



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD No. 4**

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**JOHN WEIS**  
Chair

**ROBERT J. BENFATTO, JR., ESQ.**  
District Manager

**March 3, 2010 Minutes**

**SITE SELECTION AND ACQUISITION FOR HIGH LINE STRUCTURE AND EASEMENTS BETWEEN WEST 30<sup>TH</sup> AND WEST 34<sup>TH</sup> STREETS (ULURP # 100180 PCM).** The New York City Department of Parks and Recreation and the Department of Citywide Administrative Services propose the site selection and acquisition of the High Line easements and associated rail structure between West 30<sup>th</sup> and 34<sup>th</sup> Streets, located in Manhattan Community District 4 (Blocks 676, 679 and 702) for purposes of expanding the existing High Line public open space located south of West 30<sup>th</sup> Street.

Lee Compton led the ULURP Hearing  
Josh David in favor, reviewed history and thanked all elected officials, city planning, and parks.  
Jan Levy supports  
Gary R. Supports, using process to move forward  
Grand Anderson is a landscape architect and supports the project  
Peter Mullen, director of planning for HighLine, supports and thanked everyone involved

**Public Session**

Captain Jerry Dowlina-NYPD Manhattan South asked anyone seeing drug dealing to please call 212 345 2900  
Mike McGuire Ext. #7, Station at 41<sup>st</sup> and 10<sup>th</sup> Ave, Labor's Union, CB6  
Jack Kittle wants 1<sup>st</sup> Avenue Redone, and ADA compliant. "Build it now, don't wait. Painters from DC9, in favor of station at 41<sup>st</sup> Street, would like to use stimulus funds if available.  
Julie Menin, Chairperson Community Board 1 would like to move the trial of Sheik Khalid Mohammed away from lower Manhattan, too expensive and would create a security choke point.  
Irma Gotay apply for applications for housing 80/20 project  
Henry Davis in favor of 41<sup>st</sup> and 10<sup>th</sup> Ave subway station  
Michael Perlman, President COOP 58<sup>th</sup> & 9<sup>th</sup> Avenue Vendome opposite the Hudson Hotel, Increasing noise and disturbances.  
Michele claims that the Star Lounge agreed to stipulations at the BLP South Committee meeting and they have not been met as of this meeting.  
Cathy Glough Corcoran Group supports the 41<sup>st</sup> and Tenth Avenue Subway Station, that accessibility increases the property values.  
Ursula 58<sup>th</sup> Street Block Association spoke against the Hudson Hotel applying for a cabaret licenses saying it will increase crowds and traffic.  
Bill Becker of 464 West 44<sup>th</sup> Street @10<sup>th</sup> Ave moved to the neighborhood with the expectations of growth, subway station is essential.  
Nick Dulse of 347 West 57<sup>th</sup> Street, The Colonade, states that the Hudson Hotel is a poor neighbor, too much taxi congestion and double parking making street access difficult.  
Bryan Hughes of the Intrepid Air and Space Museum asked that the proposed subway station be built, as it is something that is desperately needed.  
John Burnam who lives in Hell's Kitchen states that they need a subway station for the continued growth of the neighborhood.  
Jessica Schwiefel stated that tree guards are needed in Chelsea and she asked for donations.  
Shimon Shapry is in favor of a new west side subway station claiming that trying to get cross-town is too long and difficult.  
Alison Tupper of the West 46<sup>th</sup> Street Block Association in also in favor of the new subway station.  
Bruce Mckafer Hell's Kitchen resident in favor of the new subway station, new businesses bringing 2200 jobs so more transportation is needed.  
Lillian Fable, President of the Ninth Avenue Association street fair is a success even with the smaller size. Very grassroots and they give away stalls to community; some of the proceeds going to schools, sr. citizens, dinners and scholarships are also given out.

Gene Bazani, associate broker for Prudential supports the proposed subway station.  
Hank Ohrenstein, tourist guide is in support of the proposed subway station.  
Ken Title, Prudential Broker supports the proposed subway station.  
Tony Juliano thanked Millie Glaberman for her years of service to the community.  
Jeff Rothstein Prudential Douglas Elliman is in favor of the proposed subway station.  
Lorraine Ianello, Resident of the West Side and a Prudential Douglas Elliman Agency, is in favor of the proposed subway station. More transportation for cross-town is needed.

### **Adoption of Agenda by Chair Weiss with modification based on applicants withdrawal**

**Chair Weiss postponed the approval of the February Minutes unit next month since they were not ready at the time of the meeting**

### **Elected Officials**

Sandy Meyer for **Borough President Stringer**-spoke of the new food initiative started by the Borough President; Spoke of the application process for new community board members. BP recognized Millie Glaberman's long service and proclaimed March 3<sup>rd</sup> Millie Glaberman appreciation day. Millie spoke after her acceptance

**Jerry Nadler** has been active in holding the lawyers responsible for the torch memos and passed along reports to their respective state bar associations for disciplinary action. Congressman Nadler held a press conference on March 3, 2010 about "Don't ask don't tell" Congressman is continuing his work on saving St. Vincent's

**Tom Duane**-Family Healthcare decision act Legislature passed a bill on city and state public housing developments for capital infusion. State Senate Health committee passed a medical Marijuana bill. The senator is also asking for community support for St. Vincents.

**Assemblyman Gottfried** helped write the family healthcare decision act. Illegal Hotels act would allow housing to be regulated against transient use. The assembly passed the gender non-discrimination act. Assemblyman is continuing the fight to keep St. Vincent's open.

**Assemblyman Rosenthal** Bed Bugs Bill was filed today. Assembly member held a foreclosure forum in building that were in the process of being foreclosed.

**Speaker of the City Council Quinn** Tenant Protection Act, which helps the screening process for housing applicants to be more transparent. Council voted for a mixed-use project in Clinton Hill. City is in the final stages of public hearings and public sites for PS 51.

### **District Manager's Report**

Census is still hiring. Community meeting to be determined on a date regarding district 4 and traffic patterns. Presentation on City planning for waterfronts at this month's waterfront committee.

### **Chair's Report**

Met with the SLA and other cb's about what the sla expects of cb's. What CB4 has been doing to this point has been correct. Agreed upon stipulations with applicants are valid.

Thanked the board for their work on upcoming achievements. There are 6 openings on the board and they should be named shortly. Nominations Committee for the upcoming election slate for April. John Owens has been named the chairperson of the nominating committee.

## COMMITTEE REPORTS – LETTERS & RESOLUTIONS

### Executive Committee (EXEC)

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**Item 1: Letter to Mayor Bloomberg re FY 2011 Preliminary Budget Response**

Christine Berthet said the letter that needs to be tweaked.

**Item 2: Letter to LPC re 52-54 Ninth Avenue (ratification)**

Ed spoke about the retail property at the Old Homestead Restaurant and the store fronts as it relates to the LPC. The letter is being taken under consideration by the LPC.

**Item 3: Letter to DCP re Text Amendment regarding street walls in Hudson Yards Subdistricts C and E, and Garment Center Preservation Area P-2**

DCP is taken CB 4's recommendation to close the loop holes in the current code regarding the street walls in these districts. DPC will also begin using maps to help the reader understand where each district and the codes apply. Walter made some friendly amendments for syntax and flow of the letter.

**Item 4: Letter to DOB re audit of plans for 447 West 47<sup>th</sup> Street withdrawn**

**Item 5: Letter to DCP re balconies in Special Clinton District withdrawn**

### Chelsea Preservation and Planning (CPP)

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**Item 6: Letter to CPC re High Line site location and selection**

Passed 33-yes, 0-no, 13-absent

### Business License and Permit Committee (BLP) - North

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**Item 7: Letter to SLA re Brass Organic LLC/ d/b/a Zigolini's – 675A Ninth Avenue**

**Item 8: Letter to SLA re Shake Shack – 300 W. 44<sup>th</sup> Street**

**Item 9: Letter to SLA re Times Rest. & Lounge Inc. d/b/a Times Restaurant & Bar – 601 Eighth Avenue (39/40)**

**Item 10: Letter to SLA re Leo & Emma's Rest. Corp. d/b/a Delta Grill – 700 Ninth Avenue (48)**

**Item 11: Letter to SLA re Breeze NYC Restaurant LLC – 661 Ninth Avenue (45/46)**

**Item 12: Letter to SLA re Dream Team Partners I LLC. – 362 W. 53<sup>rd</sup> Street**

**Item 13: Letter to SLA re West 42<sup>nd</sup> St. Nightlife Inc. d/b/a XL – 510 W. 42<sup>nd</sup> Street**

**Item 14: Letter to XL Lounge, 510 W. 42<sup>nd</sup> Street, re proposal for hotel, restaurant, and dance club- WITHDRAWN**

JD mentioned that the storm enclosures/vestibules must be removed by April 15<sup>th</sup>

Martin asked that the word temporary be used

Martin also asked that the delivery bike storage for Times Square Restaurant be included either as a bike rack or internally in their space.

### Business License and Permit Committee (BLP) - South

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**Item 15: Letter to SLA re Pamela Blackwell Inc. d/b/a Cocoa V – 174 Ninth Avenue (20/21)**

**Item 16: Letter to SLA re Ruben's Empanadas Inc. d/b/a Ruben's Empanadas – 224 Eighth Avenue (21/22)**

**Item 17: Letter to SLA re Kevin Gouchee or Entity to Be Formed d/b/a Flor de Sol – 100 Tenth Avenue (15/16)**

**Item 18: Letter to SLA re DT Hospitality Group Inc. – 110 Ninth Avenue (17/18)**

Items 15-18 have been bundled

**Item 19: Letter to SLA re Nool Ashman or Corp to be formed – 222 W. 23<sup>rd</sup> Street**

Martin states they haven't met with residents or changed their security so the vote should be delayed. John mentioned that the outgoing security firm Paramount should be named in the letter. Walter stated a concern regarding the signing of the affidavit for all applicants. Lisa mentioned that a new firm should come before the committee so they can understand community opposition. Christine stated her confusion regarding the process of the applicants signing their affidavits before the full board votes. Paul stated that the venue could not be a cabaret. Sarah stated to add a time frame.

### Quality of Life/Education, Libraries, and Cultural Affairs Committee (QoL)

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**Item 20: Letter to SAPO re Ninth Avenue Association for Ninth Avenue (42 to 57) on May 15<sup>th</sup>/16<sup>th</sup>**

Jay mentioned that the board had asked for financial statements from the organizers in the past. Howard confirmed that we did not ask them as of yet. Bob mentioned that the person who handled their finances had passed and that the replacement would be willing to offer statements. Lisa commented on the garbage overflow. Martin commented that the organization is a not for profit however we cannot verify their 501 c 3 status.

## **Housing Health, Human Services Committee (HH&HS)**

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### **Item 21: Letter to HPD re Chelsea/Clinton SRO Preservation Initiative of Lantern Organization**

Ed asked that the points of reduction should be made clear. Bob stated that he is in favor but asked about the energy sustainable aspects of the new units. Jay asked if the word "needy" is necessary, suggested "special needs" as a replacement. Joe stated that Lantern has been around in different neighborhoods throughout the city. A paragraph describing who Lantern is should be added.

## **Transportation Planning Committee (TRANS)**

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### **Item 22: Letter to DOT re Kokopelli Tours bus stop**

Bob asked if there was an understanding of who the bus operator is and how they operate. Jay responded that they have experience about working in the city.

### **Item 23: Letter to MTA re proposed mass transit cuts**

Bob stated that seniors should have a means test so that seniors who can afford to pay should pay. Burt stated that there were proposed budget cuts in access a ride. Stated that access a ride should be mentioned in the letter.

### **Item 24: Letter to Deputy Mayor Leiber re West 41<sup>st</sup> Street/Tenth Avenue #7 subway station stop**

Bob stated that the reason for the subway was originally for the stadium. He also stated that a monorail would be less intrusive and more economically efficient. Walter is in support but asked if we were seeking support for the stop.

### **Item 25: Letter to NYPD re publishing of data**

JD asked that the office work on the letter for grammatical errors. Lisa stated that the original source of the statistics be cited.

### **Item 26: Letter to Mayor Bloomberg re road safety**

Walter asked the meaning of line 25 and asked that the various agencies be clarified. Burt asked for clarity as to what the letter is asking for, a new government office to monitor pedestrian safety. Hugh clarified that we are asking for more communication between existing agencies and Christine confirmed that fact.

## **Waterfront and Parks Committee (WATER)/Theater Task Force/ Landmarks Committee (LAND)/Clinton/Hell's Kitchen Land Use Committee (C/HKLU)**

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No items to report

## **New Business**

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**Item 27** is a resolution for the trials of SKM downtown to be moved. This vote will endorse Board 1's resolution about the upcoming trials. Ed stated that the trials should remain in the Southern District. Jay is opposed to the trials moving. John Lamb also opposes. JD asked why we were voting on a CB1 issue. John Weiss explained his understanding of it. Frank agreed with Jay. John Weiss withdrew the item, as it needs a resolution from cb4 before it could be voted on.