



CITY OF NEW YORK  
MANHATTAN COMMUNITY  
BOARD No. 4  
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Meeting Date	September 7, 2016
Meeting Time	6:30PM
Meeting Location	Fulton Center Auditorium 119 Ninth Avenue New York, NY
Meeting Audio Recording	

**DELORES RUBIN**  
Chair

**JESSE R. BODINE**  
District Manager

### September 2016 Full Board Meeting Minutes

<b>PUBLIC HEARING/ PRESENTATION</b>	There was no public hearing or presentation this month. The meeting began with the public session after an introduction to Agenda Item 6 given by Lee Compton, Chair of the Chelsea Land Use Committee. His remarks were intended to inform the comments of the many attendees who had come to speak about the proposal relating to 334 West 20th Street.
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Public Session	
<b>Dean Helm</b>	Mr. Helm, a retired NYPD detective and head of security at 320 West 39th Street, addressed the homeless situation around his building and on 8th and 9th Avenues. He noted that there have been increasing numbers of homeless people sleeping on the street and congregating around the new WiFi kiosks on 8th Avenue. He stated that he and the residents on 38th and 39th Streets have become uncomfortable and unsafe as a result of their behavior, which includes aggressive panhandling and drug dealing. The building manager for Mr. Helm's buildings spoke next about the problem and said that things have gotten to the point where tenants have moved out. He and Mr. Helm reached out to CB4 in the hope that it could encourage the Manhattan South Precinct to assign more patrol officers to the area. Chair Rubin responded, noting that our local elected officials have taken up the matter and are in the process of finding a comprehensive solution to the kiosk problem and to homelessness problems in general. She indicated that CB4 has been working with the police precincts and the Business Improvement Districts all along the 8th Avenue corridor.
<b>Joanna Peck</b>	Ms. Peck of the law firm Adam Leitman Bailey spoke on behalf of the owners of 332 West 20th Street. She distributed printed material to board members illustrating the building that is the subject of the LPC application regarding 334 West 20th Street – Agenda Item 6. She stated that she attended the LPC hearing on August 2nd wherein the proposed development was discussed and that she requested that the matter remain open so that a number of issues could be addressed by her firm. The LPC laid out a number of recommendations and requests for the developer, among which was the removal of the rooftop addition and changes to proposed rear building extensions. Two weeks later the developer submitted a new proposal that purported to comply with those requests. Ms. Peck argues that the new plans do not comply, specifically with respect to the proposed extensions over the rear yard that remain visible from the street.
<b>Albert Taylor</b>	Mr. Taylor of 326 West 20th Street also spoke against the West 20th Street proposal, as did fourteen speakers who were to follow. His main concern was that the LPC might

	choose not to entertain complaints having to do with the obstructions created by the rear yard extensions on the ground that they fall outside the jurisdiction of the LPC. He alluded to the statements made by Mr. Compton at the start of the meeting that suggested the matters in this case do not present a landmarks issue. He contests that notion based on the very nature of the block and the fact that the view of the historic St. Peter's Church next door that would become obstructed.
<b>Carol Ott</b>	Ms. Ott is the president of the West 20th Street Block Association. She believes the revised proposal would transform a quaint historic building into a "behemoth" that is out of character for the block. It would also reduce the light and views available to surrounding neighbors who enjoy their shared courtyard.
<b>Sam Ellis</b>	Mr. Ellis of West 19th Street submitted his opinion that the new owners of 334 West 20th Street should preserve the existing characteristics of the property, notwithstanding what they might be permitted legally to do with the property.
<b>Gary Wachter</b>	Mr. Wachter lives on West 20th Street. He said he and his family enjoy the backyard and its continuity with the adjoining yards. He believes the proposal would disrupt that.
<b>Jane Greenwood</b>	Ms. Greenwood has lived on West 19th Street for over fifty years. She fears the proposed building extensions will completely alter the quality of the backyard garden space that exists on the 300 blocks of West 19th and 20th Streets.
<b>Richard Fuhrman</b>	Mr. Fuhrman objects to the West 20th Street proposal in its entirety because it will upset the unique character of this part of the Chelsea Historic District.
<b>Sarah Edwards</b>	Ms. Edwards has lived on West 19th Street her entire life of over sixty years. She wants to do her part in assuring that the changes proposed for West 20th Street do not disrupt the charm of the townhouses, gardens and courtyards in the neighborhood. That is why she opposes the visible backyard building extensions in the proposal. She fears these changes for the precedent they may create for incoming new owners.
<b>Lewis Friedman</b>	Mr. Friedman and his family are long-time residents of West 20th Street who have witnessed developers attempting to build inappropriate large buildings in the neighborhood. He noted that the combined efforts of his neighbors and the community board have thwarted such attempts.
<b>Andre Tchelistcheff</b>	Mr. Tchelistcheff is the developer's architect. He believes that his project has been mischaracterized by the neighbors who oppose it, as well as by the attorneys who testified at the LPC hearing. He noted that the revised proposal does not include the rooftop addition and the rear building extensions have been scaled back, the result of which would only increase the structure's bulk by 25%. He also stated that the LPC has approved similar work done on the building across the street. He plans to present clarification of the plans at next week's LPC hearing where he will point to the fact that the building will be historically preserved in a way that will make its neighbors proud. He further noted that the all of the contention in the neighborhood has to do with but a small sliver of the top floor that amounts to only 171 square feet.
<b>Steve Ginsberg</b>	Mr. Ginsberg said that he purchased his residence on West 19 <sup>th</sup> Street mainly because of the historic feel of the neighborhood. He asked the board to keep it that way by opposing any new development that enlarges structures in the neighborhood.
<b>Don Erwin</b>	Mr. Erwin is an architect who was retained by a group of the neighbors to evaluate the West 20 <sup>th</sup> Street proposal. He noted that even though it was something that could be done as of right, CB4 should stand with the neighbors and fight to preserve the existing historic block and not allow what he perceives to be an incremental degradation of it. That would mean opposing everything in the proposal except for the basement and cellar changes.

<b>Eric Markus</b>	Mr. Markus is the co-president of the West 20 <sup>th</sup> Street Block Association and he agrees with everything that has been said by his neighbors at the meeting. He disagrees with the proposition that the LPC does not have jurisdiction over the appearance of the rear façade, noting that it has taken action in similar cases where it required the preservation of a string of four buildings in the neighborhood. We asked the board to take his position before the LPC.
<b>Lara Birmingham</b>	Ms. Birmingham stated that the additional 171 square feet of bulk in the proposal, even though relatively small, would still significantly diminish the light and air flowing into the neighboring courtyard.
<b>Sarah Cundiff</b>	Ms. Cundiff recently moved to Hell's Kitchen which she says has a trash disposal problem, in that plastic trash bags are allowed to be placed by the curb at night allowing for the rodent population to increase. She would like to see more recycling bins in the neighborhood like those that exist along 7th Avenue. She also mentioned the large numbers of homeless people in the neighborhood who have sought her guidance in obtaining jobs, shelter and food. She asked the board to educate her and other residents in ways to provide such guidance.
<b>Lisa Wager</b>	Lisa is the director of community affairs for the Fashion Institute of Technology. She highlighted one of the school's many public programs that offers pre-college courses to middle school and high school students. It's called Saturday/Sunday Live and consists of 12 sessions, with the next ones running from October through December. The courses are taught by FIT faculty and include subjects such as international trade and marketing, interior design, advertising and marketing communication, photography, computer animation, fashion and business management, and jewelry design and illustration. All of the many other public offerings can be found on the FIT website <a href="http://www.fitnyc.edu">http://www.fitnyc.edu</a> by searching "Saturday Sunday Live" and "Hot Topics".

#### Remarks from Elected Officials and Representatives

<b>Borough President Gale Brewer</b>	<p>MBP Brewer first welcomed the new board members and then thanked the board for continuing to take the lead in affordable housing. She reminded the group that she was among the few original supporters of the new Mandatory Inclusionary Housing program and that it had always been her understanding that it would be applied when a developer sought a Special Permit. And because that did not happen with respect to a new development in Community District 5, there is now a debate going in the City Council that aims to clarify the law. Ms. Brewer asked the board to keep an eye on projects that are currently in the pipeline with this in mind so that we can work together with her office to prevent this latest experience from becoming bad precedent.</p> <p>Ms. Brewer then spoke about another issue that has been raised regarding the City's handling of deed restrictions on property transactions. As a result of the recent sale of a nursing home on the Lower East Side that was facilitated by the lifting of a deed restriction by the City, Ms. Brewer is proposing that all such transactions be covered by ULURP. This would give the community an opportunity to weigh in on them.</p> <p>She noted the September 25th deadline for non-profit budget requests made to her office and pointed to the Borough President's Office website where more information can be found. She also spoke about problems created by WiFi kiosks and that her office is working with the City to help resolve them. Ms. Brewer went on to thank the board for its response to the proposed new Port Authority Bus Terminal and said that she would work with us to override it with a new proposal. She also stated her goal of having 100% percent affordable housing in the City-owned Slaughter House property. Lastly, she invited everyone to a panel discussion on driverless cars that will be held at</p>
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	her office at 1 Centre Street on September 27th from 4 to 7 PM.
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### Board Reports & Business

<b>Adoption of Agenda Minutes</b>	The Agenda and July minutes were approved.
<b>District Manager Report</b>	<p>The District Manager attended a number of meetings for the Board, including:</p> <ul style="list-style-type: none"><li>• Visits to galleries on West 26th Street</li><li>• DOS and NYPD regarding lack of street cleaning and illegal parking</li><li>• National Night Out event</li><li>• District 4 CERT team members</li><li>• Coordinated meetings regarding building demolition of 485-497 9th Avenue</li><li>• Lincoln Square BID regarding the homeless in parks and plazas</li><li>• Currently attending Manhattan Borough Budget Consultation meetings</li></ul> <p>Board Business:</p> <ul style="list-style-type: none"><li>• Ernest Moderelli and David Pincus have resigned from the board, along with Ryan Sheffield, a public member.</li><li>• Allen Oster and Austin Ochoa are co-chairs of the newly-formed ACES committee and Yoni Bokser is now a co-chair of the Transportation Planning committee.</li><li>• Agency responses to our budget requests will be delivered to their respective committees during the month of September, in time for a vote in October and submission in November of our final Statement of District Needs and Budget Priorities.</li><li>• Our work is continuing on the Port Authority Bus Terminal and we have applied to the Fund of the City of New York for a planning fellow to assist us. Everything that has been done by the board on this project is available on the CB4 website.</li><li>• With the transformation of the Quality of Life committee into the ACES committee, the new committee will be a more robust group able to handle more issues. Now, all complaints having to do with bars and restaurants will go to the BLP committee, where new procedures on handling them are currently being formulated.</li></ul>
<b>Board Chair Report</b>	<p>Ms. Rubin announced some new pre-committee meeting sessions that will occur over the next week and a half that will provide guidance on how to run a meeting and how to write letters “CB4 style.” She noted that much of the material for these sessions is already on our website’s Resources page.</p> <p>She went on to report on her efforts in connection with the Port Authority Bus Terminal proposal and noted that much of her work during the month of August revolved around planning meetings that will occur sometime in the future.</p> <p>Chair Rubin had earlier in the meeting welcomed two new members, Jeffrey Le Francois and Didi Skaff, who introduced themselves and highlighted their connections with the district.</p>

Action Items	Motions, Amendments, & Comments	Result
<b>Business License and Permits Committee (BLP)</b>		
Item 1: Letter to SLA re 246-248 10 <sup>th</sup> Avenue (24/25) – Bottino Corp. d/b/a Bottino	All matters 1-4 bundled.	<b>Passed</b>
Item 2: Letter to SLA re 311 W. 17 <sup>th</sup> Street (8/9) – Hanare Chelsea LLC d/b/a/ Hanare		<b>Passed</b>
Item 3: Letter to SLA re 400 W. 42 <sup>nd</sup> Street (42/9) – Pod TS F&B LLC		<b>Passed</b>
Item 4: Letter to SLA re 696 9 <sup>th</sup> Avenue (9/48) – Blokes Retail LLC		<b>Passed</b>
<b>New Business (NEWBUS)</b>		
Item 5: Letter to DCP and ESD re Zoning overrides for Women's Building at 550 West 20 <sup>th</sup> Street – <b>For Ratification</b>		<b>Passed</b>
Item 6: Letter to LPC re 334 West 20 <sup>th</sup> Street revised plans.	Letter amended to include the statement to deny the LPC application unless the rear extension is removed or modified to account for visibility from the street.	<b>Passed</b>
<b>Housing, Health &amp; Human Services (HH&amp;HS)</b>		
Item 7: Letter to HPD re 517-525 West 45 <sup>th</sup> Street Cure Process – <b>Referred Back to Committee</b>	A new letter will be reviewed at the next full board meeting in October.	
<b>Meeting Resolution</b>		
<b>Adjournment</b>	8:10 PM Meeting Adjourned	
<b>Next Meeting Date and Location</b>	6:30 PM October 5, 2016 Mount Sinai West 1000 Tenth Avenue	

VOTING KEY Y=Yes N=No A=Abstain PNE=Present, not eligible -- = No vote <b>ATTENDANCE KEY</b> P=Present Ab=Absent E=Excused	ATTENDANCE	1. Letter to SLA re 246-248 10th Avenue (24/25) - Bottino Corp. d/b/a Bottino	2. Letter to SLA re 311 W. 17th Street (8/9) - Hanare Chelsea LLC db/a Hanare	3. Letter to SLA re 400 W. 42nd Street (42/9) - Pod TS F&B LLC	4. Letter to SLA re 696 9th Avenue (9/48) - Blokes Retail LLC	5. Letter to DCP and ESD re Zoning overrides for Women's Building at 550 West 20th Street FOR PARTICIPATION	6. Letter to LPC re 334 West 20th Street revised plans	7. Letter to HPD re 517-525 West 45 Street Cure Process- Referred Back to Committee
		P / Y	44	44	44	40	44	0
		Ab / N	7	0	0	1	0	0
		E / A	0	0	0	2	0	0
		PNE	0	0	0	1	0	0
Charles S. Bayor	P	Y	Y	Y	Y	Y	Y	
Mathew Bergman	P	Y	Y	Y	Y	Y	Y	
Andrea Bernard	P	Y	Y	Y	Y	Y	Y	
Christine Berthet	P	Y	Y	Y	Y	Y	Y	
Gwen Billig	P	Y	Y	Y	Y	Y	Y	
Yoni Bokso	P	Y	Y	Y	Y	PNE	Y	
Liam Buckley	P	Y	Y	Y	Y	Y	Y	
Lee Compton	P	Y	Y	Y	Y	Y	Y	
Angel Cortes	P	Y	Y	Y	Y	Y	Y	
Dale Corvino	P	Y	Y	Y	Y	Y	Y	
Judith Dahill	P	Y	Y	Y	Y	Y	Y	
Barbara Davis	P	Y	Y	Y	Y	Y	Y	
Maarten de Kadt	P	Y	Y	Y	Y	Y	Y	
Sarah Desmond	P	Y	Y	Y	Y	Y	Y	
Pete Diaz	P	Y	Y	Y	Y	Y	Y	
Tina DeFelicianantonio	P	Y	Y	Y	Y	Y	Y	
Lily Fan	P	Y	Y	Y	Y	Y	Y	
Brett Firfer	P	Y	Y	Y	Y	Y	Y	
David Holowka	P	Y	Y	Y	Y	Y	Y	
Frank Holozubiec	P	Y	Y	Y	Y	Y	Y	
Inge Ivchenko	P	Y	Y	Y	Y	N	Y	
Lowell Kern	A							
Burt Lazarin	P	Y	Y	Y	Y	Y	Y	
Bruce MacAffer	P	Y	Y	Y	Y	Y	Y	
Betty Mackintosh	P	Y	Y	Y	Y	Y	Y	
Walter Mankoff	P	Y	Y	Y	Y	Y	Y	
Jay Marcus	A							
Morgan McLean	A							
Ernest Modarelli	A							
Ambur Nicosia	P	Y	Y	Y	Y	Y	Y	
Michael Noble	P	Y	Y	Y	Y	Y	Y	
J.D. Noland	P	Y	Y	Y	Y	Y	Y	
Austin Ochoa	P	Y	Y	Y	Y	Y	Y	
Maria Ortiz	P	Y	Y	Y	Y	Y	Y	
Allen Oster	P	Y	Y	Y	Y	Y	Y	
Oscar Pagoda	P	Y	Y	Y	Y	Y	Y	
Brad Pascarella	P	Y	Y	Y	Y	Y	Y	
Rhonda Patillo	A							
Joseph Reigadas	P	Y	Y	Y	Y	Y	Y	
Joe Restuccia	P	Y	Y	Y	Y	Y	Y	
Delores Rubin	P	Y	Y	Y	Y	Y	Y	
Yvonna Russell	A							
John Sharp	P	Y	Y	Y	Y	Y	Y	
Brian Sokal	A							
David Solnick	P	Y	Y	Y	Y	Y	Y	
Ken Stewart	P	Y	Y	Y	Y	Y	Y	
Martin Treat	P	Y	Y	Y	Y	Y	Y	
James Wallace	P	Y	Y	Y	Y	Y	Y	
David Warren	P	Y	Y	Y	Y	Y	Y	