

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Street activity permit application for a street festival by DEKK Restaurant on 9/30/06 and 10/1/06, Reade Street between Hudson and Greenwich Streets

BE IT
RESOLVED

THAT: Community Board #1 approves the proposed street activity permit submitted by DEKK Restaurant to close Reade Street between Hudson and Greenwich Streets Avenue on Saturday, September 30 and Sunday October 1, 2006 during the hours of 10 AM – 7 PM.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Street activity permit application for a special event by Mosaic Manhattan Church on 10/8/06, Greenwich Street between Duane and Chambers Streets

BE IT
RESOLVED

THAT: Community Board #1 approves the proposed street activity permit submitted by Mosaic Manhattan Church to close Greenwich Street between Duane and Chambers Streets on Sunday October 8, 2006 during the hours of 7 AM – 5 PM.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 1 Recused without cause

PUBLIC MEMBER: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 1 Recused

RE: Review of Transfer of Post Office Development Rights under Section 106 of the National Historic Preservation Act – Canal Street PO at 370 Canal Street

WHEREAS: The United States Postal Service (USPS) acknowledged by letter dated April 25, 2006, that transactions involving the transfer of development rights of buildings on the National Register are subject to review under Section 106 of the National Historic Preservation Act, and

WHEREAS: At that time, the USPS also indicated that it was working on developing an approach to consult with the public regarding transfers of development rights (zoning lot mergers), and

WHEREAS: A proposed project involving the transfer of development rights from the Canal Street Post Office to an adjacent site will result in blocking views of some of Tribeca's most visible landmarks, and

WHEREAS: Notwithstanding the commitment of the USPS to seek public comment and subject transfers of development rights to review under Section 106, there is still no public review process for the sale of air rights, zoning lot mergers, or the transfer of development rights from federal buildings, and

WHEREAS: State, national and local preservation organizations including the National Trust for Historic Preservation, the Preservation League of New York State, the Municipal Art Society and the Historic Districts Council have all asserted that the post office is required to submit all actions regarding property sales, including air rights sales, to the Section 106 review process, in order to attempt to mitigate negative impacts upon historic resources, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 strongly and urgently requests the USPS to expeditiously place the proposed transfer of development rights from the Canal Street Post Office at 370 Canal Street under Section 106 review, and

BE IT
FURTHER
RESOLVED
THAT:

Community Board #1 urges that the USPS be required to follow an appropriate procedure for review under Section 106 in all cases where zoning lot mergers (or the sale of air rights or transfer of development rights) occur to permit the Advisory Council on Historic Preservation and the New York State Office of Parks, Recreation and Historic Preservation, along with the Community Board and other local preservation groups, to be consulting parties, and

BE IT
FURTHER
RESOLVED
THAT:

Community Board #1 urges that any such review should conform to the guidelines suggested by the Greenwich Village Society for Historic Preservation, the Historic Districts Council, Community Boards #2, #3, and #4, and the Office of State Senator Liz Kruger, and

BE IT
FURTHER
RESOLVED
THAT:

Community Board #1 urges that such guidelines be permanently adopted as a means for USPS to perform Section 106 review in connection with any proposed air rights sales (zoning lot mergers) with a potential for impact upon historic resources, and

BE IT
FURTHER
RESOLVED
THAT:

Where the USPS contemplates transferring or does transfer development rights, the USPS must agree to abide by the NYC Zoning Resolution for any future development of the site or parcel; and

BE IT
FURTHER
RESOLVED
THAT:

Community Board #1 urges that the Advisory Council on Historic Preservation and the State Historic Preservation Office work to ensure compliance with the foregoing review process and procedures by the USPS, as this latest case of a prospective air rights transfer without such a review (after one other transfer and three other pending transfers elsewhere in Manhattan) indicates a pattern of the agency seeking to avoid any review process.

Note: The relevant portion of the text of Section 106 (16 U.S.C. 470f) is set forth below for reference:

“The head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to

license any undertaking shall, prior to the approval of the expenditure of any Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building, structure, or object that is included in or eligible for inclusion in the National Register. The head of any such Federal agency shall afford the Advisory Council on Historic Preservation established under Title II of this Act a reasonable opportunity to comment with regard to such undertaking.”

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

PUBLIC MEMBER: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 471 Washington Street, BSA application for the construction of a new 9-story building with residential use on its upper 8 floors

WHEREAS: The applicant has agreed to follow DOB Technical Policy and Procedure Notice #1088 which will require monitoring during excavations for this new 9 story building which will have an FAR of 5 in a district that currently has an FAR of 5, and

WHEREAS: The only items that the applicant is seeking a variance is for the residential use and a nominal streetwall modification, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 has no objection to the variances sought as submitted.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 11 In Favor 0 Opposed 1 Abstained 0 Recused
PUBLIC MEMBER: 1 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Liquor license transfer application for 24 Leonard Street d/b/a Buster's Garage

WHEREAS: Buster's Garage has applied to transfer its liquor license to restaurant with a bar to be located in a space on the ground floor of the garage structure approximately 40 feet west of its current location, with garage doors creating an entrance on Leonard Street, with proposed closing hours of midnight on weekdays and 2 am on weekends, for a total occupancy of 128 people dining and 32 at the bar, with wide-screen televisions and background music, and

WHEREAS: CB#1 questions whether this application is actually for a new license or for a transfer of an existing license as stated, since the new location is on a separate tax lot, separate zoning lot, and in a building with a separate Certificate of Occupancy that will need to be changed in order to permit the requested use, and

WHEREAS: There is an increasing problem in our community with establishments that hold themselves out as family-friendly sit-down restaurants but that are in fact sports bars that cater to a completely different clientele, where the predominate service during the evening and all day on weekends is drinking and watching sporting events on large screen televisions, and which have a significant adverse effect on the surrounding area, including noise, pedestrian congestion on the sidewalks (consisting of patrons waiting to have their IDs proofed to get in as well as patrons smoking and drinking on the sidewalk), open doors and windows without any sound insulation, and large numbers of inebriated patrons leaving at closing time and disturbing the surrounding area, and

WHEREAS: Buster's Garage is clearly more of a sports bar in the evenings and all day on weekends than a family-friendly sit-down restaurant, and

WHEREAS: soundproofing has not been shown to prevent excessive noise from similar establishments and the configuration of the proposed restaurant/bar will permit the proposed establishment to keep its garage doors open, which will eliminate any sound barrier and make the potential noise problem significantly worse, and

WHEREAS: Smokers will be sent outdoors to a small canyon-like area below the bedroom windows of the neighbors, and

WHEREAS: Leonard Street is a narrow street that does not have the same commercial openness as West Broadway, where Buster's Garage was previously located, and

WHEREAS: The proposed new restaurant/bar will eliminate 25-30 parking spaces inside the garage and will further the automotive traffic and congestion problems of this narrow street with a narrow sidewalk that is already blocked by cars entering the garage, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 rejects the applicant's request to transfer its liquor license.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 7 In Favor 2 Opposed 0 Abstained 0 Recused
PUBLIC MEMBER: 0 In Favor 1 Opposed 0 Abstained 0 Recused
BOARD VOTE: 24 In Favor 8 Opposed 4 Abstained 0 Recused

RE: 143 Chambers Street, liquor license application for Harrison's Tavern

WHEREAS: We were told that this would be a restaurant, similar to Foxhounds in BPC, with an agreed upon closing time of midnight on week days and weekends, with no live music, sound proofing, continued dialogue with the neighbors, for a family friendly style restaurant with a kids menu for 86 patrons dining and 13 seats at the bar, and

WHEREAS: The Board office contacted CB#7 where the applicant runs another establishment and receives no complaints, and

WHEREAS: The applicant promised to monitor the exterior patron traffic, and

WHEREAS: There was a deep concern from the neighbors that there was no real assurances that this establishment would be a restaurant like Foxhounds, but more a bar like Harrisons, with the problems of noise, and inebriated patrons and increased traffic congestion, and

WHEREAS: Chambers Street now has all residential units on the upper floors and is a narrow street with many bars within a 500 foot radius, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 disapproves this liquor license application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 313 Church Street, liquor license application for D & E 313 LLC

WHEREAS: The applicant proposes to operate a restaurant with approximately 25 tables and 75 seats, and

WHEREAS: The proposed maximum hours of operation will be 11:00 AM until 2:00 AM seven days a week, and

WHEREAS: The applicant agreed to have background music only as appropriate for an establishment located where it is, and

WHEREAS: The applicant will not be seeking a cabaret license or a sidewalk café license, and

WHEREAS: The applicant agreed to add these conditions to the SLA application, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the license application for D & E 313 LLC, located at 313 Church Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Street activity permit application for a street festival by Tribeca Hebrew
on 10/9/06, Jay Street between Greenwich and Hudson Streets

BE IT
RESOLVED

THAT: Community Board #1 approves the proposed street activity permit
submitted by Tribeca Hebrew to close Greenwich Jay Street between
Greenwich and Hudson Street on Monday, October 9, 2006 during the
hours of 9 AM to 9 PM.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Liquor license renewals – Resolution:
a) 10 Murray Street, 2 Rivers Bar and Restaurant
b) 25 North Moore Street, Brandy Library Lounge LLC, d/b/a The Brandy
Library
c) 222 West Broadway, Franklin Station Café – Resolution
d) 77 Warren Street, Azafran Restaurant: **LIQUOR LICENSE
RENEWAL & TRANSFER**
e) 107 West Broadway, Mary Ann's
f) 1 Hudson Street, NFKA Corp.

WHEREAS: These six applications are renewal applications with no history of
community complaints and no one from the public came to comment, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 has no objection to these renewals, and the renewal and transfer for
77 Warren Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Handicapped access to 49-51 Chambers Street

WHEREAS: Community Board #1 hosts several committee meetings beginning at 6 PM each week at our conference room located at 49-51 Chambers Street, room 709, and

WHEREAS: The handicapped entrance for this building is located in the rear of the building on Reade Street and closes at 5 PM, and

WHEREAS: As a result of this, people with disabilities are often unable to attend meetings of the Community Board, denying them of their rights to participate in meetings that impact their community, and

WHEREAS: Many other City agency offices are also located in this building, including that of our City Councilmember, Alan Gerson, and people with disabilities are also given only restricted access to these offices, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 calls upon the NYC Department of Administrative Services to quickly create a handicapped accessible entrance to 49-51 Chambers Street on Chambers Street, and

BE IT

FURTHER

RESOLVED

THAT: Such handicapped entrance should be fully accessible until 10 PM daily.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 53 Ann Street, cabaret license application for Tylers Restaurant Corp.

WHEREAS: Tylers Restaurant Corporation at 53 Ann Street has applied for a cabaret license, and

WHEREAS: The operators have indicated that the cabaret will be aimed at a mature clientele for tango dancing, and

WHEREAS: They intend to close their restaurant, which has a capacity of 50, every night at midnight, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 recommends that the Department of Consumer Affairs grant the two year cabaret license at 53 Ann Street requested by Tylers Restaurant Corp. provided that it is non-transferable.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 164 Pearl Street, liquor license application for Kaikou Sushi Inc.

WHEREAS: The applicant proposes to operate a restaurant, and

WHEREAS: The proposed maximum hours of operation will be 11 AM to 11 PM, seven days per week, and

WHEREAS: The applicant agreed to have recorded background music only as appropriate for an establishment located where it is, and

WHEREAS: The applicant represented that it will not be seeking a cabaret license or a sidewalk café license, and

WHEREAS: The applicant agreed to add these conditions to the SLA application, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the liquor license application for Kailou Sushi Inc. located at 164 Pearl Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 2 Gold Street, liquor license application for JMP Ventures

WHEREAS: The applicant proposes to operate a facility with approximately 31 tables and 85 seats, and

WHEREAS: Alcoholic beverages will be served until 4 AM, and

WHEREAS: The applicant agreed to have music as appropriate for an establishment located where it is, and to provide adequate sound-proofing, and

WHEREAS: The applicant represented that it will not be seeking a cabaret license or a sidewalk café license, and

WHEREAS: The applicant agreed to add these conditions to the SLA application, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the liquor license application for JMP Ventures located at 2 Gold Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE:	6 In Favor	2 Opposed	0 Abstained	0 Recused
PUBLIC MEMBER:	0 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 40 Broad Street, liquor license application for 40 Broad Spa Corporation

WHEREAS: The applicant proposes to operate a facility with approximately 2 tables and 28 seats, and

WHEREAS: The proposed maximum hours of operation will be Sunday-Thursday, 11 AM to midnight and 9 AM – 2 AM on the weekends, and

WHEREAS: The applicant is unable to produce a Certificate of Occupancy indicating this use in this space, and

THEREFORE
BE IT
RESOLVED

THAT: CB #1 opposes the liquor license application for 40 Broad Spa Corporation located at 40 Broad Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: 52 Stone Street / 85 Broad Street, liquor license application for 85 Pearl Street Venture

WHEREAS: The applicant proposes to operate a restaurant with approximately 25 tables and 70 seats, and

WHEREAS: The proposed maximum hours of operation will be 11:00 AM until 2:00 AM seven days a week, and

WHEREAS: The applicant agreed to have music only as appropriate for an establishment located where it is, and

WHEREAS: The applicant will not be seeking a cabaret license but will be seeking a sidewalk café license, and

WHEREAS: The applicant agreed to add these conditions to the SLA application, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 does not oppose the license application for 85 Pearl Street Venture located at 52 Stone Street/85 Broad Street for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: 115 Broadway, liquor license application for Panini

WHEREAS: The applicant proposes to operate a restaurant with approximately 30 tables and 58 seats, and

WHEREAS: The proposed maximum hours of operation will be 7 AM – 10 PM seven days a week, and

WHEREAS: The applicant agreed not to have any music,

WHEREAS: The applicant will not be seeking a cabaret license or a sidewalk café license, and

WHEREAS: The applicant agreed to add these conditions to the SLA application, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 does not oppose the license application for Panini located at 115 Broadway for a period of two years subject to compliance by the applicant with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: Street activity permit applications for Suspenders Restaurant from 10/1/06 to 10/31/06, from 11/1/06 to 11/30/06 and from 12/1/06 to 12/31/06 on Thames Street, between Broadway and Trinity Place

BE IT
RESOLVED

THAT: Community Board #1 approves the three proposed street activity permits submitted by Suspenders Restaurant to close Thames Street between Broadway and Trinity Place during the months of October, November and December 2006 during the hours of 8 AM – 10 PM.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 110 Hudson Street, application for interior renovations to the 8th, 9th and 10th floors, a small rooftop addition and new windows along the 10th floor exterior

WHEREAS: The 10th floor windows are not original and the application seeks to replace the single pain oversized windows with 3 bay casement wooden windows that are separated by wooden posts in the same proportion as the original, and

WHEREAS: The Committee thought the 10th floor window plan was an improvement but they wanted the original red brick surrounds to be retained to provide the depth to the façade, which the applicant agreed to consider, and

WHEREAS: The roof top addition would be 350', wood clad and set back 25' from Hudson Street, but would be visible from Worth Street, Greenwich Street, Beech Street and minimally from Franklin Street, and

WHEREAS: The Committee felt the rooftop addition was too visible for this important building and asked the applicant to consider removing the guard rail which would reduce the visibility substantially as well as prepare further site studies from the North, which the applicant agreed to do, and

WHEREAS: The windows on the 8.9 and 10th floors would be changed and 3 new lot line windows would be added on the Eastern lot line, all of wood and to match the existing, and

WHEREAS: The Committee felt the windows lacked consistency on each elevation and that two windows should be retained on the northern elevation of the 9th and 10th floors rather than one-pane large windows, which the applicant agreed to consider, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 recommends that the Landmarks Preservation Commission approve this application subject to more visibility studies being prepared with a new design that would make the roof top addition not visible, and the window scheme being made consistent and the northern windows on the 9th and 10th floors not replaced by larger windows.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 6 In Favor 0 Opposed 1 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 77 Reade Street, application for a horizontal enlargement of the existing building and a partial rooftop addition

WHEREAS: This application is for very substantial additions and alterations to 73-77 Reade Street and 91-95 Chambers Street (former site of Ralph's Discount Books), within the Tribeca South Historic District, and

WHEREAS: The development envisaged here includes what the sponsors call a "horizontal enlargement" of the Reade Street building, into what is currently an adjoining empty lot, and

WHEREAS: The Chambers Street building dates from 1852, and parts of the Reade Street's original 1850's façade still exists, and

WHEREAS: One aspect of this application asks for so-called 74/711 relief, which would exchange a higher level of historic restoration and maintenance on this property for a report by the Landmarks Preservation Commission to the City Planning Commission stating such, and stating no objection to what here would be slightly larger central-court bulkhead airshafts and a narrower rear yard than what zoning would normally allow, and

WHEREAS: The Reade Street façade would be restored to a near-perfect condition, and the new extension would match, and

WHEREAS: The Chambers Street building, currently a rather plain masonry design, would be altered, with solid metal eyebrows above all windows, and with a second-floor metal "spandrel" blending the commercial ground floor into the rest of the design, and

WHEREAS: It was represented to the Community Board that no more than four feet of a new rooftop expansion would be visible from any street-level sightline, and

WHEREAS: In general, a project of this magnitude would be subject to very fine scrutiny by the Community Board, as has been done here, and

WHEREAS: The architect, Harry Kendall of the firm BKSK made an unusually convincing case for this plan, one for which he was praised by Board members, and

WHEREAS: Another somewhat similar design by BKSJ, at 116 Hudson Street, within the Tribeca West Historic District, was the recent recipient of an Architects Institute of America prize, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 recommends that the Landmarks Preservation Commission approve this application, except for the 4-foot high visible rooftop extension, which should be diminished in height.

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COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 5 In Favor 0 Opposed 1 Abstained 0 Recused
BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 78 Leonard Street, application to install a new storefront infill

WHEREAS: The applicant presented the approved design by LPC on August 12 which was very typical for Richard Meier Architects using tall doors, strong transoms, floor to ceiling clear glass with bold off- white aluminum, strong bulkhead baseline with translucent glass for the elevator core and matching opposite translucent window, and

WHEREAS: The applicant explained the retail space was to be used to as a show room to market a new residential development in Brooklyn which Richard Meier Architects were working on, and

WHEREAS: The applicant explained there was no time to allow the Community to review the application at its August meeting because there was a rush for the client to open to space with a opening event in late September, and

WHEREAS: The Committee felt the design was completely inappropriate for the Historic District and noted that there was no precedent for such an inappropriate design for Tribeca particularly from such a reputable firm, and

WHEREAS: The Committee noted the applicant had no signage plan which it looked forward to reviewing when the applicant was ready, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 recommends in the future that the Landmarks Preservation Commission follow procedures and allows the Community to comment on applications before they are presented to the Commission.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 4 In Favor 0 Opposed 3 Abstained 0 Recused
BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 401 Broadway, two applications: 1) restoration of existing building to first class condition and modification of ground floor; 2) request to LPC to issue a report to NYC CPC regarding the restoration of the building

WHEREAS: This multi-part application includes the desire to convert all but the ground floor from office into residential usage, which requires an “authorization” from the Landmarks Preservation Commission to the Department of City Planning stating that extraordinary measures of historic restoration and maintenance will be effected, and

WHEREAS: This skyscraper, completed in 1930, notable for its mansard-like copper top, is 29 stories high, and is one of the tallest buildings in any of the Tribeca Historic Districts, and

WHEREAS: It is a steel-frame building, composed of two stories of limestone, topped by one of terra-cotta, with the rest primarily brick, and

WHEREAS: Currently, almost all the windows are three-over-one, and all the replacement and new windows would be the same, except that some lower lot-line additions would be three-over-three, and

WHEREAS: On Broadway, the prominent painted “401 Broadway” sign would disappear, and would be replaced with windows, and

WHEREAS: At the west elevation (facing Tribeca), a total of 66 windows would be added, and the current fire platforms at each floor would be turned into balconies, with visually obscured single-pane passage glass (doors), and

WHEREAS: The third ground-level bay from the west on Walker Street would be turned into a residential entrance, with a metal and glass canopy, and lighting built into the canopy’s tubing, and

WHEREAS: The building would be surmounted by a very visible 17-foot high (!) cooling tower, and

WHEREAS: A comprehensive program of restoration and maintenance would be undertaken, to bring the structure to as-new original condition, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 asks that the Landmarks Preservation Commission examine all aspects of this application especially closely, and

BE IT
FURTHER
RESOLVED

THAT: The Board recommends that the Landmarks Preservation Commission make all efforts to reduce the height of the cooling tower, and

BE IT
FURTHER
RESOLVED

THAT: The five-year maintenance plan projected for the upkeep of this restoration be spelled out very specifically in any required offering plan, and that terms of a reserve fund be defined in advance to pay for such maintenance, and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 otherwise recommends that the Landmarks Preservation Commission approve this application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 3 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 53 Warren Street, application to replace a storefront

WHEREAS: The applicant will replace the storefront with a wood and clear glass typical in the historic district, and

WHEREAS: The original prism glass will be removed and re-used in two of the three bays, and

WHEREAS: There would be no external signage or lighting and the wood would be painted black, and

WHEREAS: The Committee felt that design would be enhanced if the base bulkhead line was consistent, which the applicant accepted, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 recommends that the Landmarks Preservation Commission approve this application, with the noted modifications.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 5 In Favor 1 Opposed 0 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 300 Canal Street, application to replace windows on the Canal Street façade, re-stucco and re-paint façade, replace a storefront on Canal Street and replace a storefront on Lispenard Street

WHEREAS: The Committee clarified that the application was to legalize work that had already been completed with out permit and to approve a new application for a storefront on Lispenard Street and to approve the installation of awnings on the Canal Street storefront, and

WHEREAS: The Committee felt the new wood windows were appropriate but did not like the quality of the work done to stucco the front wall, and

WHEREAS: The Committee felt it would be damaging to the building to require the stucco to be removed, but noted that it would not have approved the application of stucco to this brick fronted building, but in light of the situation it felt the best solution was to apply a better quality new coat of stucco which should be of high quality, joint-scored and colored to match the adjoining building, and

WHEREAS: The 4' grey fabric awning with an 8" drop with no signage was appropriate, and

WHEREAS: The Committee would like to see a better quality tax photograph, which the applicant agreed to research, and

WHEREAS: The new storefront on Lispenard street which would result in the cast iron columns being restored, new wooden frame and solid base transom with clear glass was appropriate, and

WHEREAS: The use of a clear glass over an internal concrete block wall was not appropriate and the applicant should consider other alternatives, including using translucent glass to cover the poor quality internal wall, and

WHEREAS: The Committee felt the intercom was too large, which the applicant agreed to make smaller, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 recommends that the Landmarks Preservation Commission legalize this work and approve the new elements of the application taking note of the matters noted above.

06ressep 19

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 66 Reade Street, application for a major building rehabilitation and a vertical addition on the top of the building

WHEREAS: This large and complicated application calls for conversion of a beautiful Italianate stone and cast-iron building in the Tribeca South Historic District into a residential building, with a commercial ground floor, and

WHEREAS: The superb cast-iron work is noted by a foundry mark at the property line indicating its manufacture by the famous Badger's Architectural Iron Works, which happened to be located a block away, and

WHEREAS: Part of the program here proposes to use on this columned ground floor an all-glass infill (ouch!), and

WHEREAS: Other parts of this application request a three-story rooftop addition, with a façade that fades or slopes back, ostensibly reducing street visibility to only one view corridor, from the south, on Church Street, and

WHEREAS: While the Community Board is favorably disposed to the virtually invisible rooftop extension, enough pieces of this proposal were missing, and the ground-floor design was sufficiently objectionable, that the applicant agreed to hold over this matter until a new presentation could be made to the Community Board, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 asks the Landmarks Preservation Commission to hold over this application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: EXECUTIVE

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Thanking Paul Goldstein for his outstanding service to Community Board #1

WHEREAS: Paul Goldstein has served as the District Manager for the past twenty three years, and

WHEREAS: Paul has worked very effectively with CB #1 and has played an important role in addressing critical issues affecting Lower Manhattan, and

WHEREAS: Paul has been a strong advocate of improved services for the community, and has demonstrated an unending commitment to improving Lower Manhattan, and

WHEREAS: We wish to particularly acknowledge Paul's role in ensuring the build out of several new schools in Lower Manhattan, including P.S. 234, P.S. / I.S. 89 and the Beekman Street school, advocating for Lower Manhattan's first branch of the New York Public Library, getting the Battery Park City ball fields built, forming the Downtown Soccer League and Downtown Little League, establishing many youth programs in Lower Manhattan, including a karate program, basketball leagues and a homework assistance program, and ensuring the build out of many new parks throughout the community, including Pearl Street Park. Paul was also very involved in many land use issues and participated in negotiations which resulted in major amenities and facilities to serve the community, and

WHEREAS: Paul Goldstein has decided to take on a new position at the office of Speaker Sheldon Silver, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 wishes to extend its sincere thanks and gratitude to Paul Goldstein for his many years of fine service to Community Board #1, and

BE IT

FURTHER

RESOLVED

THAT: CB #1 congratulates Paul on his new position at the office of Speaker Silver and looks forward to working closely with him in his new role.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 14 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 30 In Favor 0 Opposed 2 Abstained 0 Recused

RE: Performing Arts Center

WHEREAS: Community Board #1 reiterates its position in numerous resolutions (September 2002, January 2003, July 2003, February 2004, April 2004, July 2005, September 2005, November 2005, December 2005, March 2006, April 2006, May 2006) supporting the goal of redeveloping the WTC site in a manner that is compatible with the development of a vibrant economy and a livable and dynamic mixed-use community, and

WHEREAS: A Master Plan was established for rebuilding Lower Manhattan following a lengthy public planning process, and

WHEREAS: There has always been a clear consensus that the development of significant and varied cultural facilities is essential to the successful revitalization of the WTC site and Lower Manhattan, and

WHEREAS: The Frank Gehry-designed performing arts center (PAC), as the principal and now only remaining cultural facility planned for the WTC site, is a key element of the Master Plan and is essential to the revitalization of Lower Manhattan, and

WHEREAS: The Lower Manhattan Development Corporation (LMDC) will be dissolving imminently, and

WHEREAS: It has been reported that The City of New York will be taking over the development of the PAC, and

WHEREAS: Community Board #1 urgently requests that The City of New York, The Port Authority of New York and New Jersey and all other public and private agencies involved in the reconstruction of the WTC site respect the very strong desire of the community to see that the promised PAC is built in a timely manner, and

WHEREAS: Completion of the PAC is essential to the success of the Master Plan and is particularly important since earlier plans for a cultural center housing The Drawing Center and The Freedom Museum were unfortunately eliminated from the WTC site, and

WHEREAS: Up to \$55 million of federal money was allocated to The City of New York to provide funding for the ongoing planning, design, development and construction of the WTC Performing Arts Center (PAC) at LMDC's Board of Directors meeting on September 7, 2006, and

WHEREAS: Community Board #1 is very concerned that the Project design has not commenced and no funds have been raised for the construction of the PAC, which it is estimated will cost approximately \$200 million to complete, and

WHEREAS: Community Board #1 is also extremely concerned that the temporary entrance and exit for the PATH station will be at the location of the future PAC for approximately four years, and

WHEREAS: Community Board #1 has been advised that Gehry Partners has a contract with LMDC for \$4.6 million for design and related work on the PAC and has so far been paid \$2.3 million under that contract, and

WHEREAS: The Board of Directors of the LMDC recently authorized a sub-recipient agreement with the City of New York covering funds allocated to the PAC, and

WHEREAS: Accordingly, the remaining \$2.3 million due under the Gehry Partners contract are to be disbursed by an appropriate agency of the City of New York in connection with the assumption of this contract from LMDC, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 strongly urges that the design phase for the PAC be completed as soon as possible, and made available for public review, and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 further urges that the funding process for the PAC commence immediately so that there will be some practical assurance the PAC will actually be built as a necessary and vital element of the Master Plan for the reconstruction of the WTC site, and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 requests, as soon as possible, a time table and plan of implementation for each of the remaining steps involved in the design and construction of the PAC, together with specific information on funding the project.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 14 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Community and Cultural Enhancement Funds

WHEREAS: The Lower Manhattan Development Corporation (LMDC) will be dissolving shortly, and

WHEREAS: At the meeting of the Board of Directors of the LMDC held on September 7, 2006, the Board authorized the transfer of an aggregate of \$67,481,000 in federal funds from the LMDC to the City of New York for administration and disbursement for community and cultural enhancement projects in Lower Manhattan, and

WHEREAS: This transfer includes \$45 million that was promised for Lower Manhattan “community enhancement” in May 2005 by the Governor and the Mayor, together with \$8 million promised to the Drawing Center and an additional \$9.5 million left over from other projects, and

WHEREAS: There is a great need for funding for community and cultural enhancement projects, including without limitation:

- Ball Fields
- Revitalization of the East River Waterfront
- Community Recreation and Cultural Center in the WTC area
- Additional Schools
- Commuter Bus Storage Facility, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 calls on the New York City agencies that will be responsible for distributing such Community and Cultural Enhancement Funds to establish grant requirements and application or RFP guidelines as soon as possible with the active input of Community Board #1, and

BE IT

FURTHER

RESOLVED

THAT: Community Board #1 strongly urges that these funds be fully allocated and disbursed not later than December 31, 2006.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Congressman Nadler's 9/11 Comprehensive Health Benefits Act

WHEREAS: Countless downtown residents, students and office workers were exposed to significant contaminants from the destruction of the World Trade Center, from being caught in the 9/11 dust and debris cloud, from remaining in their neighborhoods or returning shortly after 9/11 while the WTC fires continued to burn for months and throughout the 11-month "clean-up" of downtown, and from reoccupying homes, offices and schools that may not have been adequately cleaned of WTC contaminants, and

WHEREAS: Downtown residents, students, and office workers have suffered serious adverse health effects from exposures to WTC toxic pollutants and following 9/11. Researchers found triple the rate of new-onset and persistent respiratory health effects in downtown residents¹, and also found an adverse impact on children born shortly after 9/11², and

WHEREAS: Currently some WTC rescue and volunteer workers are receiving monitoring and treatment at the Mount Sinai-led WTC Worker Medical Monitoring and Treatment Consortium, which is not adequately funded. In September 2006, the program released a report that found that 70% of rescue workers who were at ground zero experienced serious respiratory (lung) symptoms and that there was a sharp increase in sinusitis, acute bronchitis, and pneumonia³, and

WHEREAS: Though many residents have also experienced new respiratory problems and an increase in sinusitis, acute bronchitis and pneumonia, there exists no dedicated federally funded program comparable to the Mount Sinai-led consortium to provide treatment and monitoring for them, for these or for any current non-respiratory illnesses, or for any conditions that may emerge in the short-term or long-term, and

¹ Reibman, et al; Environmental Health Perspectives; April 2004,

<http://ehp.niehs.nih.gov/members/2004/7375/7375.pdf>

² Berkowitz et al –JAMA August 6, 2003 –Vol 290, No. 5, <http://jama.ama-assn.org/cgi/content/extract/290/5/595-a> and Perera, et al; Cancer Epidemiology Biomarkers & Prevention, Vol. 14, 709-714, March 2005, <http://cebp.aacrjournals.org/cgi/content/full/14/3/709>

³ http://www.wtcexams.org/pdfs/ehp/20060905_ehp_mmp.pdf

- WHEREAS: The WTC Health Registry, created in September 2003 by the New York City Department of Health and Mental Hygiene (NYC DOHMH) is a solely self-report health survey that includes no medical exam and offers no possibility for treatment, and
- WHEREAS: Information is not available as to the amount of funding to treat residents with physical illnesses allocated by the Mayor in the WTC Health Initiative he announced on September 5, 2006 (“\$16 million to NYC Health and Hospitals Corporation over the next five years to establish a WTC Environmental Health Center at Bellevue Hospital/NYU modeled on its current program”⁴). The Center will open in January 2007. Details of this program are not yet available. CB1 asks to be involved in its development, and
- WHEREAS: The 9/11 Community Health Initiative, an unfunded pilot clinical program at Bellevue Hospital, was started by the Beyond Ground Zero Network (BGZ) in 2004 to address the unmet health needs of residents of the Lower East Side and Chinatown. The growing patient backlog now includes hundreds of immigrant workers and residents who primarily speak Chinese, Polish, and Spanish, and
- WHEREAS: Funded by Red Cross in July 2005, the Bellevue Hospital Center WTC Health Impacts Treatment Program, treats and tracks any person with 9/11 related illnesses in collaboration with BGZ, its community partner. Red Cross funding ends in 2007, and the financial challenge to cover costs for insured and underinsured patients will stretch the Bellevue Hospital’s capacity to provide treatment for thousands now projected to be sick due to 9/11 related illnesses, and
- WHEREAS: On Thursday, September 7, 2006, Congressman Jerrold Nadler introduced the 9/11 Comprehensive Health Benefits Act, which would provide medical care to all those suffering adverse health impacts from 9/11 in a sensible, easy-to-access and cost-effective manner through the Medicare system, with all costs, including premiums, deductibles and co-pays, related to their 9/11 connected illnesses, to be covered and the benefits would provide total care⁵, and
- WHEREAS: Under this bill, people will be able to use the long-established Medicare framework to see their own doctors, or other specialists, without having to navigate a bureaucracy designed to contest their worker’s compensation claims, and
- WHEREAS: Under this bill, because there is no time limit on Medicare, people will be able to receive treatment 10 or 20 years after they were exposed should their symptoms persist, or worse, should new ones emerge, and

⁴ <http://www.nyc.gov/html/doh/html/pr2006/mr319-06.shtml>

⁵ The bill authorizes the necessary funds to cover these costs so as not to impair the solvency of the Medicare Trust Fund.

WHEREAS: The attack on the World Trade Center on September 11, 2001 was an attack on our county. The federal government said that the air was safe and our homes and offices were safe. It is time for the federal government to make sure that the community that lives and works downtown and that brought Lower Manhattan back, gets the comprehensive post-9/11 support they need in a downtown clinical facility. It is critical that this legislation becomes a reality, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 strongly supports Congressman's Nadler's 9/11 Comprehensive Health Benefits Act, which would provide medical care to all those suffering adverse health impacts from 9/11 in a sensible, easy-to-access and cost-effective manner through the Medicare system, and would be the first federal legislation that provides federal funding to establish a consortium of institutions, practitioners, and community-based organizations with expertise in providing outreach, screening, monitoring, treatment, and research regarding 9/11 disaster-connected health conditions for residents, students and workers at a state-of-the-art clinical facility located in Lower Manhattan, and

BE IT
FURTHER
RESOLVED

THAT: Community involvement is a critical component to the success of any program and Community Board 1 asks to be actively involved in the development of any 9/11 Environmental Health Center for downtown residents and workers, including the one that is part of the Mayor's Initiative, and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 thanks Congressman Jerrold Nadler and his staff for their tireless efforts over the past five years assisting in the redevelopment of our neighborhood.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: WTC REDEVELOPMENT

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Use of Ultra-low Sulfur Diesel Fuel in Moving Vehicles for
Deconstruction and Construction Projects in Lower Manhattan

WHEREAS: An estimated additional 5,500 to 10,500 trucks per month will be required for the deconstruction and construction of WTC and adjacent non-WTC site projects in the next four years, according to an August 2006 report by Lower Manhattan Construction Command Center (LMCCC), and

WHEREAS: The federal ultra low sulfur diesel fuel (ULSD) legislation has a long phase-in period that does not require many vehicles to be retrofitted until four years from now in 2010, which is well past the peak construction period in our neighborhood, and

WHEREAS: Community Board #1 deeply appreciates that Silverstein Properties has committed to exceed current EPA regulations by requiring all moving vehicles -- estimated at nearly 90,000 truck trips -- to use only ultra-low sulfur diesel fuel during the construction of Tower 2, Tower 3, Tower 4, and the Freedom Tower, as set forth in its "Clean Air for Our Community" Initiative that was implemented on September 6, 2006, and

WHEREAS: This Initiative will result in a 97% reduction in the sulfur content (from current level of 500ppm to 15ppm); a 13% reduction in particulate matter emissions; a 13% reduction in hydrocarbon emissions; a 6% reduction in carbon monoxide emissions; a 6% reduction in carbon monoxide emissions; a 3% reduction in smog causing nitrogen oxide emissions, and

WHEREAS: On-site equipment is already required to use ULSD fuel and be retrofitted to use advance emissions control filters which reduce sulfur, hydrocarbons and nitrogen emissions by as much as 90 percent (Local Law 77 of NYC, enacted in 2003), and

WHEREAS: Diesel exhaust from trucks is associated with an increased risk of cancer, decreased lung function, aggravated asthma, respiratory symptoms and premature death, and

WHEREAS: Diesel exhaust contains high concentrations of particulate matter and nitrogen oxides which combine with volatile organic compounds in the air to form ground-level ozone, or smog, in the presence of heat and sunlight, and

WHEREAS: New York City continues to be classified as a “severe-17 non-attainment area” for ozone, and

WHEREAS: The LMCCC strongly supports the efforts of Community Board #1 to encourage the use of ULSD fuel in on road vehicles used on all projects in Lower Manhattan, and particularly for concrete trucks, as soon as possible, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 calls on the Green Building Council to include the use of ULSD fuel for on road vehicles as factor to be considered in connection with LEED certification, and

BE IT

FURTHER

RESOLVED

THAT: Community Board #1 urgently calls on the public sector (including the Port Authority of New Jersey and New York, the Dormitory Authority of the State of New York and the Metropolitan Transportation Authority) and all private developers downtown (including Jack Parker Corporation, Goldman Sachs, Forest City Ratner, Milstein Properties and Minskoff Properties) to follow the outstanding example of Silverstein Properties by using ULSD fuel in on road vehicles – and when possible, other advanced technologies – in connection with all of their projects in Lower Manhattan.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Public Market Hall at the South Street Seaport

WHEREAS: New Amsterdam Public is proposing the creation of a public market hall at the South Street Seaport, and

WHEREAS: They intend this new market to consist primarily of independent food purveyors committed to sourcing what they sell from small and midsized regional farms, fisheries and food producers, and

WHEREAS: They also expect this market to house functions such as meat and fish cutting, cheese aging, baking and, other food preparations, and

WHEREAS: This proposal is consistent with one of the recommendations in CB #1's 2002 Downtown East River Waterfront Plan which inspired the City to prepare its own East River Waterfront Plan last year, and

WHEREAS: This plan is also endorsed by the Seaport Speaks organization, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 supports in concept the preliminary plans put forth by New Amsterdam Public for a public market hall at the South Street Seaport, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 believes this would be an excellent new use for some of the old Fulton Fish Market space and urges General Growth and the City of NY to give this proposal their full consideration, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges the promoters of New Amsterdam Public to carefully consider the impacts their deliveries may have on local businesses and residents as they further plan this new market.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Rescue Mission Thanksgiving Event

BE IT
RESOLVED

THAT: CB #1 supports the proposed closure of the sidewalk in front of 90
Lafayette Street by the NYC Rescue Mission on November 20th from noon
until 6 PM for their annual thanksgiving event to provide free meals for
the homeless.

06ressep 19

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 36 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 7 WTC, Liquor license application for NY Academy Science

WHEREAS: The NY Academy of Science is scheduled to move to 7 World Trade Center on September 25 and occupy the 40th floor, and

WHEREAS: They intend to continue hosting occasional fundraising and other special events which offer alcoholic beverages as they do in their current midtown location, and

WHEREAS: All such events will conclude by 11 PM and are not expected to negatively impact the surrounding community, now

THEREFORE

BE IT

RESOLVED

THAT: CB # 1 recommends approval of the liquor license application put forward by the NY Academy of Science for their new location at 7 World Trade Center.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

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

RE: Weekend permits for construction work

WHEREAS: Lower Manhattan is dealing with an unprecedented amount of construction activity which disrupts traffic, generates noise and pollution, and poses serious difficulties to residents who live near these construction sites, and

WHEREAS: City regulations limit such construction activities to Monday through Friday from 7 AM to 6 PM, and

WHEREAS: The Department of Buildings does have the authority to grant weekend work variances to developers and does do so if it feels it is in the public interest, and

WHEREAS: Such weekend variances have frequently generated strong objections from local residents in our district who feel they are entitled to quiet conditions during these hours when they are usually at home with their families after enduring the disruptions created by the construction during the rest of the week, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 strongly urges that City agencies and the LMCCC limit construction activity to the regular permitted hours, Monday through Friday, between 7 AM and 6 PM, and

BE IT

FURTHER

RESOLVED

THAT: Weekend permits should only be approved when there is a compelling and well documented safety rationale, and

BE IT

FURTHER

RESOLVED

THAT: On such rare occasions when weekend work is authorized, contractors must adequately notify local residents, businesses and the Community Board of their extended work hours via prominently posted signage and other means in a timely manner, and

BE IT
FURTHER
RESOLVED
THAT:

Community Board #1 strongly urges that LMCCC expedite its promised Permit Enforcement Task Force initiative for Lower Manhattan construction sites with all possible speed, to better enable DOB to monitor and enforce the terms of all permits issued in this critical area, which is now approaching a peak of construction activity that began five years ago, immediately after 9/11, and will persist for at least four more years.

06ressep 19

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: SEPTEMBER 19, 2006

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused
PUBLIC MEMBER: 0 In Favor 0 Opposed 1 Abstained 0 Recused
BOARD VOTE: 31 In Favor 0 Opposed 1 Abstained 1 Recused

RE: 471 Greenwich Street, aka 500 Canal Street, construction work and community concerns regarding pile driving

WHEREAS: Owners/Developers Fabian Freeland and Jeffery Levine (Douglaston Development) are constructing a building on a triangle lot bordered by Greenwich/Canal/Watts Streets, and

WHEREAS: The contractor was pile-driving for two days on 8/21 and 8/22, and

WHEREAS: The pile-driving caused enormous vibrations and unsafe conditions to the surrounding buildings some of which are New York City landmarks, and

WHEREAS: The residents who live in the surrounding apartments have serious concerns for the structural integrity of the adjacent buildings and their personal safety, and

WHEREAS: On 8/3/2006 the NYC Department of Building (DOB) issued a 'Stop Work Order' for; "...violation of Section(s) 27-724 of the Administrative Code of the City of New York or because work was being performed in a dangerous or unsafe manner.", (Violation#:1173292), and

WHEREAS: The DOB ordered the owner/developer to comply with '*DOB Technical Policy and Procedure Notice # 10/88*', which requires that a 'vibration monitoring program' be implemented during pile-driving and for the entire length of the construction project for monitoring landmark and historic structures that are within 90' of the site at the owners expense, and

WHEREAS: Some of the adjacent landmark buildings that should be included in the 'vibration monitoring program' are;
[480 Greenwich Street, 502, 504, 506, 508 Canal Street, 125 Watts Street,, 467, 465, 463 Greenwich Street, 18-22 DesBrosses Street], and

- WHEREAS: The Owners/Developers in several community meetings and in a Community Board resolution from June 2004 (attached) agreed to the following; "*WHEREAS: The building will be contextual with the neighborhood and will use demolition and construction procedures, similar to those used for Route 9A, that do not create vibrations that will endanger older buildings in the landmarked district.*", and
- WHEREAS: Also from the 2004 resolution; "*WHEREAS: The developer has indicated that plans call for: q Making a construction manager available to address community issues during construction.*"..."*q Minimize noise issues in materials used and during construction.*", and
- WHEREAS: One of the hardships the owner claimed for the variance on his Board of Standards and Appeals application was that construction would take place over the Holland Tunnel, and
- WHEREAS: The Owners/Developers has stated that 98 more piles need to be pile-driven, and
- WHEREAS: In a newspaper interview a DOB spokesperson stated; "*They may be able to pile drive, and I'm sure there is a safe, more effective way to do it that causes less harm to adjacent structures.*", and
- WHEREAS: Auger Drilling is a method to install piles that causes very little vibration, and
- WHEREAS: The residents of 463 Greenwich Street reported that cracks developed in their building subsequent to the pile-driving, (engineering field report attached), and
- WHEREAS: The architect has written a field report which specifies that cracks were in all probability caused by the actions of the pile driver, and
- WHEREAS: The residents of 474 Greenwich Street have also reported crack in the walls of their building, and
- WHEREAS: A second 'Stop Work Order' was issued on 9/15 for non-compliance for not installing a vibration monitor in 480 Greenwich Street, and
- WHEREAS: The residents of the surrounding building would like to be included on the Owners/Developers insurance policy, and
- WHEREAS: Several residents from the surrounding buildings attended the committee meeting and all were in favor of this resolution, now

THEREFORE
BE IT
RESOLVED

THAT: That the Owners/Developers include all the surrounding buildings on their insurance policy, and

BE IT
FURTHER
RESOLVED

THAT: Community Board No.1 strongly believes that the Owners/Developers 471 - 475 Greenwich Street should abide by their original agreement with the community as stated in the June 2004 resolution; "*...not create vibrations that will endanger older buildings in the landmarked district.*", and

BE IT
FURTHER
RESOLVED

THAT: The DOB requires that the Owners/Developers make the vibration monitoring program data readily available in real time to the DOB and residents of which vibration monitors are installed, and

BE IT
FURTHER
RESOLVED

THAT: Owners/Developers Fabian Freeland and Jeffery Levine (Douglaston Development) of 471 - 475 Greenwich Street must heed the DOB recommendation and use a "*more effective*" and safer construction method such as 'Auger Drilling' to install the piles as to "*causes less harm*" to eliminate and create the least amount of vibrations to all of the adjacent buildings to protect their structural integrity and the safety of all the residents.