

MANHATTAN COMMUNITY BOARD No. 4

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MINUTES OF THE MEETING (DRAFT)

JEAN-DANIEL NOLAND
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

PUBLIC MEETING

DATE: Wednesday, May 7, 2008
TIME: Public hearings begin at 6:30 p.m., meeting to follow
PLACE: Roosevelt Hospital, 1000 Tenth Avenue (58/59)

MEETING AGENDA

Public Session	John Weis
Adoption of Agenda	Jean-Daniel Noland
Adoption of Last Month's Minutes	
Reports	
Manhattan Borough President	Hunter Johansson
Local Elected Officials	Various
District Manager	Robert J. Benfatto, Jr.
Chair	Jean-Daniel Noland
Nominating Committee	Lee Compton
Committee Reports	Jean-Daniel Noland
Committee Letters & Resolutions (letters and resolutions, see reverse)	Jean-Daniel Noland
Old Business	Jean-Daniel Noland
New Business	
Adjournment	

PUBLIC HEARINGS

Nation's Academy on Durst site at 57th and 58th Streets between Eleventh and Twelfth Avenues (614-632 58th Street; Block 1105, Lot p/o 5, 14, 19 and 43); BSA CAL.; No. 58-08-OZ): An application to Board of Standards and Appeals for a special permit to allow Use Group 3A school in a M1-1 zoning district.

Anna Levin, Chair, Hell's Kitchen/Clinton Land Use Committee presents: the application is in compliance with board of standards and appeals. Nation's Academy is to construct a mid block building for the site of a school. Anna reminds the board that the entire block was rezoned in 2001, but the middle block on 57th St. was not included excepting. Durst asks for special permit (Agenda Item #15) be approved and conditions are recommended by committee. Applicants were present and advise exchanged as described in letter. No public signed to speak, and the public hearing was closed.

Public Session

John Weis, Co Chair, asks the public to limit its comments to 3 minutes so that all who have signed up (19) may speak.

Daniel Peckham: 244 W 21 #4B. Complains of his building being a fire trap because all fire proofing was removed in 2005. A recent Department of Buildings hearing did not find against the landlord and elected officials are un-responsive. Fire inspectors are nasty to tenant complainers and US District attorney will be informed. Chair suggests that the Community Board 4 office could help but needs the information. Site: the Larry Taubert Building; that the DOB gave no consequences to this is unacceptable and the office will trace it down. Also, we happen to know Senator Duane and Council Quinn are strong tenant advocates and we will talk to them. Mr. Peckham testifies to other landlord neglect such as "Broke through walls."

Lenny Dolt: Next door neighbor, at 246 W 21, an advocate SRO law project. Chair asks if a Certificate of No Harassment is on file? Mr. Dolt responds that some repairs were made, but very minimal after court and hearings. The CONH was revoked prematurely (3 class C's). Elderly poor infirmed tenants reside and Chair assures the CB will look into it. Keeping their homes.

Laura Mulvihill: Spoke as the out-reach representative of the NYS Epic Program. Seniors save money on Medical expenses and are offered presentations in community centers. Benefits are based on annual income. She passed out informational brochures

Katy Clark of the Orchestra of St. Luke's is "thrilled to get support of CB4 for their 36 year old performing arts org. now located at 450 w 37 rehearsal center. Musicians, dancers and singers desperately need rehearsal space. The Baryshnikov partnership offered the Orchestra the space and it will be offering free concerts to the public through the Baryshnikov outreach organization.

Katrina Art: of Holy Apostles Community Chorus announced an upcoming concert, "Songs of Freedom and Bondage". Early Afro-American music. Concert is Saturday, May 21 - go to the church's web site for more info. Reverend Greenwald and Holy Apostles soup kitchen feed 100 new Yorkers every day.

Christopher Flagg: West Chelsea Waterfront NY Terminal Stores building owner says his building is obsolete and not valuable for historic landmarking. It is not a building that appeals to tourists to bring people to visit the waterfront. Starrett Lehigh building is a different case; it is unique architecturally with façade column spacing worthy of landmarking. But Terminal Stores is not remarkable at all and should not be land-marked. 16 feet of column spacing makes it too narrow for anything but storage - 60-70% of the space.

Eran Varnaz 351 West 21 Street. (Agenda Item #26) She asked for permission to extend the rear of this landmarked building. She claims that complaints of destroying property are unfounded. Enlarging the back would be enhancing this landmark not destroying it, she maintained.

Peter Ross: General Counsel for Manhattan Studios at 311 West 34th Street, aka the Hammerstein Ballroom (Agenda Item #21) Mr. Ross is concerned with the Bus Rapid Transit project as well as the ARC project destroying his 100 year old building - now used for audio and video production. DOT's Manhattan commissioner wants to preserve parking there. ARC: He is concerned about ARC because of its condemnations and building its fan tower. SDEIS (Supplemental Draft Environmental Impact Study has been changed, he stated, and the new one is inadequate. He suggests that constructing the fan tower adjacent to the building is the same as condemning his business.

Lori Geff (?) 323 W 23 Street spoke against the ARC project's SDEIS – that 400 properties will be negatively impacted. She is the counsel for several clients fighting the ARC. She has been observing the public hearings and notes that the hearings and impact study offer only superficial treatment in a rush to judgment...too little attention to details. Business will be badly disrupted by construction of the fan plant. The wrecking ball will destroy the Hammerstein Ballroom and other entertainment facilities. Ms. Geff reminded the board that the fan site excavation will last 15 months with 30-40 trucks delivering in and out every day through the Lincoln Tunnel. Please note in her letter that construction will close the Midtown Precinct NYPD, as well

Erica Schictinger: Chelsea Piers representative invited the audience for a walk to view the changes there such as new directional signage, new benches and flower planters.

Kathleen Treat, Chair of Hell's Kitchen Neighborhood Association, invited everyone to its annual "Welcome Spring" event the following Saturday, co-sponsored by CHDC (Clinton Housing Development Company). Activities for kids, balloons, a jazz band and barbeque and most important, "our seventy new trees planted by the City (thank you, Mayor Bloomberg) need flowers planted all around them." Location: 35th Street just east of 10th Avenue all afternoon.

Tony Juliano, CB 4 board member, spoke about market forces leading to disaster for Chelsea and Hell's Kitchen due to the 9th Avenue proliferation of bars and restaurants. High rents force out smaller Mom and Pop establishments. Denying liquor licenses is only a Band Aid and will not solve the problem. Even supermarkets can't afford current rents. Chain stores and franchises are taking over. CB4 should understand this threat and engage elected officials to consider business rent control/stabilization. Mr. Juliano called for CB4 to host a task force to engage the community and elected officials to seriously attack this problem.

Greg Mudd, of Cedar Lake Contemporary Ballet Company, located in the West Chelsea historic district. The company includes 16 dancers and staff; and offers a dance season this June 2-15. They hope to open a school in the near future.

Baruch Simon spoke of worsening MTA bus service, specifically the M42 and M16 both need improvement.

Joe Clift, former CB5 member, resides at 322 West 57th Street - and a veteran of 25 years as LIRR's resident engineer. ARC rail advocacy organization's comments echo MaTAQa advisory committee. In favor *against* current ARC early termination deep cavern go on to Pennsylvania Station and Grand Central and the East Side shorted people on the sidewalk – the 40 story depth is unjustified. Assurance given to the public is false; this plan is not technically feasible and it will NOT cost the tax payer a billion dollars less in Pennsylvania Station. ARC Draft Environmental Impact Statement (DEIS) 2 billion less to go to Penn Station. He urged the board to firmly oppose the ARC.

George Harkalis, of the not for profit group, Rational Urban Mobility, recommends reducing car use dir of research of tri state we support more capacity Supplemental Draft Environmental Impact Study (SDEIS) plan opposes connect to existing 275 ft below 34 St. Restart plan for direct track connection (Penn Station and Grand Central) Governor Pataki stopped it. The connection absent cause more traffic less to construct. He urged CB4 to reject the New Jersey plan, preferring to foster collaboration.

Terry Evans, 301 West 37th Street, Outreach Coordinator for an agency that wishes to offer access to care for homeless and drug users - a haven for people to come in and be rescued. Asks are there locations available in the community and to please let the agency know.

Thomas Ferrugia, representing the Broadway League, spoke of the proposed private school, the Nations Academy on West 58th Street (Agenda Item #16). He contends that coach/tourist buses have no garages; that they must park in public spaces such as on side streets. Nations Academy would eliminate such little bus parking as there is and yet not provide bus parking space in the Durst's (landlord) planned commercial garage. CB4's letter (#16) is not strong enough, according to Ferrugia. It should include insistence on parking spaces allotted to buses to ensure that buses aren't circling. NYC is no longer attractive to theatre goers/tourists because of too little automobile parking; and therefore they must depend on charter buses.

End of Public Session

Chair JD Nolan moves for adoption of agenda and minutes and add Agenda Item #31 regarding paid family leave. Adopted by show of hands. Correction of Minutes: spelling of elected names to be corrected. Walter Mankoff reminds the board that the voting sheet must be provided in the minutes. Move adoption with corrections: unanimous

Report from Elected Officials

Manhattan Borough President Scott Stringer's community liaison, Hunter Johansson, spoke on fighting for the legal rights of activists. A June 17 meeting will be held at the W 13th St. Community Center. The answer to school overcrowding can be sought in plans for new schools; see BP's Web site. Hunter told us that NYC public schools are not keeping up with population growth and four Manhattan community board schools suffer from overcrowding. The BP's office has discovered 1,030 seats are un-available in CB4. Wilma interjected that the teachers' union can confirm the numbers. The BP recommends a much more aggressive capital plan for schools. DOE (Department of Education) must plan ahead for future growth and the planning must be done according to local needs; not just districts but by *neighborhoods*. CB2 will host a hearing tomorrow on this topic.

There will be an upcoming gathering to protest ever steeper rents viz stabilization.

Small business report: The Borough President is concerned with the 9th Ave corridor and preserving small, independent businesses there. Recommendations from report: Jim: leases are the main problem. Joe suggests going beyond DOE's limited view: not numbers but structure. A board member suggests Commercial rent control; which Hunter says has been proposed often over the years. Political will must be there and the BP will continue to try for it. Board member Miguel stated that bars and cocktail lounges are taking over; that they can pay higher rents than mom and pop establishments that rent. Miguel suggested that the Business License and Planning Committee not agree to any more liquor licenses. Lisa Daglian, co-chair of BLP, said that blocking such licenses is not the only way to control proliferation of bars.

U. S. Congressman Jerry Nadler's community liaison, Micah, reported reactions today in DC to the Sean Bell ruling. He mentioned that the Port Authority is to preserve its last cargo container at the port of Red Hook, with a new 10 year lease. The ARC Tunnel: Mr. Nadler is taking a very hard look at this plan; "we are convening a meeting this Friday to talk through it". Jerry will be "grilling the Port Authority." He has not taken a formal stand yet on the ARC. He spoke of ongoing New York/New Jersey battles. NJ is getting a larger share (\$970 million annually) and yet they complain. Board member Miguel Acevedo said that he had heard that federal funds for NYCHA had been withdrawn. Micah assured the board that Jerry Nadler will try to restore the full funding.

U. S. Senator Tom Duane's Community Liaison, Colin Casey: Colin spoke of a busy month in Albany and of Tom's work for health care as reported in his current newsletter. Protect Small Businesses Rally: It would be smart to duplicate this successful rally in other neighborhoods - everyone supportive now of independent businesses, which are preferable to chains/franchises. The rent reform bill is designed to preserve rent control. He stated that the Senator is in agreement with Jerry Nadler on the ARC Tunnel. Colin then spoke of HUD and NYCHPD. He said that HUD has approved automatic security doors for Clinton Gardens. The tenants of 307 W39 St were vacated but HPD has now gotten them back into the building.

Assemblyman Richard Gottfried's Community Liaison, Shannon Flaherty, stated that the state Board of Health's budget this year is the most generous it's ever been. Mr. Gottfried commented on congestion pricing that Mayor Bloomberg's plan was not sufficient in the details.

Assemblywoman Linda Rosenthal's representative, David Weinberg, spoke next. He said that she is working on the serious issue of toxic APCB in NYC schools: Removal of hazards must be done by the Schools Construction Authority using methods that do not pose a hazard to students and faculty.

Speaker of the City Council Christine Quinn' representative, Melanie LaRocca, spoke about the Pedestrian Safety Town Hall organized with the help of Richard Gottfried and the DOT Commissioner's staff. She reported that the event was successful, that issues we all have were expressed. Melanie mentioned that 345 W 50th buildings will be kept in section 8; that the mark-up to market rate had been avoided. HUD as well as NYC HPD were instrumental in keeping

this housing affordable. Melanie then mentioned that the Donnell public library land has been sold by the City. A brand new library branch will be built within the \$ 59mill facility. Teen Central – what it is, what it does - was explained. **Sarah Desmond of HCC (Housing Conservation Coordinators)** spoke of 307 w 39th Street, of HCC's involvement there and its coordination with the Red Cross and elected officials.

Public Advocate Betsy Gautbaum's representative Simon Bannister spoke of Betsy's current bulletin announcing a press conference for her bill to reduce allergens and molds in city owned buildings such as housing and schools. He spoke of the lack of nutrition education by DOE; and that obesity information is lacking in schools: 93% of all 3rd graders are not receiving physical education classes. Rosy Mendez is sponsoring a bill for the lower end of the income scale and Ms Gautbaum points out that mold is ubiquitous – existing in some of the best buildings on Park Avenue. Construction contractors must be held responsible. Simon announced a town hall meeting to be held May 22 at 122nd Street about this issue.

NYC Comptroller William Thompson's spokesperson Sandra Duka explained restructuring of the city's water fare tax program. She spoke of the NYC Council's current scandal regarding "phantom" funds, and that Mr. Thompson recommends all agencies agree to have their budgets/funding reviewed by his office. He suggested tighter monitoring of the Council's funding process: that all discretionary funds over \$5k be monitored by the Comptroller's staff.

District Manager's Report

JD Nolan, Community Board Chair, expressed his concerns about City agencies' budgets being cut by 5% for fixed expensive and 25% of operating budget and hopes City Council might help out. There will not be enough money to even print out committee reports and letters. The Community Board is made up of volunteers and no paid consultants, but with reduced budgets, the giving of time is wasted and this goes right to the heart of community representation. Public advocates must go before the mayor to protest these cuts.

Bob Benfatto, CB4 District Manager: following up on JD's comments to say at least the cut is 5% as opposed an earlier proposal of 8%. Bob met recently with the Independent Budget Office about personnel services and operating expense pointing out that there were increase in 2007 for agencies, but not community boards. He announces that the State Liquor Authority hearings on the clubs known as Pasha and 621 have been postponed. Other issues: West Enterprises and English Foods have not been heard from; Landmark's meeting schedule change.

Chair Reports:

JD asks some chairs to report on updated issues: Lee Compton, Chair Chelsea Land Use, announces that two parking issues at 316 11th Ave. had a partial victory as the applicant will be restricted to monthly parking and not transient parking. Member Tony comments that the parking issue should be a BP task force and should develop principals as to the right of developers verses the traffic issue of parking. The NYU development/community task force model is the example.

Housing, Health and Human Services Chair, Sarah Desmond, announced that the Harbor View Uniform Land Use Review Process was approved. Also, this month her committee will join with Hell's Kitchen/Clinton Land Use's meeting at 6:30 May 14th at John Jay College. Anna announced that the first item that night will be bonus housing.

Christine Berthet, co-chair Transportation Committee, praised the Clinton/Hells Kitchen Traffic Town Hall held the week before. The public had a chance to hear and ask questions of many officials including the DOT commissioner, Janette Sadik-Khan, Manhattan Commissioner Margaret Forgione, traffic enforcement officers and the panel of city agencies was led by State Senator Tom Duane Rose, State Assembly Richard Gottfried and Council Speaker Christine Quinn.

Member Miguel Acevedo explains the issue of losing our neighborhood Mom and Pop stores because of development pressure and there are not many left. They cannot compete with bars/lounges and restaurants which earn big bucks for rents. Send letters to prevent the extinction of Manhattan's small businesses. No rent law exists to protect their livelihoods.

JD comments on the extraordinarily letters from all committees; especially, the Landmark West Chelsea Historic District's conclusion of how The Landmarks Commission should work ahead in time before development takes over. The hard work from all committees is commended and is reflected in good writing and CB4's debates on the issues are transparent and succinct. JD welcomed newly appointed CB4 board members: **Pete Diaz**, 25 year member of the community whose concerns are schools, nightlife, landlords and local citizens quality of life. He has witnessed two pedestrian/vehicle accidents and opines how living here takes constant awareness and he wants to address the harm nightlife does to the community. **Alisa Dawn**: Returns to the neighborhood her dad was born in 1934. A practicing attorney, she is happy participant on the community board.

David A. Hansel. Gregory Melinsaka: announcing Chelsea events and an upcoming bike marathon, Greg is looking forward to the work. **AJ Owens**: Living at Sheffield tower, AJ has seen so many changes, phases and transformations. A construction law designer, both interior and exterior, AJ's expertise is available with special interest in quality of life issues.

David Pinkis: Theatre owner and interested in citizens awareness about joining and supporting live theatre. He notes that there are 15 theatre companies in the neighborhood of the W 30s and they have had increased audiences. **Allen Roskof**: Resident of 17th Street wishes to draw our attention to lesbian and gay rights issues. He has a column in the current issue of The Blade.

A retired Chelsea resident (Paul) expresses concerns about night clubs and supports night life best practices.

Douglas Thomas: Two years a resident of 54th St. and is pleased to hit the ground running for community service; a trained English teacher.

Lee Compton reports from the **Nominating Committee** and thanks fellow committee members for their work vetting the nominees. No nominations from the floor. Election of Community Board officers may proceed.

COMMITTEE REPORTS – LETTERS & RESOLUTIONS

Executive Meeting

Item 1: Letter to NYNJPA re ARC SDEIS

Jay Marcus, Co-Chair Transportation, reports for the Executive Committee: response Supplemental Draft Environment Impact Statement (SDEIS). The committee supports the tunnel from NJ, Access to Regions Core (ARC). However, the SDEIS changes do not have complete comments regarding construction mitigation. The SDEIS describes a deeper underground tunnel with no connection to Penn Station with entrances at 34th Street and 8th Avenue; therefore, the Executive Committee's concern at increase of pedestrians on streets mixed with vehicular transport in an already severely impacted region. The Executive follows Transportation and Planning Committee's recommendations: mitigation of wider sidewalks, coordination with BRT on 34th Street traffic, moving traffic cues to LT to the western avenue accesses, Barne's Dance 34St./8Ave. pedestrian crossing. While in support of this premier mass transit center represented by ARC, the SDEIS needs a larger vision that will mitigate the impact on the community.

Discussion of the issue lead by Chair: Executive did not stand strong enough in their letter to the New York New Jersey Port Authority. Transportation Committee had a stronger position because the reduction of track access to Penn Station allows for no future possibility of growth through connectivity in the plan. It was pointed out that ARC was forced to seek reduced cost on the Grand Central/Pennsylvania Station connection and therefore should not be a community issue. In addition, avoiding construction on the higher ground is less disruptive and the fan plant has mitigation. Martin Treat spoke of the absence of funding for mitigation on the Manhattan side of the project compared to the New Jersey side. Eric Muise spoke about the ARC plan providing no change in traffic patterns because of no train connections for travelers shows why we have to be stronger and even New Jersey Transit was now against the current plan. We should want it, but the plan is wrong. It is not good for NYC mainly because, as the SDEIS points out, the car reduction is very small and pedestrian increase very great. Eric proposes that the letter should state that **CB 4 is in support of the ARC**

project idea, but strongly opposes the current plan expressed in SDEIS because it has design flaws that will negatively impact our community. Martin second.

Discussion on the new motion:

Anna Levin suggests that the impacts we are complaining about were in the previous plan (DEIS'07) and the positive and negative aspects were already addressed. The SDEIS is not a 180 degree change and should retain the community's basic support with the lament of the loss of additional rail, and, of course, address the problem issues. She warned that we put ourselves in problematic position if we oppose the plan. Christine responds: she reached a different conclusion from Anna because the negative impacts had to be deduced. The issue is not land use, but project infrastructure and in this case it plays a dramatic role and is "new" to all involved. The ARC project will give the community a 33% increase in transportation need without the capacity to contain it. Because the train systems do not connect as in the original plan, our community will reap the negative consequences of many more pedestrians on the sidewalk and little traffic relief. In addition, the existing 100 year projected demand for such a large project will max out after only ten years from completion. CB4 must join other groups (CB5 and many transportation councils) by taking a strong position against it. We should not fear that the project will lose money or that our opposition will undermine our position because substantial changes need to be addressed.

Bob Trentlyon remarks that the connection to Grand Central, across other subterranean routes, could still happen in the future. Jay Markus opines that that would be more expensive, but connections could be in a different phase. JD comments, regarding Eric's motion: But, if we just got this plan (SDEIS) and not the earlier plan (DEIS) would we pass it on the merits alone with nothing to compare it to?

Tony Juliano: if we don't take a strong position, then why should they do anything about it? The motion says, "We oppose this unless!" They'll read it and take us seriously. He explains the process he witnessed: The Executive Committee overruled the stronger stand of the Transportation Committee and the motion supports what came out of Transportation. John Weis questions how much we matter with four other cities and two states involved; they'll go ahead anyway. Anna points out that the shallower original tunnel looked very disruptive and ARC realized that the cost for building close underneath buildings was too much, so go deeper. The elimination of track connections had to be in the new plan. Walter Mankoff comments that unfortunately this is not a regional rail plan, but a large agency structure with limits. Lisa Daglian responds that it should be a whole region plan. JD wonders if we vote on a stronger letter, will it make us against the project? Then, it will be harder to get what we want in the future? Eric: And, by the same reasoning, If we don't assert ourselves now, it makes it more difficult in the future and we'll never get back the chance. Question called: Role call vote. Eric's motion passes, 23-21 (one present not eligible). Anna suggests plugging the new sentence in to line 23. Walter admonishes to make it clear to ARC the changes we want done. Letter passes unanimously.

Quality of Life/Education, Libraries, and Cultural Affairs (QoL)

Howard, Co-Chair, suggests that items 2, 3, 4 for street activity permits are renewals and can be taken as a group, but that Jazzmobile, which is not a street fair but closes the block, warrants discussion. #3 also includes dinner and cocktails, 6:30 pm, but also not a fair. Unaltem 2: Letter to SAPO re West 47th/48th Street Block Association - unanimous

Item 3: Letter to SAPO re Friends of the Highline - unanimous

Item 4: Letter to SAPO re London Terrace Tenants Association - unanimous

Item 5: Letter to DCA re Orchestra of St. Luke's - 450 West 37th Street.

Discussion Item #5: Walter, what are we dealing with? The letter should go to addressee to show our support for future funding. Howard accepts Walter's suggestion and will address it to the applicant - unanimous

Item 29: Letter to Department of Consumer Affairs; Sidewalk Café Renewal, Midan Rest. Inc. d/b/a Moran's Restaurant 146 Tenth Avenue (West 29th Street)

Howard presents that the applicant lives here and will delete one table, mark the area, move planters. It was pointed out that the building tenants are on strike because of no heat or hot water. No prior complaints about the sidewalk. Approval unanimous.

Item 30: Letter to DCA, Sidewalk Café Renewal, Emera Group Inc. d/b/a Dunkin Donuts, 610 Tenth Avenue (West 44 Street)

Howard points out that this is not a renewal and will correct top of letter. Discussion: Spence comments that this establishment is not waiter served and we will have more applicants in the future with no staff at the sidewalks. Tony, fast food application must have a staff person outside. John insists on waiter service for outside areas and the Board should override when no waiter. Carmen reminded of Rudy's "bar franks" and wants a restaurant to be defined. Only wait staff if alcohol is served. Bob comments that current policy allows only if you can afford it (dinner and drinks) we'll let you do it, but if you can only afford 2 bucks for a coffee or ice cream, we won't: A class problem. Lisa proposes condition "wait persons regularly clean and maintain and comes out every 15 minutes and we make that as part of our approval. No second. Howard says we have done enough because applicant has reduced tables and chairs to four and eight chairs and the letter contains, "police outdoor area and keep clean per hour." Jimmy warned with an example of a fast food at Kips: young kids don't move out and it gets a messy right away. Application approved by the majority.

Business Licenses & Permits Committee (BLP)

Item 6: Letter to SLA re Bangkok Bistro 148 Inc. – 150 8th Avenue (17/18)

Item 7: Letter to SLA re Nora on 9th d/b/a Aura Thai – 462 9th Ave (35/36)

Item 8: Letter to SLA re Aceluck Thai Recipes Inc. d/b/a Aceluck Thai – 530 9th Ave (39/40)

Item 9: Letter to SLA re Zemi Restaurant – 130 9th Avenue (18/19)

Item 10: Letter to SLA re Three Brothers Baking Inc. – Pier 78 W. 39th St @ 12th Avenue

Item 11: Letter to SLA re Lucky Dee Inc. d/b/a Lucky Dee – 641 10th Avenue (45/46)

Item 12: Letter to SLA re Food & Gyro Inc. – 321 W. 42nd Street

Item 13: Letter to SLA re It's a Dominican Thing – 144 W. 19th Street

Item 14: Letter to SLA re Atrio LLC d/b/a Chamana – 604 10th Avenue (43/44 Streets)

Lisa Daglian, Co-Chair, explains that Items 7 & 8 are transfers without complaint and 10, 11, 12, 13, 14 are new or with alterations without complaint and recommends we vote on them first. In addition, none require a 500 foot hearing – Unanimous

Item #6, Bangkok Bistro, brought a letter to the State Liquor Authority (SLA) that we approved and this is an amended letter to clarify CB4's position. Letter bad style amended. Bob explained that the letter was unclear and used by the applicant's lawyer to anticipate problems. Cory points out that it takes two months for SLA to decide anything and the letter will reach them in time -. Unanimous.

#9 had 500 ft. hearing and had an interior alteration but the method of operation is unchanged; it remains a restaurant but moved bar from Sushi service to liquor. Is it an upgrade to change of license? Just a transfer but can treat as same license. Not upgrade. Unanimous approval.

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

Item 15: Letter to BSA re Nations Academy - on Durst site @ 614-632 58th Street

Item 16: Letter to IDA re funding for Nations Academy

Anna Levin, Chair, explains the two letters for Nation's Academy and notes changes marked on second letter. In general, the letters allow the school to use a variance for a school to be located in M1 zoning. Traffic safety and balanced use are at issue. Applicant identified and showed response: the movement of sanitation trucks until a garage is built and the city needs to come up with a plan. Other adjustments by city include the shuttle buses traffic mess. Eric seeks an amendment for bike parking and narrow sidewalks. Bret is a neighbor of the

project and how the community and project relate is important to him for there are lots of development sites not too many neighbors. Walter observes that cars stop in front of schools frequently to drop off young kids and this proposed large school should provide drop off space. Miguel: there is a DOE disparity use for space and private schools get plenty parking too. Anna explains that there have been other ideas over the years for Durst development and Durst decided on this one as a ideal because of some public help through bonds and longevity of the project. The problem of the entrance to the Henry Hudson parkway was brought up and Anna explained its place in the letter. There will be a major entrance to school on 58th Street as well. A commercial parking garage nearby was approved previously – Letter approved by majority.

Item #16 NYC Industrial Development Agency tax exempt bond financing for city private schools, but the committee felt they were asking for too much compared to other IDA grants, especially regarding a school's roots in community, but a public hearing must be held to review the financing. Anna suggests some further work on the letter: not for profits must be willing to answer questions regarding their tax exempt financing applications; they must meet or exceed standards and Durst has reputation for doing that. Follow the standards. Letter passes by a majority.

Waterfront and Parks (WATER)

Item 17: Letter to HRPT re Proposed Tugboat Museum

Chair John Doswell explains Item #17 as a good idea and he had attended a presentation for the Hudson River Park Trust (HRPT) on the proposed Tugboat Museum at pier 66. Suggestions for improving the project are in the letter, especially pier 66 sight lines. Unanimous

Chelsea Preservation & Planning Committee (ChP&P)

Item 18: Letter to LPC re Cedar Lake Contemporary Ballet, 547 West 26th Street

Item 19: Letter to DOB re 565 West 23rd Street

Item #18: Chair Lee Compton, West Chelsea preservation, expresses committee's support for this Ballet company, but the current plan needs to explore options presented in the letter; especially applicants sensitivity in their expansion plans to land marks and preservation features; also, the application will be reviewed by City Landmarks Commission must be reviewed - Unanimous

Item #19: Lee testifies that this used to be a strip club. When our politicians asked questions and West Chelsea residents questioned the method of operation, a stop work order was issued until the operation is reviewed and the owner is not harassing tenants. Lisa: Two issues at heart of matter to clarify was there a certificate of no harassment filed and what were the results? Christine refers to line 33 and that adult use of the cellar is not pre-existing condition - Unanimous

Transportation Planning Committee (TRANS)

Item 20: Letter to MTA re M11 bus

Item 21: Letter to DOT/MTA re Bus Rapid Transit on 34th Street

Item 22: Letter to MTA re M42

Item 23: Letter to MTA re M16 bus routes

Item 24: Letter to NYPD re bus idling enforcement

Item 25: Letter to MTA/DOT re Eleventh Avenue Bus Rapid Transit Study

Christine Berthet, Co-Chair, presents Item #20 wherein CB4 appreciates restoration of full M11, but a large number of rider complaints testify that the service is still horrible (9th and 10th Avenue). The letter to the Metropolitan Transportation Authority (MTA) and the NYC Department of Transportation (DOT) states that the MTA needs to establish and relocate stops and add bus shelters, present clear signage at the pedestrian level informing passengers of service changes and resolve choke points to avoid doubling. A bus rider survey should be conducted about the M11 and bus lane protection from Lincoln Tunnel traffic must be implemented. Item #21 is similar and proposes a protected bus lane for the new BRT Fordham Road now 34th Street. We applaud the project and pleased the DOT is joining forces with the MTA, Christine explains. Discussion: If the

board is addressing so many concerns in a letter about a bus route; for example, changes in flow of Lincoln Tunnel traffic, why not explain the charter bus conflict as well? Lisa: the letter is clear about our general support and we should be concerned about necessary community outreach by MTA and DOT. Christine suggests that with line 40 amend to set up an outreach meeting. Wilma Velazquez, who worked on that section of the letter, offers to consult with community on a date for the meeting. Walter suggests one more bullet regarding long distance bus destination needing to terminate at busy midtown locations. Christine will look into it. Lee comments that a great deal of business is going on and now more buses will be going in and out. He proposes no left turn for cars and in the future it should included the whole district. Unanimous. Items 22, 23, 24, 25 are initiatives in bus related issues such as enforcement(24), a route suggestion(22,23) and a new route proposal(25) and all passed unanimously.

Landmarks Task Force (LAND)

Item 26: Letter to LPC re rear extension at 351 West 21st Street

Item 27: Letter to LPC re addition of awning at 202 Ninth Avenue

Item 28: Letter to LPC re Proposed West Chelsea Historic District

Ed Kirkland, Chair, presented item 26 as an opposition letter to the NYC Landmarks Preservation Commission (LPC) in regard to the gut renovation of this building. The destruction of the tea-porch, out garden and rear façade are such important landmarks, that the project must not be approved. Unanimous.

Item #27, Ed suggests an addition to line 31 to emphasize the many decades of the established façade signage and the importance of avoiding a sight line destructive canopy. Sarah suggests that a tenant issue be in the letter. Ed strongly objects and explains that so many things are wrong about the project that the risk of LPC throwing out a decision for a tenant issue would be too great. JD suggests line 28 should read that the green color is “in violent conflict” with preservation goals. Ed accepts the change. Unanimous

For Item #28, Ed explains that the selection of an historic district being a part of the planning process is an important component of this letter. Unanimous

Quality of Life Committee

Item 29, Midan Rest. Inc. d/b/a Moran’s Restaurant, 146 Tenth Avenue (West 19 St.), DCA#1142522, renewal application-unenclosed sidewalk café, 20 tables/46 seats. Unanimous

Item 30, Emera Group Inc. d/b/a Dunkin Donuts, 610 Tenth Ave (West 44th St.), DCA#1277636, new application-unenclosed sidewalk Café, 4 tables/8 chairs. Pass by majority.

Executive Committee

Item #31, A letter supporting paid family leave. Unanimous