

MANHATTAN COMMUNITY BOARD 4

MEETING MINUTES

November 2, 2011

FULTON AUDITORIUM, 119 9th AVENUE

AGENDA

Public Session: Christine Berthet

Adoption of Agenda: Corey Johnson

Adoption of Last Month's Minutes: Corey Johnson

Report of the Manhattan Borough President: Sandy Myers

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

PUBLIC SESSION:

Chair Corey Johnson called the meeting to order at 6:37 pm. He introduced Susan Marenoff-Zausner, President of the Intrepid Sea, Air & Space Museum, to make a presentation regarding plans for a new museum that will house one of the space shuttles.

Marenoff-Zausner related the history of the Intrepid, stating that it was commissioned in 1943 and retired in 1972, detailing its service history. The Intrepid opened as a museum in 1982, according to Marenoff-Zausner and she proceeded to describe how the sea and air are currently represented at the Intrepid and that the addition of the space shuttle would put an exclamation point on the space part for the museum.

On April 12, 2011, the Intrepid Museum was awarded one of the four existing space shuttles, Marenoff-Zausner explained. She then demonstrated Intrepid's design plans for the shuttle museum, which will be located on the southeast corner of 46th St. and the West Side Highway. There will be exhibits, classrooms, labs, etc. and the museum will also include programs for those with disabilities.

Marenoff-Zausner also spoke about the projected economic impact on New York City as well as 1186 jobs that will be created. She then took questions from the audience. She explained that the new museum will be ADA compliant and "green". According to Marenoff-Zausner, there are plans for 28 buses to help accommodate the anticipated 300,000 additional visitors. Currently, the plan is to open in Fall, 2014.

Chair Johnson introduced Burt Lazarin to lead a public hearing on Capital & Budget Expenses. Lazarin explained that was for the 2013 fiscal year budget request. Lazarin explained the process and that there will be three public hearings, the next in February or March. As no one signed up to speak, Lazarin closed the public hearing.

First Vice Chair Christine Berthet then led the speaker portion of the public session.

Tom Cayler from the West Side Neighborhood Alliance thanked CB4 for not approving a bar (Boxers) in a schoolyard and stated what is needed in Clinton/Hell's Kitchen is a bus garage.

Ellen Peterson-Lewis spoke in support of additional buss parking, specifically at the new proposed Intrepid museum. She detailed the problem of idling buses.

Kathleen Treat also talked about this issue, stating that the proposed Intrepid site is state land and wanted to know what was in it for us.

Kevin Mulcahy and Roger Newcomb spoke in support of Eric Einstein and his proposed new venue, Physical Onion at 697 Tenth Ave.

Matt Klein from West Side Neighborhood Alliance announced that on Saturday, November 5, the 7th Annual West Side Tenants Conference will be held. He mentioned that WSNA recognized the need and importance of a bus garage for the community. He also stated that WSNA was a strong supporter of the living wage campaign and that New York City should not support poverty wage jobs.

Richard Brender spoke in support of the living wage campaign. He noted that commercial rents have risen substantially, squeezing out the mom and pop shops.

Kate Linker, a small business owner, spoke about the living wage issue as well. Her question to CB4 is can we show leadership on the living wage campaign and can we avoid looking away on this issue?

At this point, Chair Johnson announced that the living wage issue was being added to the November 15 agenda of the Quality of Life Committee.

Deley Galinelli spoke about the gas pipeline coming from New Jersey under the Hudson River and into Greenwich Village. Galinelli related that he attended meetings with both SPECTRA, the company proposing to build the pipeline, and FERC (Federal Energy Regulatory Commission). Instead of supporting a letter written by CB2, as Galinelli says he recommended, CB4 decided to write it's own letter concerning the hydrofracking issue. One of the reasons he is opposing the letter, he explains, is that a need for this pipeline has not been demonstrated. He asked that if CB4 is writing it's own letter, it should state that the location, either at 15th Street or 18th Street is not clear.

Heidi Mathis from Mayor's Midtown Citizens Committee asked that CB4 support the feasibility study for the bus garage on the proposed Inrepid space shuttle museum site. She said buses idle because they do not have legal parking spaces and recited statistics regarding the high rate of asthma, lung cancer, etc. in Hell's Kitchen. CB4 is on record, Mathis continued, of supporting smaller bus garages to host the 263 buses that visit our city daily.

Lorena Camadro said she has three daughters who attend or have attended Holy Cross on 43rd Street. Four buses are constantly parking and idling in front of the school. Camadro is in support of increased legal bus parking in Hell's Kitchen.

Eric Einstein outlined his plans for 697 Tenth Avenue, which is the proposed Physical Onion lounge that was approved by the BLP Committee at its October meeting. He told the board that he has agreed to more stringent stipulations than a previous full license applicant (approved by CB4 but later withdrawn) had agreed to for the same space. He says he has met with the 47th/48th Street Block Association and asks for our support tonight.

Daniele Kucera spoke both in support of the bus garage and Physical Onion.

Nick Domitronos and Dylan Pass both spoke in support of the Physical Onion.

Marisa Redanty opposed the proposed Intrepid tour bus garage and challenged an earlier speaker's assertion that it would be legal to restrict how a bus gets from Point A to Point B unless it was a city or school bus. She emphasized that this plan made no sense and thinks the empty and unused Farley Post Office site is a far better alternative. There is a lot of misinformation being spread, Redanty claimed. Finally, she urged CB4 not to sully any welcome letter to the Intrepid group by inserting anything having to do with a feasibility study.

Chris Barnes spoke in support of Physical Onion.

Irina Ivanov from Fashion Institute of Technology reminded CB4 that on Monday, November 7 at 6 pm, there will be a private tour of The Museum at FIT led by Dr. Valerie Steele and that all were invited to attend. The exhibition highlighted that evening will feature the Daphne Guinness collection.

Dahlia Ruperroir spoke out against idling buses. She added that a parking garage would solve this problem and give the community a better quality of life.

Nivia Ceballo said that both she and her grandson are asthmatic and that buses are coming from other states and idling on our streets. She supports a parking garage not for just 14 or 28 but a lot more.

Betty Mackintosh invited all to the Hell's Kitchen Farm Project (West 40th bet. 9th and 10th Avenue) celebration and benefit at Metro Baptist Church on Thursday, November 10.

Larry Roberts, for the bedridden Elke Fears on behalf of the 47th/48th Block Association, began reading a letter inviting CB4 to a private tour at FIT. Realizing that he had picked up the wrong letter, Roberts deftly dashed to his pile of papers and found the letter he was supposed to read. In it, the West 47th/48th Street Block Association expressed support for the proposed space shuttle museum and opposition to the amendment regarding tour buses.

Peter Mullan, from Friends of the High Line, said that the Mayor, Related, MTA and Coach have announced that they'll be breaking ground for the first building and are committed to full preservation of the High Line, including the 10th Avenue spoke. Mullan said that for the first time all the stakeholders are on board and he thanked CB4 and others for their years of support.

Allison Tupper from the West 46th Street Block Association spoke in support of the tour bus parking scheme at the Intrepid space shuttle site, wanting buses to only enter at West 46th Street and only exit at 45th Street.

ADOPTION OF THE AGENDA AND THE MINUTES OF THE JULY, 2011 FULL BOARD MEETING:

Chair Johnson declared the public session closed. He announced that Item 18 from this November's agenda has been removed and referred back to the Transportation Committee. The agenda was adopted with the above change.

The board adopted the October 5, 2011 minutes as submitted by Burt Lazarin.

REPORT OF MANHATTAN BOROUGH PRESIDENT SCOTT STRINGER:

Sandy Myers, representing Borough President Scott Stringer, invited everyone to a transportation conference at John Jay College later in November. Myers reported that Stringer's representatives had testified at the FERC hearing and the Borough President had expressed concern that the gas would be received through hydraulic fracturing. Also, Myers reminded CB4 members that there are still a few training sessions left and that CB4 members whose terms are expiring will be receiving their reapplication forms in the mail shortly and they are due back by the end of December, 2011. Lastly, Myers reminded CB4 members about the reception in their honor at the Metropolitan Museum on Monday, November 28 from 6-8 pm.

REPORTS OF OTHER ELECTEDS:

Katie Smith, representing Congressman Jerold Nadler, reported that he along with other members of New York's Congressional Delegation, has called on NYCHA to place a moratorium on the wrongful termination of Section 8 vouchers in NYC.

Sara Myers Zimble, representing State Senator Tom Duane, encouraged those in attendance to join a march in solidarity with Senator Duane and the Occupy Wall Street movement on November 7.

State Senator Dick Gottfried's representative, Jeffrey Lafrancois also referenced the OWS movement and said Sen. Gottfried believes they are who we should keep fighting for. He also noted that the 99 per cent are the ones that make a difference in this country's economy.

Jesse Boudine, from Councilmember Gale Brewer's office, announced that for the first time there is a sample ballot online for every election district in NYC. Boudine also extended an invitation for the Upper West Side & Clinton Town Hall Meeting on Monday, November 21 from 6-8 pm at the Jewish Community Center of Manhattan.

Council Speaker Christine Quinn on October 18, reported representative Michaela Miller, outlined a nine point plan to create jobs and long term economic security for NYC. Speaker Quinn, along with other council members have called on Mayor Bloomberg to end the practice of requiring federal food stamp applicants to submit to finger imaging to receive benefits.

REPORT OF DISTRICT MANAGER ROBERT J. BENFATTO:

CB4 District Manager Bob Benfatto announced that there would be a public forum on the Hell's Kitchen Water Main Project on November 7 at 7 pm at the Actors' Temple. Benfatto stated that there was also going to be a forum that will focus on the Chelsea Market expansion plan. It will be on November 10 at 7 pm at the Holy Apostle. CB4's Parks & Waterfront Committee will not be meeting that night so that its members may attend this forum. Instead, P & W will meet on November 17. Finally, Benfatto reported that the judge in the BRC case had made a final determination that BRC was there legally and so it is up and running.

REPORT OF MCB 4 CHAIR COREY JOHNSON:

Chair Johnson added that there were multiple organizations including Save Chelsea that was sponsoring the November 10 forum mentioned by Benfatto. On Monday, November 14, Johnson announced the Governance and By Laws Task Force is scheduled to meet for the first time and will report on that meeting next month. Johnson thanked Elisa Gerontianos, who Johnson said is stepping down as co-chair of the Clinton Hell's Kitchen Land Use Committee after three years of incredible service. Johnson announced that JD Noland has agreed to become the new co-chair of CHKLU. Also, Johnson announced that John Lamb has stepped down as co-chair of the Landmarks Committee and is being replaced by Damyanti Radheshwar. Johnson reported that there was a press conference, as mentioned by Peter Mullan at Hudson Yards involving the Mayor and Speaker. Speaker Quinn, according to Johnson gave specific mention and thanks to the work

of CB4 throughout the long process. Barbara Davis and the Actor's Fund, said Johnson, put on a fabulous kick-off event at the American Airlines Theater in support of a senior needs assessment survey for the Chelsea and Hell's Kitchen communities.

COMMITTEE LETTERS AND RESOLUTIONS:

ALL ITEMS PRESENTED BY CHAIR COREY JOHNSON UNLESS OTHERWISE NOTED

Executive Committee

Item 1: Letter to Congressman Nadler re opposition to Concealed Gun Carry Permits-Reciprocity. Johnson reports that the letter is coming out of the Executive Committee because of a timeliness issue and that it was approved by the committee. He explained that there was discussion on how and when CB4 weighs in on issues that aren't completely specific to the community. The concern in this case, Johnson continued, is that CB4 is the home to multiple transportation hubs and that people could carry guns across state lines into NYC if this legislation were passed. Bret Firfer said that this is not necessarily a community board issue and that he would be abstaining from the vote on the letter. Ed Kirkland thinks the letter needs to be rewritten with more clarity and James Wallace asserted that the letter is too broad and that concentrating on these issues detracts from the local issues CB4 should be focusing on. Martin Treat added that NYC's gun laws are very powerful and that any statements by CB4 outside of that is inappropriate. Approved (22-11).

Budget Task Force

Presented by Burt Lazarin

Item 2: FY13 Capital and Expense Budget Requests. Lazarin commented that he was overwhelmed by the response during the public hearing. Walter Mankoff said that he thought this was supposed to be a ranking of the district need items that were approved and submitted in September, but that he sees many items that were not covered at that time. He thinks there should be an explanation included that this letter would take precedence over the previously submitted document. Item 2 will be amended with Mankoff's suggestions taken into account. Approved.

Waterfront & Parks

Item 3: Letter to Speaker Quinn re Pier 84 Fountain. JD Noland wondered whether there were other fountains of this type in other city parks. Co-Chair John Doswell responded that it's a Dept. of Health issue that is being looked at. Approved.

Item 4: Letter to Intrepid re support in concept of space shuttle museum project. Chair Johnson explained the process in what was being followed tonight regarding Item 4. Johnson related that the Executive Committee decided to bring Item 4, as it was passed by the Waterfront & Parks Committee, to the full board. He continued that the Transportation Committee adopted language (Item 5) that would be added to the W & P letter if approved by the full board. Doswell clarified that the Intrepid proposal would now include spaces for 28 buses, an increase of 14 from the original 14. Firfer suggested sending separate letters and not combining them. Jay Marcus said that this garage is needed as a first step and that this property is owned by the state, which makes it an ideal location for bus parking. Noland agreed with Marcus that CB4 is on record as looking for a bus garage on West 39th Street between 10th and 11th Avenues owned by the Port Authority near the Lincoln Tunnel. He added that this is a land use issue and it should not come up in this letter. Noland continued that there are two competing visions of Hell's Kitchen as an area for strip joints, massage parlors, Verizon, UPS and bus garages. Paul Seres interjected that it was also a place for nightclubs and Noland quickly responded that nightclubs are ok. Noland continued that addition of the space shuttle museum would be wonderful and that the kids from PS 51, Holy Cross Beacon School can walk there unless they run over by buses. Gretchen Minneman doesn't think it's the time or place to be making the request for extra bus parking. Christine Berthet stated that asking things at the beginning is the way to ask. Berthet said that the DOT was already asking buses from using certain routes and preventing them from

going other routes. Larry Roberts claimed that the extra 20 spots being requested was a drop in the bucket compared to the 263 spaces that Berthet says are needed. Roberts also noted that West 48th Street was going to be one lane from 10th to 8th Avenues for the next few years and that you couldn't practically force buses to certain routes. Doswell disclosed that the Intrepid team was unaware of the bus parking issue until recently and it became a little awkward. He concluded that he'd be happy to send the letter clean, without the amendment, but did not want to try to sway the vote and would probably abstain. Mankoff stated that there has been talk of a wall to wall bus garage for as long as he can remember and that we should be thankful there are other possibilities. Treat claimed that bus parking on the street is killing us and that the amendment should be supported. Joe Restuccia explained that CB4 was on record as supporting the Port Authority bus garage, the Port Authority actually financed the feasibility study and that the funds got stuck in the World Trade Center project. As of now, according to Restuccia, there is a new director of the Port Authority and that he hopes that the bus garage can move ahead in the 4-5 years. Restuccia supports a very general welcome letter. Firfer says that he doesn't think that simply asking for a feasibility is such a cumbersome request. John Weis suggested that Item 5 be voted on first and then on Item 4. Regarding the proposed 39th Street parking garage, Marcus offered that the Port Authority never agreed to add any vehicles other than Port Authority buses. Weis said that to clarify, there has been a motion to call to question and it has been seconded, so discussion should stop and a vote be taken. Finally, Noland said that he wanted to....(unintelligible)..... his comment about the nightclubs. Approved (Occurred after Item 5 vote).

Transportation Planning

Item 5: Motion to add language re feasibility study for Charter Bus Garage to space shuttle museum project. Failed (20-15). Taken before Item 4 Vote-See Item 4 for related discussion.

Item 6: Letter to DOT re Hell's Kitchen Traffic Study. Approved.

Item 7: Letter re DOT re sign change Gristedes. Approved.

Item 8: Letter to DCA re Newstand at Tenth . Approved.

Item 9: Letter to DCA re Newstand at West 42nd Street and Dyer Avenue. Approved (Letter of Denial).

Quality of Life

Presented by Co-Chair Jesse Campoamor

Item 10: Letter to CEC2D re DOE proposed Lower Manhattan Re-districting. Campoamor explained that there is an overcrowding and that DOE's proposal would adversely impact parents in the district. He added that the letter was a consensus of community concerns. Mankoff urged stronger language in the letter's conclusion. Approved.

Business Licenses and Permits Committee

Presented by Co-Chair Paul Seres

Item 11 Letter to SLA re Rana USA LLC d/b/a Giovanni Rana-75 Ninth Avenue (15/16) Approved.

Item 12 Letter to DCA re Meridian 23-161 West 23rd Street. Benfatto mentioned that CB4 is moving away from letters and to a form, like a legal contract, that is preferred by the SLA. In this particular instance, the applicant has not checked Sunday hours, meaning he will have to be closed since the SLA will hold him to what is agreed to. Approved.

Item 13: Letter to SLA re Manon LLC d/b/a Manon-407 West 14th Street (9/10). Approved.

Item 14: Letter to SLA re Physical Onion LLC-697 Tenth Avenue (47/48). Approved.

Clinton/Hell's Kitchen Land Use Committee:

Item 15: Letter to HYDC re support of Hudson Park and Boulevard Design. Approved.

Housing Health and Human ServicesClinton:

Item 16: Letter to HPD re Lantern Organization at 330-332 West 51st Street SRO. Approved.

New Business:

Item 17: Letter to FERC re Gas Pipeline DEIS. Maarten de Kadt stated that this project scares him. Marcus suggested that CB4 copy Con Edison on the letter and possibly meet with Con Ed regarding the project. Johnson said that it's fine to say that we have questions but that we, as a community board, don't have the expertise to opine specifically on various aspects of the project. Approved.

The meeting was adjourned at 9:22 pm.

Respectfully Submitted by Larry Roberts