



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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John Weis
Chair

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

MANHATTAN COMMUNITY BOARD NO 4

SEPTEMBER 9, 2009

HUDSON GUILD, 441 West 26TH STREET, CARPENTER ROOM

PUBLIC HEARINGS

None scheduled.

MEETING AGENDA

Public Session

Adoption of the agenda

Adoption of last two month's minutes

Report from Manhattan Borough President

Reports from local elected officials

Report of the District Manager

Report of the Chair

Committee Reports

Committee Letters & Resolutions

Old Business

New Business

Adjournment

Corey Johnson

John Weis

Sandy Myers

Various

Robert J. Benfatto, Jr.

John Weis

John Weis

John Weis

John Weis

PUBLIC SESSION

Seven people signed-in.

Richard Kollodge, speaking on behalf of his neighbors, expressed their dismay at finding out that on the 400 block of West 34th, adjacent to where they live, there will be a site providing entry to the new NJT tunnel soon to begin construction. From this site trucks will bring material and take away debris. Kollodge was concerned about noise generated by the

construction itself as well as the disruption caused by idling trucks. With the help of Councilmember Christine Quinn they have begun talks with the PANYNJ. The Authority is willing to do baseline assessments of their apartments against which to measure any future conditions. The building's residents want to liaison with CB 4 to monitor the situation as it developments. Kollodge mentioned that they were also worried about the dedicated W34th Street bus lane which on their residential block makes it difficult for movers to park and unload. Kollodge was directed to talk with the chairs of the CB 4 transportation committee. David Kupferberg of West 43rd Street stated his concerns about possible changes to the Ninth and Tenth Avenue stops of the MTA bus routes.

Jason Cole of Ninth Avenue identified himself as a bike rider. He and many of his friends who are also bike riders want more lanes set aside for bicycles and want to talk with others who are interested in expanding the city's bike lane network. It was suggested that he, too, meet with the chairs of the CB 4 transportation committee.

Frank Carson from the same W34th building as Richard Kollodge signed-up to speak and at his appointed time said that Kollodge had covered the issues well and he had nothing to add. Jack Eppler, the Exec Director of the NYC Community Chorus, encouraged people to join the chorus and come to its events. The chorus is open to all; there are no auditions gatekeeping membership.

Tony Juliano of the Greenwich Village Chamber of Commerce announced that a job fair, Out to Work, will be held at the LGBT Community Center on September 17 from 11 am to 4 pm. It is open to all.

Peter Mullan of the Friends of the Highline described the activities planned for the months of September and October. These include Yoga on the Highline and on September 10 a special later closing time (11 pm) for Fashion Night Out. Upon questioning, Mullan updated the Board on the status of the previously mooted Highline BID. The proposal, in response to the many issues raised in the initial discussions, is currently shelved perhaps for future consideration. Mullan's presentation elicited a number of additional questions from Board members ranging from who owns the Highline? (the City of New York with FHL contracted as administrators for a ten year period with two renewal options for five years each) to what are staff salaries? to how does FHL attend to conflicts of interest?

In the middle of the Public Session Councilmember Christine Quinn appeared and, offering her the usual courtesy of the Board, she spoke. She first congratulated the newly elected officers of CB4 and then went on to mention legislation pending in the Council which would better regulate tour buses. There will be a town hall meeting on October 1 from 6:30 pm to 8:30 pm at PS 11 on tour buses in our neighborhoods. The Councilmember also spoke about the new initiative of the City Council on graffiti removal. Upon identification and notification, a property owner has 30 days to remove the graffiti and if it is not done the city will do so. She also commended the work the Board is doing on the Western Rail Yards and cited the hearing before the City Planning Commission this afternoon where our detailed and

well thought through concerns were raised. In answer to a question from the Board about proposed Council legislation mandating sick days for small businesses, the Councilmember said she is aware of the issues raised from both opponents and proponents and is considering them all.

ADOPTION OF THE AGENDA AND THE MINUTES OF THE LAST TWO BOARD MEETINGS

After the Public Session the agenda for the night's meeting was adopted without changes. The Board accepted the June and July minutes as submitted.

REPORT OF MANHATTAN BOROUGH PRESIDENT SCOTT STRINGER represented by Sandy Myers

Myers reviewed recent reports issued by the MBP's office on illegal atms, taxis in bus lanes, Bus Rapid Transit (BRT) on 34th Street, and overcrowding in the borough's schools.

REPORTS OF OTHER ELECTEDS

Congressman Jerrold Nadler's rep, Saline....., highlighted his actions around issues of recent concern to him. Nadler believes the response of the FAA in the aftermath of the Hudson River helicopter/small plane collision to divide the airspace is inadequate. He wants radar in all planes or if not a ban on helicopter flights.

The Congressman has been meeting with the Postmaster discussing the closing of post offices and is particularly concerned about the one in the old PA building in Chelsea. On health care and the many bills before Congress, Nadler is strongly in favor of a public option that would ensure protection for everyone. He will vote against any bill without this public option.

State Senator Tom Duane recently undertook an analysis of school overcrowding in his district. Seth Berliner of his office presented its major conclusion that if nothing were done in ten years 1,000 Chelsea and Hell's Kitchen children would be without seats. The Senator is also pushing for an outright ban on helicopter tour flights over the Hudson River.

Councilmember Gail Brewer appeared reminding the Board that on September 22 at John Jay College there will be a discussion about what the shape of transportation should be in the district to our north on the Upper West Side, from 59th Street to 86th Street. She reported on the bill she is introducing in the City Council on sick leave for small business (those with 20 or more employees). Other cities such as Milwaukee, San Francisco, and Washington, DC have passed similar acts and according to the Councilmember there have been no adverse

effects to their local economies. She mentioned the graffiti bill and commented that the Dept of Consumer Affairs has been enforcing the new law requiring retail establishments of 4,000 sq ft or more to close their street entrances if their air conditioners were on by giving out many warning summonses. Councilmember Brewer is also involved in trying to format and refine the data collected and published by the city in its semi-annual Management Report and the frequently issued Performance Reports so that they will be more easily understood by those seeking information about how the city is delivering services.

Assemblymember Dick Gottfried, Jeff Schwab of his office reported, is closely watching developments on West 29th Street where a number of townhouses are soon to be landmarked. One of these has a stop work order on a sixth storey that many believe dishonors the structure and is illegal. Gottfried hopes it will be demolished. The Assemblymember is on the record against sightseeing helicopters and is working for electric appliance recycling.

Assemblymember Linda Rosenthal's the new chief of staff, Lindsey Allison, was introduced by Greg Monty.

REPORT OF THE DISTRICT MANAGER ROBERT J. BENFATTO

The new Community Board 4 website is now live. The old site we are informed has a virus and, though still on the internet, should not be used. Eventually it will be taken off the web.

West 33rd Street between 10 pm and 4 am will be closed from September 14 through September 18.

REPORT OF CB 4 CHAIR JOHN WEIS

John related to the Board his pleasure in attending the dedication of Pier 64 and seeing in addition to many of our elected officials who supported the reconstruction of the pier as part of the Chelsea portion of the Hudson River Park, Board members Bob Trentlyon, Ed Kirkland, and John Doswell who all actively fought for the creation of the park and have been instrumental in monitoring the design and implementation of the plans.

John introduced Borough President Stringer's idea of twining various Manhattan community boards. Members of each board will visit with committees of interest on their twin. It is hoped that this experiment will foster an interchange of ideas and seed new strategies. Community Board 4 is now twinned with Community Board 9 which encompasses Morningside Heights, Manhattanville, and Hamilton Heights.

Generous thanks were offered by John to the members of CB 4, Christine Berthet, Lee Compton, Sarah Desmond, Eliza Gerontianos, Ed Kirkland, Walter Mankoff, JD Noland,

and Joe Rustuccia, who attended this afternoon's City Planning Commission hearing on the Western Rail Yards. At this point Lee Compton spoke and reported that he felt that the written comments of CB 4 had been heard and had put many of the representatives of the Related Companies on the defensive trying to address our concerns.

COMMITTEE LETTERS AND RESOLUTIONS

Transportation Planning Committee

Item 1: Letter to PANYNJ re Dyer Avenue Reconstruction

Jay Marcus, committee co-chair, presented the letter and argued the committee's position that we should have ADA compliant ramps at the northeast corner of Dyer and W34th St. Joe Rustuccia commented he would like more open language that would admit future changes. Eliza Gerontianos wanted to know if this was an actual reconstruction or simply a repaving. Jay answered it was a reconstruction. Christine Berthet, committee co-chair, insisted that any meeting with Senator Tom Duane and the Port Authority include the committee co-chairs. Walter Mankoff suggested that our letter include language to make our opposition to the reconstruction as presently conceived clearer. This addition was accepted.

Business Licenses & Permits

Lee Compton thanked Nelly for the new larger type size used in formatting the subject of the BLP letters.

Chuck Spence, committee co-chair, suggested that items 5 through 9 be considered as a group first.

Item 5: Letter to SLA re Anemacor Donatella – 184 8th Ave

Item 6: Letter to SLA re Anemacor Louis XIV – 263 W19th St

Item 7: Letter to SLA re Balken Burek – 691 9th Ave

Item 8: Letter to SLA re Bistro Marketplace 17 – 312 W34th St

Item 9: Letter to SLA re Bricco Blues – One River Place

All items passed.

Item 2: Letter to SLA re Ram Lounge LLC d/b/a Chateau Cabaret – 622 W47th St

Item 12: Letter to SLA re Ram Lounge LLC d/b/a Chateau Cabaret – 622 W47th St (A friendly amendment to Item 2 on methods of operation)

Both items passed.

Item 4: Letter to SLA re Ajisai Japanese Fusion – 615 9th Ave

Lisa Daglian, committee co-chair, led the discussion and inquired of the audience if any owners of the establishment were present. There was a negative response. Tony Juliano recommended that we ask the attorney and the applicants to sign the letter describing our stipulations.

Item passed.

Item 3: Letter to NYPD re Pacha Condition

Item 11: Letter to SLA re JMED Holdings d/b/a/ Pacha – 620 West 46th St

A lively discussion ensued regarding Pacha and its methods of operations and its impact on adjacent properties and its neighborhood in general. Questions about the cumulative affects of increasing club density and what are the limits to the responsibilities of club owners (both geographical and functional) were raised and argued. Sanitation and police presence were prominent among issues discussed. Does the Board have the power to change previously approved stipulations on an establishment's methods of operations if before us is a license renewal as we are trying to do with Item 11? Yes and as always only if the owners agree.

Both items passed.

Item 10: Letter to SLA re Caral Ltd d/b/a Broadway Comedy Club – 318 W53rd St

Paul Seres urged the Board to approve this item contingent upon the office receiving a security plan which we could then analyze to its appropriateness.

Item passed conditionally.

Item 13: Letter to SLA re Subgem Chelsea LLC – 300 W22nd St

After a heated round of discussion involving many members about rooftop bars and their impact on their surroundings, the Board agreed with Joe Rustuccia to add language stating that we oppose rooftop bars on principle; however, since the SLA disagrees with our position, we want these stipulations added to the methods of operation.

Item passed with suggested additional language.

Neither the Executive Committee nor any of the other standing committees had items to report out to the full Board.

There being no new business, the meeting was adjourned.

Respectfully submitted by Burt Lazarin