

1 **MANHATTAN COMMUNITY BOARD 4**

2 **July 31, 2013** Roosevelt Hospital, 2<sup>nd</sup> Floor 1000 Tenth Avenue (58/59)

3  
4 **PUBLIC HEARING**

5 **Presentation:** District Plan for the proposed Hudson Yards Business Improvement District – N140038BDM

6  
7 **Public Comment:** Statement of District Needs FY14 – Annual statement of the Community District’s needs for use  
8 in the preparation of the Fiscal Year 2014 budget.

9  
10 **AGENDA**

11 Public Session: Burt Lazarin

12 Adoption of Agenda: Corey Johnson

13 Adoption of Last Month’s Minutes: Corey Johnson

14 Report of the Manhattan Borough President: David Czyzyk

15 Reports of Local Elected Officials: Various

16 Report of the District Manager: Robert J. Benfatto, Jr.

17 Report of the Chair: Corey Johnson

18 Committee Reports -- Letters & Resolutions

19 Adjournment

20 **Chair Corey Johnson called the meeting to order at 18:41.**

21 **PUBLIC HEARING:**

22 MCB4 Chair Johnson introduced Clinton/Hell’s Kitchen Committee Chair **JD Noland** to run Public Hearing

23  
24 Mr. Noland informed those in attendance that representatives of the Hudson Yards BID would speak and then the  
25 Board and Public would be allowed time to ask questions and make comments.

26 Consultant to the BID, **Barbara Cohen** took to the podium and presented to the Public & the Board:

- 27
- 28 • A Business Improvement District plan is a neighborhood initiative that requires legislative approval
  - 29 • Community Boards are the first stop in the process of approval
  - 30 • The Hudson Yards BID is NOT a Business ONLY Plan
  - 31 • Coverage area is bounded by West 42<sup>nd</sup> Street to the north, 11<sup>th</sup> Avenue to the west, West 30<sup>th</sup> Street to the  
32 south & Ninth Avenue to the east.
  - 33 • They have a Planning Committee that has worked on the BID for 1 ½ years
  - 34 • The website is <http://www.hudsonyardsnyc.org/> , Hell’s Kitchen Newest Neighborhood
  - 35 • They have conducted online surveys and included many elements of the neighborhood in the process

36 Ms. Cohen thanked the Steering Committee and MCB4 members and stated “No one wants a boring neighborhood”

37 Co-Chair of the Steering Committee, **Kevin Singleton** addressed the Board:

38 Mr. Singleton works for TF Cornerstone which will have 3 properties in the Hudson Yards

39 TF Cornerstone fully supports this BID and will be contributing \$1.2 million to the BID, 20% of the budget.

40 Mr. Singleton acknowledged and supported the BID name change to Hell’s Kitchen/Hudson Yards BID

41 The BID will:

- 42 • Support the existing Hell’s Kitchen & Hudson Yards neighborhoods by offering supplemental  
43 improvements and services for existing and new residents.
- 44 • Maintain Hudson Park and Boulevard which is expected to be complete in 2014.
- 45 • Provide targeted sanitation services specifically for Ninth Avenue, which is considered to be “Main Street”.
- 46 • Advocate for a host of neighborhood issues.

47 Mr. Singleton stressed no resident tenants are imposed an assessment fee. There would be a symbolic \$1 annual fee.

48 Funding for the BID will come from fees based on the assessed value and square footage of:  
49 Commercial, Mixed Use & Vacant Lots  
50 The Steering Committee conducted surveys and found that 60% of the tax lots in the proposed district support BID.  
51 The Planning Committee is very diverse with a mix of current Hell's Kitchen residents, developers and businesses.  
52 Mr. Singleton was happy to take questions.  
53 JD Noland asked if there were any questions from Board members. With no responses, Mr. Noland opened the  
54 Public Session on the Public Hearing.

55 **PUBLIC SESSION ON THE PUBLIC HEARING:**

- 56 1. **Nancy Diaz** of 350 W. 42 Street on the Board of managers of that building, the Orion is in favor  
57 of the Hudson Yards BID. Ms. Diaz expressed her appreciation for her building being part of the  
58 BID and commended the steering committee and how they have reflected the diversity of the  
59 constituents. They view Ninth Avenue as their Main Street and love the diversity of the  
60 neighborhood. Ms. Diaz feels the BID will be an additional set of voices for CB4.
- 61 2. **Laura Kirshbaum** of Extell has been part of the BID process from the beginning. Extell has a  
62 property on 41<sup>st</sup> Street and 10<sup>th</sup> Avenue which will provide 119 units of affordable housing &  
63 100,000 sq. ft of community space.. They support the BID and believe it will "increase the quality  
64 of life for everyone in the community." The BID is a forum where residents, property owners and  
65 businesses can come together. They would like to see well lit streets & sidewalks, a safe  
66 pedestrian environment and a variety of stores & services. Extell believes the BID can help  
67 achieve those goals.
- 68 3. **Kathleen Treat**, Chair of **Hell's Kitchen Neighborhood Association** thanked CB4 and the Land  
69 Use Committee for their support of the BID and believes the BID would be a terrific opportunity  
70 for the community.
- 71 4. **Ms. Ashley** of West 44<sup>th</sup> Street representing **Chekpeds** thanked CB4 for supporting the BID  
72 which will help improve Ninth Avenue.
- 73 5. **Paul Januszski** of Rockrose Development informed the Board his company has been building in  
74 the neighborhood for the past 40 years. They have a large development site which will border  
75 Block 6 of Hudson Park. They are concerned about funding for the rest of the Park and are very  
76 supportive of the BID which will be responsible for maintaining the Park.
- 77 6. **Keyin McGrath** of Midtown Developers informed the Board his company has held property in  
78 the Rail Yards area for over 20 years. Some of their buildings form 36<sup>th</sup> to 39<sup>th</sup> Streets will be  
79 demolished for the creation of Hudson Boulevard. It is essential to have a BID to develop the  
80 area.
- 81 7. **Lisa Wager** representing FIT read a letter from the FIT President Brown in support of the Hudson  
82 Yards BID. The letter explained FIT has been on the planning committee of the BID with 1,000  
83 students in Kaufman Hall, blocks away from the planned Hudson Park. The BID will provide  
84 capital improvement of the streetscape & lighting, additional sanitation, provide pedestrian safety.
- 85 8. **Michael Meola** with the Covenant House informed the Board that Covenant House of Tenth  
86 Avenue and 41<sup>st</sup> Street is a social service agency for homeless youth. They strongly support the  
87 BID and have been involved with the process. The BID is an important forum for residents,  
88 businesses and non-profits to work towards solving neighborhood problems.
- 89 9. **Paul Hindle** of 502 Ninth Avenue which is a 36 Condo unit completely supports the BID.
- 90 10. **Paul Zettl** also of 502 Ninth Avenue is "thrilled" one of the BID's functions is targeted  
91 supplemental sanitation services. He believes this is critical. Mr. Zettl is also "excited" for the  
92 creation of Hudson Park
- 93 11. **Allison Tupper** of 526 W. 46<sup>th</sup> Street simply told the Board she agreed with the previous speakers  
94 and supports the BID.

95 **PUBLIC COMMENT ON STATEMENT OF DISTRICT NEEDS:**

96 MCB4 Chair Johnson introduced second Vice Chair Burt Lazarin to present.

97 Mr. Lazarin announced with a tone of disappointment that no one had signed up to make a public comment on the  
98 Draft of District Needs. The Draft of District Needs is for fiscal year 2015 put together by the Budget Task Force.  
99 The Statement aims to highlight our district's priorities and visions for the future. Mr. Lazarin urged the public to  
100 read the Draft which is posted on the MCB4 website and to please make comments over the next two weeks.

101 [http://www.nyc.gov/html/mancb4/downloads/pdf/july\\_2013/32%20BTF%20Statement%20of%20District%20Needs%20FY%202015.pdf](http://www.nyc.gov/html/mancb4/downloads/pdf/july_2013/32%20BTF%20Statement%20of%20District%20Needs%20FY%202015.pdf)  
102

103 **GENERAL PUBLIC SESSION:**

104 MCB4 Chair Johnson introduced 2nd Vice Chair Burt Lazarin filling in for Ms. Berthet to run the public session.  
105

- 106 1. **Jim Davis** of 255 W. 43<sup>rd</sup> Street complained of a street vendor, the Sabre Hot Dog truck with a  
107 very loud generator. Mr. Davis advocated for fines of \$200 for noise violations. If enforced his  
108 “block could pay off the national debt in week” with all the honking around the Lincoln Tunnel.  
109 Mr. Davis claimed he cannot leave his window open. He had talked to the vendor and lodged  
110 complaints, but Bloomberg is no longer working on noise issues. He believes to curb the noise we  
111 need to make the violation a “revenue stream”. “Just put a fine on it.” *Mr. Lazarin directed Mr.*  
112 *Davis to the Co-Chairs of the Quality of Life Committee.*  
113
- 114 2. **Julianne Lavaia** of 350 W. 43<sup>rd</sup> Street, Ivy Towers is a 4<sup>th</sup> generation resident. This was her first  
115 time speaking at the Community Board and she wanted to address pedestrian safety. Ms. Lavaia  
116 believes “it has grown to a state of emergency”. She reported that Friday morning a man was run  
117 over by a bus and his legs were crushed on the corner of 43<sup>rd</sup> and Ninth Avenue. Her concern is  
118 for the safety of a lot of people with all the increased activity and extra auto and pedestrian traffic  
119 in the area. ‘If you have a baby carriage or are in a wheelchair it is impossible to cross that  
120 intersection at certain times of the day.’ She would like to see split phase lights on every corner.  
121
- 122 3. **Kathleen Treat** Chair of the **Hell’s Kitchen Neighborhood Association** told the Board HKNA  
123 covers 34<sup>th</sup> to 42<sup>nd</sup> Streets and was created by neighbors because there are no Block Associations  
124 in Hell’s Kitchen South. Ms. Treat wanted to discuss Item # 31. Ms. Treat pleaded to have  
125 HKNA get some recognition for the Park on 39<sup>th</sup> Street. Ms. Treat informed the Board that HKNA  
126 leases from the Port Authority many spaces which HKNA “greened” and maintain. Cultivate  
127 Hell’s Kitchen is a welcomed new stakeholder, but the Board should remember the work done by  
128 her organization, HKNA. *Co-Secretary Delores Rubin apologized for the oversight in the letter*  
129 *stating she had not done her homework. Ms. Treat accepted her apology.*  
130
- 131 4. **Fannie Cole** of 408 W. 43<sup>rd</sup> Street wanted to be on record with her long standing battle to  
132 improve pedestrian safety at the corner of 34<sup>th</sup> Street and Ninth Avenue. On the recommendation  
133 of MCB4 Vice Chair Christine Berthet, Ms. Cole brought her story to the Board. Ms. Cole has  
134 been lobbying for the City to paint the word LOOK with a directional at the crosswalk. She had  
135 sent letters starting in 2008. Elderly have a problem getting across. The response she received  
136 informed her that painting LOOK was not warranted as most intersections have lights & the law  
137 mandates autos must yield to pedestrians. Now, she notes there are a few intersections with the  
138 word LOOK painted off the curb, but with no directional. “How do you know where to look?,  
139 right?, left?, front?, back?” Ms. Cole proceeded to read from the Senior Guidelines: “Look both  
140 ways”...”Look at the driver to make sure they can see you” *Her delivery had those in attendance*  
141 *rolling in the aisles prompting Chair Corey to interject there would be a call from the comedy*  
142 *club later tonight.*  
143
- 144 5. **Lisa Wager, Director of Community Relations of FIT** made the following announcements:  
145 • FIT is wrapping up Summer Live, a 1 or 3 week program which offered classes to Middle  
146 & High School students for as low as \$300 for the 3 weeks. Over 3,000 students enrolled.  
147 • The next exhibit at FIT is Queer History of Fashion and begins in September and has  
148 already received great press.
- 149 6. **James Wallace** of 410 W. 44<sup>th</sup> Street and MCB4 member is also Co-founder of nAscent and head  
150 of Mastrodon Films. Mr. Wallace informed the Board that New York City was the beginning of  
151 the movie industry predating Hollywood. His documentary, “ArFest” is about the oldest folk  
152 festival in America. They will be premiering their new film in Philadelphia on August 7th and it  
153 will show in New York City on August 12<sup>th</sup> at Brooklyn Bowl. Mr. Wallace urged everyone to  
154 come out and see a happy film that did not deal with global warming and dolphins dying.  
155

155 **UPDATE FROM STATE ASSEMBLY MEMBER DICK GOTTFRIED:**

156 The Assembly member commented on Housing Preservation and Development's (HPD) plan to build on the Fulton  
157 Houses site, specifically the proposal to rip out a playground to make way for a parking lot. The city's executive  
158 branch is outraged at this idea. HPD has now confirmed that they will not be doing that, but HPD had already  
159 submitted this plan before the community meetings which means the ULURP process has begun. Mr. Gottfried has  
160 demanded this plan be withdrawn & the developer set up meetings with the community before certifying any plans.  
161 Dick Gottfried was proud to announce he did two things this week that he had never done before:

- 162 • Mr. Gottfried stood with hundreds of fast food workers on a picket line. He thinks it is very important for  
163 working people in New York and across the country that these workers spoke out. He wished the turnout  
164 would have been bigger and he acknowledged MCB4 Chair Corey Johnson attended as well.
- 165 • Assembly member Gottfried also joined in for a second volunteer day to build the park on Tenth Avenue  
166 and 39<sup>th</sup> Street. He was not sure he did a good job, but was informed by HKNA Chair, Kathleen Treat that  
167 he did an excellent job.

168 The Assembly member also announced that before the end of the legislative session a bill had been passed regarding  
169 the Hudson River Park Trust that will improve the Park & strengthen it financially. An important piece of the bill  
170 will move the heliport from land on 30<sup>th</sup> Street out 1,000 feet into the river on a floating platform. Mr. Gottfried did  
171 comment they were not in favor of floating platforms, but if there has to be a heliport, better for it to be closer to  
172 New Jersey. He did clarify this was not a slight of New Jersey. He did spend his first year of life in NJ, but was  
173 born in New York at French Hospital. The Gottfrieds lived in NJ, but did not trust Jersey hospitals so Mr. Gottfried  
174 was born in his current district of Chelsea. He had since learned that Tom Duane was also born at French Hospital,  
175 but Mr. Gottfried was born there first. *Good trivia for MCB4!*  
176 Assembly member Gottfried asked if there were any questions and MCB4 member Martin Treat asked about  
177 medical marijuana. Mr. Gottfried had hoped a bill he has sponsored for many years would have come together this  
178 session, but at least there were more sponsors. There is talk that the Governor may introduce his own version of the  
179 bill for 2014. Mr. Gottfried would be "perfectly delighted for it to become a Cuomo bill" and he would do whatever  
180 he can to help a medical marijuana bill succeed.

#### 181 182 **ADOPTION OF THE AGENDA AND THE MINUTES OF THE APRIL FULL BOARD MEETING:**

183 The following changes to the [July 31, 2013 Agenda](#) were announced by Chair Johnson:

184 Item #37 on the Hudson Yards BID was moved to be the first item for discussion.

185 Two additional items were placed on the Agenda, Item #50 from the Waterfront, Parks and Environment Committee  
186 on Park funding and Item # 51 as New Business regarding Madison Square Garden. The July 31, 2013 Agenda was  
187 adopted.

188 Regarding the [June 5, 2013 Minutes](#), Burt Lazarin commended the Minutes and was then informed by the Scribe  
189 that he was the litmus test for the Minutes prompting Chair Johnson to recognize "mutual summer love going on".  
190 James Wallace requested that members in the discussion section be identified by name in the Minutes. Mr. Wallace  
191 suggested Board members identify themselves to make it easier for the Secretaries to record their comments.

192 *Chair Johnson agreed that was an excellent suggestion.*

193 Brett Firfer asked if the Board members could just have name tags prompting Chair Johnson to move to vote for the  
194 adoption of the Minutes. Thankfully, the June 5<sup>th</sup> Minutes were adopted.

#### 195 **REPORT OF MANHATTAN BOROUGH PRESIDENT SCOTT STRINGER:**

196 **David Czyzyk, representing Borough President Stringer**, noted that he had been told July and August were  
197 generally slow, but that was not the case. Mr. Czyzyk in the interest of brevity highlighted the following 3 items:

- 198 • Veggie Van is a Borough wide distribution project with GrowNYC providing 10-12 lbs. of fresh, locally  
199 grown vegetables to members of Tennant Associations and Community based organizations. For more  
200 information, contact his office.
- 201 • In regards to Big Apple Meat Market, the Borough President, Scott Stringer convened a meeting with the  
202 Port Authority and local electeds to discuss the lease of the former Project Find space. Negotiations are  
203 currently under way.
- 204 • On July 17<sup>th</sup> the BP hosted a midsummer's night Farmer's Market at Union Square which featured live  
205 music, samples of food from local restaurants and of course, the Farmer's Market open late.

#### 206 207 **REPORTS OF OTHER ELECTEDS:**

208 **Representing Senator Brad Hoylman, Ellen Lewis** updated the Board on the end of the legislative session  
209 highlighting some of the bills favored by State Senator Hoylman that passed:

- 210 • Reform of the NYCHA Board
- 211 • Speed Cameras in School Zones
- 212 • Hurricane Sandy relief
- 213 • Mandating a study of Urgent Care Centers
- 214 • Expansion of access to meningitis vaccines

215 Bills that did not pass that were a disappointment to the Senator were:

- 216 • Women's Equality Agenda
- 217 • SLA bill to provide more transparency around liquor licenses

218 Additionally, Ms. Lewis updated the Board on the following items:

- 219 • Bayview Building 550 West 20<sup>th</sup> Street: Senator Hoylman held a meeting with Empire State Development (ESD) attended by other local electeds and members of MCB4. ESD is interested in hearing from the community to determine the next steps.
- 222 • Fulton Houses: Housing Preservation and Development (HPD) with Artimus Corporation plans to build an affordable residential building at 429-33 18<sup>th</sup> Street. This development comes as a provision of the West Chelsea rezoning. Plans had been announced to build an accessory parking lot on the site of the current Fulton Houses playground. The Senator will NOT support such a plan and had written HPD to express his objections. DNAinfo has since reported this plan has now been scrapped.

227 **Paul Sawyer, for State Assembly Member Linda Rosenthal**, reported to the Board

- 228 • The Assembly Member convened a task force on afterhours construction that was comprised of members of MCB4 and electeds. Their office will put together some recommendations based on the meeting and will keep the Board updated.
- 231 • Ms. Rosenthal met with NYS Nurses Association Union 1199 SEU regarding the merger of St. Luke's Roosevelt and Mt. Sinai. Ms. Rosenthal is extremely concerned about potential downgrade of the Level 1 Trauma Center and the loss of services. This is not only critical for our district, but all of Manhattan.

235 **Harriet Sedgewick, representing City Council Speaker Christine Quinn**, announced:

- 236 • Speaker Quinn is pleased the City Budget has been passed on time for the 8<sup>th</sup> consecutive year.
- 237 • Regarding Fulton Houses, the Speaker is aware of the situation & is pleased the public outcry was heard.
- 238 • The Park Clinton is now taking applications. This is a 96-unit AFFORDABLE HOUSING Co-Op at 535 W. 52<sup>nd</sup>

241 **Trisha Shimamura, representing Congresswoman Carolyn Maloney** reported the following to the Board:

- 242 • The FBI in a 76 city raid successfully rescued 105 sexually exploited children and arrested 150 sex traffickers. The Congresswoman has co-sponsored a bill with Representative Ted Poe of Texas that would strengthen Sex Trafficking laws.
- 245 • Ms. Maloney has scheduled a series of Town Hall meetings beginning October 17<sup>th</sup> to assist constituents with issues resulting from the implementation of the Affordable Care Act, specifically providing help navigating the exchanges and online network.

248 Chair Johnson announced Council member Gale Brewer was expected to speak to the Board sometime that evening.

249 **REPORT OF DISTRICT MANAGER ROBERT J. BENFATTO:**

- 250 • MCB4 District Manager Bob Benfatto updated the Board on the outcome of City Planning and Council resolution around our district's loss of 20,000 square feet of open space to the Culture Shed. \$35 million has been appropriated for the development of Block 4 of the Hudson Park and Boulevard. MCB4 had also asked for a seat on the Board of the Culture Shed.. The Speaker can appoint a member of MCB4 to sit in their place if they cannot attend. There is also an Open Space Advisory Board for the Eastern Rail Yards. Regarding the public bathrooms at the Culture Shed, there will be a reasonable effort to keep them open in the daytime until 6pm.

- 257 • Mr. Benfatto gave the Board an update on the project at Harborview on West 55<sup>th</sup> Street. Atlantic  
258 Developers had been indicted so a new RFP will in place before December 31, 2013. The plan is to replace  
259 the parking area and basketball courts with a 155 unit building of ALL affordable rentals.
- 260 • Committee meetings in August will be: **BLP on Tuesday August 13 / C/HKLU on Wednesday, August**  
261 **14<sup>th</sup>**, but Mr. Benfatto will not be attendance as that day is his birthday. *Happy Birthday Bob! /Chelsea*  
262 **Land Use on Monday, August 19<sup>th</sup>**
- 263 • **Night Out** is Tuesday, August 6<sup>th</sup> at various locations, but Penn South is Mr. Benfatto's pick for good food.
- 264 • Finally, the **next Full Board Meeting** will be on **TUESDAY, SEPTEMBER 3<sup>rd</sup>**. The meeting was moved  
265 to Tuesday because of a religious holiday on Wednesday. As a side note, Mr. Benfatto mentioned that  
266 Monday would mark his 7<sup>th</sup> year with the MCB4. *Happy Anniversary Bob!*

267 **REPORT OF MCB 4 CHAIR COREY JOHNSON:**

268 Chair Johnson thanked the Board for their work this summer and announced that Chelsea Now with Citizens Union  
269 and NYU were hosting a forum of the candidates for Manhattan Borough President on Wednesday August 7<sup>th</sup> at  
270 NYU's Grand Hall, 238 Thompson Street at 6:30pm. Space is limited so RSVP is suggested.

271  
272 **COMMITTEE LETTERS AND RESOLUTIONS:**  
273

274 **District Plan for the proposed Hudson Yards Business Improvement District – N140038BDM**

275 *Presented by JD Noland, C/HKLU Chair*

276 Item 37: Letter to DCP re proposed Hudson Yards BID – N 140038BDM (**APPROVED UNANOMOUSLY**)

277 *Mr. Noland recapped for the Board the main purpose of the BID is to maintain the newly formed Hudson*  
278 *Park and Boulevard as well as provide supplemental sanitation services. Members of MCB4 have been*  
279 *very engaged with the process and Mr. Noland urged Board members to remain involved to make the BID*  
280 *work. This BID is unique because the area is mostly residential. This type of BID may not have been*  
281 *formed before. "We do not want a 42<sup>nd</sup> Street/Times Square alliance we want a special Hell's Kitchen*  
282 *Alliance." As a southerner Mr. Noland said he preferred a "confederacy", but in all seriousness he wants*  
283 *a "partnership". Joe Restuccia suggested on line 39 to specify the Board would like to meet quarterly. Jay*  
284 *Marcus asked to add a few sentences advocating for a future additional 7 train stop. Lisa Daglian agreed*  
285 *based on the expected population increase and Betty Mackintosh thought that would be appropriate. Ms.*  
286 *Mackintosh also expressed that the letter successfully captured the flavor of the committee meeting.*  
287 *Earnest Moderelli requested Chekpeds be added to line 204.*

288  
289  
290 **Business Licenses and Permits Committee (BLP)**

291 *Presented by BLP Co-Chair Lisa Daglian, who thanked Burt Lazarin for an amazing job filling in as Co-Chair*

292 The following items were bundled: 3-11 & 25 / 12,13,15,16,17,19,20 & 22 / 23 & 24

293 Jay Marcus complained the BLP items used too much paper which prompted the response from Chair Johnson that  
294 Board members were free to choose how much they print. *As a side note, I would like to state that I purchased a*  
295 *tablet for \$85 specifically for Board use and I have no need to print a single page.*

296 Item 1: Letter to SLA re XL Dance Bar – 512 West 42<sup>nd</sup> Street (**APPROVED**)

297 *June meeting recorded multiple complaints so method of operation was changed to mitigate problems*  
298 *July meeting recorded no new complaints with one neighbor reporting a marked improvement*

299 Item 2: Letter to SLA re Café de la Musique – 510 West 27<sup>th</sup> Street (**APPROVED**)

300 *This is BLP Co-Chair Paul Seres' establishment Chair Johnson shared with the Board Mr. Seres had*  
301 *recused himself from the entire meeting which is why Mr. Lazarin filled in as Co-Chair. Chair Johnson*  
302 *acknowledged the gesture as professional and thoughtful.*

303 Item 3: Letter to SLA re Puttanesca – 859 Ninth Avenue (56/57) (**APPROVED**)

304 Item 4: Letter to SLA re Brooklyn Fare – 431 West 47<sup>th</sup> Street (**APPROVED**)

305 Item 5: Letter to SLA re Reserve – 818 Tenth Avenue, South Store (54/55) (**APPROVED**)

306 Item 6: Letter to SLA re Gastromarket – 315 Tenth Avenue (28/29) (**APPROVED**)

307 Item 7: Letter to SLA re Seki Inc. – 208 West 23<sup>rd</sup> Street (**APPROVED**)

308 Item 8: Letter to SLA re Hell's Chicken – 641 Tenth Avenue (**APPROVED**)

- 309 Item 9: Letter to SLA re Convo 47 – 675 Ninth Avenue (46/47) (**APPROVED**)  
310 Item 10: Letter to DCA re Bocca di Bacco – 167 Ninth Avenue (20) (**APPROVED**)  
311 Item 11: Letter to DCA re Manon – 407 West 14<sup>th</sup> Street (**APPROVED**)  
312 *Presented by BLP Co-Chair Paul Seres*  
313 Item 12: Letter to SLA re Little Schubert Theatre – 422 West 42<sup>nd</sup> Street (**APPROVED**)  
314 Item 13: Letter to SLA re Marston – 310 West 53<sup>rd</sup> Street (**APPROVED**)  
315 Item 14: Letter to SLA re Yotel New York – 570 Tenth Avenue (41/42) (**APPROVED WITH AMENDMENTS**)  
316 *Paul Seres explained the primary issue was a request to change the language around the use of outside*  
317 *promoters after it had already been agreed upon at Committee by the applicant’s attorney. Biggest*  
318 *problem with previous management was noise from the rooftop lounge. Previous management*  
319 *circumvented the Board entirely. Chair Johnson wanted to clarify if the signed stipulations from*  
320 *Committee would most likely mitigate issues with this establishment. Mr. Seres responded yes; the new*  
321 *language requested is NOT what the committee voted on. Lisa Daglian did point out Manhattan Plaza had*  
322 *reported an improvement in the past month. Mr. Seres explained his concern was SLA treats hotels*  
323 *differently and the applicant may file and be granted the same method of operation as the previous*  
324 *management. Bruce MacAffer and Chair Johnson suggested sending the letter reflecting what had been*  
325 *agreed & signed upon at Committee and clarifying the concern regarding the applicant’s attempt to*  
326 *change the agreed upon stipulations.*  
327 Item 15: Letter to SLA re Pinche Taqueria – 103 West 14<sup>th</sup> Street (**APPROVED**)  
328 Item 16: Letter to SLA re Gossip – 733 Ninth Avenue (49/50) (**APPROVED**)  
329 Item 17: Letter to SLA re Chirping Chicken – 587 Ninth Avenue (42/43) (**APPROVED**)  
330 *James Wallace asked why bike racks were specifically mentioned in the letter as storage is usually required*  
331 *to be inside after hours. Paul Seres recalled the issue had brought up by Vice Chair Christine Berthet. Lisa*  
332 *Daglian explained there currently is a bike rack on the corner and they wanted to clarify storage.*  
333 Item 18: Letter to SLA re Morningside Terrace 772 Ninth Avenue (51/52)(**APPROVED WITH AMENDMENTS**)  
334 *Current owners approached BLP, Block Associations and Midtown North Police They seek to use a*  
335 *backyard space until 4am. There is no concrete evidence they had used this space before, but there was*  
336 *some language in their license which may indicate they can use the space. The backyard space will be*  
337 *enclosed as Renaissance Diner at 776 Ninth Avenue. James Wallace asked if the applicants submitted*  
338 *drawings as promised. District Manager Benfatto told the Board he did receive the drawings. Mr. Wallace*  
339 *also asked to clarify the BLP’s committee’s request that the applicant come before BLP in 6 months. Ms.*  
340 *Daglian explained they would like them to return after 6 months of operation to discuss hours. Chair*  
341 *Johnson suggested that should be clarified in the letter.*  
342 Item 19: Letter to SLA re Pasta I – 186 Ninth Avenue (21/22) (**APPROVED**)  
343 Item 20: Letter to SLA re Zegara Wine Bar – 216 Seventh Avenue (22/23) (**APPROVED**)  
344 Item 21: Letter to SLA re Aggiepolo Inc. – 761 Ninth Avenue (50/51) (**APPROVED**)  
345 *Block Association concerned about open windows, but there were no new complaints*  
346 Item 22: Letter to SLA re Tavern Hell’s Kitchen – 522 Ninth Avenue (39) (**APPROVED**)  
347 Item 23: Letter to DCA re Hourglass Tavern – 373 West 46th Street (**APPROVED**)  
348 Item 24: Letter to DCA re Pio Pio – 604 Tenth Avenue (43/44) (**APPROVED**)  
349 Item 25: Letter to SLA re AA Jing – 689 Ninth Avenue (47/48) (**APPROVED**)  
350 Item 26: Letter to SLA re Traffic Bar – 701 Ninth Avenue (48) (ratification) (**APPROVED**)  
351 *Repeat offender with recurring complaints to BLP. May see improvement for 1 week then back to business*  
352 *as usual. Police reports are now being filed so Committee is asking SLA NOT to renew license.*  
353 *JD Noland thanked the Committee, commenting Traffic Bar is a “bad place.”*  
354

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

- 355 *Presented by Pamela Wolff, Landmarks Co-Chair*  
356  
357 Item 27: Letter to LPC re 465 West 21<sup>st</sup> Street (ratification) (**APPROVED WITH AMENDMENTS**)  
358 *Walter Mankoff asked if the letter could state an opinion on the addition of two floors.*  
359 Item 28: Letter to LPC re 460 West 22<sup>nd</sup> Street (ratification) (**APPROVED**)  
360 *The draft letter sent to the Full Board was not the letter that had been sent to LPC. Ms. Wolff said the*  
361 *actual letter was very different. DM Benfatto clarified the letter was structured differently and some of the*

362 language was changed. Both stressed the content for the letter had passed committee unanimously.  
363 Maarten de Kadat expressed discomfort voting for a letter he had not reviewed.  
364

365 **Housing Health and Human Services Committee (HH&HS)**

366 Presented by Joe Restuccia, HH&HS Co Chair

367 Item 29: Letter to HPD re LIHA – 546 West 44<sup>th</sup> Street (**APPROVED**)

368 This project is privately financed and will include affordable housing units, but there is great concern  
369 regarding unequal finishes in the affordable units. Attached with this letter is a response from the  
370 developer stating some of the requests they have agreed to. Mr. Restuccia has requested a follow-up  
371 meeting with HPD on this matter.

372 JD Noland asked if Chair Johnson along with some committee members would be willing to meet with  
373 HPD about this issue because it continues to be a problem. Pamela Wolff was at this meeting, but is not a  
374 member of this committee and wanted to say she was “thrilled” with the “eloquence” of both Mr. Noland  
375 & Mr. Restuccia in expressing the Board’s concern making her wish she were on that committee. Brad  
376 Pascarella agreed the Board should “take a stand”.

377 Item 30: Letter to ESD re Bayview Corrections Facility (**APPROVED WITH AMENDMENTS**)

378 Bayview had been schedule to close on September 1, but ESD has said there is now no set date. ESP is  
379 working with the community and local electeds to come up with a plan for the building. The letter  
380 recommends permanent affordable housing units and the building itself be designated for historic  
381 preservation.

382 The pool could be restored as a community resource and given this building housed a prison which was a  
383 “good neighbor” we would hope there would be a consideration for some continued social service use.  
384 Lee Compton asked to include a statement about preserving the chapel. Brett Firfer made a case to make a  
385 bigger statement about needing a prison. Mr. Restuccia agreed to add a line about downsizing concerns.  
386 Betty Mackintosh wanted more than youth to be singled out for use of potential recreational space. Pamela  
387 Wolff personally feels a loss with the closing of the facility and is concerned about the women who were  
388 there. Ms. Wolff is grateful the Board is continuing to be part of the conversation on the next steps.  
389

390 **Waterfront Parks and Environment Committee (WATER)**

391 Presented by WPE Committee member Delores Rubin

392 Item 31: Letter of Support to Cultivate HKNY-West 39<sup>th</sup> Street Park(**SENT BACK TO COMM. FOR REWRITE**)

393 Ms. Rubin re-iterated the intent to amend the letter to include the history of HKNA’s involvement with this  
394 space. Joe Restuccia questioned if the Audobon Society had ever designated this Park as a bird sanctuary.  
395 Earnest Moderelli wanted to state that this was not an unused lot. Martin Treat disputed Mr. Restuccia’s  
396 dismissal of the park’s history stating he personally used that park for 15 years. HKNA cultivated that  
397 park and Mr. Restuccia’s comments were insulting. Chair Johnson assured Mr. Treat the letter would be  
398 amended to reflect the history of the site so it was sent back to committee.  
399

400 **Budget and Jobs Task Force (B&J)**

401 Presented by Burt Lazarin, Budget Task Force Co-Chair

402 Item 32: Statement of District Needs (**APPROVED**)

403 Maarteen de Kadat thinks it is important to review the document and believes the document was amazing.  
404

405 **Clinton/Hell’s Kitchen Land Use Committee (C/HKLU)**

406 Presented by JD Noland, C/HKLU Chair

407 Item 33: Letter to DCP re Flood Resilient Text Amendment (**APPROVED**)

408 Item 34: Letter to EDCP re 384b4 process – lease of City land to Culture Shed, Inc. (**APPROVED**)

409 Walter Mankoff wanted to confirm the land being leased was City owned, not MTA. Betty Macintosh  
410 questioned why the Board needed to write a letter on the lease. DM Benfatto explained City Charter  
411 requires the Community Board to make a recommendation to the Borough Board.

412 Item 35: Letter to DCP re East Midtown Re-zoning – Sunrise Provision, etc. (ratification) (**APPROVED**)

413 Mr. Noland summarized there are some plans to build in Midtown so NY would resemble Shanghai. This  
414 letter is to show solidarity with other Community Boards “although we look down on them”, he added in  
415 jest. Mr. Noland did note it was a “weazly” letter, but well written.

416 Item 36: Letter to DCP re Enclosed sidewalk café at 879 Ninth Avenue – N 120146 ECM (**APPROVED**)



417 *This letter had already been written, but the applicant changed their windows, the new letter reflects that.*

418 Item 38: Letter to DCP re Special permit for a PCE (gym) at 605 West 42<sup>nd</sup> Street (**APPROVED**)

419 *Letter is to the BSA, not DCP.*

420

421 **Chelsea Land Use Committee (CLU)**

422 *Presented by Lee Compton, CLU Co-Chair*

423 Item 39: Letter to DCP re Special West Chelsea District Study Report (**APPROVED**)

424 *SWCD was created in 2005. Among the accomplishments: preservation of the Highline and the transfer of*  
425 *bulk away from that. It did not include the area west of 10<sup>th</sup> Avenue between 15<sup>th</sup> & 30<sup>th</sup>. The hope is to set*  
426 *a general context for the entire area and add this area to the Special District. City Planning is not in favor*  
427 *of this proposal. Lines 189- 191 will be amended to reflect recent changes. Jay Marcus asked to add*  
428 *Manufacturing. Mr. Marcus did let the Board know he will not vote for the letter because with the end of*  
429 *the Bloomberg era our Board can take a harder stance against development. JD Noland pointed out*  
430 *Manufacturing does include hotels. Maarten de Kadat asked to use a more neutral tone instead of*  
431 *expressing gratefulness.*

432

433 **Transportation Planning Committees (TRANS)**

434 *Presented by Jay Marcus, Trans Co-Chair*

435 The following items were bundled: 40,41 & 44

436 Item 40: Letter to DOT re parking regulations at W. 44<sup>th</sup> /W. 45<sup>th</sup> Streets & 11<sup>th</sup> Avenue (ratification) (**APPROVED**)

437 Item 41: Letter to Hess Corporation re P.S. 51 and pedestrian safety (**APPROVED**)

438 Item 42: Letter to DOT re Intercity Bus Stops in CB4 (ratification) (**APPROVED WITH AMENDMENTS**)

439 *Mr. Marcus wanted to thank Christine Berthet and Brett Firfer for their work visiting many of the stops.*  
440 *Lisa Daglian wanted to confirm this includes the small buses to NJ. Ms. Daglian pointed out there is not*  
441 *signage for these buses. Mr. Marcus explained DOT will be enforcing stops that are not marked and would*  
442 *add language regarding that issue.*

443 Item 43: Letter to MTA re M11 Bus Service (**APPROVED WITH AMENDMENTS**)

444 *Line 29 was corrected to indicate MTA*

445 Item 44: Letter to NYPD re Midtown Precinct Crossing Guards at PS51 (ratification) (**APPROVED**)

446 Item 45: Letter to DoITT re proposed Phone Booth RFP Rules (ratification) Item 45a: Letter to DoITT re proposed  
447 Phone Booth Location Rules (**APPROVED**)

448 *Mr. Marcus recognized the incredible work by Christine Berthet on this RFP. Lisa Daglian wanted to*  
449 *point out any change in the phone booths will affect sidewalk café regulations. Chair Johnson*  
450 *acknowledged, but the Board can deal with that on another day.*

451 **Executive Committee (EXEC)**

452 Item 46: Letter to HTPT re Hudson River Park Act Revisions – transfer of development rights (**APPROVED**)

453 *Joe Restuccia suggested the last paragraph be changed to indicate the Board would like to be part of the*  
454 *process instead of waiting for something to be presented to the Board. Chair Johnson agreed. Earnest*  
455 *Moderelli pointed out some Board members never saw this letter. Brett Firfer asked for a correction to line*  
456 *21, including not from.*

457 **Quality of Life: ACES (QoL)**

458 No actions to report

459 **New Business (NewBus)**

460 Item 47: Letter to HYDC/MVVA re design tweaks to Block 4 of Hudson Park & Boulevard (ratification)  
461 (**APPROVED**)

462 *This letter had already been gone out.*

463 Item 48: Letter to HPD re Fulton Houses Project – 140001ZMM, N140002ZAM (ratification) (**APPROVED**)

464 Item 49: Letter to DOT re Pedestrian Safety - serious injury at West 43rd Street and Ninth Avenue (**APPROVED**)  
465 *Barbara Davis stated as a correction, 1,100 seniors and 2,600 residents that live at Manhattan Plaza. JD*  
466 *Noland warned about the overuse of the term “tragic”. George Santana witnessed this accident and*  
467 *thought the language in the letter should be stronger to reflect how truly horrific this incident was. Mr.*  
468 *Marcus indicated he will keep the language for now, but in the future be less alarming. Lisa Daglian*  
469 *pointed out this area with tour buses has a tremendous number of people. Chair Johnson agreed to add*  
470 *language to that point. Pamela Wolff wanted the letter to make the demand upfront. Larry Roberts asked*  
471 *to footnote the statistics on the deaths.*

472 Item 50: Letter to support New Yorkers for Parks (**APPROVED PENDING REWRITE**)  
473 *This letter produced strong reactions from Board members. The primary concern was writing in support of*  
474 *a specific advocacy group. Among those expressing concern were, JD Noland, Lisa Daglian, Brad*  
475 *Pascarella. Chair Johnson told the Board there was precedent for support of advocacy groups on a case*  
476 *by case basis. Another concern was in the wake of a critical election year the Board may want to address*  
477 *other important issues with the mayoral candidates. This was voiced by, Walter Makoff, Burt Lizarin.*  
478 *Chair Johnson did not recall the Board sending a letter to candidates. Joe Restuccia clarified New Yorkers*  
479 *for Parks was a 100 year old organization that advocates for green spaces in NYC. Mr. Restuccia believes*  
480 *the Board should not penalize advocacy groups for being proactive and reaching out to the community. He*  
481 *suggested the letter be addressed to NY4P. Brett Firfer questioned the data cited in the letter. James*  
482 *Wallace stated the letter was poorly written and not up to CB4 standards. Lisa Daglian suggested the*  
483 *letter be rewritten & addressed to NY4P outlining our district's concerns around green spaces and*  
484 *support their general position. Chair Johnson agreed and brought the matter to a vote.*

485 Item 51: Letter to DOB re: MSG Signage (**WITHDRAWN**)  
486 *This concerns MCB5, but Board 4 has weighed in on this issue in the past. Chair Johnson read the letter to*  
487 *DOB from MCB5 on this matter to the Board. JD Noland pointed out the agenda for MCB5 may be*  
488 *different from our Board's agenda and recommend the Board be careful in this matter. Lee Compton*  
489 *agreed with JD Noland so Chair Johnson withdrew the letter.*

490 **The meeting was adjourned at 21:34** Scribed by Delores Rubin.

491  
492  
493

494