



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

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JEAN-DANIEL NOLAND
Chair

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District Manager

PUBLIC MEETING

DATE: Wednesday, October 7th, 2009
TIME: Meeting Started at 6:39pm
PLACE: Roosevelt Hospital, 1000 Tenth Avenue (58th/59th)

PUBLIC HEARINGS

PS 51 Development and Rezoning (44th Street and Eleventh Avenue): an application by NYC Department of Housing Preservation and Development for the development of all of Block 1073, Lot 1 bounded by Eleventh Avenue, West 44th Street, Tenth Avenue and West 45th Street, except for an approximately 25,100 square foot parcel on Tenth Avenue where a gas station is currently located. This ULURP action consists of a zoning text amendment, a zoning map amendment, two special permits (1- for a Railroad Right-of-way and 2- for a General Large Development re Rear Yard Equivalent, Height and Setback, Minimum Distance between Buildings and Open Space), a Disposition, and a Designation as an Urban Development Action Area Project (UDAAP). There is also a proposed site selection for the development of a new approximately 630-seat replacement facility for P.S. 51 pursuant to §1731 of the NYC School Construction Authority Act.

Started 6:39pm Elisa Gerontianos explained the new development and rezoning above. 5 ULURPS and site selection for new PS51. We're getting 600 residential affordable units.

Gotham Organization made a presentation.

SCA made a presentation about site selection for PS51. Comments accepted until October 26th. Final approval in spring from Mayor and City Council. RMJ architects made a presentation on the new school.

- **Bob Trentlyon asked about LEEDS certification of school**
- **JD asked about open spaces and critical lack thereof.**
- **Tony asked about % of affordable housing that is greater than 2 bedrooms and expressed disappointment that there are so few.**
- **Christine asked about garbage collection and bike parking.**
- **Larry asked about moving up schedule from September to July**

Public ULURP comments started at 7:16pm

- **One speaker Catherine Johnson (with a baby) excited about school. Concern about air quality and noise pollution. Concerned about her children and would like us to form a construction task force to meet monthly.**

ULURP hearing concluded at 7:19pm.

Public Session started at 7:20pm.

- **Andrew Goldstein: 53rd & 9th petition for new wine bar. He doesn't like the idea. We have enough bars in the area already.**
- **Evelyn Paige: Same subject, wine bar. Directly above bar and wants a genuinely sound-proof ceiling.**
- **Jennie from the DA's office: Domestic Violence event. Flyer in back.**
- **Deborah Gant: Wine bar comment. Next door are several bars. Not happy about the noise on the block and concern about safety. Against another bar.**

- Danya from Friends of Highline: Family program tomorrow family museum of arts. This weekend open house NY weekend. Lecture series. Tuesday's amateur astronomer. Friday November 13 Performa (performance art).
- Lisa Wager FIT: tomorrow evening Moods of Norway and lots of other events coming up.
- Jackie from Housing Conservation Coordinators: They now have free immigration clinic twice a month.
- Frank Palillo, attorney. Represents the wine bar. Client met with neighbors and sub committee. Clearly a restaurant, not a bar. Grateful to neighbors. Not in stips, but they will agree to soundproof the ceiling.
- Mike from Artists In the Kitchen.org. Meet local artists on a tour of the area.

Public session closed at 7:36pm

Agenda as modified approved.

Minutes were adopted.

Elected Reports:

Gale Brewer spoke in the middle of the ULURP session. Graffiti bill signed today. Last night Frank McCourt's memorial service was very moving. School is being named after him. CB7 passed bike lanes on Amsterdam and Columbus. Metro North is going to talk to elected about 69th Street and Riverside bus stop.

Sandy Myers from Borough President's office. Re-applications for board members are due in December. October 1st launched "kill the drill" (ban hydro-fracturing drills). Domestic Violence awareness month this month. Oct 14th light up the city purple. Illegal ATM report and now we are putting flyer on illegal ATMs to remove within 30 days. Community Board reception on October 29th at Museum of Natural History.

Seth Berliner from Tom Duane. Sept 16 Governor signed bills for health care, transparency in nursing facilities, \$3 million in tax credits for bio tech. Everyone get flu shots. 2010 census coming up fast. Last time only 60.4 % returned forms. That's bad for the community. Must have closer to 100% or it will cost us money.

Jeffrey Francois from Dick Gottfried's office. Prison health care is really important (same bill Seth talked about). West side housing conference had record turnout and was very exciting. Hudson rail yards is moving along again. LGBT hate crime in hell's kitchen recently, Quinn had police step up.

Representative from Linda Rosenthal said they will offer flu shots on Oct 29th. Two bills signed, Domestic violence can get public assistance, and updated laws about animal rights and animal cruelty. Regarding domestic violence, her office has a packet for victims that includes information on resources, etc.

Melanie LaRocca for Christine Quinn. School update: 9/23 toured PS11 got DOE commitment to relocate the writers and artists school. Free Mammograms from St. Vincent's on Oct. 19th.

NYPD Tom Burney Community Affairs, who is also an LGBT liaison officer. Lots of programs, flyers in back. Community Council at precincts each month. LGBT hate crime investigation still ongoing.

District Manager's report: Next month public hearing on capital and expense budgets. Thanks.

Chair's report: Housekeeping mostly. Attendance is important at committee and full board. September was not very good. Some members have really poor attendance overall and it is really not OK. First Vice Chair called people and some did not call back, which is "really bad." I'm going to be a pain about attendance. I have asked committee co-chairs and board office to report attendance in the monthly packets that go out.

A reminder about getting in letters by executive committee meeting.

We are in an exchange program with CB9. Their full board meeting is on the 3rd Thursday. Please go to a committee meeting if you can.

The website has been transitioned but the old site is still up and does not re-direct. The new site doesn't work 100%. We're still trying.

COMMITTEE REPORTS – LETTERS & RESOLUTIONS

Executive Committee (EXEC)

Item 1: Letter to LPC re 81 Eighth Avenue (ratification)

- **Ratification: this letter has already been sent.**
- **Ed Kirkland gave overview. Bank at 14th & 8th Ave. will now be CVS.**
- **VOTE: Approved.**

Item 2: Letter to DCP re Taso Café enclosed sidewalk café renewal

Item 3: Letter to DCA re Taboon unenclosed sidewalk café renewal

- **Items 2 & 3 taken together. Sidewalk café renewals.**
- **VOTE: Approved**

Item 4: Resolution re safety at construction sites

- **Request from BP's office to sign on to letter about abandoned construction sites.**
- **Christine Berthet: we have had reports about lanes of traffic and sidewalks being blocked. Please put sentence about getting those spaces back.**
- **VOTE: Approved with Christine's change.**

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

Item 5: Letter to CPC re PS 51 project

- **Elisa explained letter about 5 ULURP. There might be stylistic changes that should be made.**
- **JD Question: Darker bands are different color bricks or something else? Will be resolved before letter is sent out.**
- **Also, regarding open space he wants some elaboration about how dire the open space situation is.**
- **Burt: clarify letter please. It says approval provided the following is met. Doesn't seem that all the conditions have been met when I listened to presentation. Answer: we are in process and it is something we want but not necessarily received yet.**
- **Corey agrees with Tony's previous comments and is disappointed about lack of family sized units. Joe said he is meeting with HFA to try to address this for future policy change.**
- **Roll Call Vote: 35 Yes (unanimous)**

Item 6: Letter to CPC re DEIS for PS 51 project

- **Elisa explained that the letter is being approved on substance only. They are comments and they must align chapter by chapter on environmental impact statement.**
- **VOTE: Approved**

Item 7: Letter to SCA re school siting for PS 51 project

- **Elisa explained it is intertwined with ULURP letter and will ask for roll call. We have until Oct 26th to fine tune letter.**
- **Lisa asked that changes from other letter be included in this letter. OK.**
- **Roll Call: 35 Yes Unanimous**

Business License and Permit Committee (BLP) - North

Item 8: Letter to SLA re 599 Tenth Ave Corp. d/b/a Lawsdowne Road – 599 Tenth Avenue

Item 9: Letter to SLA re Basera Indian Cuisine 745 Ninth Avenue

Item 10: Letter to SLA re HDV Manhattan LLC. d/b/a Larry Flynt's Hustler Club– 639-641 W. 51st Street

Item 11: Letter to SLA re Roy Arias Studios & Theaters Inc. – 300 W. 43rd Street

Item 13: Letter to SLA re Karan Bakery Inc. d/b/a Tawa Tandoor – 371 W. 34th Street

Item 14: Letter to SLA re Kier Hook West Inc. – 714 Eleventh Avenue (51)

Items 8, 9, 10, 11, 13, 14 Together. Simple transfers or alterations and one simple new one.

- **Paul Seres believes that the methods of operations should be included even if they have not changed. Agreed.**
- **Martin Treat: #8 hasn't marked their sidewalk café. We'll discuss when they come before us for approval next week.**

- **VOTE: Approved. No one opposed.**

Item 12: Letter to SLA re Medi Wine Bar LLOC d/b/a Medi Wine Bar – 811-813 Ninth Avenue (53/54)

- **John Owens: This is the wine bar we heard people speak about earlier. There will be a rear space. Letter will be modified to include soundproofing ceiling (as agreed to by lawyer during Public Session). Letter will reflect back yard closing at 9pm on weekdays and 10pm on weekends.**
- **Back yard: Mon-Thursday 4pm-9pm, Friday-Sat 4pm-10pm, Sunday noon to 9pm**
- **Martin: This is the straw that breaks the camels back.**
- **Lively discussion, mostly to clarify points in the letter.**
- **Christine: is unsure because the back yard is as large as the inside.**
- **VOTE: With corrections and updates --Approved**

Item 15: Letter to SLA re HK Café – 523 9th Ave

- **John explained that we seldom recommend an outright denial, but HK has been irresponsible in the extreme and committee felt an outright denial is appropriate.**
- **Several members commented on how the operators of HK ignore community needs and are generally bad operators. No one spoke up in support of HK.**
- **VOTE: Approved**

Transportation Planning Committee (TRANS)

Item 16: Letter to DCA re Newsstand Application NWC W 42nd St & 9th Ave

- **Christine explained that we need to deny because we cannot postpone**
- **VOTE: Approved**

Item 17: Letter to Sen. Schumer/Rep. Nadler re Long Distance bus service

- **Christine explained credit goes to Walter Mankoff. Need change of legislation to deal with issue.**
- **Lee Compton suggested that it should go to both US Senators.**
- **JD thinks it tackles too many issues and it should be more focused. There should be a citation for the asthma reference. Christine says she has it and will make the citation.**
- **They will break this up into two letters.**
- **VOTE: Approved as amended**

Item 18: Letter to NYSDOT re Hudson River Park bike path safety

- **Christine: Thanks to Greg for helping to write the letter. There have been deaths because of turning cars. This suggests that they install a speed table.**
- **VOTE: Approved (with picture)**

New Business (NewBus)

Item 19: Letter to BSA re special permit application for a physical cultural establishment at 143 West 19th Street

- **Corey Johnson: Special application for personal training institute.**
- **VOTE: Approved.**

Item 20: Letter to SLA re Grey Dog Chelsea Inc. d/b/a The Grey Dog – 242 W. 16th Street

Item 21: Letter to SLA re Raj Bir Singh or Entity to be Formed – 216 W. 7th Avenue

Item 22: Letter to SLA re M & S Hospitality Corp. d/b/a Metropolis Concessions (at the Atlantic Theater Company) – 336 W. 20th Street

- **Items 20, 21, 22 Taken together.**
- **Burt Lazarin: All three are new operations in place of old operations. The third is a concessionaire inside a theater. #20 is midblock. On 20 and 21 it should read “only minimal background music will be played.”**
- **Will put in no outdoor space on #21.**
- **VOTE: Approved**

Item 23:

- **LGBT Caucus Letter to NYPD and elected presented by Burt Lazarin regarding recent hate crime in Hell’s Kitchen.**

- Much discussion that letter tone is too angry. The Commissioner Kelly letter will be softened and written in a more professional style.
- Corey would like a constructive suggestion to have LGBT Anti-Violence Project do sensitivity training.
- VOTE: Approved as amended.

Item 24:

- LGBT Caucus Letter presented by Tony Juliano to commend Christine Quinn on her swift and appropriate action to have police investigate recent hate crime in Hell's Kitchen.
- VOTE: Approved