

Manhattan Community Board No. 4

General Meeting Minutes

July 22, 2009

Meeting started 7:52 with **Speaker Quinn** who offered congratulations to John and other officers of CB4. Quinn spoke about Western Rail Yards from prepared remarks. Working for over a decade, she explained, we've come far but there's much work ahead. In the past, we've shared a major victory in stopping stadium, and getting state to agree to ULURP process and HFA support for the inclusion of affordable units. Current plan includes significant improvements over previous plans including street grid W32nd and W33rd; remove building over high line; inclusion of specifically programmed spaces. However in developing 13 acre site we're developing a NEW neighborhood. The vote tonight is roadmap for final stages, not the final plan. Part of the ULURP is offsite affordable housing. On site affordable housing over water tunnel not possible anymore. No answer tonight, but hold agencies accountable.

Linda Rosenthal spoke next saying thanks and congrats. When she recently spoke to cb7, she commented upon debacle in Albany. The Senate is still disappointing and plans have been upset. However, on a personal level she passed 22 bills in assembly, but only 5 passed in senate. Tenants' bill still not passed. Push on and hopefully in September we will pass that bill. We are losing middle class housing as we speak. She was appointed chair of Mitchell lama committee. Looking for input from all of us. Two bills that passed have to do with violence against women. 1 sometimes victims must contact abuser to get state services. Bill allows for intermediary instead. 2nd bill recognizes that people who apply for public assistance often have been sexually assaulted in their lives. Now when they apply for PA they can get counseling. Rosenthal also commented that a "wonderful" ConEd building in her district should be landmarked. One last comment: summer reading challenge – kids should read in summer and fill out form in her district. They will then get a certificate that they read over the summer.

Richard Gottfried: thank JD for service and congrats to John on election. Introduce two people, new rep Jeffrey de Francois on staff since December. Rapid rise to this position is record. Other person is granddaughter Juliet visiting from Tokyo. Family healthcare decisions act – family member of person to allow healthcare decisions for those incapacitated. Bill pending for 17 years, now passed the senate and now needs to get passed in assembly (likely to pass). 75,000 people die in hospitals every year without benefit of such a law.

ULURP Hearing

Elisa Gerontianos: Suite of ULURP app was certified and requires public hearings – all about western rail yard. We broke up in two sections with 2 letters. 1 is onsite development. 2nd letter pertains to offsite affordable housing 54th & 9th and 10th & 48th. \$40 Million earmarked for affordable, middle income. That's what's before us. This is a public hearing. Anyone who signed up can comment for 2 minutes or less.

- Peter Mullin- dir of planning of friends of highline. North of 30th is 1/3 of highline. ULURP is important. Lot is good for highline – passive open space. Missing details, access points, bathroom, connections, etc. work needed. Missing most important concrete plan for making high line happen. We expected that hard plan should have happened already. Need specific timetable for site selection and action on zoning.
- Anita Black: west side neighborhood alliance. Permanently affordable housing – still no middle and moderate housing at the rail yards. I would ask that rail yard site go forward and permanent affordable housing be reconsidered at the site.
- Deley—public member: environmental impact statement. 5 years anniversary of rezoning plan that included 27% in Chelsea and 28% in Hudson yards speaking about affordable housing. Now it is not happening because we did not include in our request the words permanent and mandatory. We must demand affordable housing on site and including reevaluation of hospital, sewage, police, etc.

- Yetta Kurland: civil rights attorney and educator. ULURP provides affordable housing opportunity; however, education was not addressed as thoroughly as is necessary. Profound overcrowding and should consider requirements for education.
- Richard Marins: 47-48th block association. We should support compromise that housing committee agreed to. Balance between preservation and affordable units. We still feel that we could have kept the height to 66 feet and so we are more interested in preserving the character of neighborhood which will be lost if this huge building goes up.

ULURP closed at 7:28.

Public hearing on statement of district needs. No one signed up to speak. Public hearing closed.

PUBLIC Session

- Matthew Washington: friends of Hudson River Park. Clinton cove festival.
- Laura Oaksmith: 430 w 34th large residential. New bus lane now no one can make deliveries. People getting tickets.
- Elaine Buther: same issue as above as a member of board of directors of building.
- Ian Christianson: 57th street assoc. Henry Hudson hotel with patio on 57th loud music. Reaching out to hotel and requesting meeting. Gale Brewer is helping.
- Bob Trentline: elected officials won't do anything until we are flooded. Propose flood gates across the narrows between Staten Island and Brooklyn to prevent flooding.
- Lisa Wager: congrats to John and JD. FIT government and community relations. Museum of fashion new exhibition fashion and politics. Garments from mid 19th century to last election cycle.

Gale Brewer spoke in middle of public session: 45 interns keeping them busy. 3 things we're working on. QOL issues, graffiti truck 55 sites in CB4, need waiver from owner. Legislation pending that no waiver will be needed. 27 trucks in all 5 boroughs. If legislation passes we'll be able to clean more quickly. 2nd issue 2 years ago we had a transportation study from 55th to 86th street. Two engineers dedicated to just those areas to design and make traffic changes. Businesses were not asked, but we asked 147 different shops and BIDs in their areas. They included this input for DOT. Hearing at John J College. 3rd issue environment front, would like Fall meeting with faith based institutions on environmental issues – like greening buildings, etc.

- Cecil Hooker: bus lane on 34th street. His building and it's a problem.
- Allison Carfeld: Community coordinator Ryan Chelsea Clinics. Send everyone to us, insurance or not. Three events Hells' kitchen summerfest, youth at risk-rap and go free HIV testing, health center spoken word fundraiser on Aug 5th.
- Lisa Johnson: w 17th regarding 1 Oak. Problems still persist. Lots of meetings no resolution.
- Lucas Shapiro: community organizer housing conservation tenants conference on 9/26th 10am to 4pm at Fordham University.
- Yetta Kurland: candidate for city council 3rd district. Walking tour for music in schools, save local Joe Jr's in west village, awareness Hudson mega sanitation facility, wonderful event at Peter Max galaxy regarding humane treatment of animals.
- Board member Millie Glaberman doesn't approve that Yetta made a campaign speech. John said people can speak about anything that they want.

Public session closed at 8:56pm.

John Weiss: agenda adjustments 11 and 12 western rail yards moved up to number 2. Moved 42 water fronts and parks to move after #4. New business from BLP will be 43.

Electeds Representatives

- Sandy Meyers from BP Office: new to office. Looking forward to working with us.
- Seth Berliner: from Tom Duane's office. Albany situation resolved. Passionate speech of Tom's on you tube. Beginning of June we were down at city hall rallying in favor of Community Boards. We were saved.
- Jeffrey du Francois from Dick Gottfried's office. Thrilled to be here.
- Melanie LaRocca: Quinn's rep. Schools, toured PS11 wonderful school. Jose Conde cb5 rep to publically shame someone for not fixing his building – Stanley Wassermann.

District Manager and Chair Reports

Bob Benfatto: District Manager report. August BLP, Transportation and Executive. Other committees not meeting. Full Board is September 9th. Renee left. New ADM Jenna Crispontie, originally from Astoria. U of Buffalo, law degree.

John's Chair report: some committee changes. BLP overworked and decided to split into two, north and south. Also sidewalk cafes back in BLP. South chaired by Hugh Weinberg and Burt Lazarin. North chaired by John Owens and Chuck Spence. Split at 32nd street. Lisa Daglian will work to maintain consistency between committees.

I asked three chairs of land use committee. Elisa Gerantianos will be joined by Sara Desmond. Lee Compton will be joined by Corey Johnson. John Lamb will join Ed Kirkland. Lisa Daglian will join John Doswell, and David Hensil will join Joe Restuccia on Housing.

Consider your committee assignments and re-up or revisit.

Jimmy Pelsey passed away and his service and funeral was last week. Family appreciated our condolences.

Anna Levin appointed to planning commission.

Also, apologies to Lisa Daglian for Page 6 article.

COMMITTEE REPORTS – LETTERS & RESOLUTIONS

Executive Committee (EXEC)

Item 1: Statement of District Needs 2010

Item passed. No discussion. Basically same as last year and still waiting input from committees.

Item 2: Letter to NYMTC re Regional Transportation Plan

Text approved by executive committee. Line 41 add buses.

Vote: Passed.

Item 3: Letter to DCA re Blague Corp. d/b/a Le Petite Un Deux Trois – 403 W. 43rd Street

Howard: we requested new drawing. Vote to approve pending we get new drawing and planters and sandwich board gets removed.

Vote: Passed.

Waterfront and Parks Committee (WATER)

Item 4: Letter to HRPT re Pier 57 Working Group recommendations

Agenda item 4 Passed.

Transportation Planning Committee (TRANS)

Item 5: Letter to DOT re 11th Avenue viaduct project
Line 12 and 13 and some small grammatical errors will be fixed.
Lisa: can we add line 26, add 511 New York transit and traffic number.
Vote: Passed

Item 6: Letter to DOT re enforcing left turn signs bike lanes
Revision on color paper. More data is being requested and suggesting solution to tripping problem.
Corey: says still issues with deliveries. Christine will site that example.
Walter: says people looking for taxis on bike lane side and sees as potential danger.
Vote: Passed

Item 7: Letter to DCA re proposed newsstand NE corner W. 24th Street and Seventh Avenue
Item 8: Letter to DOT Traffic calming 15th Street and 10th Avenue
Items 7 and 8 taken together.
With clarification on language for "boxes"
Vote: Passed

Landmarks Committee (LAND)

Item 9: Letter to LPC re 408 West 14th Street storefront
Ed: He checked and they took off the orange awning. Heading says w12 should be w 14th.
Vote: Passed

Item 10: Letter to LPC re St. George Tropoforos Church
Ed: handsome church on 54th street. Trying to get landmarks commission to be interested in this building.
Vote: Passed

Clinton/Hell's Kitchen Land Use Committee (C/HKLU)/Housing Health, Human Services Committee (HH&HS)

Item 11: Letter to CPC re Western Rail Yard Re-zoning
Item 12: Letter to CPC re Western Rail Yard Offsite Affordable Housing Sites
Elisa gave overview again. Comments due on 27th. We are voting to agree on comments. Item 11 onsite. Item 12 offsite.

Item 11:
JD: 3 things left out. Page 8, onsite park we should put in restoration of park but it is already there. Page 11 coned facility we should suggest where they should be located. One should be located in western rail yards.
Christine: offsite open mitigation boulevard should be there. Joe says line 276 has it. OK.
Frank: Eliminate corner of 33rd and 12 for location of bridge. Lines 272. In committee we decided to not put specific location but Elisa says we must at least get an easement so pedestrian bridge is built. Tomorrow the letters will be polished, but tonight is to make sure we reach general consensus.
Christine: was something put in there for community facility like conference room or meeting room. Joe says good idea we'll include.
Ed: issue of highline design. Highline is a historic structure and character must be maintained. And letter should make that clear.
David: infrastructure section needs more meat. Joe wants more specific needs and wants David to send him information with quantifiable information.
Joe: Final letter will have attachments, maps, tables, etc.
Roll call vote done by Bob. Unanimous 34 except one present but eligible by Lisa Daglian.

Item 12:
JD opposes due to special district rules on height. Hopefully, we'll get the units we need four blocks away. Also, 10th avenue site because of way it lays it will not be iconic construction and will make a strong detrimental visual impact. If I lose this then line 259 must be made more emphatic – much stronger not to go over 276 feet.
Martha: agrees with JD.

Elisa: words were crafted carefully and we don't want a slippery slope. We will put an attachment on the income bands for 2009.

Corey understands JD concerns but understands the compromise and agrees.

Eric asked what happens if we don't approve letter. Elisa says our letter informs and advises electeds and government agencies. Joe says we are giving political signal for when the zoning changes come to the fore in 3-4 years. We are staking out our ground now. The special permit is not before us yet.

Frank: as development process proceeds we go up step by step so it is important that we hold our ground. Joe said we already agreed to it so we are actually going back from our original agreement.

JD said 2 years ago we were getting a park so everything is different.

Joe explained that we are no longer getting the whole block front, now we are only getting 1/2 block front from DEP.

Brett: wants to emphasize that the meeting was very diplomatically run. Complexity of issue comes down to building height since it gives identity to neighborhood. Is one extra floor too much?? More affordable units are more important than the building height – middle income people are needed in our neighborhood. Therefore compromise on height is worth it.

Roll Call: 23 yes 10 no 1PNE Passed.

Housing Health, Human Services Committee (HH&HS)

Item 13: Letter to HPD re Lantern Group Supportive Housing Initiative, 124-126 West 23rd Street

Joe: Failed condo project now much more fitting in the community and committee is in favor.

Corey: is it people with HIV AIDS? Joe: no. for LGBT elderly

Vote: Passed

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

Item 14: Letter to SAPO re Jazzmobile - 47th/48th Street

Item 15: Letter to DCA re Luna Rossa Restaurant LLC d/b/a Casina – 647 Ninth Avenue

Item 16: Letter to DCA re Zanzibar LLC d/b/a Zanzibar – 645 Ninth Avenue

Item 17: Letter to DCA re Istanbul Café Corp. d/b/a – 325 W. 57th Street

Item 18: Letter to DCA re Sullivan Restaurant LLC d/b/a CO – 230 Ninth Avenue

15,16,17,18 taken together. Sidewalk café. Letter will include that we want notice on exterior of restaurant and outer boundaries are marked. Letter 18 number of tables need to be corrected.

Also typos must be corrected.

Vote: Passed

Item 19: Letter to SAPO re Brotherhood of Carriers and Lord of Miracles

Howard: religious procession. Amended letter reflects time of street closing.

Vote: Passed

Item 20: Letter to SAPO re Elliott-Chelsea

Item 21: Letter to SAPO re Fulton Houses

Item 22: Letter to SAPO re Manhattan Plaza

Item 23: Letter to SAPO re The Kitchen

Items 22 and 23:

Vote: Passed

Item 14, 20, 21 taken together.

20 & 21 passed with change. Instead of street fairs call them street events and Item 21 text should reflect appropriate blocks.

JD says Item 14 did not take place yesterday.

Joe moved to send 14 back to committee. Motion approved.

Business License and Permit Committee (BLP)

Item 24: Letter to SLA re 523 9th Avenue Inc. d/b/a Hell's Kitchen Café – 523 Ninth Avenue

Item 25: Letter to SLA re Toparo Inc. d/b/a Da Tommaso – 903 Eighth Avenue

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- Item 26: Letter to SLA re Grand Sichuan 46 Inc. – 368 W. 46th Street
- Item 27: Letter to SLA re 862 9th Ave LLC d/b/a Ralphs – 862 Ninth Avenue
- Item 28: Letter to SLA re The New 27th LLC – 532 W. 27th Street
- Item 29: Letter to SLA re Hurricane Strauss Inc. d/b/a Westville – 246 W. 18th Street
- Item 30: Letter to SLA re 401 W. 50 Tavern Inc. d/b/a Hibernia – 401 W. 50th Street
- Item 31: Letter to SLA re Bourbon Street, 346 West 46th Street
- Item 32: Letter to SLA re 1Oak
- Item 33: Letter to SLA re 476 Ninth Avenue
- Item 34: Letter to SLA re Xai Xai renewal
- Item 35: Letter to SLA re Inkpress 653 Eleventh Avenue
- Item 36: Letter to SLA re Mejo- Socarrat Paella Bar-259 W. 19th Street
- Item 37: Letter to SLA re Sharabi-Pierre Loti -258 W. 15th Street
- Item 38: Letter to SLA re Sky Bar - 330 W. 40th Street
- Item 39: Letter to SLA re Spice Corner - 236 Eighth Avenue
- Item 40: Letter to SLA re Sullivan St-533 W. 47th Street
- Item 41: Letter to SLA re Terrazza Toscana rooftop

25, 26, 27, 29, 30, 36, 37, 39, 40: Christine, stipulations should have contract signed by applicant. Chuck said that we cannot start that until September. Number 30 will include contract.

Vote: Passed

Item 24: HK Lounge. Outright denial. Amended to include cc to DOB, Police, DCA, etc.

Vote: Passed

Item 28: Large 499 capacity, will serve food 65% and agreed to all stips. Change line 24 to highest roof of adjacent building.

Paul: I'm concerned if they are not only in Home/Guesthouse.

Christine: on line 27 should be clear that it is 65% of revenue.

We must check to make sure we get a lease.

VOTE: Passed as amended.

Item 31:

Lisa: we met with owners because of all the complaints due to use of mezzanine. The owners were very receptive and agreed to put padding on feet of roth iron chairs and put signs out to be quiet, and they have improved. They agreed to close patio at 9pm and 10pm on weekends. Chuck wants to refer back to committee:

Vote: Passed

Item 32: Letter regarding 1 Oak. Chuck: letter drafted to outline condition of community and ask for more police enforcement.

Joe: I'm opposed to street closure and I would like it more focused on 1 Oak as opposed to the other vendors.

Tony: all the venues contribute people to the street and the street noise.

Paul: believes that a larger police presence is needed and the owners do come to the meetings. I believe the owners are being responsive.

Christine agrees with Joe that the Park and Avenue should not be included in letter. Also should focus on enforcement. Also, 1 Oak doesn't have a cabaret license and we should enforce no dancing.

Vote: Passed as amended

Item 33: Joe says 2nd floor must require certificate of non-harassment.

Chuck said they applied for certificate but it takes time and they will provide it when they get it. We must be sure that the language includes the non-harassment

Vote: Passed as amended.

Item 34: Approving with notice of problems.

Vote: Passed

Item 35: Inkpress. The Vu hotel.

Vote: Passed

Item 38: Another rooftop bar.
Vote: Passed

Item 41: Toscana rooftop

Lisa: would prefer earlier time closing.

JD: is opposed because the rooftop is so close to the residents.

Paul: was impressed with the owners and the thoroughness of their proposal and outreach to the community.

Larry: he visited and there are only about 9 or 12 windows. Plus they have letter from resident facing the rooftop.

Joe: is going to vote against

Brett: doesn't want a precedent.

Vote: Passed

Item 43: rooftop use of Wydym Chelsea hotel (Hotel 26) on West 26th street. Want to send letter saying that we didn't hear from the community and ask that they listen carefully to the community concerns.

Vote: Passed

New Business (NewBus)

Item 42: John Doswell, Circle Line is seeking new lease to extend term. Park trust wants area in front of pier for park and more rent. Seems to be a win-win.

Brett: impact on bike lane? Doswell says no. Ed says yes but there is a plan and bike lane must be maintained.

Paul: What is the term of lease? 30 years for new lease. Paul believes that there should better controls because there is too much pedestrian traffic and believes that the operators should provide more people to control traffic. John will add comment to say pedestrian safety is paramount.

Vote: Passed