

MANHATTAN COMMUNITY BOARD 4

APRIL 3, 2013

Roosevelt Hospital, 1000 Tenth 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 6:37 pm and introduced Betty Mackintosh to hold the public presentations/hearings before CB4.

PUBLIC PRESENTATION/HEARING:

N130178ZRM - Proposed text amendments to Article IX, Chapter 3 re Culture Shed Proposal: The Department of City Planning has referred to us an application to amend the Special Hudson Yards District of the NYC Zoning Resolution in order to facilitate the development of a cultural facility known as "The Culture Shed". The building includes a deployable shed that can extend over the plaza to provide protection from the elements when cultural or community events are presented. Culture Shed will present exhibits and performances and is potentially the future home of Fashion Week. The proposed text amendment would modify the requirements of Eastern Rail Yard Subarea A1 regarding use, site plan, and signage requirements, as well as construction timing, floor area calculations, and public access area use.

Laurie Beckelman, representing the Culture Shed, gave an overview of the proposal. Elise Wagner, an attorney also representing the Culture Shed, explained the proposed text amendments before CB4 tonight.

The first speaker on the list, Laura Raichovich, spoke in support of having such a flexible space available for public art exhibitions.

Mark Russell, an artistic director, said he was excited by the possibilities that the Culture Shed would provide the city and the arts, both for profit and non-profit companies. Russell also spoke of the Culture Shed's flexibility being a major asset.

Katy Clark, executive director of the orchestra at St. Luke's, spoke of the need for more performance spaces in the neighborhood and is fully in support of the project.

Peter Mullen representing the High Line, believes the Culture Shed will make an enormously positive contribution to the High Line, Hudson Yards and the neighborhood and will have a transformative impact on the city.

Jim Fouratt, a street performer, asked what the intentions were regarding ticket prices. The reps for the Culture Shed responded that there will be a lot of flexibility in programming and ticket prices.

The final speaker, Lisa Wager, from FIT, questioned the proximity of the Culture Shed to FIT. It was clarified that there was no physical connection between the two.

BSA CAL. # 74-13-BZ: Special Permit application for a Physical Culture Establishment (Blink Fitness) at 308/12 Eighth Avenue

There were no speakers signed up to speak on this issue.

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PUBLIC SESSION:

Assembly Member Dick Gottfried announced that the State Assembly and Senate passed the budget. Gottfried also spoke about the ongoing issues facing Hudson River Park and the current status. Gottfried concluded by saying he had to go up to the Community Board 7 meeting, but added that he likes Community Board 4 more.

Assembly Member Linda Rosenthal spoke briefly about the budget, saying that there were some wins and some compromises. Also, Rosenthal mentioned that she held a news conference a few days ago with the UFT, CEC and parents concerning PCB leaks. Rosenthal has a bill pending in the Assembly that would require all of these fixtures to be remediated within the next two years. Finally, Rosenthal related that NYCHA bypassed required tenant participation in upcoming NYCHA developments and said she has taken steps to ensure future tenant participation.

Johnson introduced First Vice Chair Christine Berthet to conduct the public session.

John Doswell announced a program entitled "Sailing Ships at Work" that will take place at the Community Church (40 East 35th St.) on Wednesday, April 10 from 6-9 pm. Also, there will be a series called "Beyond Sandy" on Tuesday evenings that is sponsored by the Working Harbor Committee, New York Water Taxi and Circle Line Downtown.

Jim Fouratt spoke in support of Item 11 on the agenda, which concerns the installation of crosstown bike lanes on West 15 & 16th Sts. He noted that it's both practical and safe to put those lanes in.

Betty Mackintosh, with vegetable props handled by Joe Restuccia, invited all to the Spring Kick Off of the Hell's Kitchen Farm Project (410 West 40th St.) on Saturday, April 13 from 11 am-3 pm.

FIT's Lisa Wager, announced current programming taking place at FIT, including "Shoe Obsession" and "Boots: The Height of Fashion". Further information can be obtained at fitnyc.edu/museum.

Martin Treat wondered what progress has been made for a larger supermarket to come into our community, such as Trader Joe's. He asked what CB4 committee might be able to help him. Berthet suggested he reach out to either the Housing, Health & Human Services Committee or the Quality of Life Committee.

Representing Holy Cross parents, Eva Leclercq thanked CB4 and especially Berthet for assistance provided to the Holy Cross school in the past. Leclercq recounted the history of the proposed closing of Holy Cross a couple years ago and recent events which culminated in a letter from the New York Archdiocese that stated the school will indeed be closed.

Delores Rubin announced that a symposium called "Blocks for Blocks" would be held on April 13 from 9 am-1 pm and said this was a great opportunity for block associations to exchange ideas. Rubin also referenced Governor Cuomo's State of the State Address, highlighting the 10 point plan for his women's equality agenda and calling it a big step in moving forward and being a shining beacon for the rest of the country.

Raul Larios gave an update on CB4's community jobs project, an initiative that was approved late last year and asks employers who do business in our community to hire from within.

The attorney for The Fifth Pine (Item 9), Elke Hofmann, said her client wanted to appear in person at the full board to answer any possible questions that might be asked. Also, Hofmann noted that her client had obtained many letters of support from members of the community, which were delivered to the board tonight. Chair Johnson said that there was a question of whether sufficient outreach had been made to London Terrace. The applicant, Alex Raij, responded that it wasn't for lack of trying and she would be happy to reach out to whoever needed to be contacted.

City Council Member Gail Brewer acknowledged CB4 member for her extraordinary work this month in helping people. She also addressed paid sick leave and outlined the parameters of the bill currently before City Council, which should go before the full council by the end of April. Brewer also touched on the high number of weekend permits being issued by DOB, saying her office was swamped by calls complaining about all the drilling and blasting going on.

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

The April 3, 2013 agenda was adopted as presented.

The board adopted the March 6, 2013 minutes, as submitted by Evangeline Gomez.

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REPORT OF MANHATTAN BOROUGH PRESIDENT SCOTT STRINGER:

David Czyzyk, representing Borough President Stringer, spoke about the process by which the eight new members of CB4 were chosen. Czyzyk related that there were 38 applicants for those openings. He then welcomed the new members: Tanya Odom, Ambur Nicosia, George Santana, Brad Pascarella, Rev. Keith Fennesey, Michael Noble, David Solnick and Eric Latsky. Also, Czyzyk introduced Stringer's newly issued "Growing Gotham: A Survey of New York City's Minority and Women Business Enterprises and a Roadmap for Economic Growth", copies of which were available in the back of the room.

REPORTS OF OTHER ELECTEDS:

Representing Senator Brad Hoylman, Ellen Lewis encouraged everyone to come out for the public forum on the proposed closing the Old Chelsea Post Office. The forum will be held at the Fulton Center Auditorium on Thursday, April 11 at 6:30 pm.

Harriet Sedgewick announced that there would be a public hearing regarding the strengthening the enforcement of existing electronic bicycle laws. The hearing will be held at 250 Broadway on Wednesday, April 10 at 1 pm.

Edgar Hu, announced that applications were available for "The Legal Bound Program" a summer internship program being run by the New York County District Attorney's Office. The deadline for applications is Friday, April 26.

From Congress Member Carolyn Maloney's office, Christina Parise informed everyone that Maloney has introduced three major gun bills, including making gun trafficking a federal crime and requiring gun owners to carry liability insurance.

REPORT OF DISTRICT MANAGER ROBERT J. BENFATTO:

CB4 District Manager Bob Benfatto reminded those in attendance about the upcoming public forum on the proposed closure of the Old Chelsea Post Office. There will also be public hearings on the proposed Hudson Yards BID during the month of April, on Tuesday, April 23 and on Thursday, April 25. Benfatto then addressed the Brookfield construction site in the West 30s that has been troublesome to nearby residents. The construction company has a website, updated daily, so that residents will know exactly what activities are upcoming on a given day. Benfatto also updated CB4 on the progress of the Pier 57 lease.

REPORT OF MCB 4 CHAIR COREY JOHNSON:

Chair Johnson welcomed the new board members to CB4 and asked them to introduce themselves. Johnson encouraged the new members to attend as many committee meetings as they would like before making committee requests.

COMMITTEE LETTERS AND RESOLUTIONS:

Chelsea Land Use and Clinton (CLU)/Hell's Kitchen Land Use Committees (CHKLU)

Item 1: Letter to DCP re The Culture Shed (ROLL CALL VOTE: APPROVED 44-1)

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Betty Mackintosh, Co-Chair of the Chelsea Land Use Committee introduced Item 1 and highlighted areas of concerns, recommendations and clarifications before questions and comments from the board. Johnson commended the hard work put into this letter by Mackintosh, Lee Compton, JD Noland and Joe Restuccia as well as Bob Benfatto. There was spirited discussion on this letter before going to roll call vote. Maarten DeKadt felt that the 20000 square feet of publicly accessible park space definitely needs to be in place before the project goes forward. DeKadt also asked for clarification regarding the number of days the Culture Shed may be closed to the public. It was agreed that the letter should read days, NOT times. Burt Lazerin would like language barring certain uses, such as trade shows. Lisa Daglian also addressed the "language" issue, opining that we need to clarify what days, times, events actually mean. Christine Berthet asked that language in the letter addressing illuminated signage be reflective of what she said the applicant has previously agreed to. Jay Marcos made a motion to increase the number of days for private events permitted from six to 12. The motion failed, 16-23. Noland noted that CB4 would like to have a presence on the specific Board responsible for programing the open space and added that perhaps it can also be asked that CB4 have a seat on the Cultural Shed board as well. There continued to be questions raised about fixing a specific number of days permitted for the Culture Shed to be closed to the public. Lee Compton felt that there should be a finite number specified in the letter and mad a motion that the number be 34 days. That would include two 14 day periods for Fashion Week events and six that were already agreed to at committee level. Johnson reminded CB4 members that DCP Commissioner Anna Hayes Levin had urged flexibility in establishing a concrete number, but also understood the community's need for one. Her hope was that the number be reasonable. Compton's motion passed. The roll call vote was 44-1 to approve Item 1, with Maarten DeKadt the lone wolf.

QChelsea Land Use Committee (CLU)

Item 2: Letter to BSA re special permit for a PCE at 308-12 Eighth Ave. (APPROVED)

Chelsea Land Use Co-Chair Lee Compton introduced Item 2.

Quality of Life: ACES Committee (QOL)

Item 3: Letter to NYC Archdiocese re closure of Holy Cross School (APPROVED)

QOL Co-Chair David Pincus introduced the Item 3.

Housing Health and Human Services Committee

Item 4: Letter to HPD re LIHA-605 W. 42nd St. (The Moinian Group) (APPROVED)

Housing Health and Human Services Co-Chair Joe Restuccia introduced Item 4. Daglian asked that any new developments around 42nd St. include language regarding the need for additional schools and infrastructure, including a subway station at 41st St. and Tenth Ave.

Business Licenses and Permits Committee

Business Licenses and Permits Co-Chair Lisa Daglian introduced Items 5-8.

Daglian asked that Items 5, 6, 7 & 8 be bundled together and her request was accepted. (APPROVED)

Item 5: Letter to SLA re Matthew Gebhard or Corp to be formed – 328 W. 45th Street Item 6: Letter to SLA re Peter Callahan Catering – 137 W. 25th Street

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Item 7: Letter to SLA re Bareburger – 366 W. 46th Street

Item 8: Letter to SLA re Michael Bergman or Corp to be formed – 525 W. 29th Street

Item 9: Letter to SLA re The Fifth Pine Inc. - 401 W. 24th Street (WITHDRAWN)

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Business Licenses and Permits Co-Chair Paul Seres introduced Item 9. He explained that there were concerns that not enough outreach had been made from the applicant to the community and residents at London Terrace. He noted that the applicant has expressed a strong desire to work with the community. Walter Mankoff asked that we be uniform in our rules and that this seems to be a deviation, where the applicant is being asked to “ring every doorbell” in order to get approval. It was agreed that the letter should be tabled, so that the applicant can have further discussions with the board from London Terrace and appear at the April 9 BLP meeting before the full board vote on the letter is taken on May 1.

Transportation Planning Committee (TRANS)

Transportation Planning Committee Co-Chair Christine Berthet introduced Items 10-13.

Berthet asked that Items 10, 11, 12 & 13 be bundled together. After discussion, Item 13 was pulled out to be voted on separately. Items 10, 11 & 12 were bundled. (APPROVED)

Item 10: Letter to DCA re Newsstand at 502 W. 42nd Street

Item 11: Letter to DOT re Cross Town Bike Lanes – W. 15th and W. 16th Streets

Item 12: Letter to PANYNJ re bus idling in parking lot on W. 34th Street between Ninth and Tenth Avenues

Item 13: Letter to DOT re speed bump on W. 26th Street between Ninth and Tenth Avenues (APPROVED)

New Business (NewBus)

Items 14 & 15: Letters to SAPO re Street Festivals for Block Associations and Community Council (ratification) (APPROVED)

The meeting was adjourned at 9:49 pm.

Respectfully Submitted by Larry Roberts