



**BOARD OF DIRECTORS  
MINUTES  
Meeting of February 2, 2009**

PRESENT: Matt Ruben, President; Deborah King, Vice-President; John Braxton, Treasurer; Janet Finegar, Secretary; Oron Daskal; Erika Goldberg; Micah Gold-Markel; Larry Freedman; Irene Lambrou; Ken Mitchell; Barbara Mulckhuyse; Sue Patterson; Barbara Saverino; Ira Upin; Anne Waginger.

The meeting was called to order by the President at 7:08 p.m.

*On motion by Debbie King, seconded by John Braxton, the minutes of the January board meeting were approved.*

*Passed 13-0-0*

**President's Report: Matt Ruben; written report attached and reviewed.**

A budget draft was sent just before the meeting: board members should review the draft and send their specific comments to Matt and general comments to the board list.

Anne and Erika were appointed to the election committee for the upcoming election

While there's nothing definite, it appears that some progress is being made on the Community Center seizure situation.

**Treasurer's Report: John Braxton; a bank balance summary and statement of profit and loss by class was reviewed.**

*Moved by Ira Upin, seconded by Ken Mitchell: "To approve the Treasurer's report as presented, with the usual understanding that the budget process continues to be underway."*

*Passed 13-0-1*

**Business Association Liaison Report** No report. There is not a current liaison.

**Casino Committee Report: Debbie King; written report attached and reviewed.**

**Clean and Green Committee Report: Erika Goldberg; written report attached and reviewed.**

**Community Center Committee Report: Larry Freedman. No report: covered in President's report.**

**Crime Prevention Committee Report** There is no current committee.

**Education Committee Report** There was no meeting in January. Meetings will resume in February.

**Election Committee Report: Anne Waginger** No report.

**Environment Committee Report: Debbie King; written report attached and reviewed**

**Fundraising Committee Report: Barbara Saverino; written report reviewed.**

Tickets for the Holiday Party were distributed. Barbara reported that the House Tour was definitely not going to occur, but hoped that we could connect a Northern Liberties house tour with the historic walking tour being planned by the Environment committee.

**Liberty Lands Committee Report: Janet Finegar**

Janet reported on the progress of the stormwater management project. Concern was raised about the effect on the new grass of using the park for the spring music festival. Matt noted that the Morris Arboretum/TreeVitalize has committed at least \$6,000 for tree planting at the park.

**Membership Committee Report: Anne Waginger; written report reviewed.**

There was discussion of who should be given the next Community Service Award and question of whether there is a set of criteria for the award.

**Neighborhood Plan Committee Report: Irene Lambrou** No report.

**Operations Committee Report: Anne Waginger; written report reviewed.**

**Recycling Committee Report: Ken Mitchell** No report.

**Urban Design Committee Report: Sue Patterson; written report attached.**

**Zoning Committee Report: Larry Freedman; written report attached and reviewed**

*Moved by Barbara Saverino, seconded by John Braxton: "To approve the actions of the zoning committee in regard to 543-47 N. 3rd St., i.e.: 'Thank you for your presentation of an amateur boxing training facility and computer lab to be operated by Joe Hand's non profit organization, to comply with the following: 1) No loitering, 2) No public bouts, 3) Minimum of 15 computer stations, 4) Hours 10AM to 7PM, Monday through Saturday with Joe Hand staff always on premises, 5) Maximum capacity 50 people (including spectators, staff, etc), 6) No amplified music to escape premises, and 7) No alcohol on premises (either provided by gym or brought in from outside). Please meet with the UDC regarding any changes to the building, including floor plans for all 3 stories, internal layout/use, signage, windows, location of utilities, and trash and recycling plan. A letter of support is contingent on agreement with UDC, and presentation of refusal.'"*

*Passed: 14-0-0*

*Moved by Debbie King, seconded by Barb Mulckhuyse: "To approve the actions of the zoning committee in regard to 935 N. 2nd St., i.e.: 'Thank you for your presentation. Before we provide support we ask that you meet with the UDC to reconsider the façade design/bay, materials, building height and alley balcony. Please return to the ZC with any revised plans.'"*

*Passed: 14-0-0*

There was a lengthy discussion of the hotel Tower is proposing at Poplar. It was generally agreed that the group had some general support for the project, with serious concerns about the loading situation and about how to ensure that the use remains a hotel rather than some form of longer-term residence. The Board authorized Matt, Larry, and Ira to continue to negotiate with Tower and press our concerns with them, with the possibility of an appeal, should the zoning decision go against us, to remain on the table. It was further noted that there should be a proviso about the liquor license, delineating the boundaries of the restaurant and ensuring that the license covers only those boundaries.

**There was no old business or new business**

*On motion by John Braxton, seconded by Larry Freedman, the meeting was adjourned at 9:07 p.m.*

## President's Report, February 2009

### PLANNING AND PLANNING-RELATED ISSUES

- **Casinos** – In addition to its December lawsuit, Trump apparently has also filed suit seeking to block the proposed Foxwoods move to Market East.
- **Bike Racks** – No updates; this appears to be a completed item for us.
- **Central Delaware Plan** – On Jan. 30, Mayor Nutter effectively dissolved the Penn's Landing Corp. and replaced it with the Delaware River Waterfront Corp, or DRWC (<http://delawareriverwaterfrontcorp.com/>). The board has gone from 26 to 16 members; all elected officials are off, except the Mayor. The City still has a number of seats, via ex-officio seats and some of the Mayor's appointees. The remainder are development professionals, architects, and local businesspeople. CDAG was not given a seat, nor were any CDAG members appointed to the board.

### FUNDRAISING/FINANCES/ADMINISTRATION

- **General Fundraising** – Any updates in the Fund Raising committee report.
- **"Take Me to the River" Grant** – William Penn Foundation has given the University of Pennsylvania's Morris Arboretum approximately \$35,000 for use to expand the "Tree Vitalize" program to plant street trees and other green-infrastructure features along the 100 (and perhaps 200) block of Spring Garden.
- **Funds for Katrina Mansfield** – On Jan 31 I was able to deliver a check to Katrina in the amount of \$9,357.25.
- **NLNA Budget** – John, Barb and I have been unable to get together on this. At this point I am planning to finish the budget myself, run it by them over email (or in person if possible) and send it to the board for what I hope will be final comments before we adopt it.

### DEVELOPMENT ISSUES AND DEVELOPER RELATIONS

- **Projects on the 900 Block of N. 3<sup>rd</sup> St.** – No updates.
- **Tower Investments**
- Contrary to my understanding from this past fall, the lighting issue with Hancock Square is not yet resolved; the lights are still shining into some neighbors' homes at night. Also, Hancock Square's "Piazza" will formally open in May with some kind of high-profile event. More details as the date approaches. Additional information and discussion about the "Poplar Hotel" proposal for 2<sup>nd</sup> and Poplar will take place in the Zoning Committee report.
- **Bridgeman's View** – No update.
- **Trump Tower** – No update.
- **Pier 40** – No update.

### OUTREACH/EVENTS/GENERAL MEETINGS

- General Meetings – Jan general meeting was a great success, with very good turnout.

### COMMUNICATION AND PUBLICITY

- **Email** – List is at 993 members.
- **Web Site** – No updates.
- **Other Internet** – Same as always – we really need to find a tech-savvy neighbor with time and willingness to volunteer; Micah, Anne and I are handling a series of tech issues but could use a little help.
- **Local Press** – No updates.
- **Other Outreach** – No updates.

### OTHER ITEMS

- **Crime and Safety** – As was reported on our email lists, the August '08 rape case has been declared solved by the police, with the same local teen being charged with it as has been charged with the attack on Katrina. Last week I also attended a new monthly meeting at the 26<sup>th</sup> precinct between the Community Relations Officers and area civic leaders. No breaking news, but a useful meeting.
- **NL Liquor Task Force** – this quarterly meeting took place Jan 27. Anne attended. Any updates will be given by her at the meeting.
- **Online Board Polls** – Ratification of any online board polls (Lawn Chair Drive-in; anything else).

## CASINO/ENVIRONMENTAL COMMITTEE

### Foxwoods Move to Market East

FX wants its POD approved before it requests a location change from PGCB.

### SugarHouse License Status – License expired January 11

On January 8, SugarHouse filed an appeal to Supreme Court to force the City to issue construction permit. City's response says that the Army Corps 106 permit and the DEP 537 appeal are holding things up – not the city.

**February 26 NLNA General Meeting:** CasinoFree Phila will present an update.

**March 18 Town Hall Meeting:** "Casinos & Citizenry" St. Michael's Church

### \* 2010 Historic Northern Liberties Calendar \*

We're working with Lara and Torben to create a "NL: Then & Now" calendar.

We'll schedule a day for residents to bring historic photos to CC for scanning.

**EPA Grant:**

Lara has her laptop. Thank you Matt for loading it up with all the latest software. Tomorrow we'll be sitting down to design the database.

We met with our EPA grant coordinator and a Brownfields expert. They encouraged us to consider applying for a Community Action for a Renewed Environment (C.A.R.E.) grant when we've completed this one.

The NLNA EC and Clean & Green would like to work with Zoning Committee to incorporate brownfields issues and recycling into the ZC's guidelines.

Upcoming events include:

- February 26: NLNA General Meeting will feature Maya Von Rossum, the Delaware RiverKeeper.
- Spring: History of Northern Liberties event at Johnny Brendas
- Fall: Walking Tour of Northern Liberties

#### **Grant Expenditures**

January 2009: \$300 to Lara Kelly, \$2,500 to NLNA

December 2008 \$300 to Lara Kelly

November 2008. \$450 to Lara Kelly

#### **Fundraising Committee**

Anne printed out tickets for us all to sell for the upcoming Holiday Party at North Bowl on February 22.

A few tickets were sold at the Monthly meeting. All board members and Fund Raising Committee members will receive them to sell and they will be available at the NLNA office. This year we are also going to sell tickets on-line through NLNA website's donation section. If purchasing on-line through pay-pal, individuals are asked to list "Holiday Party" in "Purpose of Donation".

Tickets are \$20 for adults and \$10 for youths 11-18 and seniors; children 10 and under are free. Ticket price include food, beer, wine, soda, bowling and activities for children. Tickets purchased on Sunday, February 22 will cost an additional \$5 (\$25/\$15).

Please let me know if I can drop off the tickets at your house or I can give them to you at Monday night's meeting.

#### **Clean and Green Committee Report**

**Christmas Tree Recycling:** The Christmas tree recycling event was big success – 300 trees, \$500 raised, covering costs. People came from all over the city and thanked us for doing it...also asked if it would happen next year. NLBOA tree was also chipped. Now what to do with trees dropped off after the chipper left.

**Spring Neighborhood Clean-up:** Committee members completed a neighborhood-wide inventory of cleaning needs: empty lots, trash, graffiti, tree pits in preparation for Clean up day. Clean up will be in conjunction with city-wide clean up, probably Saturday, April 4<sup>th</sup>. City will provide tools. We'd like to use CC as a staging headquarters. We'll need lots of volunteers and food for the workers (request to list-serve and blog) Micah: Any ideas about getting some Kearney and Bodine kids involved?

**Tree Planting:** Still nothing confirmed from PHS; they're awaiting funding approval. We've requested the weekend of April 25 for planting, Saturday or Sunday. Again, some sites have been marked off for sidewalk cuts, including the 20 sites for Lib. Lands' 3<sup>rd</sup> Street and Wildey Street sidewalks. New application for Fall tree planting now available. I'll send to Matt to go out to list-serve soon.

**Hard-to-Recycle Materials Collections:** Planning on June 6<sup>th</sup> to hold an e-waste collection in conjunction with TOXTOUR, an environmental education campaign designed to improve the health of our oceans and world. Additional Hard-to-recycle collection research is on-going.

#### **Lara's Report:**

Met with a new business owner to discuss trash and recycling requirements for the city.

Duplexes on NW corner 3<sup>rd</sup> and Poplar have trash and recycling issues. They put trash out any day of the week, no one cleans it up when it spreads all over the sidewalk and street, they don't recycle and no one has responded to requests for a change. The SWEEPS dept is now involved.

Tenants moved out of a house in 1100 block of 3<sup>rd</sup> St and in their hasty departure left piles of stuff on the curb 2 weeks in a row – I got quite a few emails about it - contacted the owners (SOLO realty) and asked them to make sure it doesn't happen again.

I've gotten a lot of complaints about that block (1100 N 3<sup>rd</sup>) regarding the lack of sidewalk and accessibility, the trash and vast amounts of dog crap. I had Matt the cleaner-upper sweep the block twice now but it's an ongoing problem.

I got another complaint about Leo Razzi's lot. I've talked to him a few times now and he said he would take care of it but my guess is he is waiting for warmer weather. I also called it in to the city just so the complaints are now on record.

I've been trying to get CREI/ Gagan to clean up outside 626 N 5<sup>th</sup> St (the SW corner of 5<sup>th</sup> and Fairmount) – but to no avail.

A family living across the street from the Walter Palmer Charter School at 6<sup>th</sup> and Poplar emailed me in total desperation. Apparently the school dumpsters were being emptied every night between the hours of 1:30a and 4am for months – needless to say it was taking its toll on her! I contacted Waste Management and reported them to L and I – she emailed to tell me things have improved so hopefully that will be the end of it.

I went to Capital Flats to meet with Johnny McDonald and his tenants – I think we have fixed their trash problem once and for all.

I've been working with the city to help keep our corner trash cans be maintained. Some are easier than others. The can at the corner of Reno and Lawrence is severely abused and the folks that adopted it are not too happy. I am trying to help them address the neighbors that put their household trash in the can.

I am also working with the SWEEPS dept in dealing with a bunch of neighbors (1000 block of 4<sup>th</sup>, 300 and 400 blocks of Poplar) whose trash is out all days of the week and others who don't recycle.

I think that's it for the big stuff – as always lots of little stuff that gets cleared up with one phone call or email.

**Urban Design Committee  
January 21, 2009**

Ed Fink, Ross and Dean Coupland  
1130 North Bodine Street

Thank you for your presentation. We take no objection to the scale of the houses and feel comfortable with the level of open space with the decks as provided in the revised drawings. Egress from the basement has been provided on the plan and curb cuts have also been removed. One street tree has been shown per house.

We would recommend paying close attention to the roofing material choice on the portion of the roof that is not the deck and/or provide a screen wall, for visual enjoyment of the occupants. The "art deco" separation element extends into the public right of way on the first floor. We're not convinced by the masthead and would recommend removing it.

We remain concerned about the variety of materials, the complexity of construction and detailing, and their combined effect on longevity and appearance for the neighborhood. We recommend incorporating the brick in some way into all three levels of the façade.

Please provide a signed plan set that includes all material colors, finishes, gauge, and manufacturer as appropriate. We would like to ask that you return to the next meeting to address these remaining issues. Please bring as many material samples as you can.

**NLNA ZONING COMMITTEE MEETING  
Monday, January 26, 2009**

**Present:** Larry Freedman, Irene Lambrou, Charlie Abdo, Matthew Emerson, Tim McDonald, Harvey Bell, Joe Mikuliak, Ira Upin, John McCarroll, Jonathan Sher, Mike Simons. Also Present: David Fectau from CPC.

**Absent:** Chris Isaacson, Barbara Mulckhuyse, Mark Butakis

Motion to approve the December 2008 ZC minutes by JM, 2<sup>nd</sup> by IL  
Passed: 8-0-0

**1) Joe Hand Sr. – 543-47 N. 3rd St. – C2 – Proposal for training facility - amateur boxing – no public bouts – computer training stations (about 15) – for purpose of youth organization service.** Have signed an agreement to purchase the property, just need use permit (variance). Non-profit organization separate from the boxing promotion business (Joe Hand Enterprises). Ages 10 years to early 20s; 85% of users are under the age of 25. Hours 10 AM to

7PM, Monday through Saturday. Always an individual from Joe Hand on location to supervise. Plans to “brighten up” the property, add some windows. Plans for off-street parking with cooperation from Finnegan’s owner to use one of his lots. Plans to partner with city unions apprenticeship program to do some of the trades work at the building. Not interested in hosting public events at this property; need more space, use Blue Horizon space for Golden Gloves tournament, etc. Computer Lab will be open to the community; there will be some training (e.g., using email, etc). Capacity of space? Two boxing rings (19x19, 20x20). Heavy bags area, speed bags area. 50-100 people might come through during the day, but probably no more than 25 people at a time. Won’t exceed 50 people at any one time. 5000 sf of space. About 1000sf of that space for the computer area. Do the kids pay a fee? If they can’t afford it, they don’t pay. Otherwise, about \$20-\$30 month, and after about 2 months, if they stick with it it’s free. Gym will include showers/locker room area. Mission is to give something back. Near neighbor has concerns about public bouts—there’s just not enough room for them in this property. Trash receptacles within the property. No unsupervised kids hanging outside. Question about music/noise escaping from the open garage doors? No plans to allow amplified music to escape premises. Neighbor concern about connection with Finnegan’s.

*Motion by JM; 2<sup>nd</sup> by IL:*

*Thank you for your presentation of an amateur boxing training facility and computer lab to be operated by Joe Hand’s non profit organization, to comply with the following:*

- 1. No loitering.*
- 2. No public bouts.*
- 3. Minimum of 15 computer stations.*
- 4. Hours 10AM to 7PM, Monday through Saturday; Joe Hand staff always on premises.*
- 5. Maximum capacity 50 people (including spectators, staff, etc).*
- 6. No amplified music to escape premises.*
- 7. No alcohol on premises (either provided by gym or brought in from outside).*

*Please meet with the UDC regarding any changes to the building, including floor plans for all 3 stories, internal layout/use, signage, windows, location of utilities, and trash and recycling plan. A letter of support is contingent on agreement with UDC, and presentation of refusal.*

*Passed: 10-0-0*

**2) Alex Duller – 935 N. 2nd St. – C2 – Updated proposal for this site – 1st floor commercial with 2 residential units on 2nd & third floors.** Owner, Tom Chen. Commercial—small shop or office (not restaurant). Trash space on 2<sup>nd</sup> for odorless trash can; trash compactors also considered as discussed previously. 3<sup>rd</sup> floor with mezzanine, master BR suite, owner’s apartment. Skylights on 3<sup>rd</sup> floor for light, and roof deck off the rear; deck (5x12) over alley with permeable surface. 35 feet mean height. Existing window on rear; will keep it if they can. Existing door in rear is to be removed. Glass storefront proposed, keep existing brick on 2<sup>nd</sup> floor, stucco and drivet. Metal bay, dark color.

*Motion by IL ; 2<sup>nd</sup> by TM :*

*Thank you for your presentation. Before we provide support we ask that you meet with the UDC to reconsider the façade design/bay, materials, building height and alley balcony. Please return to the ZC with any revised plans.*

*Passed: 9-0-0*

#### **Updates:**

- **Tower Dev. Presentation to CPC for Hotel at 2<sup>nd</sup> & Poplar:** LF and IU attended CPC. Plan for Hotel was supported by CPC. LF described the process before the CPC. CPC review AFTER zoning—doesn’t make sense. ZBA put project on hold. Also, ZBA is using G-2 zoning standards to approve height/mass (even though this is change/variance process, where there’s a proposed change to a new zoning category). Problems with process. We should have meeting with ZBA—Susan Jaffee, and maybe Alan Greenberger from the CPC. Should we come up with “provisos” for hotel to present to ZBA?
- **Comments from ZC for CPC Design Review Committee Proposal?** This would be a committee for the CPC, a subcommittee of the CPC to advise the CPC. Has not been instituted yet. Looking for input on how the Committee should work.
- **Update on Community Center, Revised Proposal submitted to the City**

#### **The Hotel – Zoning update**

- Ira and I represented the NLNA at the ZBA hearing for the Hotel. Our letter and testimony reflected the motion:
  - Height and mass issue
  - Loading dock and “assisted back-up” concerns
  - Restaurant use and associated issues
  - Extended Stay suites and line between that use and morphing into small residential units

Neighbors also testified. The ZBA “held” their decision after our request that we thought we could work out some of the issues in addition to the fact that the Planning Commission wasn’t reviewing until the following week.

- I went down to the Planning Commission for the Hotel Presentation. I testified as well as some neighbors. The Commission, after discussing the plan and the individual issues raised, approved the project.

Additional issues surrounding this process are as follows:

- The ZBA approached this project (and this is the new ZBA’s MO) with the focus on the “refusal”, the document that L&I submits with the official specifications as to why a proposal requires a variance. As an example, the allowance for height in this G2 zone is based on F.A.R (floor to area ratio) that is 500% of the footprint’s square footage. The Hotel comes in at 557% that the ZBA considered negligible as additional FAR. However, Hotel is not allowed in G2 so our contention is that the FAR is not applicable here. In the past, the ZBA would essentially throw out this formula and look at the new use being proposed and determine acceptability based on that. This ZBA’s rational is “one can build a G2 structure here that size by right so let’s not talk about that element.” This is more of a global issue and needs to be addressed.
- There was misrepresentation/misleading of information, facts and process by Tower attorney, Tower and even the Building division of Planning. Nothing new in a court room setting in my experience – yet it becomes apparent that we need to be represented at all hearings, large and small.

Points to discuss and decide:

- 1) In terms of ZBA - do we maintain same position (our letter does not change), change our position, and do we talk about possible appeal.
- 2) How do we approach ZBA (and Planning for that matter) to discuss process and criteria for assessing projects requiring variances.
- 3) Do we deal with Tower with respect to “massaging” of the facts at these hearings – or just accept this as standard operating procedure and be ready to respond.
- 4) How do we ensure representation at all meetings and hearings.