

# MANHATTAN COMMUNITY BOARD 4

## FULL BOARD MINUTES

March 4, 2015

Fulton Center Auditorium, 119 Ninth Ave (17/18)

### PUBLIC HEARING

**BSA Application Cal. #: 340-05 BZ:** Application to extend variance of PCE - 270 W. 17th Street - New York Sports Club

### MEETING AGENDA

Public Session	Delores Rubin
Adoption of Agenda	Christine Berthet
Adoption of Last Month's Minutes	Christine Berthet
Manhattan Borough President	Diana Howard
Local Elected Officials	Various
District Manager Report	Jesse Bodine
Chair Report/Committee Reports	Christine Berthet

Chair Berthet called the meeting to order at 6:46 pm.

### PUBLIC HEARING:

**BSA Application Cal. #: 340-05 BZ:** Betty Mackintosh chaired the public hearing to extend the previously-granted variance for a physical culture establishment at 270 W. 17<sup>th</sup> St. With nobody signed up to speak, the hearing was closed.

### PUBLIC SESSION:

Second Vice Chair Delores Rubin called on the members of the public who signed up to speak. The public spoke on the following topics:

1. The President of the Council of Chelsea Block Associations wanted to suggest that in the case of tied votes in committee, the full board could consider both sides of the story and vote. Instead, in the case of the BLP committee, the measure is going back to BLP.
2. A community member wanted to let us know they oppose having a fast-food restaurant on their quiet residential block on 20<sup>th</sup> street. It is a restaurant that seats 110 people and serves ramen noodles. It should not be on a side street and would set a terrible precedent for Chelsea. The name of the restaurant is Ichiran. They have many restaurants around the world where they don't serve liquor but are choosing to do so in NY.
3. Two community members opposed the liquor license at the Maritime Hotel, including the President of Fulton Houses Tenant's Association. There is incredible noise and traffic. There are 26 licenses in the area. Adding a named figure like Mario Batali will draw even more crowds. The attorney failed to do community outreach and the restaurant is near two schools.
4. Friends of the High Line reported that they are hiring for multiple positions: a full-time custodian, a communications director, a program director, and a fellow. They want people who are from the neighborhood and comfortable interacting with the public. Their art program will be launching in April.

5. Jeffrey LeFrancois came to introduce himself as the new Director of Operations and Community Affairs for the Meatpacking Improvement Authority. They are going forward with the BID process. LeFrancois had previously worked for Councilmember Johnson.
6. A community member came to talk about restoration of service on the M11 bus, where service has been significantly cut. It should be restored. He also wanted to update us that the perpetrators of burglaries in Hell's Kitchen and Manhattan Plaza have been arrested.
7. Delores Ruben wanted to encourage everyone to look on our website for our committee meetings. We need input especially on the budget.

### **ADOPTION OF THE AGENDA AND THE MINUTES OF THE FEBRUARY 2014 FULL BOARD MEETING:**

Adopted.

### **REPORTS OF ELECTED OFFICIALS:**

**State Senator Brad Hoylman** has been very focused on ethics reform. He has introduced a bill that would ban state elected officials who are lawyers from having private clients. He is also very concerned about funding for homeless youth. He wants to increase funding by \$2.4 million which will create 1,000 new shelter beds. He also announced that Robert Atterbury is leaving his office but will be going to work for Congressman Nadler.

**Diana Howard, for Borough President Gale Brewer,** reports that the office is having a meeting with the deputy CEO of the SLA on March 16. They also have an online survey so you can say what your budget priorities are. They are creating a website to give a history of the Manhattan street system: [www.manhattantopographical.com](http://www.manhattantopographical.com).

**Edgar Yu, for District Attorney Cyrus Vance,** reports that the office is accepting applications for a high school internship program. It's a paid internship for high school sophomores and juniors (\$150/week) and gives young people a comprehensive understanding of the criminal justice system. The D.A. announced the indictment of James Dixon for assault and manslaughter of Islan Nettles, a transgender woman who was assaulted and died of her injuries. The D.A.'s office also indicted Department of Buildings officials involved in a bribery scheme.

### **REPORT OF DISTRICT MANAGER JESSE BODINE:**

The City has moved to a new system to manage film crews. The CB4 office sends notices they get immediately to block associations. CB4 is working on a number of things for the education working group, including mapping district schools. We've made some serious progress with the BRC shelter, which will now have peace officers and a contact phone in the lobby. We've also been working to collect data for the shelter so we can track improvements.

We have website changes. The calendar now has the individual committee agenda, so you can just click on the link for it. The minutes for the District Service Cabinet are now posted.

In reference to a tie vote, our by-laws state that only votes with actual outcomes are brought to the full board.

### **REPORT OF MCB4 CHAIR CHRISTINE BERTHET:**

On the small meetings front, we met with the Councilmember, Borough President, and EDC to further our affordable housing plans at 39<sup>th</sup> St and 11<sup>th</sup> Ave. We attended a meeting with the Borough President on sightseeing buses. We testified about the need for a bus garage and about the negative effects of the PA

bus terminal on the quality of life. We met with the owners of 661 8<sup>th</sup> Ave about rezoning and the placement of a sign. We also met about the design of a building on 43<sup>rd</sup> St. The Borough President's office gave us a new tutorial about the new process for parking special permits. The affordable housing working group met and made significant progress.

On the block between 9<sup>th</sup> and 10<sup>th</sup> and 31<sup>st</sup> and 33<sup>rd</sup> Streets, there are 3 large towers and an additional building is being restored. Construction will continue, day and night, for another five years. There are 220 apartments facing the construction. The developer, Brookfield, is finally implementing a sound mitigation plan for the residents. Chair Berthet wants to applaud the efforts of the Quality of Life committee and chairs, which has successfully addressed noise complaints from construction, sports, bars, and hotels.

We have some members leaving after this meeting: Tanya Odom, Miranda Nelson, and Hugh Weinberg.

### **COMMITTEE LETTERS AND RESOLUTIONS:**

#### **Quality of Life Committee (QoL)**

Item 01: Letter to Hudson Hotel re Noise from event spaces (**APPROVED**)

#### **Business Licenses and Permits Committee (BLP)**

Item 02: Letter to SLA re 003 Venus Tacos LLC d/b/a Otto's Taco - 705 9th Ave (49/50) (**APPROVED**)

*Paul Seres wanted to announce a small change: there is no outdoor space.*

*JD Noland had a question: Apparently the applicant is hiring a third-party delivery service? Do they identify themselves at the taco place?*

*No, they identify themselves as the third-party company.*

Item 03: Letter to SLA re Maritima LLC - 88 9th Ave (17) (**APPROVED**)

*Mr. Seres explained that this is the restaurant at the Maritime hotel. They are enclosing more of the restaurant and have agreed to lesser hours than are currently existing. It will now be a separate license from the hotel liquor license.*

*Chair Berthet asks if there's anything we can do between now and when we send the letter to talk to them about traffic.*

*Mr. Seres says that he thinks they're very much aware of the issues that are there. They told us that the entrance will not be close to the Tao entrance, which will hopefully help. The representatives seemed like they were very happy to meet with whatever committee and continue conversations.*

*Lisa Daglian asked if they were having their entrance on 9<sup>th</sup> Ave. Tao has a four-foot velvet rope that extends over to the 9<sup>th</sup> Ave side. Perhaps they can coordinate if they're having events.*

*Mr. Seres thought it would be much harder for Maritima to have private events. We can set up a task force to deal with construction and transportation going forward because of everything that happens on that block.*

*Walter Mankoff asked about the allegation that it is within 500 feet of schools. What is accurate?*

*Frank Holozubiec clarified that the rule for school distance is 200 feet, and that the data came from the SLA website.*

*Chair Berthet suggested calling them back to the transportation committee or sending an administrative letter just to make sure they're aware of the traffic issues.*

**Clinton/Hell's Kitchen Land Use Committee (C/HKLU)**

The following items were bundled: 4-5. **(APPROVED)**

Item 04: Letter to LPC re 630 9th Avenue (Film Center) – Lobby Improvements

Item 05: Letter to EDC\PDC re Hudson Park & Boulevard – Block 4 Design

*Ms. Daglian asked if we could move specific concerns about transportation higher.*

*Mr. Noland clarified that the letter is just responding to the design of the park. It's not a DoT issue.*

Item 06: Letter to DCP and HPD re 520 West 41st Street (Silverstein Building) **(APPROVED)**

*Mr. Noland said we would ask for 30% affordable housing, to be consistent with the affordable housing plan.*

*Barbara Davis wanted to clarify that this is a land use letter, so it's heading is incorrect and should be corrected.*

**Waterfronts, Parks and Environment Committee (WPE)**

Item 07: Letter to DPR re Dewitt Clinton Park **(APPROVED)**

*Ms. Mackintosh suggests that we add the date. She emailed what it was.*

**Chelsea Land Use Committee (CLU)**

Item 08: Letter to BSA re 270 West 17th Street (New York Sports Club) – Application to extend variance of PCE **(APPROVED)**

Item 09: Letter to LPC re 471 West 21 Street – Townhouse alterations **(APPROVED)**

**Transportation Committee (TRANS)**

The following items were bundled: Items 10-14 **(APPROVED)**

Item 10: Letter to DOT re Megabus operations at W. 34th Street (11/12)

Item 11: Letter to DCA re Street Vendors on W. 34th Street (9/10)

Item 12: Letter to DOT re Request for street seating W. 42nd Street and 9th Avenue – n/w/c near Manhattan Plaza

Item 13: Letter to DoITT re Phone Booth Relocation Proposal – For Ratification

Item 14: Letter to MTA re Ninth Ave Bus Line on Tenth Avenue and Improved Service

*Ernest Modarelli wanted to make sure everyone saw the right Item 11. It should be about bus rapid transit.*

*Ms. Daglian wants to make sure we correct where we saw "chose" to "choose."*

**Housing, Health & Human Services Committee (HH&HS)**

Item 15: Letter to HPD re 565 West 23 Street, CHDC Cure for Harassment Application (**APPROVED**)

Item 16: Letter to Manhattan Borough President re Borough Board resolution on Illegal Hotels (**APPROVED**)

*Ken Stewart believes the last sentence needs tweaking.*

*Sarah Desmond said the sentence was changed to say: “to increase their ability to enforce the laws against illegal hotels.”*

*Ms. Mackintosh wanted to know whether we are supposed to add our own story.*

*Ms. Desmond clarified that we’re just authorizing Chair Berthet to vote for this at the Borough Board so we don’t need individual stories.*

*David Holowka thinks that the law is flawed because it puts people who just want to rent out their own place when they go away for a week in the same bucket as people who are running illegal hotels.*

*Ms. Desmond thinks there are a couple of issues: Over the last 10 years, we’ve seen lots of units being converted to hotel use and we’re losing affordable housing. Because this is a complaint-driven system, it doesn’t catch the person doing this on a small scale.*

*Joe Restuccia clarified that if you live in a condo or co-op and you rent your place and it’s within your building’s rules, then nobody will complain. You are fine. What has happened is that owners who own multiple-dwellings have only put them on the rental market in name only and instead use them as hotels.*

*Brad Pascarella says that the units are being rented because hotel prices are too high and we’re pushing away hotels.*

*Ms. Desmond says that there are two pieces of legislation that are currently pending before the City Council: One would allow hostels in commercial zones and another would legalize bed and breakfasts.*

*Ms. Daglian wanted to know if we could add our support of these two pieces of legislation.*

*Yoni Bokser wanted to add a friendly amendment to say we only want to go after big operators.*

*Mr. Restuccia rejected that, saying we don’t want to apply the law in one place but not another. The law is for multiple dwellings.*

Item 17: Letter to Mayor’s Office of Special Enforcement re illegal Hotels (**APPROVED**)

**Executive (EXEC), Quality of Life: ACES (QoL) Committees**

Item 18: Letter to Manhattan Borough President re Borough Board resolution in opposition of Intro 585 City Council (**APPROVED**)

**The meeting was adjourned at 7:54 p.m.** Scribed by Miranda Nelson.



