

1 **MANHATTAN COMMUNITY BOARD 4**

2 November 5, 2014

3 Roosevelt Hospital, 1000 Tenth Avenue (58/59)

5 **PRESENTATION**

7 **NYC Human Resources Administration: Child Support Enforcement**

9 **PUBLIC HEARING**

11 **BSA Application Cal. #: 217-14-BZ:** an application for a special permit for a physical Culture
12 Establishment – Flywheel – at 245 West 17th Street.

14 **BSA Application Cal. #: 93-14-BZ:** an application for a special permit for a physical Culture
15 Establishment—Title Boxing Gym—at 455 West 37th Street.

17 **Fiscal Year 2016 Capital and Expense Budget Requests:** public comments and suggestions

20 **MEETING AGENDA**

- | | |
|-------------------------------------|-------------------|
| 22 Public Session | Hugh Weinberg |
| 23 Adoption of Agenda | Christine Berthet |
| 24 Adoption of Last Month’s Minutes | Christine Berthet |
| 25 Manhattan Borough President | Diana Howard |
| 26 Local Elected Officials | Various |
| 27 Chair Report/Committee Reports | Christine Berthet |

31 Chair Christine Berthet called the meeting to order at 6:45 p.m.

33 **PRESENTATION:**

34 **NYC Human Resources Administration: Child Support Enforcement**

36 The office performs a range of functions. They can help in establishing paternity, tracking down non-
37 custodial parents, and summoning and serving in all 50 states. They can set up deductions from paystubs.
38 The office can enforce child support payments through driver’s license suspension, passport suspension,
39 professional license suspension, liens on property and bank accounts. They try to provide support for both
40 parties and they can help non-custodial parents get payments reduced. If you need a reduction, don’t wait
41 to file until enforcement starts happening because the office can report to the credit bureau if you have
42 large arrears. If you need anything from the office, staffers can help you fill out paperwork and answer
43 questions.

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4

5 **Fiscal Year 2016 Capital and Expense Budget Requests:** public comments and suggestions
6

7 With nobody interested in speaking, Chair Berthet declared the public hearing closed.
8

9 **PUBLIC SESSION:**

- 10 1. Ten residents, three business owners, and someone who works in the area spoke about the
11 Bowery Residents Committee’s facility on 25th St, which has caused a serious disruption to
12 quality of life. One has started the W 25th St project to beautify the block, but BRC hasn’t been
13 working with them. Residents report being harassed and attacked. They are concerned that the
14 facility is too large and too many BRC residents loiter on the street making life unpleasant.
15 They’d like a smaller facility and operational changes at the BRC. They’d like the BRC to be
16 more transparent in their applications with the City and State and to be more communicative with
17 and responsive to the neighborhood.
18 2. One resident spoke to support Item 22 and in opposition to the lease of the Clinton Towers retail
19 space to a future bar/restaurant.
20 3. The Meatpacking Improvement Association and Chelsea Improvement Company gave an update
21 on the effort to bring a BID to the area. The application is formally now with the City and
22 beginning the public approvals process.
23 4. Delores Ruben wanted to let us know about Trees New York, which trains citizens to be citizen
24 pruners and help us spot problems with trees.
25 5. Betty Mackintosh invited us all to the Hell’s Kitchen Farm Project’s urban harvest celebration on
26 November 11 from 6:30-8:30 pm. They grow vegetables on the roof of Metro Baptist Church on
27 40th St between 9th and 10th.
28 6. The Ryan Chelsea-Clinton community health center at 46th St and 10th Ave reported that the
29 Center is having Diabates Awareness Month. On November 20th, they’re having a workshop on
30 smoking cessation. They’re having a World Aids Day health fair where they will offer free HIV
31 testing on December 1.
32 7. One resident spoke against Item 23, which relates to the cure for harassment application at the
33 premises where he lives. He believes this won’t create any additional affordable housing and will
34 greatly inconvenience residents who were already harassed.
35

36 **ADOPTION OF AGENDA:**

37 Item 8 was deleted. Adopted.
38

39 **ADOPTION OF LAST MONTH’S MINUTES:**

40 Adopted.
41

42 **REPORTS OF ELECTED OFFICIALS:**

43
44 **Jackie Blank, for Congressman Jerrold Nadler,** reports that the Congressman was happy to win re-
45 election. He is working on getting rules written for reverse mortgages for Co-Ops to make it easier for
46 elderly New Yorkers to stay in their homes.

1 **Ed Sullivan, for Public Advocate Letitia James**, reports that the Public Advocate is concerned about
2 sexual assault on campus and some college's—and the NYPD's—lackadaisical attitude towards it. There
3 have been hearings at the City Council and the Public Advocate is investigating.

4
5
6 **REPORT OF MCB4 CHAIR CHRISTINE BERTHET:**

7 We're very shocked about the death of our fellow board member, Khemraj Singh. He'll be in our
8 thoughts.

9 We've had two meetings with Brookfield in which we've tried to resolve construction noise issues.

10 We've met with DCP to discuss Alvin Ailey, who wishes to build a larger building than is permitted in
11 the Special Clinton District.

12 Chair Berthet met with the Port Authority Board to discuss opening a bus garage. Chair Berthet spoke at a
13 hearing about NYC's Open Data law.

14 The official speed limit in NYC has gone down to 25 mph, which is a real victory.

15 Betty Mackintosh reported for the nominating committee that Lowell Kern is being nominated for Co-
16 Secretary, with Frank Holozubiec stepping down. The slate is then the current officers, with the exception
17 of Lowell Kern. She asked for nominations from the floor, but none were made.

18
19
20 **COMMITTEE LETTERS AND RESOLUTIONS:**

21
22 **Executive Committee (EXEC)**

23 *Item 01: Authorization to hire Jesse Bodine as District Manager (APPROVED)*

24 Chair Berthet reported that the Search Committee has been hard at work to find a new District Manager.
25 Jesse Bodine was nominated. He is the former Director of Constituent Services and Policy for
26 Councilmember Brewer, and now works for her as the Director of Community Development in the
27 Borough President's office.

28 Bodine spoke. He said he spent a lot of time with CB4 in both capacities, and witnessed how effective the
29 Board is, and how important a role the District Manager plays in that. He knows he has big shoes to fill
30 with the departure of Bob Benfatto. He has lived in New York City since childhood, growing up on W
31 60th St, and having multiple jobs in the community district. He learned a lot from Borough President
32 Brewer. He hopes to learn from all of us as well.

33 Chair Berthet said that the office received 40 resumes. The Search Committee included her, Bob Benfatto,
34 Lee Compton, Walter Mankoff, JD Noland and Delores Ruben. They identified 9 applicants worth
35 interviewing, though 2-3 dropped out. All the candidates were qualified but Jesse had the widest match of
36 skill and depth of skill. He also had a lot of useful contacts in city offices already and he already knew the
37 neighborhood and its constituents.

38 *Item 02: FY16 Capital and Expense Budget Requests (APPROVED)*

1 **Quality of Life Committee (QoL)**

2 *Item 03: Letter to HLH re Sound proofing “The Refectory” (APPROVED)*

3 *Item 04: Letter to SLA re Limon Jungle – 803 9th Avenue, agreement to new stipulations (APPROVED)*

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

5 *Item 05: Letter to BSA re Application #93-14-BZ, Title Boxing Gym (APPROVED)*

6 There is no excuse for them opening without BSA approval. We are leaving that in the letter.

7

8 *Item 06: Letter to MTA and DEP re Affordable Housing Sites & Open Space (APPROVED)*

9 **Business Licenses and Permits Committee (BLP)**

10 The following items were bundled: 7, 9, 10, 11, 12, 14 (APPROVED)

11 *Item 07: Letter to SLA re 130 9th Avenue (18/19) - Hot Sichuan Inc.*

12 *Item 08: Letter to SLA re 405 W. 44th Street (9/10) – Oaxaca Hell’s Kitchen*

13 *Item 09: Letter to SLA re 350 W. 46th Street (8/9) – AI Ocha Sushi Inc.*

14 *Item 10: Letter to SLA re 673 9th Avenue (47/48) – Wrapido*

15 *Item 11: Letter to SLA re 675A 9th Avenue (46/47) – 675 Ventures LLC*

16 *Item 12: Letter to SLA re 477 10th Avenue (36/37) – The Café Grind*

17 *Item 14: Letter to SLA re 371 W. 46th Street (8/9) – La Pulperia 46 NYC*

18

19 *Item 13: Letter to SLA re 701 8th Avenue (8/44) – Smith’s Hell’s Kitchen Bar and Restaurant*

20 Smith’s was taken over by a new operator. It will reopen. It hasn’t submitted its security plan. It has been
21 continuously licensed since the Eisenhower Administration so we can’t do anything about it, but we will
22 remind them.

23 *Item 15: Letter to SLA re 701 9th Avenue (48/49) – The Jolly Monk*

24 Paul Seres says they did everything we asked of them, taking over the formerly-troubled Traffic. We
25 appreciate their effort.

26

27 **Transportation Committee (TRANS)**

28 Items 16-18 were bundled. (APPROVED).

29 *Item 16: Letter to DCA re Newsstand Application #: 12286-2014-ANWS - n/w/c 10th Avenue and W. 33rd*
30 *Street*

31 *Item 17: Letter to DOT re Playstreets request - PS 111, W. 53rd Street*

32 *Item 18: Letter to PANYNJ and NJT re: Expanding new method of operation for buses entering PABT*

33 *Item 19: Letter to NJT re Idling buses on city streets around PABT (APPROVED)*

34 *Item 20: Letter to PANYNJ re Inclusion of Gavin Plaza development to PA budget (APPROVED)*

35 *Item 21: Letter to Speaker re Intro to 216 Bill to Amend Local Law (APPROVED)*

36 Ken Stewart supports the intent of the letter but wants it to be tweaked to be clear that the bill hasn’t
37 passed yet.

1 JD Noland wants something specific in the letter talking about this community district and the
2 intersections we would like to see changed.
3
4 Lisa Daglian wanted to know why we are just talking about bike lanes.
5
6 Ernest Modarelli suggests approving this with the expectation that we'll add specific intersections to it.
7
8 Mr. Stewart suggests sending as is, with a follow-up letter talking about specific intersections.
9
10 Mr. Noland generally opposes this idea, but won't object in this case.

11

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

13 *Item 22: Letter to Clinton Towers re Clinton Towers lease (APPROVED)*

14 Mr. Seres wanted to know what was new about this letter. Sarah Desmond explained that we had new
15 zoning information. She also updated us that while we've met with DCP, we haven't met with HPD about
16 the lease.

17 Ms. Daglian suggested CC'ing the SLA on this letter.

18 *Item 23: Letter to HPD re Cure of Harassment application for a substantial renovation of 565 West 23rd*
19 *Street/183 11th Avenue (APPROVED)*

20 Mr. Modarelli wanted to know if there was a "poor door," as the public testimony had indicated.

21 Barbara Davis explained that there is not. It's two separate buildings with two separate owners. The funds
22 to renovate one are being generated by the other one, but they're separate.

23 *Item 24: Letter to HPD re: Oversight of IZ and other regulatory programs (APPROVED with*
24 *modifications)*

25 Ms. Desmond explained that tenants have received unintelligible lease riders, giving 3 different dates
26 about when rent stabilization would expire, when in fact they are permanently affordable.

27 Ms. Daglian asked if she could add that clarification into the letter. Ms/ Desmond agreed.

28 Ms. Mackintosh suggested that we make this clear that it applies to all inclusionary housing.

29 **Chelsea Land Use Committee (CLU)**

30 *Item 25: Letter to BSA re Application #: 217-14-BZ, Special Permit (PCE) – Flywheel Sports, 245 W.*
31 *17th Street (APPROVED)*

32 Brad Pascarella wants us to explore further the fact that these gyms are getting built and operated without
33 the BSA permit.

34 Ms. Mackintosh said that the feeling was that this was potentially a separate letter, but it's also nice to see
35 how a fitness place works before we give it a permit, so this might be a debate in the committee.

36 Ms. Daglian wants to note with irony that we don't know why these places have to come before us.

1 Mr. Noland agrees that there's no point to these letters. He also points that so-called spas are opening all
2 over Hell's Kitchen without oversight, and they are locations for potential sex trafficking.

3 Chair Berthet suggests that the two Land Use committees get together to write a policy.

4 *Item 26: Letter to LPC re Highline Hotel (APPROVED with modifications)*

5 Ms. Mackintosh thanks David Holowka for his research on the issue. The letter will be slightly revised to
6 note what has been removed since the original draft, including the bar, but also encourage it to not be put
7 back in violation of the permit. It will note that the hedge is still there.

8 Ms. Daglian suggests that we include some of the issues raised at the BLP meetings about this particular
9 bar, as well.

10 Chair Berthet said that we've discussed this, but we don't want LPC to think that the SLA will take care
11 of it, and not LPC.

12 Ms. Daglian suggests just mentioning community concerns.

13 Jay Marcus suggests just CC'ing the SLA.

14 Brett Firfer suggests we photocopy the other letters and add as a rider to the LPC. This was agreed to.

15 Tina DeFeliciano points out that they've been to practically every committee.

16

17 **New Business (NewBus)**

18 *Item 27: Letter to DPR re Capital improvement for parks in Manhattan District 3 (APPROVED)*

19 Ms. Ruben explained that the letter is to ask Parks to help us navigate the capital plans.

20 *Item 28: Letter to HPD re 401 W 31st Street Inclusionary Housing-Low Income Housing Plan Application*
21 *(APPROVED)*

22 Ms. Davis explained that we just met with Brookfield today to hammer out an agreement. Brookfield has
23 agreed to have the same finishes throughout the building, and to raise the number of one-bedrooms and
24 reduce the number of studios. Brookfield had been offering a 20% discount to affordable residents for the
25 gym and other amenities. They also agreed to have a children's playroom open to all families in the
26 building, and that the lounge, library, game room, and "crash pad" will be open to the affordable residents
27 at no cost. We are still concerned that the large outdoor roof deck will be available only to those who are
28 paying for it, and we want to push the city to fix this because outdoor space should be available to
29 everyone. We also were not able to get Brookfield to agree to have apartments on 80% of the floors;
30 instead it will be 71%, just a shade over the 65% requirement. We will approve this plan, with these
31 objections.