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MANHATTAN COMMUNITY BOARD NO 4

OCTOBER 6, 2010

FULTON CENTER AUDITORIUM, 119 NINTH AVENUE

PUBLIC HEARINGS

BSA 415 – 455 West 23rd Street – application to renew and extend five (5) variances to allow the use of 149 transient parking spaces in a below-grade accessory parking garage in a residential zone at London Terrace Gardens.

MEETING AGENDA

Public Session	Christine Berthet
Adoption of Agenda	John Weis
Adoption of Last Month’s Minutes	
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	John Weis
Committee Letters & Resolutions	John Weis
Old Business	John Weis
New Business	
Adjournment	

PUBLIC SESSION

Twenty-seven people signed-in to speak. Three major areas of concern emerged during the public session: the closing during the mid-day hours of West 33rd Street so it could be used as a play area for the new public school moving into the premises of the St. Michael’s; the applications for new lounges and clubs in the West 20s; and the proposed and rejected mid-block bar on West 48th Street. In addition, the Board was also alerted to the fact that a group called Avenues Education Inc. was in the

1 process of converting an existing warehouse on Tenth Avenue and W25th
2 Street into a pre-K through 12th grade school and that the residents of
3 W25th Street between Eighth and Ninth Avenues are proposing the
4 construction of speed bumps on their block.

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7 **ADOPTION OF THE AGENDA AND**
8 **THE MINUTES OF THE SEPTEMBER BOARD MEETING**

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10 After the Public Session the agenda for the night’s meeting was
11 adopted without changes.

12 The Board accepted the September minutes as submitted by Paul Seres,
13 Co-Secretary of MCB 4.

14
15 **REPORT OF MANHATTAN BOROUGH PRESIDENT SCOTT**
16 **STRINGER**

17 represented by Sandy Myers

18
19 Myers announced that the Borough President has written a letter to
20 Governor Paterson requesting information about the process by which the
21 decision was made to close Vincent’s Hospital and copies of the relevant
22 documents used in that process. In the letter he said he was “troubled”
23 by a lack of response to prior requests for data and plans. He reiterated
24 his support of a new full service hospital to serve the area.

25 The Borough President, Myers highlighted, is sponsoring a program, Bank
26 on Manhattan, to assist people who previously had difficulty opening bank
27 accounts to do so.

28
29 **REPORTS OF OTHER ELECTEDS**

30
31 Congressman Jerold Nadler’s 9/11 health bill, reported Katie Smith,
32 passed the House. He is currently working on the problem of recently
33 uncovered PCPs in school buildings.

34 State Senator Tom Duane’s representative stated that the State Senate
35 and Assembly had passed his bill, the Dignity for All Students Act, to
36 protect students from bullying, and the Governor has signed it.

37 Assemblymember Richard Gottfried, Jeff Lafrancois said, is monitoring the
38 construction of the northern extension of the Eighth Avenue bike path.
39 The NYC DoT will be holding education seminars for the nearby residents
40 and businesses.

1 Seasonal flu shots will be available in the office of Assemblymember Linda
2 Rosenthal, stated her representative Rachel Stein. The Assemblymember
3 is also concerned about PCPs in public schools.

4 Councilmember Christine Quinn’s representative, Amanda Younger, said
5 she had just arrived at the meeting after flyering with the Councilmember
6 for the Anti-Violence Project. Everyone, she said, is deeply disturbed
7 about the recent assaults on gay people in the city as well as the number
8 of suicides of adolescents and young adults. Also, the Councilmember
9 was working with the police about the Chelsea burglaries. She suggested
10 that people needed heightened awareness of the possibilities of break-ins
11 through back windows and open doors.

12
13 **REPORT OF DISTRICT MANAGER ROBERT J. BENFATTO**

14
15 Bob reported on a meeting with the Tenth Precinct about the recent rash
16 (12) of burglaries in Chelsea. These have been concentrated in the area
17 between 9th and 10th Avenues from West 17th Street to West 21st Streets.
18 Some arrests have been made. In Hell’s Kitchen there have been
19 increased muggings and the police will be adding additional street
20 officers.

21
22 **REPORT OF MCB 4 CHAIR JOHN WEIS**

23
24 John announced the resignations of Greg Motylenski and David Hanzel
25 from the Board and the recent appointments of two new members
26 bringing the total Board membership to 47 out of a potential 50.
27 John reported on the Borough Board meeting. He abstained on the vote
28 to condemn the new Arizona immigrant laws. At the meeting he felt that
29 other boards seemed to be more connected to the issue and our position
30 was in a minority. John is trying to create a structure in which these
31 “outside” Board concerns could be aired and discussed, perhaps by
32 inviting others in to talk. Here Board members could hear opinions about
33 these issues.

34
35 **COMMITTEE LETTERS AND RESOLUTIONS**

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37 Executive Committee

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39 Item 1: Letter to DCP re Riverside Center (ratification of letter already
40 sent). Approved.

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2 Chelsea Preservation and Planning (CPP)
3

4 Item 2: Letter to BSA re application to renew and extend five (5)
5 variances to allow the use of 149 transient parking spaces in a below-
6 grade accessory parking garage in a residential zone at London Terrace
7 Gardens, 415 – 455 West 23rd Street. Approved.
8

9 Housing, Health, and Human Services Committee
10

11 Item 3: Letter to HPD re Lower Income Housing Plan – 330 West 39th St
12 Co-Chair David Hanzel outlined the changes the committee is proposing
13 the development’s sponsors, Glenwood Management Corp, implement
14 before the Board gives its approval to the application. He noted that the
15 developer has taken many positive steps in its project to make the goal of
16 inclusionary housing real. The Board has adopted a policy to only
17 support those projects where the affordable units are fully and equitably
18 distributed throughout and the committee wants Glenwood to comply at
19 330 West 39th Street. Additional, the committee is requesting Glenwood
20 to increase the number of family sized permanently affordable units.
21 Sandy Roldos wondered if there were any penalties if they did not
22 comply. JD Noland commented that he thought it was a terrific letter and
23 thanked the committee for fighting for lower income tenants. Carmen
24 Matias mentioned that she used to live in Manhattan Plaza for many years
25 and no one knew who was who. Walter Mankoff observed that the
26 content was fine but he would place the paragraph complimenting
27 Glenwood earlier on in the letter. Joe Rustuccia, committee Co-Chair,
28 stated that with the help of “friends” he believed we could get Glenwood
29 to make the changes. Approved.
30

31 Business Licenses and Permits Committee North
32

33 Item 4: Letter to SLA re Eros Management & Realty LLC & Wyndham
34 Hotel Management d/b/a Wyndham Tryp Hotel – 345 W35th Street
35 Approved.

36 Item 5: Letter to SLA re Fairy Tales Corp d/b/a Fairy Tales – 500 W48th
37 Street

38 Co-Chair Lisa Daglian pointed out all the negative concerns about this
39 small space that previously had never been a bar. Ed Kirkland asked if its
40 proposed use was legal. Joe thought it was. Morgan stated that he
41 usually votes for these venues but in this case voted against it believing

1 the owner was looking for a high volume operation inappropriate for this
2 site. Approved.

3 Item 6: Letter to SLA re SHNY Restaurant Group LLC d/b/a Southern
4 Hospitality – 643 Ninth Avenue (btwn W45th & W46th Streets)

5 Item 7: Letter to SLA re JMED Holdings LLC d/b/a Pacha NYC – 618
6 W46th Street

7 Both approved.

8 Item 8: Letter to DCA re Times Square Arts Center LLC d/b/a Times
9 Square Comedy 671 Eighth Avenue (btwn W42nd & W43rd Streets)

10 Lisa pointed out that it was particularly important to control the queuing
11 on the street. Paul Seres thought that the promoters should identify the
12 number of security people they intended to use. Christine Berthet noted
13 that we should be sensitive to the fact that the site has multiple space
14 users. Approved.

15 Item 9: Letter to DCA re Dunmore New York Inc d/b/a Jake’s Saloon –
16 875 Tenth Avenue (corner of W57th Street)

17 Approved.

18 Item 10: Letter to DCA re The Emera Group Inc d/b/a Dunkin Donuts –
19 610 Tenth Avenue (corner of W44th Street)

20 Approved.

21
22 Business Licenses and Permits Committee South

23
24 Item 11: Letter to DCA re Think Restaurant LLC d/b/a Diner #4 – 102
25 Eighth Avenue (btwn W15th & W16th Streets)

26 Approved.

27 Item 12: Letter to SLA re NY 27 Entertainment Group LLC d/b/a Pink
28 Elephant – 530 West 28th Street (btwn Tenth & Eleventh Avenues)

29 An intense discussion followed the introduction of this letter. Paul Seres,
30 Co-Chair, noted that the applicant operated the smaller of the two spaces
31 at this site but left when the old overall operator began to have problems
32 with the SLA and other regulatory authorities. Morgan mentioned that
33 the applicant is not the same as the old one, he worked in the area, and
34 will vote to approve. John Lamb asked how this space compares with
35 others in the neighborhood. He asked how we could go with this
36 application without problems. Christine wants to send the letter back to
37 the committee for reworking and to hear from people in the surrounding
38 area who claim they were not properly informed of the application. She
39 showed a download from the SLA indicating capacity of over 7,000 in the
40 local venues. Martha Hauze said she would not like another club like this
41 in the neighborhood attracting more people, creating noise, high alcohol

1 use leading to public vomiting. It's a matter of the quality of our lives she
2 continued. Paul agreed with Christine that people from the surrounding
3 area should be invited back to air their views. Sandy wants more
4 assurances from the applicants about their methods of operation. Pete
5 Diaz added that where he lives he is adjacent to three clubs and that
6 history shows him that they are noisy and create congested streets.
7 Martin Treat wanted to know if the applicants had submitted a
8 transportation plan. Paul responded that they had offered a traffic plan.
9 Jesse Campoamor asked how we could accommodate the nearby
10 business owners. They are here tonight and could be introduced to the
11 applicants; a dialogue would ensue, Paul said.
12 John entertained a motion to send the letter back to committee.
13 Approved and letter sent back to committee.
14 Item 13: Letter to SLA re Metropolitan Arts & Antiques Pavilion Ltd – 110
15 West 19th Street aka 115 West 18th Street (btwn Sixth & Seventh
16 Avenues)
17 Approved.

18

19 Waterfront and Parks

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21 Item 14: Letter to DPR re Hell's Kitchen Park maintenance and upkeep
22 Item 15: Letter to DPR re FoHRP's BID proposal
23 Both items sent back to committee.

24

25 Landmarks

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27 Item 16: Letter to LPC re 259 Tenth Avenue
28 Item 17: Letter to LPC re 314 West 54th Street
29 Letter will be revised to focus on the tower.
30 Both approved.

31

32 Transportation Planning

33

34 Item 18: Letter to DoT re Clinton School play street on West 33rd Street
35 (btwn Ninth & Dyer Avenues)
36 A number of people pointed out that the use of the street was a
37 temporary solution. There is an adjacent parking lot and its potential use
38 as a play area should be investigated.

39 Approved.

40 Item 19: Letter to DCA re newsstand relocation, 313 West 57th Street

41 Item 20: Letter to NJTransit re bus safety

1 Item 21: Letter to NYNJPA re tunnel pavement repair
2 Items 19 through 21 approved.

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4 New Business

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6 No new business.

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8 The meeting was adjourned.

9

10 Respectfully submitted by Burt Lazarin

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