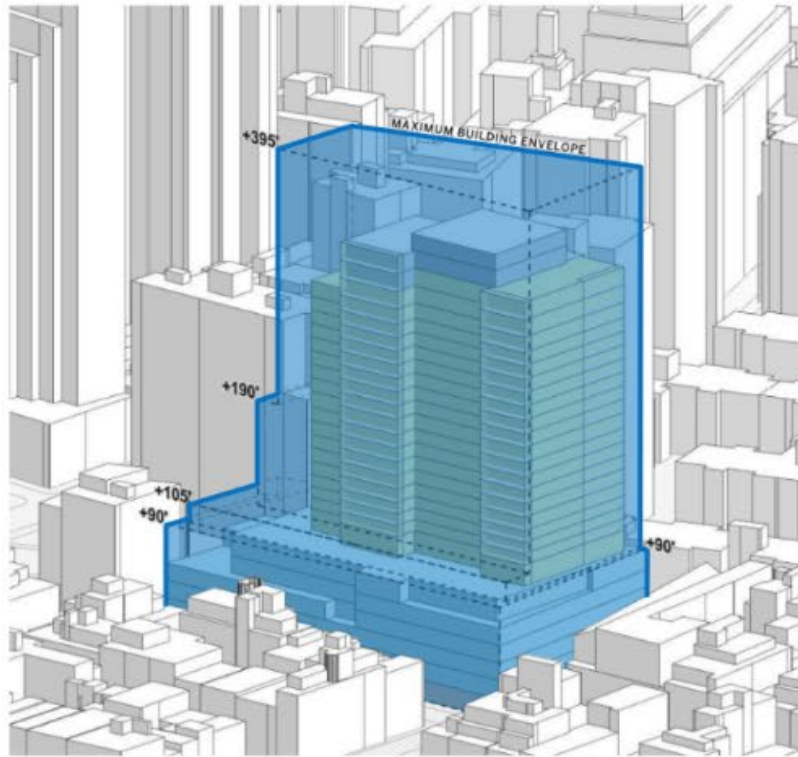


250 Water

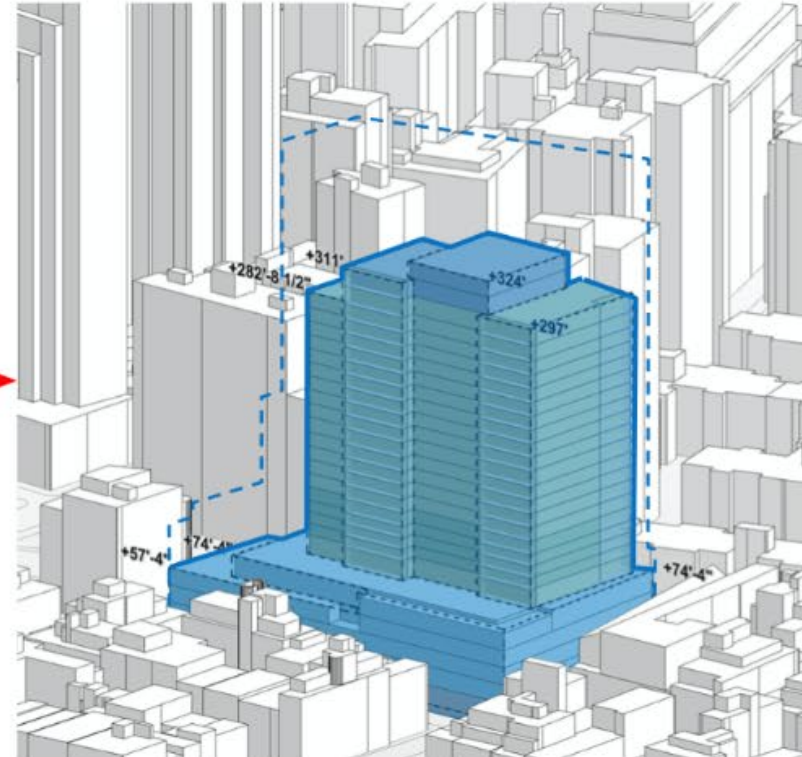
Massing



Building Envelope



Maximum Building Envelope Studied in DEIS:
Per Land Use Application certified 5/17/21



Current Building with Proposed Land Use Actions:
Per LPC Certificate of Appropriateness issued 5/4/21

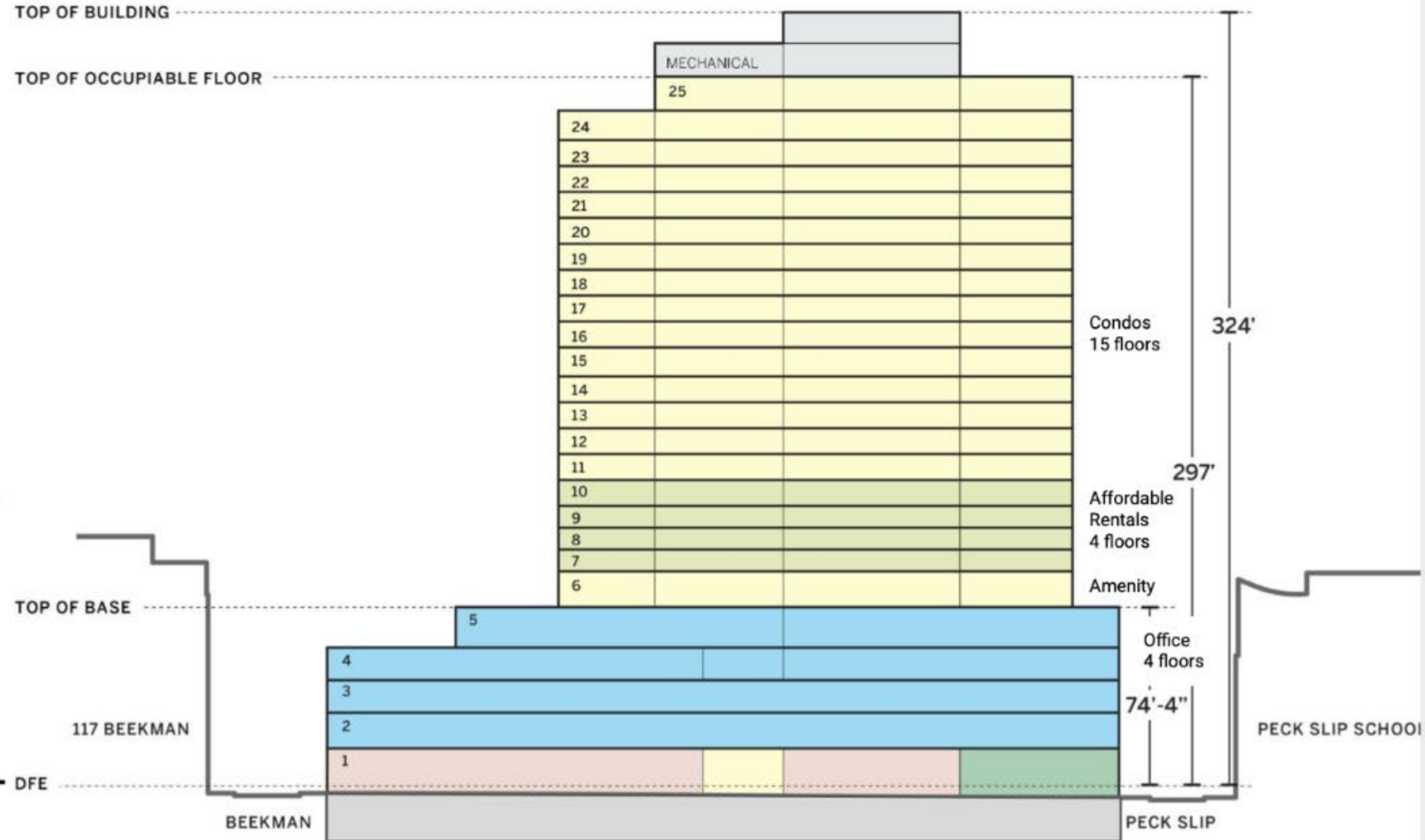
Project Summary



FAR 11.3
Max Base Height 74'-4"
Max Building Height 324'

ANTICIPATED ZFA

Residential (condo)	299,100
Affordable (70+ rentals)	77,200
Community Facility	4,800
Commercial / Office	153,000
Neighborhood Retail	15,900
Parking (108 spaces)	
Total	550,000



Ground Floor Plan



Proposed Land Use Actions

Summary

- 1.** Modifications to South Street Seaport / Pier 17 Large-Scale General Development (LSGD)
- 2.** LSGD Special Permit pursuant to ZR Section 74-743(a) to allow for the distribution of floor area to project site & modify height and setback requirements
- 3.** Zoning Text Amendments to modify ZR Sections 91-62, 91-98 and Appendix A
- 4.** Authorization pursuant to ZR Section 13-441 to allow for a curb cut on Pearl Street for an as-of-right accessory parking facility
- 5.** Certification pursuant to ZR Section 91-65 to transfer development rights to the project site
- 6.** Modification to the Pier 17 Restrictive Declaration and Traffic Management Plan
- 7.** Waterfront Authorization pursuant to ZR Section 62-822(b) for minor changes to the Pier 17 LSGD
- 8.** Waterfront Certification pursuant to ZR Section 62-12(c) for design changes to the Pier 17 LSGD

View from Brooklyn Bridge



MANHATTAN COMMUNITY BOARD 1

Environmental Protection – A. Blank

- 1) Draft Estuarine Sanctuary Management Plan for Hudson River Park – Report
- 2) Lower Manhattan Quarterly Resiliency Update - Report

[← See All Activities & Attractions](#)

Share



Estuarine Sanctuary Management Plan

Notice of Public Hearing and Comment Period

The Trust has commenced a public review and comment period for the Draft Estuarine Sanctuary Management Plan for Hudson River Park: Progress Report & 2021–2030 Action Agenda. The Draft Plan is a foundational management document developed to guide the Trust and its partners in protecting and conserving important aquatic habitat while also facilitating public access to and fostering awareness and public education about Hudson River Park’s Estuarine Sanctuary. In addition to providing an overview of progress to date under the 2002 Estuarine Sanctuary Management Plan, the Draft Plan also sets forth a 2021–2030 Action Agenda intended to guide the Trust and its partners in managing the Sanctuary through the current decade.

A copy of the Notice of Public Hearing & Comment Period, the draft Estuarine Sanctuary Management Plan for Hudson River Park: Progress Report & 2021–2030 Action Agenda and the 2002 Estuarine Sanctuary Management Plan are available in the links below.

The public comment period runs from Thursday May 27, 2021 to Monday August 9, 2021. All written comments must be received at the Trust’s office by 1:00 PM on August 9. Comments should be emailed to esmpcomments@hrpt.ny.gov. Written comment letters sent by traditional mail and received by August 9 will also be accepted; such comments should be addressed to: Hudson River Park Trust, Pier 40, 353 West Street, Room 201, New York, NY 10014, Attn. Carrie Roble.

The Trust will also conduct a virtual public hearing on June 29, 2021 from 4:30 PM to 6:30 PM at which time members of the public may also submit oral comments. Details on how to access and speak at the virtual public hearing are provided in the public notice linked below.

KEY DATES:

- › Public Comment Period Starts: May 27, 2021
- › Public Hearing: June 29, 2021 from 4:30 PM – 6:30 PM
- › Public Comment Period Closes: August 9, 2021

Lower Manhattan Coastal Resiliency Briefing

LMCR Quarterly June 21st 2021



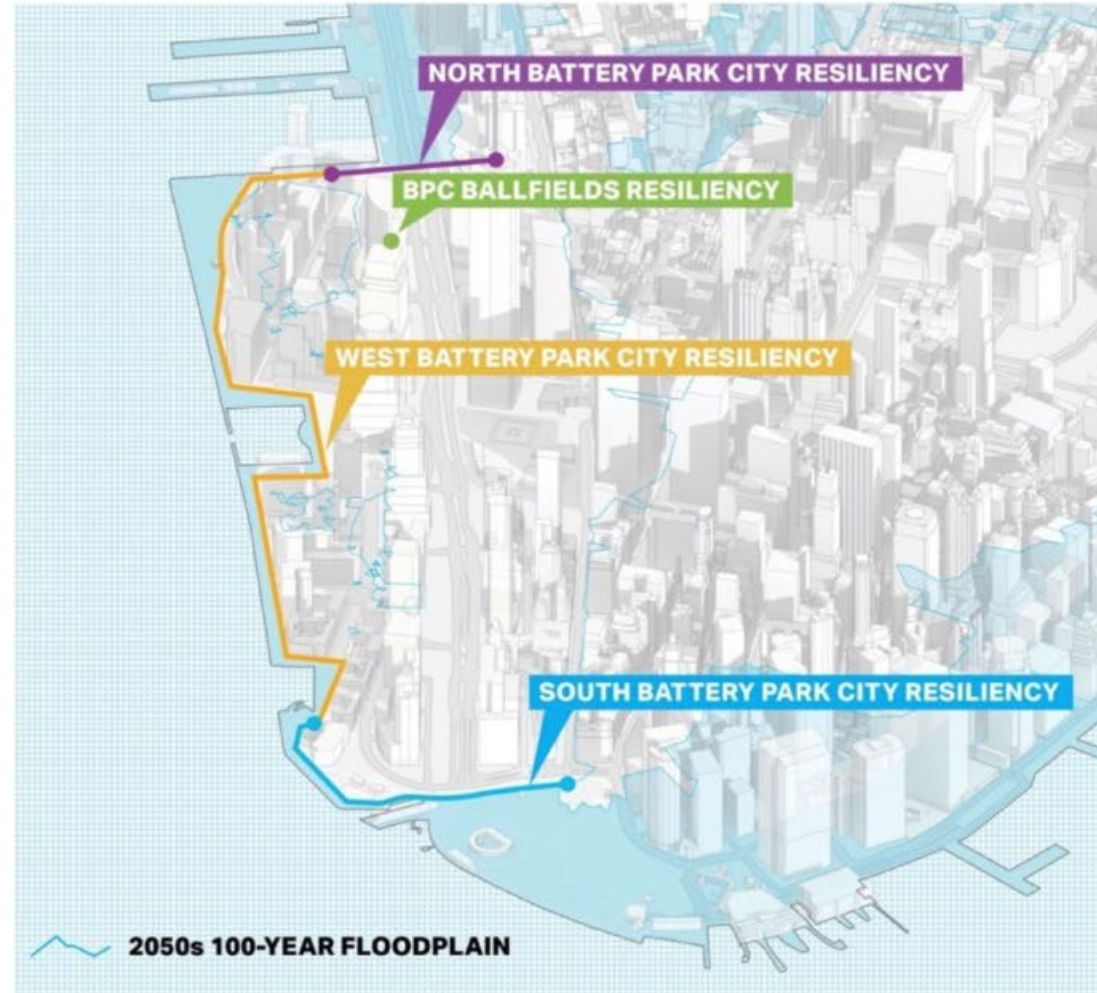
Tremendous Momentum on LMCR Projects

- In 2019, Mayor De Blasio announced resiliency plan to protect Lower Manhattan, with over \$500M in investment
- BMCR fully funded, Battery and BPCA projects advancing, FiDi-Seaport design progressing



Battery Park City Update

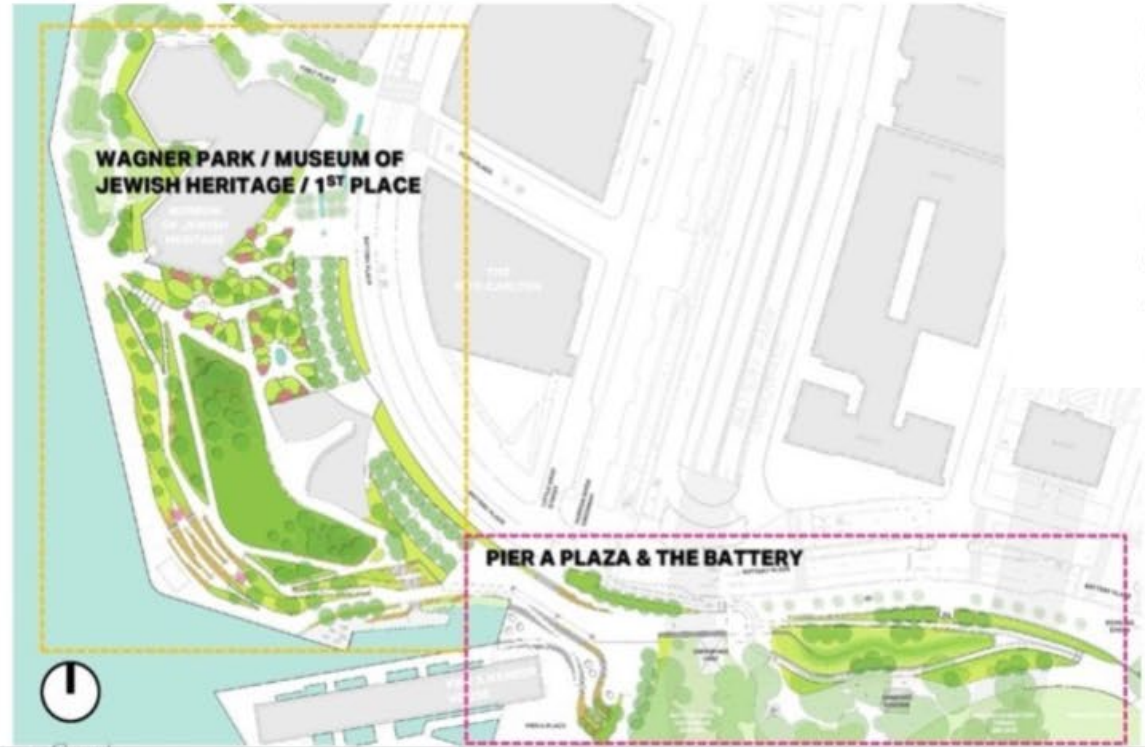
- **BPC Ballfields Resiliency**
 - Construction Commenced: June 2021
 - Projected Completion: October 2021
- **South BPC Resiliency**
 - DEIS underway
 - Public Scoping: Fall 2021
 - 75% design Pier A Plaza/Battery; 95% design Wagner Park/MJH
 - Construction Start: Early 2022
- **North/West BPC Resiliency**
 - Consulting Engineer Project Definition Underway
 - Progressive Design-Build Contractor Selection: Early 2022



Battery Park City Update

South Battery Park City Resiliency

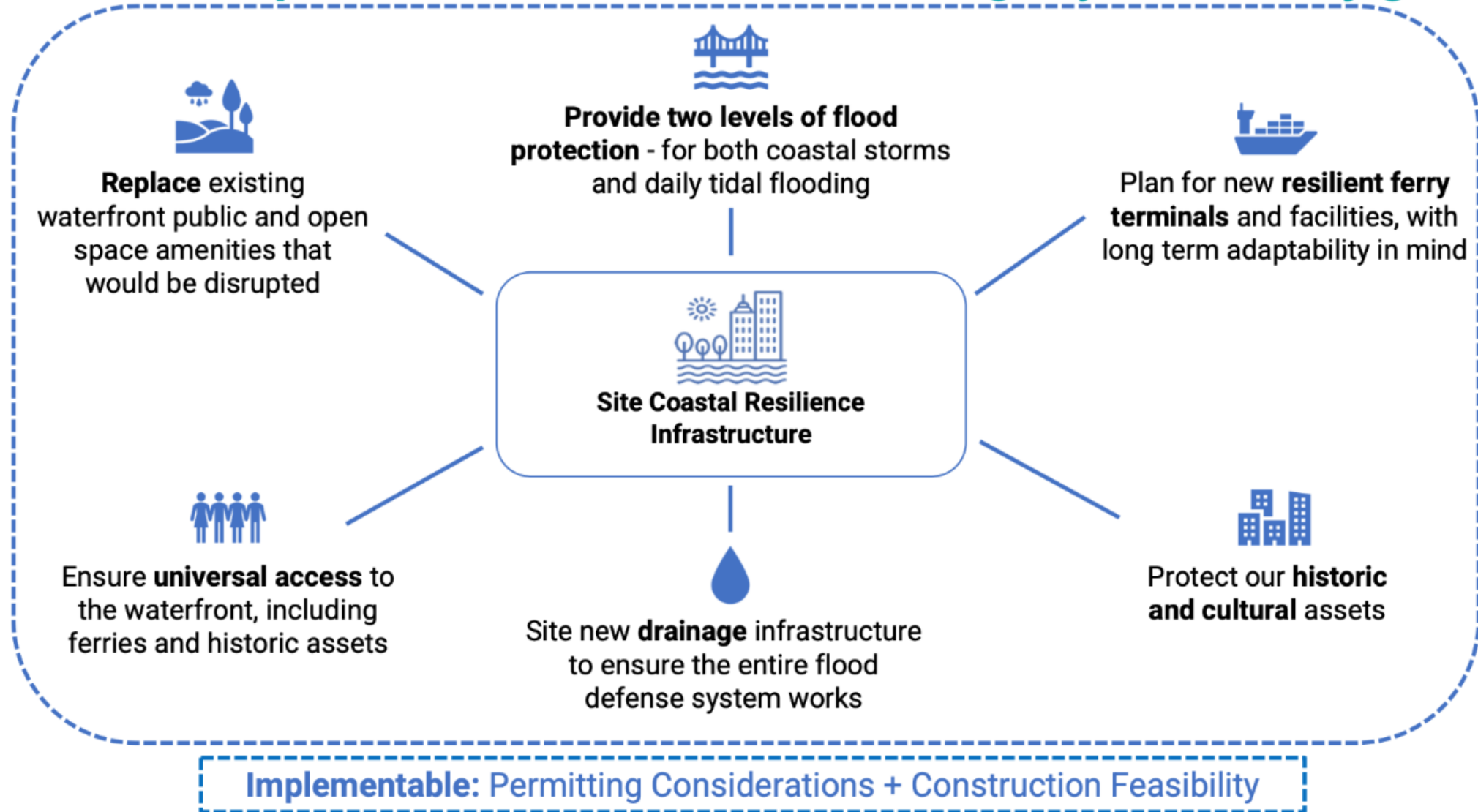
- DEIS in progress.
 - Public Scoping – Fall 2021
- Construction Start: Spring 2022
 - 75% design Pier A Plaza & Battery
 - 95% design Wagner Park & MJH
- Ongoing Coordination with NYCDEP Regarding Interior Drainage Design
- Final PDC Approval: Summer 2021



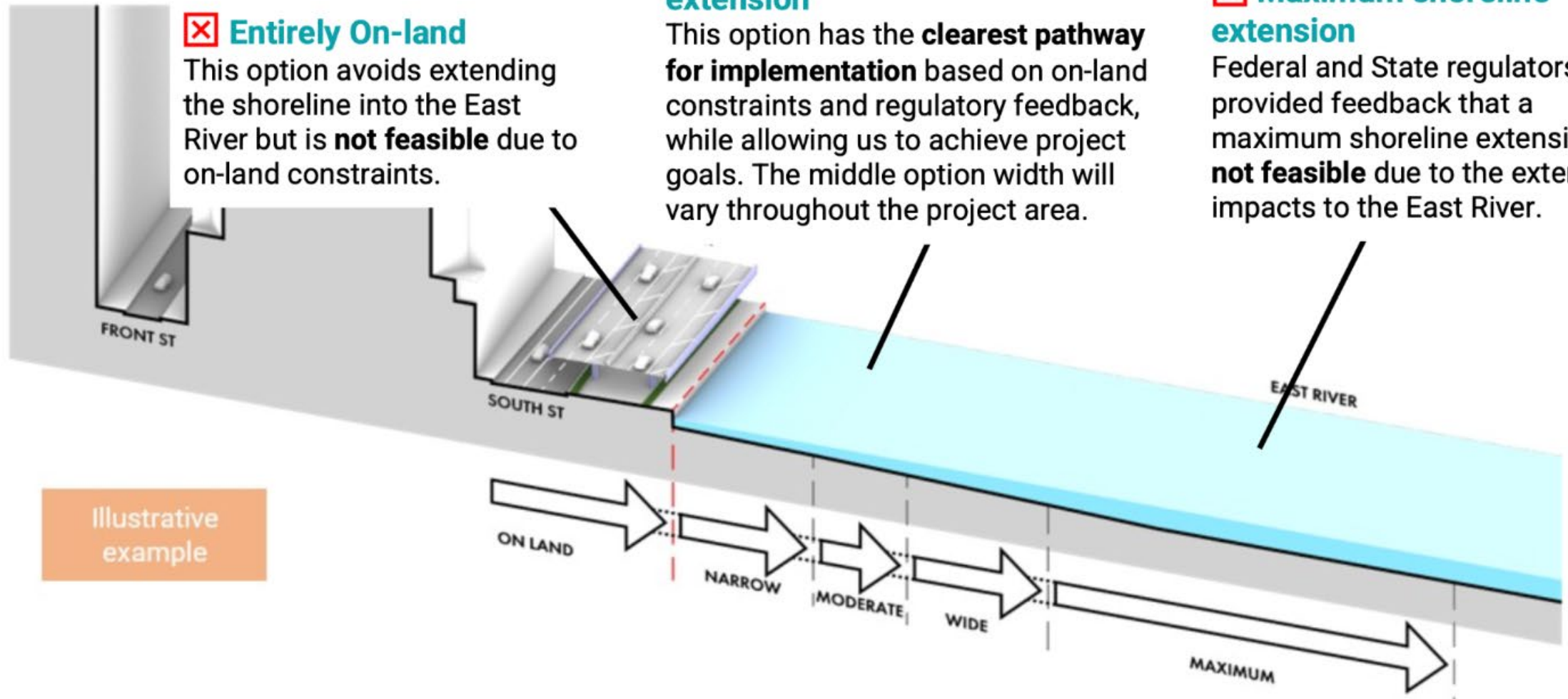


FIDI-SEAPORT MASTER PLAN

Articulating our **priorities**: Developing a coastal defense project that is **permittable & implementable** while also achieving **key community goals**



Our early project options looked at three shoreline extension lengths; based on technical analysis and feedback, we are now **zeroing in on a narrow to moderate option**



❌ Entirely On-land

This option avoids extending the shoreline into the East River but is **not feasible** due to on-land constraints.

✅ Narrow to moderate extension

This option has the **clearest pathway for implementation** based on on-land constraints and regulatory feedback, while allowing us to achieve project goals. The middle option width will vary throughout the project area.

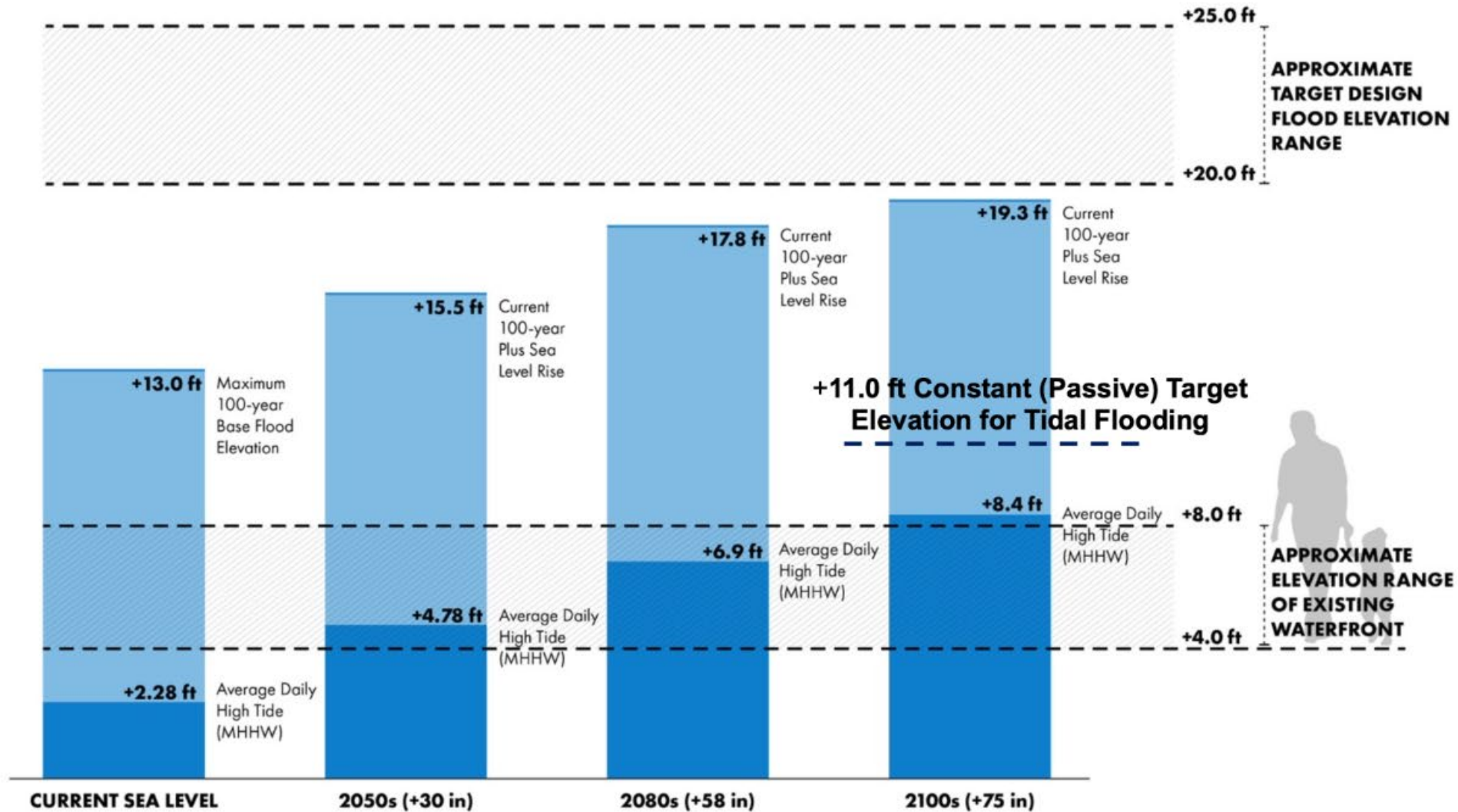
❌ Maximum shoreline extension

Federal and State regulators have provided feedback that a maximum shoreline extension is **not feasible** due to the extent of impacts to the East River.

Illustrative example

Why is an on-land option so challenging?

The project's **design flood elevation (DFE)** must protect from up to 20-25 feet of flooding from the outset, and/or be designed to adapt in the future.



Why can't we put a floodwall under the FDR Drive?

State DOT requires a **vertical clearance** of 5 feet from the FDR viaduct. The height of a floodwall needed to achieve our DFE would exceed the maximum allowable height under the FDR.



What on-land coastal defense **strategies** have we looked at?

Based on technical analysis, a **floodwall is considered the most viable** coastal defense structure for our target **design flood elevation (DFE)**, or level of protection, of approximately +23 feet (NAVD88).



Floodwall

A floodwall is the most viable coastal defense option, but requires a significant amount of horizontal, vertical, and underground space which is not available on land.



Building-Level Approaches

Relying on building-level approaches to provide area-wide flood protection is not practicable given a high DFE, wave loads and forces, and reliance on deployables to maintain street and building access.



Street Raising

Most street raising projects aim to improve drainage and adapt to rising sea level, not coastal defense. In addition, significantly raising street grades presents unsafe traffic and pedestrian conditions and may require the abandonment of lower-level floors.



Deployable Measures

Deployable measures are particularly challenging in our study area given the low-lying ground elevation and the tall wave heights.

Why is an **on-land option** so challenging?

Limited available space along the waterfront requires us to also look at what we can do beneath the **FDR Drive** shown in **blue**. However, there is insufficient vertical and horizontal space under the FDR Drive to fit coastal defense infrastructure.

There is limited unobstructed space above ground to fit coastal defense infrastructure in the study area, with the only **available space** (0-40') shown in **pink**. This is not enough space to provide protection for the whole project area, and it severely restricts our options.

The FDR is not at one elevation, but **changes from a subsurface roadway to at-grade to an elevated structure** all within the study area.

Bulkhead Line
(Existing Edge)

If we **modify the FDR Drive**, can we achieve our flood protection without going into the water?

- Through studying these different options for the FDR Drive, we've learned that replacing the FDR with an at-grade roadway still **does not provide enough space to site flood protection on-land and avoid going into the river.**



We still do not have enough space to achieve our constant level of flood protection on-land while maintaining access to the waterfront



To achieve our waterfront access goals, we would be solely reliant on deployable measures to achieve our target level of flood protection, which is not recommended due to the study area's location relative to the New York Harbor and wave action



Still requires extensive ramping to get back down to the water



We would be impacting the current waterfront programming, with limited space to replace what is currently there today



Does not allow for future adaptability of the flood protection system



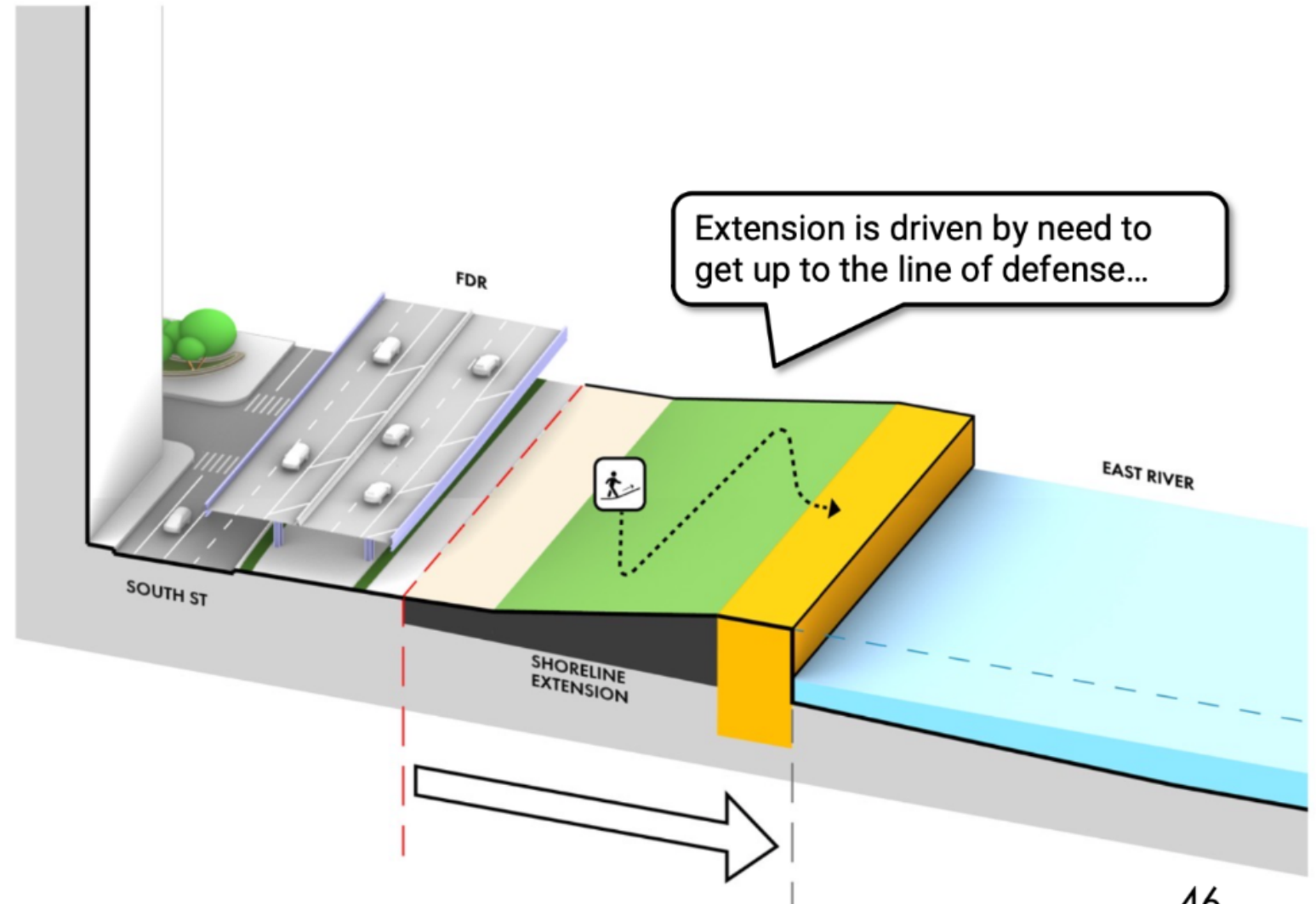
To **recap** why an entirely on-land project is infeasible...

1. We cannot site an **entirely on-land** project that protects against daily tidal flooding and coastal storms while **maintaining public waterfront access** and maritime uses.
2. There is very limited **available space** along the waterfront. In addition, there is not enough vertical space beneath **the FDR Drive** to construct our floodwall, nor is there enough horizontal space to fit a flip-up gate.
3. Some options to **modify the FDR Drive** are infeasible and overly expensive, while others would not generate enough additional space for a floodwall that maintains waterfront access.
4. Neither **building-level solutions** or **street raising** are viable alternatives for most of our project area.
5. While **deployable measures** have a lot of utility and may play a role in any coastal defense solution, we cannot solely rely on them to provide the level of protection required across the whole project area.
6. A complex network of **underground infrastructure** resides beneath the streets and can't be easily moved. Constructing our foundations for the coastal defense must carefully consider the performance of each element to ensure our drainage infrastructure, transportation network, and utilities continue to function.
7. New **drainage infrastructure** is necessary for our coastal defense to work and will require a substantial additional amount of above-ground and underground space.

How have we been approaching
the design of the project?

In order to achieve the project's goals, we are proposing to **extend the shoreline** of Lower Manhattan

- While siting the coastal defense, we need to maintain **universal access to the water** - meaning that everyone, regardless of ability or age, can access and participate in public life
- Space is needed to allow for the appropriate slopes and grade changes to ensure **access for all** getting up and over the design flood elevation
- Space is also needed to provide **emergency and maintenance access** (vehicular) to the flood defense, maritime uses, & water
- Within this space there are also opportunities to site **drainage infrastructure**, capture **stormwater run-off**, and replace **existing open space**



Our design must get people **up to and down from** our flood protection, providing three distinct zones for us to design.

Design conditions will vary along the waterfront

Some elements are **less flexible** as they are informed by engineering, policy, and regulatory considerations.

Other elements offer **more flexibility** to collectively reimagine the waterfront.

Draft: Early illustration of flood defense system. Subject to refinement.

EXIST. BULKHEAD

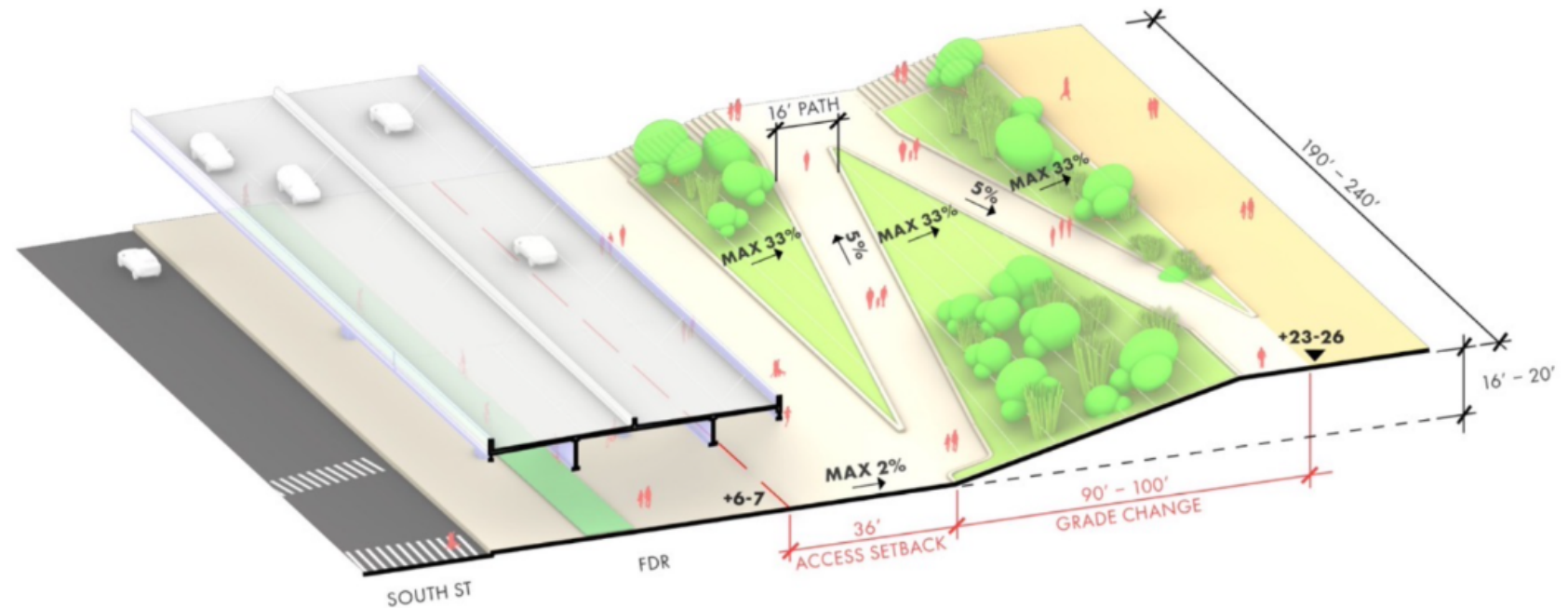
Zone 1
Transportation Corridor

Zone 2
Publicly Accessible
Flood Protection Zone

Zone 3
Continuous
Waterfront
Access &
Maritime Zone

How can we provide **universal access at frequent access points** in line with the East River Esplanade vision?

- A switchback allows a user to arrive at a similar point along the waterfront that they entered, as well as flexibility in connecting multiple access paths across the site
- Slopes that are not too steep ensure we can maintain plantings while also the ability to capture stormwater runoff
- A 16' wide path provides enough space for users to access the waterfront, as well as sufficient space for vehicles to access the site for operations & maintenance



Case 1: 16' Change
 (2) Access paths @16' ea = 32'
 16' vertical at 33% slope = 48'

80' + Contingency

Case 2: 20' Change
 (2) Access paths @16' ea = 32'
 20' vertical at 33% slope = 60'

92' + Contingency

Note: this configuration is not a specific design, it is a basis for estimating space needs for access

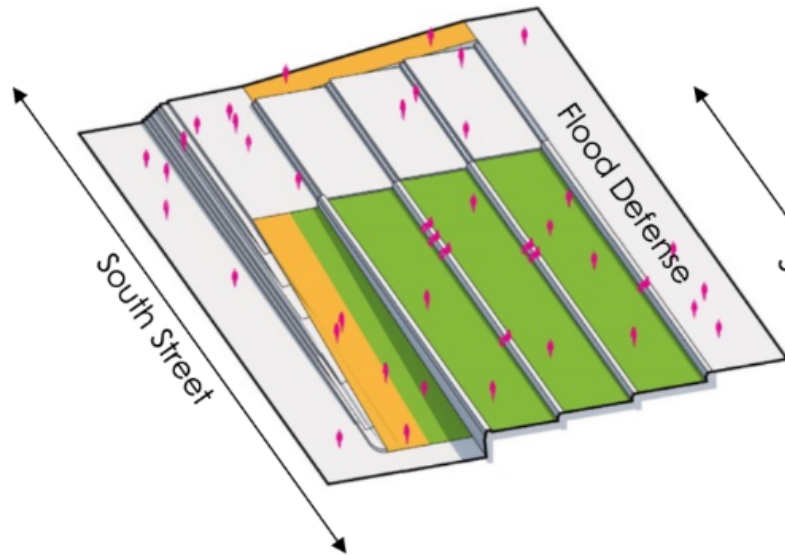
Public Access & Program

Getting up to the flood protection

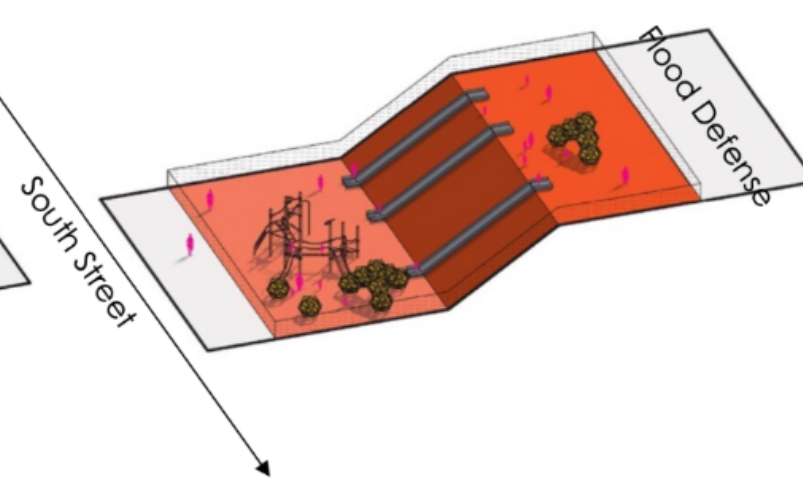
Where is there flexibility for community feedback to guide the project options?

- How do we better connect the community with the waterfront?
- How should we get up to the design flood elevation from the city?
- What different programs and amenities would you like to see here? (plazas/lawns, playgrounds, active programming, dog parks, cultural facilities, etc.)
- What role do structures / buildings play in shaping the waterfront?

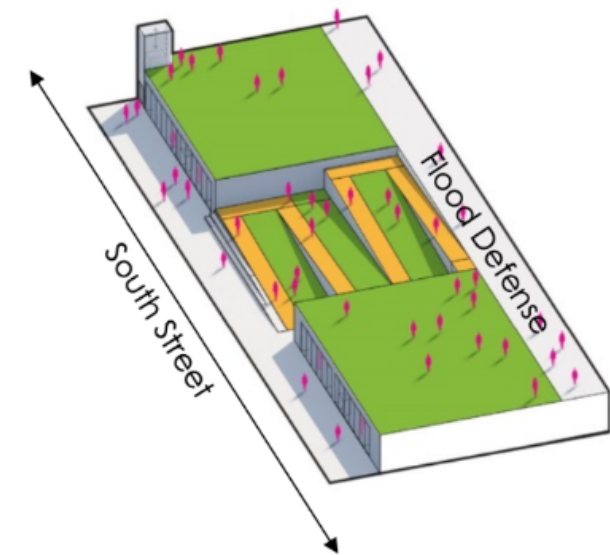
"Public park space that is open, available, accessible with a variety of different programs that address many groups' needs"



Multi-level Open Space



Recreational Space



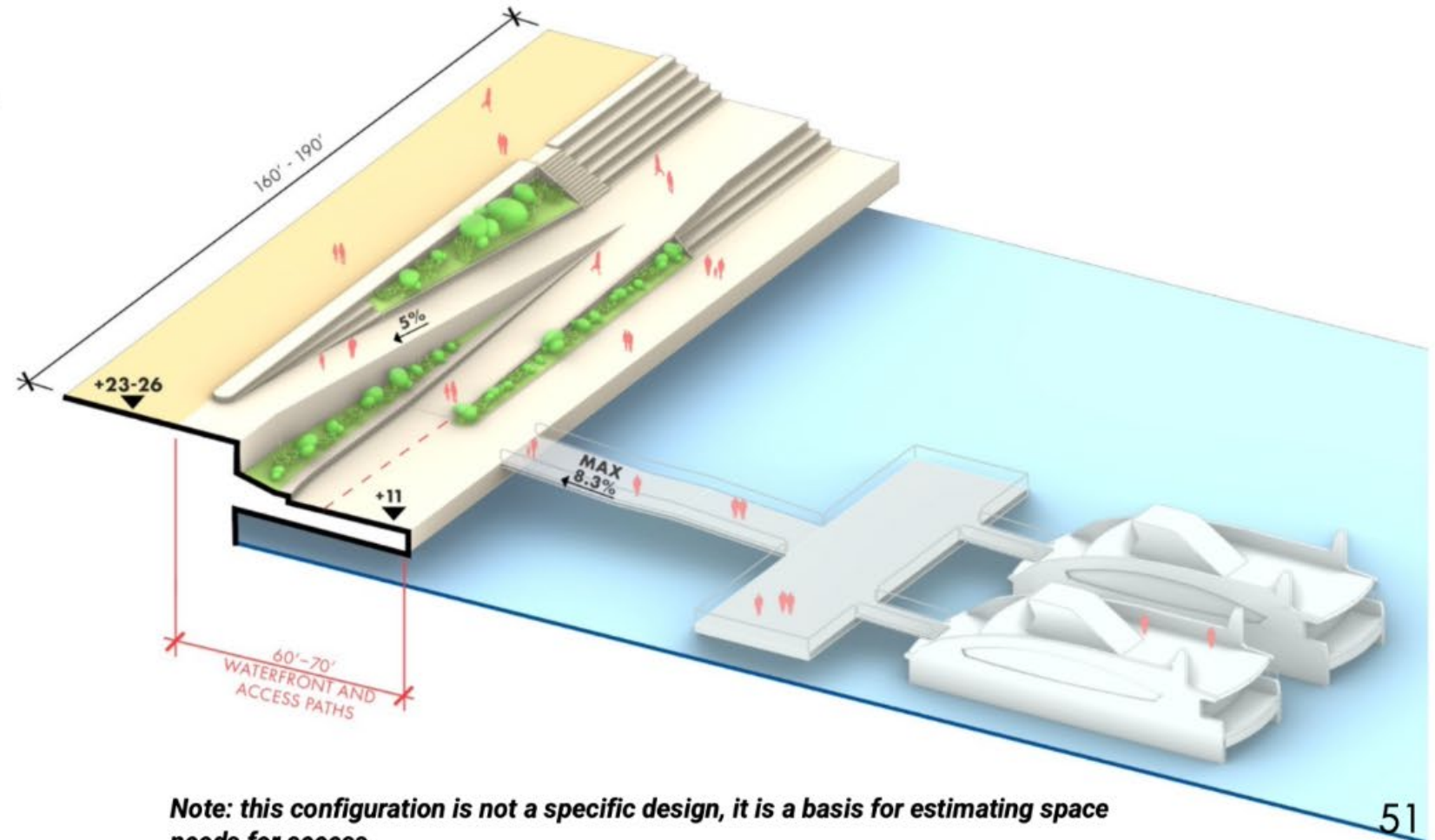
Buildings

Waterfront & Maritime Access

Getting back to the water, maritime uses, and a continuous waterfront esplanade along the East River

Where will we co-create?

- What should the experience of the East River esplanade be?
- Looking at other examples from around NYC, what design elements would you most like to see along a waterfront esplanade?
- How should we treat walls along the waterfront esplanade?
- What kinds of programs and opportunities should we prioritize at the water's edge?



Note: this configuration is not a specific design, it is a basis for estimating space needs for access

Upcoming LMCR Public Engagement

Projects	Timeline			
	June	July	August	Fall
Battery Park City South	CB 1 EP Update (6/21)			Project Scoping Meeting
Battery Park City North/ West	CB 1 EP Update (6/21)			Project Kickoff
The Battery	CB 1 EP Update (6/21)			Public Meeting #2
FiDi-Seaport	CCLM 5 (6/16) Open House #3 (June 28, 30th) CB1 EP Update (6/21)			
BMCR				Procurement Process Updates (DDC)
Overall LMCR Strategy	CB 1 EP Update (6/21)		Quarterly Update Call	

MANHATTAN COMMUNITY BOARD 1

Battery Park City – J. Cuccia

- 1) West Side Ferry Service Updates - Report
- 2) BPC Security Update – Report
- 3) BPCA Report – Report
- 4) Ground Rent Discussion with the Homeowners Coalition, Battery Alliance and Condominium Owners – Resolution

Support
for the Approximately
3,861 Condominium Owners in
BatteryPark City

CB-1: Battery Park City Committee

Summary as of June 2, 2021

- As a housing affordability housing crisis rages throughout NYC, renters and condominium owners within BPC are not immune;
- The Hugh L. Carey Battery Park City Authority (BPCA) is a New York State public benefit corporation whose mission is to plan, create, coordinate, and sustain a balanced community of commercial, residential, retail, and park space within its designated 92-acre site on the lower west side of Manhattan.
- All Residential and Commercial buildings on these 92 acres are subject to a 99-year lease between NYC, NYS and the Battery Park City Authority (BPCA) that expires in 2069. Fitch Affirms Battery Park City Authority, NY Rev Bonds; Outlook Stable, Economic Resource Base section; 2021 www.fitchratings.com/research/us-public-finance/fitch-affirms-battery-park-city-authority-ny-rev-bonds-outlook-stable-11-05-2021
- Each of the 18 individual condominium building in BPC has its own, separate Ground Lease with the BPCA, all also set to expire in 2069.

- The Battery Park City Homeowners Coalition, a New York not-for-profit corporation organized in 2004, advocates for the Battery Park City condominium owners in dealing with the Battery Park City Authority (“BPCA”) as relates to Ground Rent negotiations.
- The BPC Homeowners Coalition, hereinafter Homeowners Coalition, is made up of representative members from all 18 residential condominiums in Battery Park City, totaling about 3,900 apartment units.
- In 2021, the Battery Alliance was formed as a complement to the BPC Homeowners Coalition, and is made up of many of the same members of the Homeowners Coalition.

Battery Park City Homeowners Coalition Membership

<u>Condominium</u>	<u>Address</u>	<u>Approx. Number of Units</u>
Battery Pointe	300 Rector Place	154
The Cove Club	2 South End Avenue	163
Hudson Tower	350 Albany Street	134
Hudson View East	250 South End Avenue	134
Hudson View West	300 Albany Street	107
Liberty Court	200 Rector Place	550
Liberty House	377 Rector Place	240
Liberty Terrace	380 Rector Place	248
Liberty View	99 Battery Place	294
Millennium Tower Residences	30 West Street	236
1 Rector Park	333 Rector Place	174
Rector Square	225 Rector Place	303
The Regatta	21 South End Avenue	182
Ritz Carlton Residences	10 West Street	150
Riverhouse	1 Rockefeller Park	264
River & Warren	212 Warren Street	168
The Soundings	280 Rector Place	122
The Visionaire	70 Little West Street	242

Ground Rent in BPC - History

- In the 1980s, the BPCA and commercial real estate developers entered into agreements for construction of 11 residential condominium buildings in BPC.
- The Ground Leases were negotiated between the BPCA and these commercial developers, who agreed to terms typical of commercial ground leases before they sold the condominium units, took their profits, and left subsequent non-commercial condominium owners to bear the brunt of the financial burden built into these Ground Leases to take effect 20 to 30 years in the future.
- Additionally, typical in commercial ground leases are provisions under which the “fee-owner” (here, the BPCA) can renovate, re-purpose or demolish the building at the end of the lease.
 - This eventuality is of less consequence to a commercial business which has the financial resources to relocate elsewhere, but in BPC, the condominiums that are subject to these commercial ground leases are peoples’ homes and typically represent their largest investment.

Unless ALL 18 Ground Leases & Amendments are immediately restructured, the majority of Middle Class and Senior BPC Condominium owners will be forced from their homes - By taxes instead of rent.

- The annual Ground Rent payments during the first 20 to 30 years of condominium Ground Leases were determined by a pre-set schedule of specific dollar amounts payable per year until a set Appraisal or “Reset” Date. Between “reset” dates, double digit percentage step-ups are also scheduled for each of the 18 buildings.
- At each “Reset” Date, *annual* Ground Rent increases per residential condo building will be the greater of:
 - (1) 6% of the fair market value (“FMV”) of the land under each building considered as unencumbered by the Ground Lease; or
 - (2) the ground rent payable in the prior period increased by 25% or by a variety of other methods specified in individual leases
- In the NYC real estate market, it is almost certain that the FMV of unencumbered land would yield the greater figure and so would be used as the basis of annual ground rent increases once the “resets” set in for each building.

What Will Increases in Common Charges Based on Ground Rent Increase at 6% of FMV Do to Unit Owners?

- Because of projected increases in the FMV of land in BPC, increases in common charges due to ground rent increases based on 6% of FMV will make condominium units unmarketable for the middle-income and fixed-income homeowners
- There is a substantial risk that existing homeowners would not be able to pay drastic increases in common charges resulting from the pass-through of increased ground rent which would result in:
 - Near certainty of defaults in payment of common charges
 - Near certainty of defaults in mortgage payments
 - Near certainty of increases in personal bankruptcies
- Battery Park City could deteriorate and fail as a residential neighborhood
- The BPCA's rent revenues would then likely be drastically reduced as owners default & are unable to sell their units: values will decrease and tax revenues to the BPCA fall
- The 6% of FMV formula creates an unsustainable ground rent model for residential buildings.

Some history on Ground Rent “Resets” :

- In 2007, the 11 original condos with resets from 2009 – 2012, through the Homeowners Coalition V1, challenged rent “resets” as destabilizing, inappropriate for residential condos and unrealizable, claiming then, as they are now, if the lease terms were enforced, foreclosures would follow.
- Nothing changed.
- In 2009, the Homeowners’ Coalition V1 demanded that the BPCA permanently revise the Ground Rent escalation formula. The argument put forth, then as now, was that, if the “reset” was not eliminated, the annual tax payments would have made condominium common charges unaffordable and condominium units unmarketable.
- It was not until elected officials got involved in 2011 and forced the BPCA to address the Homeowners Coalitions demands, that progress was made, leading to the 2011 Settlement Agreement. (Fung A, “Battery Park City tenants get ground rent break”, Crain’s New York Business, May 10, 2011, www.crainsnewyork.com/article/20110510/REAL_ESTATE/110519992/battery-park-city-tenants-get-ground-leasebreak)

Goal of Parity for All achieved - at the cost of future Affordability for Some:

- As per the terms and conditions of the 2011 Settlement Agreement, new, more equitable Ground Lease terms for the participating 12 residential condominiums were established including pushing the “resets” dates out approximately 30 years.
- The 2011 agreement was based on creating parity among the 12 condominiums, which each had widely diverse Ground Rent per square foot charges.
- Unfortunately, parity did not - and does not - equate to affordability or sustainability for Middle Income, Seniors and other Fixed Income condominium owners in Battery Park City.
- In return for the temporary “reset” reprieve - which was the main focus of the negotiations back then - and to bring ALL 12 Ground Rents per-square-foot to the same HIGHEST LEVEL, thus creating parity:
 - Condominium buildings with lower Ground Rent per-square-foot were locked into higher compounding Ground Rent increases per year until their new “reset” date some 30 years in the future, with multiple periodic double-digit percentage step-ups; and
 - Condominium buildings whose Ground Rent per-square-foot were much higher, were locked into lower annual percentage increases, with some even lower than 1% a year and no step ups.

The Ground Rent Today: Situation is Urgent

- While the step-ups and compounding percentage increases have been steadily eroding affordability in many of the original 12 Condominium buildings, the situation is dire for the other 6 buildings.
- One recent condo conversion - River & Warren - is past its First Appraisal Date “reset” and is currently in negotiations with the BPCA.
- The 5 other newer Condominium Buildings’ “reset” dates are fast approaching.
- All 18 Condominium Buildings agree that FMV resets must be eliminated IMMEDIATELY for these 6 buildings or the condominium owners therein will be forced from their homes NOW.
- Even the BPCA has stated publicly that they agree that the FMV resets are not sustainable and must not be imposed.

It is more than just FMV “resets” that are not sustainable:

- Compounding percentage increases in Ground Rent are not sustainable, as NOTHING - not social security, not the cost of living, not wage increases, not interest rates, NOT ANY QUANTIFIABLE MEASURE of income to a condominium owner or a senior on a fixed income - increases at these rates. The current rate of increase for most of the original 12 buildings is *not sustainable*.
- Periodic double-digit percentage step-ups are *not sustainable*.
- In addition to the Ground Rent, each owner pays “Payments in Lieu of Taxes” (“PILOT”) to the BPCA at the same rate they would pay property taxes to New York City (NYC) and civic fees, which are also increasing at double digit rates annually. These taxes are collected monthly, as part of each unit owners “common charges”.
- Any mortgage payments are in addition to these “common charges”.

Beyond Ground Rent & PILOT:

- The 2019 Climate Leadership and Community Protection Act, which commits New York State to an interim goal of reducing emissions to 40% below 1990 levels by 2030 will, at the very least, likely require buildings that rely on gas for heating and hot water to be retrofitted and for homeowners to replace gas appliances, a costly undertaking. (Ponce de Leon G, "Achieving New York's climate goal will be massively challenging", City and State New York, May 13, 2021, www.cityandstateny.com/articles/policy/energy-environment/achieving-new-yorks-climate-goals-will-be-massivelychallenging?mc_cid=f099f176be&mc_eid=b422af118a)
- BPC condominiums are Class II buildings so there is no cap on the growth of their property taxes (paid as PILOT), not even for primary residences, as the less dense Class I buildings in NYC have.
- The 2017 Federal tax changes capped income tax deductions for state, city and property taxes at \$10,000, which increased most BPC condominium owners' federal tax bills given the high cost of PILOT, even if an owner has little to no state or city income taxes.
- The combined costs of future ground lease rents, sustainability mandates, uncapped property taxes and increasing worry about home values and ability to mortgage the properties, threaten condominium owners' ability to afford and ultimately to keep their homes in BPC.

Current State of Negotiations between Homeowners Coalition and BPCA

- The BPCA has verbally stated in multiple forums that the FMV-based ground rent increase formula is unsustainable but in preliminary discussions, their consultant has refused to remove the FMV formulas from the ground leases without exacting unreasonable concessions, according to representatives from the Homeowners Coalition.
- There is an imminent and critical affordability issue for the newer 6 condominiums, who face catastrophic increases in their annual Ground Rent NOW.
- There is an imminent affordability issue for the 12 condominiums that are part of the 2011 Settlement Agreement in the annual compounding percentage increases and periodic double-digit percentage step-ups many these buildings face and will continue to face through 2038/2042 - on *their* FMV “resets” dates.
 - As stated above: Middle and Fixed Income homeowners’ incomes are NOT RISING at 2%, 3% or 4% or more a year plus periodic double-digit step ups, and, after 10 years, in 2021, these folks can no longer afford the compounding annual increases... and are facing foreclosure NOW, 20 years BEFORE the FMV “resets”.
- Talks are on-going according to the BPCA, which is positive. However it is imperative that these talks focus on *Affordability* for current Middle Income, fixed Income and Senior condominium owners in BPC in order for the BPCA to live up to its current Resilience Action Plan, which states: that Battery Park City “*Be an inclusive community, one which supports housing affordability as a part of a diverse and livable community...*” <https://bpca.ny.gov/about/who-we-are/>, Accessed May 10, 20211.

- **Today:** One BPC condo's First "reset" date has passed & the other 5 newer BPC condominiums face imminent First "reset" Dates.
- **June 1, 2021, to June 1, 2030**: many of the original 12 Condominiums face the periodic double digit step ups.
- **June 1, 2030, to June 15, 2039**: mortgage underwriters will get increasingly nervous about lending in BPC as 3 more condominiums face 6% of FMV resets in 2030-2031; 12 additional buildings will approach FMV resets; condo values will begin their decline as the 2069 lease expiration gets closer; banks will no longer consider refinancing existing mortgages
- **June 16, 2039**: 30-year mortgage loans will no longer be available due to ground lease terminations in 2069; condo values will plummet, defaults will increase, needed building maintenance will be deferred, PILOT payments will start to decrease as condo values fall, BPCA revenues will plummet and BPCA will have to start budgeting or setting financial resources aside for future massive capital expenditure to renovate this housing stock
- **June 17, 2069** – the ground leases terminate and the BPCA can seize the condos without paying owners a cent. (www.hauseit.com/what-happens-when-a-land-lease-expires-nyc/ accessed May 17, 2021)

The individual Ground Leases between the BPCA and the residential condominiums are fatally flawed, having been based on the commercial ground lease model, and this MUST BE FIXED. NOW.

Homeowners in BPC have asked for CB-1's help

In keeping with this Board's focus on community, affordability and inclusion, it is imperative that:

1. Ground Leases with ALL 18 buildings must be amended to make necessary changes immediately.
2. The goal is to protect and preserve the affordability and sustainability of Middle Income, Seniors and Fixed Income condominium owners currently in place.
3. Many of these constituents have owned their homes in BPC for over 30 years. They are survivors of both Terrorist attacks on the WTC - and they remained to renew and rebuild BPC.
4. Many of these same people, some of whom have been and currently are on our Board, are now suffering and dying from cancers, lung diseases and other 9/11/2001-related-illnesses.

The ability to age and die in place is just as important to homeowners as it is to renters in Battery Park City.

Manhattan Community Board 1 (MCB1) implores the Battery Park City Authority (BPCA) to:

- Extend all ground leases beyond 2069;
- Eliminate the FMV reset clauses and replace it with a fixed schedule or fixed percentage increase of buildings' ground rent;
- Allow condominium buildings in Battery Park City (BPC) to work together to negotiate shared issues for ground rent resets; and
- Consider the condominium owners' expenses to bring their buildings and individual units into compliance with the BPCA's Resiliency Plan and the New York Climate Leadership and Community Protection Act when base ground rent appraisals and increases are negotiated; and

MCB1 urges Battery Park City's elected officials to the City of New York and to the State of New York to:

- Facilitate timely and fair negotiations;
- Pursue any necessary legislation;
- Implement property tax reform; and

Therefore Be It Further Resolved That:

Community Board 1 believes

1. fairness,
2. affordability, and
3. stability

should be the overarching goals of the negotiations regarding the Ground Leases with all 18 Condominium buildings in Battery Park City.

MANHATTAN COMMUNITY BOARD 1

New Business

MANHATTAN COMMUNITY BOARD 1

Adjournment

MANHATTAN COMMUNITY BOARD 1

Old Business

MANHATTAN COMMUNITY BOARD 1

CB 1 records all meetings and posts them to YouTube for unlimited public access.

<https://www.youtube.com/c/ManhattanCommunityBoard1/featured>

All documents relating to the above agenda items are on file at the Community Board 1 office and are available for viewing by the public upon written request to man01@cb.nyc.gov

At all meetings, additional items may be raised as "New Business"