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COMMUNITY BOARD NO. 2, MANHATTAN

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Pier 40 Air Rights Transfer Working Group

The Pier 40 Air Rights Transfer Working Group of Community Board #2, Manhattan met on Thursday, November 12, 2015, at 6:30 p.m. at an NYU building, located at 194 Mercer Street, in room 306.

Working Group Members Present: David Gruber (Chair), Katy Bordonaro, Anita Brandt, Ritu Chattree, Dan Miller, Robert Woodworth

Working Group Members Absent with Notification: Rich Caccappolo

Other CB2 Members Present: Susanna Aaron, Tobi Bergman (CB2 Chair), Tom Connor, Terri Cude, Alexander Meadows, Sandy Russo, Susan Wittenberg

Elected Officials Representatives Present: Robert Atterbury (Rep. Nadler), Sarah Sanchala (Assemblywoman Glick), Charlie Anderson (Assemblywoman Glick), David Moss (Councilmember Johnson), Jared Odessky (Sen. Hoylman), Morris Chan (BP Brewer)

Guests: See attached list.

RESOLUTIONS:

Resolution concerning recommendations for changes to the draft scope for the Environmental Impact Study concerning the 550 Washington Street/Special Hudson River Park District Proposal.

Economics and Pier 40 air rights transfer

Whereas, the Hudson River Park Trust (HRPT) was created as a public/private partnership and the Trust is charged with creating its own operating and maintenance funds; and

Whereas, as one of the principal reasons that the Hudson River Park Zoning District is being proposed is to give the HRPT the opportunity to sell its air rights as per the New York State enabling legislation of 2013; and

Whereas, major concerns were voiced about the economics of the proposed sale of those air rights in that the HPRT, and by extension the community, should be the major beneficiary of the

those air right sales and provide the Trust operating and maintainance monies for years to come, rather than creating a windfall for the developer; and

Whereas, this community is concerned that any future transferring of air rights from Pier 40 across the Interstate 9A, beyond the 200,000 sq ft (of the 600,000 sq ft +available) air rights transfer proposed for this project, would be the catalyst for inappropriate development and/or re-development, as very few receiving sites are available in our community in the permitted transfer area, as per a study by Cornell University for the Trust; and

Whereas, the sheer size and magnitude of the potentially extremely high market rate value of the subject building, along with collectively other proposed and already realized projects in our community board, will cause a significant high value ripple effect on development in other areas of our community (as well as pushing up property taxes that will drive out existing affordable units for long time local residents), both in our historic districts and contextual zones, while several already proposed and CB 2 approved plans for height and context are still pending.

Therefore, be it resolved that an open and transparent evaluation of the air rights that are to be transferred be immediately studied as part of the scoping process; and

Be it further resolved that CB2 strongly urges the DCP, as part of the scoping process, to help mitigate the ripple effect and study how to expeditiously take all necessary steps and required studies to support the Community Board-approved proposals for contextual zoning in the South Village and University Place and Broadway corridors, as well as implementing the third and final leg of the South Village Landmark District with the goal of doing this concurrently with the proposed Special Zoning District, so that it leads to approvals of these plans and proposals at the same time as the possible approval of the Hudson River Park Zoning District.

Schools

Whereas, there are collectively many new buildings, both already built and proposed in the immediate district, that by themselves did not trigger a school ULURP analysis; and

Whereas, a new elementary school at Duarte Square that the community anticipated would be open by now has been delayed with no indication of a start date in sight; and

Whereas, that school is already projected to be near full capacity, if and when it is opened; and

Whereas, there is absolutely no agreement on the NYU campus “Bleecker School” as yet; and

Whereas, our existing elementary schools are at or near capacity.

Therefore, be it resolved that a more focused neighborhood CB2 school sub-district be included in the scope to analyze not only the impact on the units added by this project, but also taking into account all the new residential buildings both recently completed and/or planned in the immediate area; and

Be it further resolved that no assumptions of potential schools that may or may not ever materialize be included in the study.

Retail, parking and pedestrian flow

Whereas, the proposed development is calling for over 200,000 sq ft of retail space, including a destination big box store; and

Whereas, parking for over 600 cars will create yet more congestion along an already over-crowded roadway and street system that feeds the into the Holland Tunnel, Brooklyn and Long Island; and

Whereas, the creation of large numbers of parking spaces will be competitive with the HPRT existing parking facilities and will be counterproductive to the HRPT cash flow that contributes to the Park's operating and maintenance funds; and

Whereas, there are elevator towers proposed as part of the project plans.

Therefore, be it resolved the scope study a) the negative impact of 600 parking spaces on traffic and road congestion; b) the impact of a destination box store against the need for a local shops, such as a large supermarket that will serve the project and the immediate surrounding community; c) the concept of the project using the available parking right across the highway, which would enhance the HRPT cash flow and thin out the massive request for 600 spaces; and, finally d) the creation of a footbridge, at the developer's expense, that is tied into their elevator towers that would allow not only car parkers, both long and short term, but pedestrians and varied Pier 40 users, adult and children alike, to cross a six-lane highway safely and efficiently.

Seniors

Whereas, the sidewalk on Washington Street between Clarkson and Houston Streets, the site of the senior housing, is exceptionally narrow and hundreds of Fedex and UPS trucks use Washington Street as a venue on the way to their routes; and

Whereas, the only AMI levels in the proposal as it now stands are a 60% AMI and a 130% AMI with nothing in-between; and

Whereas, the allotment and allocation of apartments are currently 75% studios and 25% one bedroom apartments as part of the senior housing plan.

Therefore, be it resolved that the scope study the possibility of either reducing the size of the building footprint to accommodate a wider sidewalk, or study the effects of creating a wider sidewalk by narrowing Washington Street between Houston and Clarkson Streets, so that the increased pedestrian flow from the Senior Center and other amenities at the site can be accommodated; and

Be it further resolved that additional and varied income bands between 60% AMI and 130% AMI, and even greater than 130% AMI, needs to be studied (nearby West Village Houses uses 165% AMI) to create and accommodate a truly diverse community; and

Be it also further resolved that the scoping study statistically what percentage of seniors are married or have partners and might require more than a studio, given the allotment that is currently 75% studios and only 25% one bedroom apartments.

Technical, environmental and open space

Whereas, the project is in the NYC flood plain; and


Whereas, the project is located at the very edge of the community and concerns were voiced about the delivery of Municipal and other services and the lack of open space.

Therefore, be it resolved that

1. if dry walling for flood mitigation is used, the impact that might have on nearby properties be included in the scope;
2. anticipated fire and police response times to the project site be studied as part of the scope;
3. anticipated hospital or other health facility response times be studied, especially with so many seniors on site as part of the scope;
4. while the overall sewers are adequate, there are local inadequacies experienced within the district, such as sewer backup and flooding during heavy rain, and these conditions need to be studied as part of the scope;
5. CB2 is estimated to rank at the very bottom of community boards in open space. The scope needs to study having this development provide public open space for not only its residents, but for the community as a whole.

Vote: Unanimous in favor.

Respectfully submitted,

A handwritten signature in blue ink that reads "David Gruber". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

David Gruber, Chair
Pier 40 Air Rights Transfer Working Group
Community Board #2, Manhattan