



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD No. 4**

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**JEAN-DANIEL NOLAND**

Chair

**ROBERT J. BENFATTO, JR., ESQ.**

District Manager

**PUBLIC MEETING**

DATE: Wednesday, April 1, 2009

TIME: Public hearings begin at 6:30 p.m., meeting to follow

PLACE: Fulton Center Auditorium, 119 Ninth Avenue (17<sup>th</sup>/18<sup>th</sup>)

JD opens meeting at 647pm

**PUBLIC HEARINGS**

**111 Eighth Avenue – ULURP No. 080088 ZSM**

Special permit application pursuant to ZR §13-562 and §74-52 to allow the conversion and expansion of a 276 space parking garage to a 625 space public parking garage. The existing 126,677 square foot garage is an attended facility located on the cellar floor of the building at currently operates at a 625 space capacity and the current users represent a mix of accessory and transient users.

Lee Compton Chairs Public hearing

Jay Siegel speaks. Garage is over 125K sf, and currently parks 625 cars. C of O allows 276 cars. Most spaces are currently occupied by monthly tenants. There are some transient tenants. The garage has become an important part of the business community. If garage were reduced, then the amount of traffic would increase.

Vincent Pertrar(sp?), representing parking operator, rose to say owner spent \$20 million to make this a first class office building. There used to be about 150 cars parked in 96-97. In 1999, this operator came in and got a parking license, spent \$1million cleaning/repainting garage. In response to community concerns, they are looking into adding bicycle parking (but they are concerned about insurance liability of bicycles/cars in same place) and providing temporary parking.

Public comments:

Beverly Kirk – is on 14st and parks on this garage. This is one of the few places that accept commercial vehicles.

Joseph Staly – lived in neighborhood since 1962. This place is essential. Keep it up.

Dorothy Franco – has been parking there a little over 2 years; never had a problem in that garage – its well run and well staffed.

Nicky Shell (sp?) – speaking on behalf of WebMD (which occupies 100K sf in building) is in support of change to C of O. They have dedicated spaces for 40 employees. WebMD gets lots of use from this garage.

Frank Russie – lived in neighborhood for 40 years, says parking spaces are essential. It is not a luxury.

Public member (unknown name) – says this is a great place to park. We have to support growth of neighborhood with parking.

John (?) – Not many parking garages in area. This is essential.

Ted- lives across street , says we don't notice any problem with extra traffic.

Ken Satti – resident for 5 years – garage goes a long way to attract business

Carlos Anton – we use parking for commercial purposes and can't park anywhere else. They really need this garage.

Darren Buick, 211 W18, goes outside the city everyday because of his job. Reducing facility would result in hardship.

Richard Bolton, resident since 1982, has had a car since 1982 and has it in garage for 4 yrs.

Patricia – owns bakery at Chelsea market, was mentally stressed out until this garage was available.

Silvia Bernardo – lives on 14st and says it's impossible for residents to park without this garage. The garage has nice people, is kept safe. Keep garage at full capacity.

Felix Bernardo – lived in area over 30 years – supports application.

Speaker– commutes to Staten Island – says garage is clean safe.

Luis Rodriguez – supports garage.

Michael Chan – NY1 News employee, says 20% of employees commute, supports garage, says NY1 employees carry thousands of dollars worth of equipment.

Roland Brooks – supports garage

Lee Compton closed Public Hearing

**Piers 92/94 (Rte. 9A/Twelfth Avenue between W. 52<sup>nd</sup> and W. 55<sup>th</sup> Streets) – ULURP Nos. 090220 PPM, 090221 ZSM, 090222 ZSM, N 090223 ZCM, and N 090224 ZCM**

Application by MMPI Piers, LLC an affiliate of Vornado Realty, LP (authorization and certification), the NYC Department of Small Business Services (disposition), and the NYC Economic Development Corporation for land use approvals to facilitate the renovation and enlargement of Piers 92/94 and their associated upland areas as a venue for trade shows and exhibitions, as well as the development of new public open space and public amenity space on project site.

John Doswell Chairs Pubic Hearing. Applicant is here for merchandise mart.

Ernie Pedron NYC Economic Development Corp did a study and drafted RFP to develop piers with goal of improving public access to waterfront. Proposal promises to make pier a world class trade show facility.

Carol Rosenthal, Fried Frank, pleased to be here for formal ULURP application. Company produced 300 shows/ events in North America and is committed to a sustainable development (Leed certified Silver). She showed drawings of the proposed project. People can walk 700 feet out on the pier – open to public.

Q: what is a midsize trade show? 220K to 350K sf. Top floor will be for parking. Lower level is for truck loading/unloading.

Project does not include proposed pedestrian bridge over west side highway.

Public members comment:

Steve Belicha – lives in 50St area, says they did traffic analysis, how will this impact traffic?

Ellen Harahan lives on w50st, uses bike path regularly. How will this affect green path?

A: (by traffic engineer) – bike path will continue along edge of property.

Public hearing closes

### **770 Eleventh Avenue (Two Trees site) – ULURP No. 080012PCM**

Application by New York Police Department and Department of Citywide Administrative Services pursuant to §197-c of the NYC Charter for the site selection and acquisition of property located at the above address for use as a police mounted unit facility and stables.

Elisa Gerontianos Chairs Public Hearing on Two Trees public facility site selection.  
Applicant is not here. This application was done at the behest of the community.

No one speaks

Public hearing closed

### **MEETING AGENDA**

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

Councilmember Gail Brewer welcomes new members. YWCA has reached out to Independence HS to produce a state of the art recording studio; announced Town hall Meeting on May 7 – 6-8pm with Nadler, Stringer at John Jay College. Says it works if you put up placard "do not place unsolicited flyer" (this is state law). Why can't we have a train station in riverside south area? Regarding budget: we are still in the midst of budget hearing. We have had a great deal of discussion on stimulus package and discussions on where cuts may or may not be. We must be very specific on what we want to prioritize.

Angelica Crane, -Borough President Scott Stringer's office, had 3 appointees to Hudson River park trust.

Frank Leichter (formerly represented Chelsea area in 82-88) one of BP's appointees to Hudson River Park Trust speaks. BP asked 3 appointees to speak to community planning boards and keep boards informed. It is helpful for one of 3 reps to come and brief on what is happening in park. Stringer's other 2 appointees are Pam Frederick and Larry Goldberg. Frank believes budget is being passed in Albany and will have \$6 million for the park; the City will match \$7 million; owes gratitude to Duane and Gottfried. Pier 64 opening is in middle of month; will open rest of Chelsea piers in middle of 2010. The hope is that Tribeca area will open at the same time. He is pleased that at Pier 57 we have an RFP process and we have 3 responsible bidders. Ed Kirkland, who chaired the committee, did a magnificent job in helping choose a developer for pier 57. Pier 40 is a more difficult issue because Pier 40 is limited to a 30-year lease (a 49-year lease is better). Also, as a result of a lawsuit we are getting a reduction in tourist flights and complete elimination by 2010, but commercial flights will continue. 17 million people use parks. So we are really getting that usage.

Kathleen Culane representing Nontraditional Employment for Women, 243 W20 St between 7/8 ave, says they train women for jobs in construction industry, would like to train women from your area; brought pamphlets. Maureen Walker, a graduate and longtime resident of CB4, says its only natural and fitting that residents should have access to jobs in projects in the area. We need more women to be in construction. She graduated in 2002.

## PUBLIC SESSION

Detective Tom Burney – works for Chief of Community Affairs. Community Council area is place to go for issues. Citizens Police Academy gives inside track of what goes into training of police officers.

Yered Rosen – Executive Director, Clean livable and safe streets, seeks safer alternative to horse drawn carriages in Central Park. Horse drawn carriages create congestion. They are large slow moving vehicles.

Shay Gives, supports theater. No more fat to cut.

Philip Janch spoke about late night traffic on 17 st 9/10 Ave and crane. Joe Restuccia speaks and mentions that 10th has been doing ticket writing.

Ann Fredlin – complained about One Oak. Residents of community owner met with One Oak and owner left number.

Erik Zollinger- lives in Caledonia, asks for help with club noise, can hear music and lives on 17th Floor. This is not going away but we need to work together. What about no parking on both sides?

Jeff Robbins, lives on W50/9/10av, spoke about Park West HS school violence, and has been victim of assaults; met with Melanie Larocca from Christine Quinn's office, regarding increase in police presence, but that lasted for a few days. We need protection. He has approached Principal of School, but nobody has been of any help. This is a magnet school.

Steve Belicha – lives on same block as Jeff, several weeks ago we had a backyard café problem.

Linda Arment – spoke about problems with High School. MRI substance abuse program next door has been a problem.

Paul Ames – lived on street. Recently Park West High School flow got very lousy, an idea is for building owners to put cameras in front of building.

Kerry Keenan – opposes outdoor café on 21/8av. Street is not meant for outside café.

Michael Jaruela, W21 St, doesn't care if its fastfood restaurant on the block but be responsible

Michelle Howell – lives in Chelsea, has a small child, here to protest sidewalk café.

Ellen Holahan – here as president of W50 HDLC. On March 23, there was a brutal assault of a student on 50/9th ave, beaten and stabbed. There are a huge number of students from Park West HS at 50 10/11. This is a gang assault. Ask CB4 for help.

Lelee Johnson - rose to complain about One Oak, says there are two issues: traffic and noise, urges that CB4 take establishment to task.

Yetta Kurland, a candidate for City Council 3rd District, is a civil rights attorney; spoke about support of the arts and goal of restoring arts and creating jobs. Also, speaks on behalf of small and midsize theater.

Bob Trentlyon – waited 15 years to make this announcement. 15 years ago this CB voted in favor of having Pier 64; announced April 22 ribbon cutting and reception on Earth Day. Pier is the only one that goes out 15 feet.

Mark Blasius is not opposed to fast food restaurant but not an open sidewalk café. Since Kadoba has been there, trash is all over the street. They offer free samples on the street.

Lucy - complain about cell phone towers, especially near schools.

Paul Adams – Artistic Director. Emerging Artist Theater Company provides a home for emerging writers and artists. Events coming soon. See [eatheatre.org](http://eatheatre.org)

## **ELECTEDS REPORT**

Angelica Crane, Borough President Stringer' office.

Breaking news on access-a-ride: MTA has agreed to raise fares of access-a-ride at same rate as normal fares.

Regarding Community Board members: office interviewed over 600 people this season. Congratulations to new board members. BP released report about future of community education councils, is calling for them to become independent of dept of education.

Seth Berliner – Tom Duane's office, last week Senator wrote letter to Tim Gilcrest asking for money for High Line. Senators have been in testimony about preserving the High Line; thanks Paul Seres and Christine Berthet. Senator is fighting to preserve budget.

Greg Monty, Linda Rosenthal's Office, – she recently spoke to NYC dept of tax & finance requesting that all J51 beneficiaries be disclosed ( J51 tax abatements are for rent regulated apartments) to be sure they are not deregulating apartments and also benefiting from J51 tax abatements.

Melanie Larocca, Speaker Quinn's office, has two updates: Council voted and passed rent stabilization laws, Local law #7 making progress.

Chair JD Noland welcomes new board members:

Gwen Billig  
Megan Buscho  
Jesse Campoamor  
Barbara Davis  
Larry Robert  
Gretchen Minneman  
Dana Turner  
Christos Yatrakis

They'll be asked to introduce themselves/speak at next meeting.

CB accomplishments include:

- \*conducted 125 public meetings
- \*Sent out over 400 board approved letters
- \*Sponsored over 10 public forums

District Manager Report

Bob Benfatto –announces: APRIL 16 Housing committee with NYU students at Flats Edison 554 w53 St;

Nominating Committee Report

Millie Glaberman, Chair. Nominating committee met on March 25, received nominations from a number of people. Including:

Chair: John Weiss,

First Chair: Corey Johnson, Chuck Spence

Second Chair: Christine Berthet, Jay Marcus

3 people want to be secretary: Tony Julian, Bert Lazeros and Martin Treat.

## **COMMITTEE REPORTS – LETTERS & RESOLUTIONS**

### **Executive Committee (EXEC)**

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- Item 1: Letter to SAPO re Spring Event, May 10<sup>th</sup>, 2009
- Item 2: Letter to DCP re Times Square BID Amended District Plan
- Item 3: Letter to SLA re Ninth Avenue Kitchen Corp d/b/a Yum Yum Too – 662 Ninth Avenue (46<sup>th</sup>/47<sup>th</sup> Streets)
- Item 4: Letter to SLA re 17<sup>th</sup> Street Entertainment Corp. d/b/a 1 Oak - 453 W. 17 Street

Tony Juliano – defends One Oak. Problem is outside owner's control. Crane in front is problem of the city.

Walter troubled that RATIFICATION states that letter came from CB instead of executive committee.

Christine – thinks owner is negligent. People can't sell their apartments because there is so much noise there. At what point does non-compliance trigger a non-renewal?

Chuck Spence – says they came before committee and said they would address traffic, and none was done, which is reason we have this problem.

Martha Hauze – concerned that letter that was already sent has little prior history. Doesn't know how this new letter is going to be drafted.

Ed Kirkland - First, We approve ratification. Vote carries

Joe's motion: Vote to add items 34/35 to draft broad ideas in a new letter.

Item 5: Letter to SLA re Tuppea Inc. d/b/a Galanga – 136 Ninth Ave (18<sup>th</sup>/19<sup>th</sup> Streets)

Item 6: Letter to SLA re 659 Rest Inc. d/b/a Mercury Bar and Grille – 659 Ninth Avenue (@ 45<sup>th</sup> Street)

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

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Item 7: Letter to SLA re Amnesia JV LLC – 609 W. 29<sup>th</sup> Street

Item 8: Letter to SLA re Cite de Paris Corp. – 362 W. 53 Street

Item 9: Letter to SLA re Milanese Spanish Restaurant Inc. – 168 W. 25 Street

Item 10: Letter to SLA Planet Rest. I Inc. d/b/a Sandwich Planet – 522 Ninth Ave (@ 39 Street)

### **Chelsea Preservation and Planning Committee (CPP)/Clinton/Hell's Kitchen Land Use Committee (C/HKLU)**

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Item 11: Letter to DCP re Public Plaza Text Amendment

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

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Item 12: Letter to DCP re 770 Eleventh Avenue NYPD Mounted Unit Facility and Stables, ULURP # 080012PCM

### **Chelsea Preservation and Planning Committee (CPP)**

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Item 13: Letter to DCP re 111<sup>th</sup> Eighth Avenue special permit application, ULURP No. 080088 ZSM

Passed 28 12

### **Landmarks Committee (LAND)**

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Item 14: Letter to LPC re 156 Ninth Avenue Storefront Redesign

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

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Item 15: Letter to DCP/HPD re Inclusionary Housing Text Amendment

### **Waterfront and Parks Committee (WATER)**

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Item 16: Letter to DCP re Pier 92-94 ULURPs

### **Transportation Planning Committee (TRANS)**

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Item 17: Letter to DOT re Traffic and Safety Improvements Broadway 59<sup>th</sup> to 23<sup>rd</sup> Streets

Item 18: Letter to DOT re Request for Safer Pedestrian Crossings 46<sup>th</sup> Street @ Tenth Avenue

Item 19: Letter to Hess Corporation re Completion of Safety Improvements at Hess Station on 45<sup>th</sup> @ Tenth Avenue

Item 20: Letter to NYPD re traffic noise complaints W 30<sup>th</sup> Street between Eighth and Ninth Avenues

Item 21: CB4 Sidewalk Policy

Tony makes motion to return to committee.

Motion tabled

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

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Item 22: Letter to SAPO re Mutual Redevelopment Houses, June 6<sup>th</sup>, 2009

Item 23: Letter to DCA re Mangaroni LLC d/b/a Il Bastardo – 191 Seventh Avenue

Item 24: Letter to DCA re 9<sup>th</sup> Avenue Saloon Inc. d/b/a Rudy's Bar & Grill – 627 Ninth Avenue

Item 25: Letter to DCA re Sounds of Cuba Inc. d/b/a Son Cubano – 405 W. 14<sup>th</sup> Street

Item 26: Letter to DCA re 156 Tenth Avenue Restaurant LLC d/b/a – 156 Tenth Avenue a/k/a 460 W. 20<sup>th</sup> Street

Item 27: Letter to DCA re C.A.P Restaurant Corp. d/b/a Sombrero Mexican Restaurant – 303 W. 48<sup>th</sup> Street

Item 28: Letter to DCA re 523 9<sup>th</sup> Ave LLC. d/b/a Hell's Kitchen Café – 523 Ninth Avenue (@ 39<sup>th</sup>) - ratification

Item 29: Letter to DCA re Chow Down Inc. d/b/a El Centro – 824 Ninth Avenue

Item 30: Letter to DCA re Q Chelsea LLC. d/b/a Qdoba Mexican Grill – 216 Eighth Avenue

**Small Business Task Force (SBTF)**

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TBD

**New Business (NewBus)**

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Tabled census letter for next time

Minutes respectfully submitted by Michael Mazier 5/6/09. Omissions/corrections/additions welcomed.