

1 **MANHATTAN COMMUNITY BOARD 4**

2 **December 4, 2013** Roosevelt Hospital 1000 Tenth Avenue (58/59)

3
4 **PUBLIC HEARING**

5 **Presentation:** Application by 606 W. 57 LLC for land use approvals to facilitate the development of a
6 portion of the block bounded by West 56th Street, West 57th Street, Eleventh Avenue, and Twelfth
7 Avenue in Manhattan with a new, mixed use residential and commercial development which may include
8 community facility, public parking and automotive sales and service uses. The proposed five (5) actions
9 include 1) a rezoning of a portion of the block, 2) an amendment to the Zoning Resolution, Appendix F,
10 to designate the "Project Area" an Inclusionary Housing area, 3) a text amendment to the Zoning
11 Resolution permitting a) automotive repairs and b) defining the base floor area ratio for inclusionary
12 housing, 4) a special permit for a public parking garage, and 5) an authorization to permit a curb cut. **C**
13 **130336 ZMM, N 130337 ZRM, N 130338 ZRM, C 130339 ZSM, and N 130340 ZAM.**

14
15 **Presentation:** BSA application - special permit for a PCE (gym) - Brick - at 257 West 17th Street

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| 18 | Public Session | Christine Berthet |
| 19 | Adoption of Agenda | Corey Johnson |
| 20 | Adoption of Last Month's Minutes | Corey Johnson |
| 21 | Manhattan Borough President | Jessica Silver |
| 22 | Local Elected Officials | Various |
| 23 | District Manager Report | Robert J. Benfatto, Jr. |
| 24 | Nominating Committee – Elections | Betty Mackintosh |
| 25 | Chair Report/Committee Reports | Corey Johnson |
| 26 | | |

27 **1st Vice Chair Christine Berthet called the meeting to order at 18:40**

28
29 **PUBLIC HEARING**

30 1st Vice Chair, Christine Berthet introduced Clinton/Hell's Kitchen Land Use Chair, JD Noland to
31 present: **Application by 606 W. 57 LLC for land use approvals**

32 Mr. Noland introduced the attorney for TF Cornerstone, Carol Rosenthal.

33 Ms. Rosenthal from Fried, Frank is the Land Use attorney for TF Cornerstone and explained to the Board
34 that the actions they seek is to facilitate a residential development from 56th to 57th Streets, from Eleventh
35 to Twelfth Avenues. Currently there is a 1000 car garage on the site and auto repair shop. The property
36 houses the Acura/Lexus showroom which will be relocated to a TF Cornerstone property on 49th Street &
37 Eleventh Avenue.

38 The new development will be a 1050 unit residential building with 210 permanently affordable housing
39 units. The ground floor on the 57th Street side will be commercial space.

40 Ms. Rosenthal introduced the architect.

- 41 • The buildings will fill in the rest of the block creating the street wall that will complete 57th
- 42 Street.
- 43 • The design is compatible with the Durst pyramid project across the street.
- 44 • 40,000 square feet of retail will be available that will enliven and activate the street.
- 45 • New garage will be a reduction of 500 spaces.
- 46 • Street trees will be planted around the perimeter of the block even though development does not
- 47 take the whole block because the quality of neighborhood is important to the client.

- 1 • All the building services will be on the 56th Street side, this “back of the house” will be
2 appropriate.
3 • Floor plan shows 3 separate buildings of “bars” or “elements” with bridges to connect the
4 different parts.
5 *The slide revealing the rendering of the development drew a gasp of disgust from the audience*
6 • Window patterns change at different elevations.
7 • Building will be LEED certified and include Green roofs.
8 • Design calls for storm water retention.
9 • Building was thought of as a sculpture with a traditional shape to create the street wall and height.
10 • Design sensitive to the broader context, keeping the Durst pyramid in mind and thinking of
11 moving on scale with the city.
12 • The development is a collection of pieces that come together.

13 TF Cornerstone Attorney, Ms. Rosenthal outlined the ULURP action they seek:

- 14 • Rezoning the current M2-3 to a C4-7
15 • Zoning text change for the purposes of
16 • including inclusionary housing, reducing the FAR
17 • allowing 2nd floor commercial
18 • allowing auto repair
19 • Special permit for the 500 space garage which is needed for the residents
20 • Authorization for a curb cut of 22 feet, eliminating the 6 current curb cuts for the one larger cut to
21 accommodate the garage.
22

23 In recognition of the many members of Union 32BJ, Ms. Rosenthal wanted to add that TF Cornerstone
24 was in discussions with 32BJ and was optimistic about the outcome.
25

26 *Brad Pascarella asked if all the amenities and finishes and entrance were the same for all the units.*

27 Mr. Noland replied that in the letter the Board was asking for the max.

28 *James Wallace asked if there plans for art both on the exterior and interior.*

29 John Macmillan of TF Cornerstone replied they were working with landscapers and artists to create
30 on/along the wall of the sanitation building which because of the “hole” between the buildings would
31 allow a public view.
32

33 Mr. Noland called on the members of the public that signed up to speak.

- 34 1. **Alison Hirsh**, Public Director of 32BJ informed the Board 32BJ represents 145,000 building
35 services workers from Boston to Miami. It is vital to ensure the creation of quality jobs
36 especially when offering special benefits to developers. The Union cannot support the project as
37 currently proposed. They are in dialog with TF Cornerstone and they hope it will be fruitful.
38 They had hoped to have an agreement ahead of the Board meeting. 32BJ is not urging a no vote,
39 but would like the Board to be aware of better opportunities.
40 2. **Selwyn Felix**, has been a member of 32BJ for 21 years. The Union offers training and has taken
41 classes. He has learned skills which have allowed him repair his own home and with the training,
42 the “sky’s the limit.” This plays a role in creating quality workers and quality jobs. In this time
43 of a very divided city, the city should take every opportunity to make sure developments work
44 toward repairing the fabric of New York.
45 3. **Jimmy Brennan**, member of 32BJ is a second generation union member and has moved up
46 through 32BJ’s programs and training. He had been a doorman, a super and now a manager.
47 32BJ’s training raises the bar on standards and New York sets the standards for all the other
48 cities, but with 22% of seniors in this city at the poverty level we need to take the opportunities to
49 create jobs that provide for a solid future.

- 1 **4. Gwendolyn Chambrun** of 457 West 57th Street across from the Holiday Inn. When she first
2 moved to the city in 2003 the area was quiet, “too quiet”. Now the population has doubled and
3 the proposed huge building is unconscionable. Ms. Chambrun thinks the building is incredibly
4 ugly and this is what happens when you get rid of the humanities in High School; people do not
5 know how to see. People are getting pushed out of the neighborhood and the 20% affordable
6 housing is not enough, it should be 80- 90%.
- 7 **5. Jessica Bondy** is a native New Yorker that wanted to point out the presentation was inaccurate.
8 Schools in the area are over capacity. For ULURP they have to prove they will not impact the
9 community negatively. TF Cornerstone needs to reexamine. Schools, libraries and transportation
10 are negatively impacted so Ms. Bondy urged the Board not to vote yes, but vote no to this project
11 and keep the neighborhood character.
- 12 **6. Louise Grearet** informed the Board that due to a medical issue she could not properly prepare a
13 comment, but she is well acquainted with matters of rezoning. Mammoth buildings are now the
14 rule and they do not accommodate families, they are not multigenerational. Had Ms. Grearet not
15 moved into the neighborhood a long time ago, she would have been forced out to the boon docks.
16 They are not being given a fair chance and as for the merits of this project, she “does not buy it.”
- 17 **7. Vicki Dosch**, a resident of 57th & 10th Avenue has a narrow view of the river and the sunset, but
18 this building will destroy that. New York has become a “prison with no air, no light, no life.”
19 We do not need another building here and she is overwhelmed that so many people feel this is an
20 important enterprise. Ms. Dosch did not think she should say it, but she did not think this project
21 will make any money because it was next to Sanitation and “who wants to be next to garbage, it’s
22 stinky.”
- 23 **8. Arthur Warady** is a resident of 322 West 57th Street and brought along a petition of 135
24 residents against this project. Mr. Warady is not opposed to good paying jobs in the community
25 and Union jobs are good jobs. He is opposed to the scale of this project and thinks most residents
26 & owners are also opposed. He hopes the Board will vote no on the currently proposed project
27 and seek to have it scaled back.
- 28 **9. Evelyn Woods** works to help communities with affordable housing. Ms. Woods finds TF
29 Cornerstone easy to work with and believes they recognize the needs of the community as well as
30 is sensitive to community concerns. There is a need for affordable housing and it would be a
31 shame not to support this project and lose out on the affordable units. This project is worthwhile.
- 32 **10. Kathy Gaffney**, President of the Board of the Sheffield told the Board that our constitutional
33 rights end when they infringe upon someone else’s rights. This project “hits home”. Light, air
34 and transportation will all be affected. Why does this company have the right to build? “We do
35 not need another high rise”. Ms. Gaffney was disturbed that the Board only asked about art and
36 amenities. *1st Vice Chair Christine Berthet informed Ms. Gaffney that the project was discussed
37 at length at the Land Use Committee where many more matters were discussed.*
- 38 **11. Shelia Levin** told the Board this is a very important issue, a quality of life issue. The project
39 would essentially double Manhattan in 5 blocks and the area only has only subway and one bus.
40 It is unconscionable to add more people to the neighborhood, it creates a dangerous situation.
41 57th Street is already very bad and with the project less than 100 feet from the West Side Highway
42 it will create more traffic problems. The construction affects the elderly. The buildings will cast
43 the largest shadows in the Special Clinton District and it will reduce views.
- 44 **12. Susan Yager** of West 57th Street for the past 3 ½ years pointed out to the Board that Columbus
45 Circle is very crowded, there will be child care available and the project will cast shadows. TF
46 Cornerstone claims the buildings will be LEED certified and sustainable, but “give me a break!
47 There is nothing sustainable about adding a few street trees and being LEEDS certified. . . Think
48 about it”. Ms. Yager wants affordable housing, but only 20%? This project is not sustainable
49 and not for this community.

1 In acknowledgement of local elected officials, the 2nd Public Hearing was momentarily paused.

2 Chair Corey Johnson introduced **Assembly member Linda Rosenthal**.

3 Ms. Rosenthal told the Board in regards to the TF Cornerstone project that she supports Union labor and
4 if it were up to her she would have Union labor on every project. Affordable housing is very important
5 and she would want to see more because a “tale of two cities is indeed a truth.” In regards to the 500 car
6 garage, Ms. Rosenthal agrees with Christine Berthet that the project should have only 400 garage spaces.
7 There are way too many vehicles in this area and already enough cars.

8 The Assembly member wanted to congratulate her two favorite people, Corey Johnson and Christine
9 Berthet. We will have to share Corey with other Community Boards and she is delighted with Christine
10 as the next Chair. *1st Vice Chair Christine Berthet and other Board members quickly corrected Ms.*
11 *Rosenthal that elections had not occurred yet.* Assembly member Rosenthal stated she was sure the vote
12 would go through.

13 Assembly member Rosenthal updated the Board:

- 14 • Pier 92/94 Halloween party was better, but still working on it. They would want the same
15 stipulations to stay in affect going forward. Ms. Rosenthal calls for capital improvement of the
16 Pier and hopes some money can be generated for HRPT.
- 17 • Ms. Rosenthal is working on a rat problem in CB4. CB 7 has lots of rats so she is familiar with
18 the issue.
- 19 • Ms. Rosenthal wants to keep the traffic study of Hell’s Kitchen open.

20 Finally, Ms. Rosenthal wanted to thank Corey Johnson for all of the work he has done. *This sparked a*
21 *round of applause from the Board.* Ms. Rosenthal had campaigned with Corey every Saturday at the 57th
22 Greenmarket and told the Board he is a fierce campaigner.

23 *Marty De Kadt asked the Assembly member if she could comment on her Radon bill.*

24 The Assembly member explained to the Board that Radon is a naturally occurring gas and most of our
25 natural gas comes from Texas which because of radon’s half life the radon has time to break down, but if
26 gas is coming in from New Jersey & Pennsylvania it does not have that distance to travel so it does not
27 break down so the levels of radon will be high. Radon is the second leading cause of death from lung
28 cancer. The bill in the Assembly proposes measuring the levels of gas coming in and if it reaches a
29 certain level there will a specified mitigation put in place. They will be working on the Bill in January
30 and of course they are working to make sure fracking will not be a reality in New York State.

31 The Assembly member announced their holiday party on December 12th.

32
33 Chair Corey Johnson introduced **State Senator Brad Hoylman**.

34 State Senator Hoylman told the Board he was happy to see his Union brothers and sisters in attendance
35 and proceeded to update the Board on the following issues:

- 36 • Santacon in the past has caused anxiety & angst in the community so he reached out to unmask
37 those in charge. Who came forward were four people who originally had organized a parade
38 which has since turned into a glorified pub crawl. Mr. Hoylman wrote a letter asking the
39 organizers to create a safety plan, create a planned route, stick to it and share the route
40 information with NYPD and the community. Organizers have agreed to share their route with
41 NYPD and get 80 volunteers to serve as marshals. Mr. Holyman does not know if the can control
42 the event because they are more like a “flash mob”, but they can take a post mortem this year and
43 go from there.
- 44 • The Moreland commission issued a report on corruption and this is the first time they stated more
45 transparency is needed, end party housekeeping accounts and lower expense limits for all
46 candidates. State Senator Holyman believed the commission needs to go further: legislators
47 should be full time and not have other jobs that may be a conflict of interest.

48 Finally State Senator Holyman wanted to congratulate Christine Berthet, although he knew it was not
49 official yet and congratulate his pal Corey Johnson. For him, after being in office for a year he knows he
50 cannot make a move without checking in the CB4. One of his powers as State Senators is he can make

1 proclamations. So Mr. Holyman declared December 4th Corey Johnson Day in New York State's 27th
2 district as Corey Johnson has advocated for safer streets, affordable housing and of host of other things to
3 benefit the district. MCB4's loss is District 3's gain.

4 *Chair Johnson responded by saying this was all very sweet and he would like to thank Brad and Linda*
5 *and that he was embarrassed that it was all about him tonight.*
6

7 Chair Corey Johnson introduced **CB2 Chair David Gruber**. Mr. Gruber told the Board he came out to
8 congratulate Corey and was happy they would still be working together and he believed that the national
9 exposure of Corey being a high school football player that came out to his team is the reason why New
10 York is hosting the Superbowl.

11
12 Chair Corey Johnson introduced **Hunter Johansen of Manhattan Borough President Scott Stringer's**
13 **office**.

14 Mr. Johansen expressed the apologies of the Borough President they he could not attend, but he did want
15 to present a proclamation which stated Corey Johnson who started as Board Secretary, the Co-Chair of
16 the Quality of Life committee, first Vice Chair and then Chair for the past two years had worked tirelessly
17 to protect the community from traffic issues and fought to increase the availability of affordable housing.
18 Borough President Scott Stringer declared December 4th Corey Johnson Appreciation Day.
19

20 Chair Corey Johnson addressed the Board and began with thank you. He had been on the Board for 8 ½
21 years starting when he was 23 years old back when he had more hair and weighed less. He had learned so
22 much from the people on the Board, the 50 members that worked long hours for the community without
23 any pay. He had served under 4 Board Chairs and this has been a terrific foundation for going into
24 municipal office. CBs & BAs are the lifeblood of the community. Mr. Johnson will still be coming to
25 Community Board meetings, just in a different capacity. The quality of the members on CB4 with their
26 expertise is unparalleled. He felt like he had "grown up here in CB4" and he offered a "real, heartfelt,
27 sincere thank you."

28 *The Board and the public gave Chair Johnson a round of applause.*
29
30

31 **PUBLIC HEARING**

32 1st Vice Chair, Christine Berthet introduced Chelsea Land Use Co-Chair, Betty Mackintosh to present:
33 **BSA application - special permit for a PCE (gym) - Brick - at 257 West 17th Street**

34 Ms. Mackintosh introduced the Attorney for Brick gym, Frank Aneglino.

35 Mr. Angelino told the Board that Brick Fitness was seeking a special permit and was committed to
36 making the club as good of a neighbor as possible. They will conduct sound tests. The gym his many
37 members that come from the community and the gym continues to have an ongoing dialog with
38 neighbors. They are not only conducting sound tests, but also monitoring activities. They are adding
39 acoustical ceiling to further mitigate ambient noise. Brick is looking for a Win/Win outcome, provide a
40 BCE for the community and resolve conflict with the neighbors.

41 Ms. Mackintosh called on the members of the public that signed up to speak.

- 42 1. **Jana Byron** a member of Brick and a community resident told the Board that Brick Gym was the
43 kind of neighbor she wants to have. They are an excellent gym with excellent coaching. They do
44 fundraising for great causes like for relief in the Philippines and Toys for Tots. Brick fosters
45 important goals that all organizations should have. They have established a community of
46 members & it takes a special environment to have that kind of positive energy. Brick has been
47 trying to control the noise.
- 48 2. **Matthew LeBaron** also a Brick gym member and community resident said he lived in NY for 13
49 years and because of Brick gym he knows more people in the community and it has brought him
50 closer to the community. The Brick coaches there are great and work very closely with him.

- 1 3. **Charles Thanhauser** of 257 West 17th Street is in Apt. 6B, 6 floors above Brick gym. Mr.
2 Thanhauser told the Board the people at Brick have a lot of energy. At 6:15am the sound of
3 weights being thrown wakes him. In July he informed Brick of the issue and has seen no
4 alterations. Mr. Thanhauser happens to be a principle architect of a firm that builds gyms and it is
5 a science not an art to mitigate noise. The science is very well known and Brick did not employ
6 the science.
- 7 4. **Charles Rich** also of 257 West 17th Street in Apt. 2C is Vice President of the Condo Board. He
8 explained it has been a process of trying to work through this situation and receive peace of mind
9 in his home. Being right above the gym is difficult with the sounds of weights and balls
10 dropping.
- 11 5. **Alan Fierstein** of Accoustilog informed the Board that at a meeting with Brick he was told
12 weight dropping occurred in an emergency only. Mr. Fieratein also told the Board that the
13 attorney was not correct and Brick had not installed a floating floor. Accoustilog did a one week
14 recording and wrote a report. There were 7 weight drops in 17 minutes and he could not describe
15 what that feels like so he wanted the Board to hear what is sounds like and played some of his
16 recording which sounded like little "booms". The conclusion of the report was that it may not be
17 possible to soundproof Brick.
- 18 6. **Greg Loudemilk** also lives at 257 West 17th Street, Apt. 5A and told the Board he likes Brick
19 gym and works out there, but his kids cannot sleep and he had to step up and say something. Mr.
20 Loudemilk discovered in the basement of the building that parts of the ceiling was coming in and
21 he had spoken to Brick about the emergency exit which is blocked so they should not be allowed
22 to operate.
- 23 7. **Susan Gomes** in 257 West 17th Street, Apt. 2A lives with her husband and 2 children. They are
24 woken every morning with the sounds of the music, booms of the weights and the voices of the
25 instructors. Her kids have trouble thinking. Their apartment shakes and Ms. Gomes believes
26 Brick will say anything to make it work, but it is not true. They have had enough time to fix the
27 problems.
- 28 8. **Heidi Jones** is a head coach at Brick gym and told the Board she can testify that Brick does not
29 take the complaints lightly. Before workouts instructors warn about weight dropping and they
30 use drop pads. In every class the #1 priority is that everyone is "coalescing to rectify the issues"
31 of the building.
- 32 9. **Marie Jo Kelsohn** of 257 West 17th St. is above the gym and moved in with her husband last
33 May. They thought it was a great investment. They are woken up every morning at 6am. The
34 noise levels have not been different from day one; they have not improved. Their son cannot
35 concentrate on homework. Their investment is as important as Brick's investment in the
36 community. Ms. Kelsohn is so angry & "cannot even tell you how I feel. I wish you can tell us
37 what you can do to improve our daily lives"
- 38 10. **Natalie Silva** also of 257 West 17th St, Apt. 4B told the Board she had complained to Brick just
39 as her other neighbors did. She has lost sleep and was very angry in the beginning, but now she
40 just leaves her house to get quiet and she does not see it changing. The glasses in her cupboards
41 shake.
- 42 11. **Jay Ginsberg** is the Attorney for 257 West 17th St. informed the Board they had filed an
43 injunction as of November 15th to stop the noise before 7am. Mr. Ginsberg is troubled by Brick
44 saying they are making efforts. Brick has brought in a new acoustic expert and they say they
45 want to continue to work on the problem. Brick refuses to close and it is the people in the
46 building and the community that bear the burden.
- 47 12. **Gina Sohn** of 257 West 17th St. would love for the gym to be a part of the community and feels
48 there is nothing wrong with having a gym, but for anyone hearing the noise within a few days
49 would not love this gym. Ms. Sohn also complained that packs of runners congregating outside
50 the gym are a problem & they nearly knocked over her elderly mom. Gym members also jump
51 rope outside on the sidewalk.

1 13. **Bianca Nicoletti** representing Brick gym told the Board regarding the current litigation the judge
2 had decided not to grant the injunction until January. Brick's new acoustic engineer found what
3 they hope is a solution and they would need access to the apartments of the residents for testing.
4 They are willing to work with anyone that has suggestions and they are now trying to come up
5 with real solutions. In response to runners in front of the building, Brick is now trying to have
6 runners gather on the Avenue. Ms. Nicoletti wanted to stress that Brick gym is not violating any
7 injunctions.

8
9 **GENERAL PUBLIC SESSION:**

10 MCB4 Chair Johnson introduced Vice Chair Christine Berthet to run the public session.

- 11 1. **John Zeltsman** represents Down to Earth Market which is a mom & pop organization that runs
12 farmers markets. They would like the support of the Board for a future market on 23rd St. & 9th
13 Avenue. Down to Earth Market is a community organizer and works with small scale farmers
14 and artisan food purveyors. Mr. Zeltsman told the Board his objective is to bring a community
15 centered market to the district so he was introducing himself to many community groups to build
16 relationships and friendships. Down to Earth Market would be a good amenity for the
17 community.
- 18 2. **Delores Rubin**, MCB4 member informed the Board that as Co-Secretary of the Board she had
19 received correspondence from Alvin Ailey regarding their upcoming season beginning December
20 4th through January 5th. Ms. Rubin encouraged everyone to support Alvin Ailey and check out the
21 upcoming season.
- 22 3. **Allen Oster** with the 400 Block Association of 21st & 22nd Street spoke to the Board regarding
23 Item 23: Letter to DOT re Chelsea Farmer's Market urging the Board to support the market. The
24 market would enable local residents to buy fresh produce and the location is ideal in front of a
25 park and the sidewalk is wider so there will be less interference with pedestrian traffic.
- 26 4. **Andrea Bernard** of 505 West 37th Street at 10th Avenue wanted to thank the Board for moving
27 the Mega Bus stop, but wanted to address the intersection of 37th & 10th which remains a
28 dangerous place to cross. NJ Transit buses make it unsafe and Ms. Bernard does not want to see
29 someone hit. She also complained there were not enough M11 bus stops and ground markings
30 are needed. Ms. Bernard urged that the Board come up with some type of resolution that would
31 address the traffic issue of this area. *1st Vice Chair Christine Berthet directed Ms. Bernard to*
32 *District Manager Bob Benfatto.*

33
34 **ADOPTION OF THE AGENDA AND THE MINUTES OF THE APRIL FULL BOARD**
35 **MEETING:**

36 1st Vice Chair Christine Berthet requested to table Item #7.

37 The Agenda was adopted.

38 The following correction was requested of the minutes:

39 Raul Larios pointed out that a few key points of his presentation were not included in the Minutes.

40 Chair Johnson asked if Mr. Larios could provide a draft of the changes.

41 The Minutes with the pending amendments were adopted.

42 **REPORTS OF ELECTEDS:**

43 **Jackie Black of US Representative Jerry Nadler's** office informed the Board that the Representative
44 could not be there because congress is in session, but Mr. Nadler wanted to make sure to thank Mr.
45 Johnson. Ms. Black then reported to the board:

- 46 • Representative Nadler is happy the USPS will not be selling the Chelsea Post Office.
- 47 • Mr. Nadler will introduce a Revised Equity for Visual Artists Act that would require artists be
48 paid 5% of the purchase price of works valued over \$5,000 when resold.

- 1 • The Representative would like an expanded review of the NYCHA infill plan that would require
2 a process that would involve consultation with residents and a full accounting of NYCHA budget
3 and measures to explain their budget shortfall.
4

5 **David Czyzyk** from Assembly member Dick Gottfried’s office told the Board he expected the Assembly
6 member to show up soon to say a few words, but in the meantime he would report:

- 7 • Mr. Gottfried sent a letter to DOT requesting that the traffic study be continued in light of the
8 high pedestrian fatality rate and increased congestion. Bus lanes, new configurations and NYPD
9 involvement need to be addressed.
10 • The Assembly member also sent a letter to the Gem Hotel requesting the results of their sound
11 study be released.

12 **Assembly member Dick Gottfried** had arrived and addressed the Board:

13 Mr. Gottfried’s main mission was to apologize that because he will be in Albany in January he would
14 miss Council Member Corey Johnson’s first CB4 report. Mr. Gottfried recalled as Dick Nixon had said
15 after losing a campaign, “You won’t have Dick Nixon to kick around anymore”, we would not be able to
16 say that of Corey Johnson because we will still have Corey to kick around. Mr. Gottfried thanked and
17 congratulated Chair Johnson and told the Board it was a “victory for all of us.”

18 In terms of business, Mr. Gottfried wanted to report one piece of substance:

19 Governor Cuomo had signed the HRPT bill and NY City Planning will be enacting the legislation which
20 includes the potential transfer of development rights. Mr. Gottfried told the Board it was very important
21 for the quality & survival of the Park, but there were no guarantees it would be implemented how the
22 community would want. This is a major Land Use issue and it is imperative that the various stakeholders
23 be very organized very quickly. City Planning needs to hear from the Community and the Community
24 should get its act together quickly.
25

26 **Jessie Bodine from City Council Member Gale Brewer’s** office informed the Board Gale Brewer was
27 on her way and this would be his last CB4 Full Board meeting. He appreciates all the help and guidance
28 he has received and wanted to say thank you. CB4 members work long hours and show great dedication.

29 **Harriet Sedgewick, representing City Council Speaker Christine Quinn** prepared to address the
30 Board when Chair Johnson spoke to say he wanted to thank Harriet and those that came before her that
31 were always there for CB4.

32 Ms. Sedgewick wished everyone a happy & healthy holiday season then reported:

- 33 • Speaker Quinn felt the Fulton Houses hearing regarding the affordable housing project proved to
34 be “a wonderful victory for our neighborhood”.
35 • Ms. Quinn echoes the sentiment that the traffic study needs to be continued by DOT.
36 • Also as mentioned earlier the Speaker is pleased the USPS will not sell the Chelsea Post Office.

37 On a personal note, Ms. Sedgewick thanked the Board and said she stood on the shoulders of those that
38 came before her and CB4 is “the best Board in the City.”

39 **Trisha Shimamlir, representing Congresswoman Carolyn Maloney** expressed the Congresswoman’s
40 warmest congratulations and thanks to Chair Corey Johnson. Ms. Shimamlir then reported to the Board:

- 41 • Congresswoman Maloney held a Fannie/Freddie Town Hall in November. This was a gathering
42 of various stakeholders to talk about housing in NYC and proved very successful.
43 • Ms. Maloney would be hosting a Holiday Party on December 16th at P.S. 527 on 91st between 1 &
44 2nd Avenues
45

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

47 District manager Bob Benfatto promised to keep his report short since the Board had already been there a
48 long time.

- 1 • For January the first Wednesday of the month is New Year's so as a reminder the Full Board
2 meeting would be held on Monday, January 6th. Quality of Life will meet on Monday, January
3 13th. Everyone else meets on their usual day.
- 4 • Following up on the Senior Services Survey there will be the creation of a Senior Services Task
5 Force and anyone interested in being a part of the task force should contact Barbara Davis or
6 himself.

7 Corey Johnson chaired 30 months which be the longest with possibly the exception of Ed Kirkland. On a
8 personal note, Mr. Benfatto will miss the pleasure of working with someone that was on the same
9 schedule, conducting productive conversations at 2 am.

10 **BOARD ELECTIONS:**

11 Ms. Mackintosh informed the Board it was time to vote and gave instructions: take the purple sheet,
12 choose a candidate, sign and fold and pass to someone from the District Office. With two candidates
13 running for the office of 2nd Vice Chair, each candidate would be allowed 3 minutes to address the Board.
14

15
16 **Raul Larios** explained to the Board that the CB4 by-laws are budgetary in nature and he already had an
17 interest on this topic. Mr. Larios would like to take the Jobs project to the next level by exploring,
18 studying & analyzing trends. CB4's sister CB in the Bronx participated in the Kingsbridge Armory
19 Development process and it was agreed to have 51% of the hires be Bronx residents in jobs that provided
20 living wages. Mr. Larios wants to explore how we can extract the best practices and figure out how to
21 incorporate them in MCB4. Mr. Larios requested the Board vote for him if they share this same vision.
22

23 **Delores Rubin** was concerned who would record the minutes while she would be speaking. Ms. Rubin
24 explained when she turned 40 she realized she had not been active in the community of which she is a
25 lifelong resident. Gale Brewer told her about CB4. After being appointed, Ms. Rubin learned a lot about
26 the role of the Board. In her two years she has filled in as Secretary and Co-Chair of WPE. With no
27 candidates for 2nd Vice Chair, she was happy to fill in for that too. Ms. Rubin expressed her gratitude to
28 the Nominating Committee. Out of respect for the Committee she decided to keep her name on the ballot
29 even after Raul Larios was nominated and expressed an interest in being 2nd Vice Chair. Ms. Rubin said
30 she would be happy being available as a fill-in or 2nd Vice Chair and the decision of what role she would
31 play would now be in the hands of the Board.
32

33 Chair Corey Johnson introduced **Council Member and Borough President-Elect Gale Brewer**.

34 Ms. Brewer began by congratulating Chair Johnson and informed the Board that both she and Mr.
35 Johnson were from Essex, Massachusetts where there is a fantastic restaurant named Woodsman's. The
36 place is so great her stupid brother named one of his kids Woodsman.

37 Ms. Brewer also wanted to extend her congratulations to the next Board Chair, whoever wins.

- 38 • On the Windermere, the project is going somewhat in the right direction.
- 39 • HPD & HUD need to come up with \$35 million, but they are trying to do it on the backs of
40 Mitchell-Lama residents with an outrageous policy of moving seniors out of their homes into
41 smaller units. Only those that suffer from some sort of illness are exempt from this policy at this
42 time.
- 43 • Harborview is coming along.
- 44 • 60th Street Rec Center which is not in CB4's district, but has been on her agenda for the last 20
45 years will soon be complete and will be a phenomenal facility.
- 46 • Lots of legislation passed recently. Proud of allowing campaign contributions through texting,
47 open data for every agency and with all the agencies on the portal, Ms. Brewer looks forward to
48 the ability to overlay this information.
- 49 • The Council is still working on: Instant run-offs in elections, Posting ballots and Electric vehicles.

1 Council member Brewer looks forward to working with CB4 in a new capacity and wanted to thank
2 Jessie Bodine who does the real work.

3
4 **REPORT OF MCB4 CHAIR COREY JOHNSON:**

5 Because of a severely sprained ankle, Chair Johnson would not be standing for the meeting.

6
7 District Manager Bob Benfatto announced to the Board the results of the election:

8 CHAIR: Christine Berthet, **unanimous**

9 1st VICE CHAIR: Hugh Weinberg, **unanimous**

10 2nd VICE CHAIR: Delores Rubin **Rubin 27 Larios 8 PNE 1 Abstain 1**

11 CO-SECRETARY: Frank Holozubiek, **unanimous**

12 CO-SECRETARY: Miranda Nelson, **unanimous**

13 *As current scribe, I can take the liberty of saying thank you to my supporters and I will work hard*
14 *to win over the rest of you!*

15
16
17 **COMMITTEE LETTERS AND RESOLUTIONS:**

18 *Presented by Chelsea Land Use Co-Chairs Betty Mackintosh and Lee Compton*

19 Item 1: Letter to BSA re special permit for a PCE (gym) – Brick – at 257 West 17th Street (**APPROVED**
20 **WITH AMENDMENTS**) – **voted as Roll Call - Unanimous**

21 *Ms. Macintosh informed the Board of some changes they had already made to lines 60, 109, 114, 139 &*
22 *149 to emphasize the operation was illegal, the extent of the noise & annoyance, restating how permitting*
23 *works & the request that the gym be required to close. Brick should have come before the Board in the*
24 *first place. Paul Seres pointed out if this was an applicant for a liquor license we would have been after*
25 *them. This was a bait & switch and to let this go on is insanity. 1st Vice Chair Christine Berthet pointed*
26 *out someone during the Public Hearing mentioned an issue with the Emergency Exit so Paul Seres*
27 *suggested the letter be copied to FDNY. James Wallace loves the outlined changes, but thought at line*
28 *156 the words “We do not know” should be stricken. This change was accepted. Pamela Wolff assumed*
29 *Brick was a leasee and asked why the Condo is not also addressing the landlord. Lee Compton explained*
30 *the Landlord is part of the lawsuit, but the Board’s responsibility is comment on Land Use. Marty de*
31 *Kadt commented the changes are really good, but would like to get rid of “unless” at Line 16.*
32 *Mr. Compton responded they were trying to be consistent. Mr. de Kadt thought a pure denial should be*
33 *stated at the beginning and later in the letter explain the stipulations. Ms. Berthet stated that was not*
34 *what we were trying to say.*

35 *Frank Holozubiek asked to move Lines 148-9 and 159 towards the top of the letter. This change was*
36 *accepted.*

37 *Mr. de Kadt still lobbied for a much stronger stance.*

38
39 **Clinton/Hell’s Kitchen Land Use Committee (C/HKLU)**

40 *Presented by C/HKLU Chair JD Noland*

41 Item 2: Letter to DCP re TF Cornerstone - 606 W. 57 LLC Project (**APPROVED WITH**
42 **AMENDMENTS**) **voted as Roll Call – Aye 28 Nay 4 PNE 4 Abstain 0**

43 *Mr. Noland told the Board they were adding a paragraph on parking.*

44 *Brett Firfer stated Line 136 was excellent, but asked to add a recommendation that City Planning adopt*
45 *city-wide. Mr. Noland said that was an excellent idea. Betty Macintosh asked if the topic of*
46 *overcrowding was discussed at committee, to which Mr. Noland replied yes. Chair Johnson asked if that*
47 *could be addressed in the letter.*

48 *Joe Restuccia explained we were stuck with how the rule works. The applicant under the rule*
49 *demonstrated there would be No Impact. Marty de Kadt stated the Board should still mention*
50 *infrastructure around this building and other projects combined will have a large impact. Mr. Noland*
51 *thought the letter can state there needs to be a broader scope. Mr. Restuccia said to point out that the*

1 *policy is too narrow because the applicant is following the rules. That is the difference between the EIS*
2 *versus EAS. Ms. Macintosh wants the letter to state, "CB4 believes the area is oversaturated... blah,*
3 *blah, blah."* Mr. Restuccia commented with the presence of so many members of 32BJ perhaps there
4 *should be commnt mention of the talks with the Union in the letter. Pamela Wolff wanted to comment that*
5 *her vote would be no based on the ugliness of the building.*
6 *Final comment from Mr. Noland, despite the look, the project will bring in 240 permanent affordable*
7 *housing units.*

8 Item 3: Letter to DCP re Sliver Law – Unintended Consequences (Special Hudson Yards District)
9 **(APPROVED)**

11 **Transportation Committee (TRANS)**

12 *Presented by TRANS Co-Chair Christine Berthet*

13 The following items were bundled: 4, 5 & 6

14 Item 4: Letter to DOT re parking regulations at 500 West 43rd Street **(APPROVED)**

15 Item 5: Letter to DOT re parking regulations at 548 West 48th Street **(APPROVED)**

16 *Betty Macintosh wanted clarity around Line 20 if the 30 feet were on either side of the entrance or just*
17 *the entrance.*

18 Item 6: Letter to DOT re parking regulations at 275 Seventh Avenue (@26th) **(APPROVED)**

19 Item 7: Letter to DOT/MTA re relocation of bus stop at Seventh Avenue and West 25th Street
20 **(TABLED)**

21 Item 8: Letter to DOT re Improvements to long distance bus permitting process **(APPROVED WITH**
22 **AMENDMENTS)**

23 *Brett Ferifer requested a friendly amendment that the Board ask that DOT do an analysis. Marty DeKadt*
24 *asked if the city receives a fee for these permits. Ms. Berthet replied there was a small fee and there had*
25 *been an idea to change that, but it may not fix the problems.*

26 Item 9: Letter to DOT re Gunther bus stop at north curb of West 31st Street and Eighth Avenue
27 **(APPROVED)**

28 *Ms. Berthet explained part of the reason behind the request to deny the permit is confusion around the*
29 *operator with two names and cited violations by this company, idling and the location poses a problem.*
30 *Drivers need to be better educated.*

32 **Business License and Permits Committee (BLP)**

33 *Presented by BLP Co-Chair Paul Seres*

34 The following items were bundled: 10, 13-20 & 11-12

35 Item 10: Letter to SLA re Uma Temakeria – 64 Seventh Avenue (14/15) **(APPROVED)**

36 Item 11: Letter to SLA re Fairy Tales - 500 West 48th Street (RATIFICATION) **(APPROVED)**

37 *Mr. Seres told the Board this applicant had been a problem for a while and when they did show up in*
38 *front of BLP they claimed to be unaware if their impact.*

39 Item 12: Letter to SLA re BK 19 Inc – 400 W. 43rd Street **(APPROVED)**

40 *Mr. Seres told the Board there was a lot of opposition to this application.*

41 *Marty Treat thanked Mr. Seres and Chair Johnson.*

42 Item 13: Letter to SLA re Space NY – 637 W. 50th Street **(APPROVED)**

43 Item 14: Letter to SLA re AZ Holding Corp – 225 Tenth Avenue (23/24) **(APPROVED)**

44 Item 15: Letter to SLA re Golden Chicken – 533 Ninth Avenue (39/40) **(APPROVED)**

45 Item 16: Letter to SLA re Yum Yum Bangkok 3 – 658 Ninth Avenue (45/46) **(APPROVED)**

46 Item 17: Letter to SLA re Manganaro's Hero Boy – 494 Ninth Avenue (37/38) **(APPROVED)**

47 *Mr. Seres clarified this restaurant would maintain the same operations despite changing hands and a*
48 *dispute between two brothers that originally owned the business.*

49 Item 18: Letter to SLA re Ñaño Restaurant – 691 Tenth Avenue (47/48) **(APPROVED)**

50 Item 19: Letter to SLA re Gallow Green – 530-542 W. 27th Street **(APPROVED)**

51 Item 20: Letter to SLA re Hummus Kitchen – 768 Ninth Avenue (51/52) **(APPROVED)**

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New Business (NewBus)

Presented by QoL Chair David Pincus

Item 21: Letter to Organizers of SantaCon re Community outreach (**APPROVED**)

Betty Macintosh suggested a friendly amendment to address the letter to State Senator Hoylman and other electeds.

Item 22: Letter to City Council re Citywide Cultural Plan (**APPROVED**)

Burt Lazrin asked about the phrase “synergistic cultural plan”, “What is it?”, asked Mr. Lazrin. Mr. Pincus explained this is a city wide effort to get the City Council work more closely with DCA. Ms. Berthet suggested dropping the word synergistic. Mr. Ferfir suggested the word comprehensive and Chair Johnson summed it up that CB4 was pro culture, but anti synergistic.

Item 23: Letter to DOT re Chelsea Farmer’s Market (**TABLED**)

Walter Mankoff felt this letter needed to go to committee and the hours of operation and parking arrangements are not included. Mr. Pincus acknowledged that information should be in the letter and clarified that this would be one day a week mid-block in an area that can accommodate parking and operate from 9am to 5pm. Mr. Mankoff re-iterated that the letter needed to be cleaned up before a vote. Pamela Wolff told the Board that the operators did massive outreach and had good intensions. The only question was if Penn South weighed in. Marty de Kadt warned he did not think Penn South was involved and to be careful. Mr. Pincus had already mentioned he would remove the reference of Penn South from the letter. Chair Johnson agreed that Penn South needed to be consulted and the matter should be tabled until the next Executive Committee meeting.

Item 24: Letter to FoHL re “Bowl” over West 30th Street and Tenth Avenue (Spur design) (**APPROVED**)

Item 25: Letter to HRPT re RFP for HRP Boathouse Operators at Piers 26, 66, 84 & 96 (**APPROVED**)

Item 26: Letter to DOT re Hispanic Transportation Services (**APPROVED**)

Item 27: Letter to SAPO re Denial of street fair on West 15th Street between Eighth and Ninth Avenues (RATIFICATION) (**APPROVED**)

Chair Johnson announced he was resigning and would be going to Mexico to vacation before he begins as New York City Council member for District 3.

The meeting was adjourned at 22:14 Scribed for the final time, until needed again by Delores Rubin