

MANHATTAN COMMUNITY BOARD 4

MAY 1, 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 SESSION:

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

The first speaker, Marlane Glicksman, voiced continued concerns about the intersection of West 46th St. and Tenth Ave.. This issue is Item 30 on the agenda. Glicksman described the numerous parks and playgrounds in the immediate vicinity as well as those facilities offering services for senior citizens.

Rob Bannon related that GMHC is applying to the New York State Office of Alcohol and Substance Abuse Services to be a licensed provider of substance abuse services.

Marina Oteiza, the deputy director of adult services at Hudson Guild announced that Hudson Guild's Spring Bazaar was taking place on Saturday, May 4 from 12-4 pm.

The next speaker, Bob Minor, asked that CB4 's BLP Committee invite Boxers, located at West 50th St. and Ninth Ave., to its next monthly meeting to answer charges of the establishment failing to live up to agreed stipulations made with BLP. Minor went on to describe many instances of alleged violations since Boxers opened its doors.

Miguel Acevedo also complained about the quality of life issues wrought by the new liquor licenses in Chelsea, specifically in vicinity of Fulton Houses. Acevedo exhorted BLP to step to the plate and recommend straight denials of full licenses instead of approvals with stipulations.

Joseph Haines, representing residents of Worldwide Plaza, voiced further complaints about Boxers, noting that the owners have not responded to messages except for the last one he left. Haines said that he has invited the owners of Boxers to see for themselves what their establishment looks and sounds like from the perspective of the Worldwide Plaza but has been rebuffed.

A reporter for the New York Post, Kate Briquetelet, introduced herself to the community.

Kathleen Treat, chair of the Hell's Kitchen Neighborhood Association announced an "E-waste" event that will take place at Manhattan Plaza on Saturday, May 4 from 10 am-4 pm. for proper disposal of printers, monitors, etc.. Treat also expressed disappointment that Gotham, the developer of Studio City (between West 44th and 45th Streets and 10th and 11th Aves) has not been successful in securing a lease with a large scale grocery store in one of its commercial spaces.

Josh Silverstein, a volunteer for Yetta Kurland, invited those in attendance to march with Kurland during the Aids Walk on May 19.

David Glasser, a resident of 184 11th Ave., complained about overcrowding conditions at that address.

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

The May 1, 2013 agenda was adopted with changes. Item 3 was tabled and Item 35 was moved to the top of the agenda. The board adopted the April 3, 2013 minutes, as submitted by Larry Roberts.

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REPORT OF MANHATTAN BOROUGH PRESIDENT SCOTT STRINGER:

David Czyzyk, representing Borough President Stringer, announced a presentation on the East River Blueway Plan on Thursday, May 2 from 6-8 pm at the Cooper Union (Frederick P. Rose Auditorium). This is a meeting to discuss storm resiliency strategies and waterfront enhancement projects from the Brooklyn Bridge to East 38th St.

REPORTS OF OTHER ELECTEDS:

Representing Senator Brad Hoylman, Ellen Lewis gave an update on what's being done in Albany to advance the fight for LGBT equality and justice. Hoylman, Senator Squadron and Assembly Member Gottfried held a press conference last week calling for a vote on the long stalled Gender Expression Non-Discrimination Act (GENDA). Senator Hoylman also has introduced legislation that would bar mental health providers from practicing conversion therapy. Also, Lewis touched on the impending sale of the Bayview Correctional Institute building at 550 West 20th St., saying that Hoylman has written a letter to the Empire State Development urging that they engage community stakeholders before moving forward with a sale.

State Assembly Member Dick Gottfried, represented by Jeffrey LeFrancois, has been trying to get the GENDA bill enacted for quite some time. The bill has passed in the Assembly and now must be passed by the Senate before being sent to Governor Cuomo.

Paul Sawyer, for State Assembly Member Linda Rosenthal, announced that pay equity for public employers passed through the Assembly.

Harriet Sedgewick, representing City Council Speaker Christine Quinn, related that the same housing guidelines (70% preference for performing artists and 30% preference for CB4 residents) will remain in place and that those same guidelines will be in effect for a new Section 8 building on West 29th St. Also, Speaker Quinn is introducing legislation to the city council that will raise the minimum smoking age to 21 years old.

Representing City Comptroller John Liu, Matt Bitz said that Liu has offered an alternative to the budget presented by Mayor Bloomberg, concentrating on good schools, safe streets and reliable jobs and this is known as "The People's Budget".

REPORT OF DISTRICT MANAGER ROBERT J. BENFATTO:

CB4 District Manager Bob Benfatto announced personnel changes in the CB4 office. Nelly Gonzales, in the office six years, will be on maternity leave from Friday, May 3 until the beginning of August. Upon her return, Gonzales will become the new assistant district manager. Benfatto also introduced Janine Pretente, who will be working in various capacities in the office as well as Erica Baptiste as the new community planner/associate.

REPORT OF MCB 4 CHAIR COREY JOHNSON:

Chair Johnson noted that he didn't have much to report, but that the committees have been doing great work and that there will be a busy couple of months before the summer arrives.

COMMITTEE LETTERS AND RESOLUTIONS:

New Business (NewBus)

Item 35: Authorization to hire Erica Baptiste as Community Planner/Associate (APPROVED)

Landmarks Committee (LAND)

Item 1: Letter to LPC re 455 W. 22nd Street (ratification) (APPROVED)

Item 2: Letter to LPC re designation for Old Chelsea Station – 217 W. 18th Street (APPROVED)

Quality of Life: ACES Committee (QOL)

Item 4: Letter to SAPO re NYC Museum School/ETSY Street Fair – Sat., May 11, 2013 (APPROVED)

Item 5: Letter to SAPO re Nazareth Nursery Montessori School Block Party – Sat., June 8, 2013 (APPROVED)

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Housing Health and Human Services Committee

Item 6: Letter to HPD re LIHA and CURE – 301 W. 46th Street (TABLED)

Item 7: Letter to GMHC re support for funding and NYS licensing (APPROVED)

Waterfront Parks and Environment Committee (WATER)

Item 8: Letter to Governor, Mayor, etc. re Pier 76 (APPROVED)

Sarah Desmond suggested that this letter focus solely on the tow pound and not any broader changes to the Hudson Park Trust Act itself. Chair Johnson agreed, stating that he was going to make the same suggestion and we shouldn't intermingle these issues. After discussion, it was agreed to strike the third bullet in the letter.

Business Licenses and Permits Committee

(Presented by BLP Co-Chair Paul Seres)

Items 10, 11, 13, 14, 15, 16, 18, 19, 20, 21 and 22 were bundled and APPROVED

Item 9: Letter to SLA re The Fifth Pine Inc. d/b/a El Quinto - 401 W. 24th Street (ratification) (APPROVED)

Item 10: Letter to SLA re Bocca 2 Corp. d/b/a Bocca Di Bacco – 635 Ninth Avenue (45)

Item 11: Letter to SLA re Crudo LLC – 522 Ninth Avenue (39)

Item 12: Letter to SLA re Pocket Bar NYC – 686 Tenth Avenue (APPROVED)

Item 13: Letter to SLA re Aba Turkish Restaurant – 325 W. 57th Street

Item 14: Letter to SLA re Sheridin Fast Food Inc. d/b/a Mi Nidito – 789 Ninth Avenue

Item 15: Letter to SLA re Courtyard NY Manhattan – Times Square West – 307 W. 37th Street

Item 16: Letter to SLA re 22nd Street Restaurant Group LLC – 162 Eleventh Avenue (22)

Item 17: Letter to SLA re 353 Live LLC – 353 W. 46th Street (APPROVED)

Item 18: Letter to SLA re Pulperia – 371 W. 46th Street

Item 19: Letter to SLA re Pinche Taqueria – 103 W. 14th Street

Item 20: Letter to SLA re Oxido Corp. – 753 Ninth Avenue

Item 21: Letter to SLA re Mamasita Bar & Grill – 818 Tenth Avenue (54/55)

Item 22: Letter to SLA re LGG Rest Corp. d/b/a Macellaio – 345 W. 35th Street

Item 23: Letter to SLA re Babu of India Inc. d/b/a Seven Nights – 314 W. 34th Street (APPROVED-**LETTER RECOMMENDING DENIAL**)

Item 24: Letter to DCA re B & R Sorrento Corp. d/b/a Intermezzo – 202 Eighth Avenue (20/21) (APPROVED)

Item 25: Letter to DCA re Medi Wine Bar – 811 Ninth Avenue (54) (APPROVED)

Regarding Item 9, Seres outlined the outreach and steps taken by the applicant to satisfy community concerns. John Sharp repeated earlier concerns of bars and restaurants opening on side streets in Chelsea. Johnson added that CB4's leverage was in including meaningful stipulations that attach to an operator's license. Seres stated that the issue wasn't with SLA or licensing laws. Rather it is with zoning, with a commercial overlay in a residential district. JD Noland stressed that this is currently a huge community concern. Burt Lazarin noted that this is an existing establishment that is in a corner location and that we're not talking about the middle of the block in this instance.

Noland reiterated community concerns related to Item 12. Larry Roberts countered that this was a beer and wine license in a corner building location with 22 seats.

"Hold onto your hats, CB4", said Seres, stating that he was going to "blow their minds" on Item 23. He continued that he was actually going to go on the record to say that "I cannot support this applicant." At this juncture, the CB4 secretary responsible for minutes missed a moment or two of the meeting, having suffered a brief fainting spell. Seres continued to explain his reasoning in requesting an outright denial for this applicant and adding that it was a very close vote in committee, believed to be 6-4 in favor. Desmond noted that no outreach was made to HCC, despite the organization being listed on the applicant's outreach list. Seres made a motion for an outright denial for Babu of India, Inc. and the motion was seconded.

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Transportation Planning Committee (TRANS)

Presented by Transportation Co-Chair Jay Marcus

Items 26, 27, 28 and 29 were bundled and APPROVED

Item 26: Letter to DOT re bus congestion at W. 44th Street between Ninth and Tenth Avenues

Item 27: Letter to PANYNJ re: bus congestion at W.44th Street between Ninth and Tenth Aves.

Item 28: Letter to NYPD re: bus double parking/idling at W. 44th St. between 9th and 10th Aves.

Item 29: Letters to: Academy, Community Lines, TransBridge, Martz and Bieber Bus Companies: re: bus congestion of W. 44th Street between Ninth and Tenth Avenues

Item 30: Letter to DOT re dangerous conditions at W. 46th Street and Tenth Avenue (APPROVED)

Item 31: Letter to DOT re sidewalk proposal by the High Line at W. 34th Street (APPROVED)

Item 32: Letter to Friends of the High Line regarding proposed sidewalk improvements on the south side of W. 34th between Eleventh and Twelfth Avenues (APPROVED)

Chelsea Land Use Committee (CLU)

Item 33: Letter to DCP re renewal of enclosed sidewalk café at Morning Star - 401 W. 57th Street (APPROVED)

New Business (NewBus)

Item 34: Letter to USPS re Old Chelsea Station (APPROVED)

The meeting was adjourned at 8:13 pm.

Respectfully Submitted by Larry Roberts