

MANHATTAN COMMUNITY BOARD 4

SEPTEMBER 3, 2013

Fulton Auditorium, 119 Ninth Ave.

AGENDA

Public Session: Christine Berthet

Adoption of Agenda: Corey Johnson

Adoption of Last Month's Minutes: Corey Johnson

Report of the Manhattan Borough President: David Czyzyk

Reports of Local Elected Officials: Various

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

Report of the Chair: Corey Johnson

Committee Reports -- Letters & Resolutions

Old Business

New Business

Adjournment

Chair Corey Johnson called the meeting to order at 6:40 pm.

PUBLIC HEARING: Application for a renewal of an enclosed sidewalk café at 368 West 23rd St.

There was one speaker on this application. Phyllis Waisman, who lives in the same building that houses the restaurant, noted that the Chelsea Square Restaurant has always been a good neighbor and recommended that this renewal application be approved.

PUBLIC HEARING: Affordable Housing at West 18th Street between Ninth and Tenth Avenues. Two discretionary actions: a zoning map amendment to extend the existing R8 zoning and an authorization for modification of height and setback requirements pursuant to ZR section 23-635 as well as parking requirements.

Lee Compton conducted this public hearing. HPD made a presentation on the proposed project and this was followed by numerous questions from CB4 members on the application. JD Noland said that there should be more financial resources devoted to the playground area. Maarten de Kadt inquired about the number of trees that will be planted along the entire circumference of the zoned lot. de Kadt also questioned was concerted effort meant in relation to jobs for the local community. Ambur Nicosia wanted clarification that HPD would provide the job training for this particular site. Jay Marcus wondered about the results of the shadow study in the EIS. Raul Larios asked about the number of local residents hired for the HPD project in CB 11. Mike Noble inquired about pets and smoking, neither of which will be permitted in the West 18th St. project. The HPD rep responded that no HPD project permits pets.

Richard Mason and Joon Kim both expressed concerns about the dumpster that is being moved adjacent to 422 West 20th St. Shirley wanted to know why affordable housing is being built there when there is such a dire need for a hospital in the community.

At this juncture, State Assembly Member Dick Gottfried spoke and commented that the project has gotten a lot better but he is still angry at HPD and NYCHA in regard to the recent playground issue. Gottfried continued that he wanted to know who was the person that came up with the bright idea of ripping out the playground replace it with parking spaces?

Chris O'Hara, Alexander Rubinov, Seth Slotkin, Aaron Freeman, Sean Morrison, Adam Fuller and Will Sauter, all from 422 West 20th St., spoke in opposition to the trash compactor's proposed location.

Miguel Acevedo asserted that this land should be for low income housing. Frank Lowe questioned the reduction of parking spaces as well as the number of studio apartments. Lowe also questioned the sale of public land for this project.

Carol Demech claimed that HPD's presentation was one of the worst she's ever seen, but did not elaborate on those she rated below the presentation just made. She also related that the proposed improvements by HPD were a joke and that parking needed to be underground. Penach also said that three bedroom apartments were part of the original agreement back in 2005.

Finally, Chair Corey Johnson spoke on the West 18th St. HPD project. He explained that since he had an affiliation with the attorney for the residents, he needed to vote "present not eligible". Johnson went on to say that he thought that while CB4 had done a good job in trying to figure out how this would work for the community, he believed the project was rushed through the ULURP process.

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PUBLIC SESSION:

Johnson introduced first Vice Chair Christine Berthet to run the public session.

Ben Joseph, from Related Management, spoke on the project at 500 West 30th St., which is currently under construction. Joseph stressed that 20% of the units will be affordable housing. It will be completed, according to Joseph, by early 2014.

Ruth Shapiro, from Penn South, spoke about the scarcity of M11 buses on Ninth Ave. She is putting together a petition, she explained, to present to the MTA.

Will Rogers, representing the Council of Chelsea Block Associations, spoke against Item 9, saying it would have a negative impact on the community. Phyllis Waisman also spoke on Item 9, wanting CB4 to restrict the number of patrons allowed on the roof.

Bill McCracken spoke in opposition to Item 5, explaining that there is already an oversaturation of liquor licenses in that community.

Senator Brad Hoylman jumped in at this point to give a brief report. He applauded CB4 and thanked them for their efforts in reference to Bayview, the former women's prison. Hoylman also spoke about the recent spike in hate crimes and about an upcoming presentation (October 3) on fracking.

Carol Demech, Roz Olivares, Carol Wixman, Mary West and Pat Diamond, all from 135 West 23rd St., spoke against the recent installation of a pedestrian bench in front of their residence. Resident after resident complained that these benches are used primarily by vagrants. This building is comprised of many blind and disabled residents and the common thread was that DOT needs to move this bench. Berthet responded to the complaints of the residents, explaining that the CB4 Transportation Committee would add the issue to their September, '13 agenda.

Fannie Cole spoke about the Select buses running on 34th St., claiming that buses will not wait if you don't have a paper slip (pass) ready to hand the driver.

Jody Bell, representing "yplan", explained that this is a new phone application being launched in NYC.

Will Malnat, representing Toro, a new restaurant at West 15th St. and 11th Ave., wanted to let the community know they are now ready to accept applications.

Frank Lowes addressed the issue of selling taxpayer financed assets (land) to private developers. He opined that it made more sense to lease the land to developers so the land doesn't become perpetually privatized.

Bob Minor, representing HK50/51, spoke on Item 6, and asked CB4 to approve this application, subject to a stipulation regarding the backyard use. Sean Burger, the applicant for Item 6, followed Minor and offered a brief description of what the establishment will be.

Zozo Leven, Co-chair of the Block Association and representing the 300 blocks of West 21st, 22nd and 23 Sts, would like for CB4 to limit roof use to hotel guests only at the Gem Hotel.

ADOPTION OF THE AGENDA AND THE MINUTES OF THE APRIL FULL BOARD MEETING:

The September 3, 2013 agenda was adopted. The board adopted the July 31, 2013 minutes, as submitted by Delores Rubin.

REPORT OF MANHATTAN BOROUGH PRESIDENT SCOTT STRINGER:

David Czyzyk, representing Borough President Scott Stringer, related the office has released "New York City's Digital Deficit", which relates to an investigation into slow internet speeds in public schools and libraries.

REPORTS OF OTHER ELECTEDS:

Funsho Awalob, representing Assembly member Linda Rosenthal, announced that her annual breast cancer screening event would be held on October 5 from 10 am-5 pm in front of her district office at 230 West 72nd St.

REPORT OF DISTRICT MANAGER ROBERT J. BENFATTO:

WAIVED

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REPORT OF MCB 4 CHAIR COREY JOHNSON:

Chair Johnson announced the names on the Nominating Committee for CB4 elections in December. Betty McIntosh will once again chair the committee, with members Frank Holozubiec, Pete Diaz, Walter Mankoff, Elizabeth Zechella, Hugh Weinberg and Lourdes Calderon. Anyone interested in running should let one of the Nominating Committee members know.

COMMITTEE LETTERS AND RESOLUTIONS:

Chelsea Land Use Committee (CLU)

Item 1: Letter to DCP re Fulton Houses

Committee Co-Chair Lee Compton led the discussion of this item. Compton reminded everyone that the community asked for this building and noted that this came out of the West Chelsea rezoning in 2005. He stressed that this public land is not purely for poor people, as was asserted during the public session, but was 100 per cent affordable. Also, Compton informed everyone that the dumpster spoken of often during the public session is actually not part of the application, saying it was NYCHA property and they have the right to move things around as they see fit. The letter was unanimously approved by the committee.

A lively discussion on the item followed. Brett Firfer opined that he believed the income bands were set too high. Lisa Daglian wondered what happens if CB4 says no to this application. Jay Marcus offered that HPD should be held to the commitments they have previously made. JD Noland would like to make the letter a "deny" unless the conditions asked for by CB4 were met and added that he could not support the application as long as there was a no pet policy, which Noland termed inhumane. Noland also reiterated that the playground equipment was severely inadequate. Berthet asked why the dumpster could not be relocated underground. Daglian offered that CB4 should insist that HPD work with the community in relocating the dumpster.

Compton asked if a member would like to offer an amendment changing the letter to "deny unless". Noland made the motion and it was seconded. The motion passed 24-6.

A roll call vote was taken for the letter as amended. The letter was approved 28-3-1. APPROVED

Executive Committee

Item 2: Letter to DCP DCA re Application for a renewal of an enclosed sidewalk café at 368 West 23rdSt (RATIFICATION) APPROVED

Item 3: Letter of Support to CHDC – West 39thStreet Park (RATIFICATION) APPROVED

New Business (NewBus)

Item 4: Letter to SLA re PBQ, LLC d/b/a BarBacon – 832-836 Ninth Avenue (50/51) (APPROVED)

Item 5: Letter to SLA re Calle 26 LLC d/b/a Cuban Star – 150 W. 26thStreet (6/7) This is a letter recommending denial. (APPROVED)

Item 6: Letter to SLA re 736 10thAve Café Inc. – 736 10thAvenue (50/51) (APPROVED)

Item 7: Letter to SLA re Midtown Comedy Club Inc. d/b/a HA! Comedy Café – 358 W. 46thSt (8/9) (APPROVED)

Item 8: Letter to SLA re Rim Nam Corp d/b/a Siri Thai – 641 10th Avenue (45/46) (APPROVED)

Item 9: Letter to SLA re 300 West 22Realty d/b/a The Gem Hotel – 300 W. 22ndStreet (8/9) (SENT BACK TO COMMITTEE)

Item 10: Letter to DCA re De Armas Enterprises Corp d/b/a Coppelia – 207 W. 14th Street (7/8) (APPROVED)

Item 11: Letter to DCA re Manon LLC d/b/a Manon – 407 W. 14thStreet (9/10) (APPROVED)

BLP Co-Chair Paul Seres introduced these letters and bundled Items 4 and 8 (APPROVED). He noted that there wasn't a quorum at BLP's August meeting, which is why the letters are being introduced as new business.

The meeting was adjourned at 9:33 pm.

Respectfully Submitted by Larry Roberts