



**BOARD OF DIRECTORS
MINUTES
Meeting of September 8, 2009**

PRESENT: Matt Ruben, President; Don Phillips, Vice-President; John Braxton, Treasurer; Janet Finegar, Secretary; Fernando Benavides; Larry Freedman; Erika Goldberg; Micah Gold-Markel; Irene Lambrou; Ken Mitchell; Bill Russell; Ira Upin; Anne Wager.

ABSENT: Barbara Mulckhuyse; Barbara Saverino.

The meeting was called to order by the President at 7:01 p.m.

Motion: By Fernando Benavides, seconded by John Braxton. "To approve the minutes of the August Board meeting as presented."
Passed 7-0-3

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

Motion: By John Braxton, seconded by Larry Freedman. "To officially ratify any and all Board polls taken during the past month."
Passed 9-0-2

Treasurer's Report: John Braxton. A balance sheet was distributed and reviewed.

John reminded the Board that before any invoice can be paid, it must be signed by a responsible Board member authenticating that the goods or services were Board-approved and have been received. Note that fiscal year begins October 1.

Motion: By Ira Upin, seconded by Erika Goldberg. "To approve the Treasurer's Report as presented."
Passed 11-0-0

Business Association Liaison, Crime Prevention, Education, Environment, Neighborhood Plan, Operations, Recycling, and Urban Design Committees: No reports.

Casino Committee Report: covered in President's report.

Clean and Green Committee Report; written report attached and reviewed.

Community Center Committee Report: Larry Freedman.

The presentation planned for Michael Nutter (to ask for a guarantee for the building so that we can collateralize the building) is nearly ready and an appointment with Nutter should be made soon. 3rd Federal Bank seems willing to convert the construction loan to a mortgage with good terms, once the required guarantee from the Nutter administration is secured.

A new cabinet will be installed in the meeting room (with joint funding from NLArts, the EPA grant, and NLNA general fund) and the heat pump for the office is being repaired.

Election Committee Report: Anne Waginger; written report attached and reviewed.

Motion: By Janet Finegar, seconded by Larry Freedman. "To approve the policy changes to the Election Committee procedures as presented, i.e.: ' 1. Any person may run for both an officer position and an at large position during the same election. This is the procedure to follow: Two separate ballots will be prepared and voting must be completed for the officer position(s), and the ballots counted and results reported to the president, before the next ballot can be distributed. The next, and last, ballot will include all those nominated for an at-large position, but anyone who received a majority of votes for an officer position will be struck from the ballot or participants will be informed to disregard that name when voting. 2. No one person should nominate more than one candidate for an open executive seat (example – three nominees for VP should be nominated by three different people). No one should nominate more than one candidate when they are recognized. All others who want to nominate should then be recognized in turn before the chairperson returns to someone who has already made a nomination. 3. If a board member resigns between elections in May and December 31 of the same year, a mid-term election will be conducted. If a board member resigns on or after January 1 of the following year no mid-term election will take place and that empty seat will be added to the same year's April nominations.'"

Passed 11-0-0

Fundraising Committee Report.

Larry noted that the fall Music Festival will take place on the 12th. We will have specialty cups with a logo on them (500 cups for \$0.17 per cup) for the first time. There will be a "Let's Get Lit" fundraiser for the Community Center on the 26th. Volunteers are needed for both events.

Motion: By Ken Mitchell, seconded by Bill Russell. "To allocate \$300 for the 'Let's Get Lit' fundraiser."

Passed 11-0-0

Liberty Lands Committee Report: Janet Finegar; written report attached and reviewed.

Membership Committee Report: Anne Waginger; written report distributed and reviewed.

Erika suggested that guidebooks and pamphlets be distributed at the Rib Cook-Off (Micah will do this) and at the Music Festival (Larry, Janet, and Paula will do this).

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

Motion: By Ira Upin, seconded by Fernando Benevides. "To approve the actions of the Zoning Committee on the matter of 808-10 N. 4th St., i.e.: 'Thank you for your presentation, we appreciate the mixed-use concept of the project. Please return to the Z.C. with a proposal for a building not to exceed 35 feet, and not to include more than two residential units (a commercial first floor and basement with two residential units above). The elevator should be removed with one less floor. Future presentations should include a plan for the green roof and roof deck. The deck should be centered on the roof to not be visible from 4th St. or Governor's Court. Please present a trash and recycling plan. Trash cannot be put out on the street until trash day, and consideration must be taken if commercial space refuse is to be stored in back yard to not be visible by residents of Governor's Court.'"

Passed 10-0-2

Motion: By John Braxton, seconded by Ken Mitchell. "To approve the actions of the Zoning Committee on the matter of 400 W. Fairmount Ave., i.e.: 'We support the proposal as presented with the following provisos: 1) Hours of operation are not to exceed 6A – 9P, 7 days a week; 2) Trash and recycling plan is to be given to the

Zoning Committee following a meeting with Lara Kelly; 3) No cooking is to occur on premises, and no venting hoods are to be installed; 4) Noise is not to escape premises; 5) Outdoor seating is to be on Fairmount Ave, 3 tables w/ total of 6 seats; 6) Façade changes are to be made as presented; 7) There is to be no application for a liquor license; and 8) Attempt to remove phone booth as part of construction permit.'"
Passed 11-0-1

Motion: By Ira Upin, seconded by John Braxton. "To approve the actions of the Zoning Committee on the matter of 969 N. 2nd St., i.e.: 'We will give preliminary support for a Special Events venue for 969 N. 2nd St. as presented on 8/31/2009 pending legal review of language to prevent it's use as a nightclub, and the following provisos: 1) Occupancy, excluding workers, of building is not to exceed 300 persons; 2) Directional signs will be installed or placed in visible spots on 2nd Street to indicate the valet drop off/pick up zone, and the location availability of self-parking in the Germantown Avenue parking lot. Valet to use ingress / egress of property through parking lot to south of 969 N. 2nd St. to Hancock St. to parking lot / garage at Hancock and Germantown. Valet is to be managed to not interfere with current tenants' parking spaces and access, and such that there is no undue interference with surrounding neighbors.; 3) Permitted uses and types of events will include Life-cycle events (such as Christening, Bar Mitzvahs, weddings, birthdays, funerals, etc.), Banquets, Receptions, Trade shows, Exhibits, Conventions, Professional Society events, Musicals, Concerts, Dances, and Displays and sales of goods and services. All other related assembly functions must be submitted in writing for review and approval by the NLNA; 4) Prohibited uses and types of events will include Public admission nightclub and Adult cabaret activities as defined at 14-1605 of the Philadelphia Zoning Code; 5) No admission by paid ticket after 10:00 p.m. will be allowed. No admission after 10:00 p.m. by random public will be allowed. (The purpose of this proviso is to have no events that allow for a constant influx of patrons throughout the event so as not to be a nightclub-type of event or use.) No more than 300 tickets are to be sold for any one event. Events are not to be run concurrently; 6) No more than 4 ticketed events per week, open to the general public (not private events) will take place that involve music, live entertainment, and or/dancing by patrons. Such events, however, may consist of one-day or consecutive multi-day events; 7) Responsibility for events will be with the property owner and with any tenant that might possess the property under a lease; 8) Hours of operation at 969 N. 2nd St. facility will vary depending upon the type of event held, but are to be no earlier than 8 a.m. or later than 11 p.m. Sun-Wed, 1 a.m. Thurs-Sat; 9) Conditional liquor license is to be restricted to serving alcohol within the building; 10) Other than for admission and exit of patrons, workers, event staff, etc., doors will remain closed when music is playing. Doors are not to be propped open. Any lines for admission will queue into the Piazza. To ensure that music/noise will not escape the premises while doors are open to allow patrons to enter or leave, a vestibule will be incorporated into the entranceway; 11) 969 N. 2nd St. will submit any façade changes and proposed signed to the NLNA's Urban Design Committee for advisory review and comment only; 12) Trash/recycling is to be stored inside facility, and to be picked up between 8 a.m. and 8 p.m. Deliveries are to be handled in valet zone on 2nd St. or within building; 13) No take-out sales of alcohol. Alcoholic beverages are not to be taken from property by event patrons; 14) No Smoking signs will be evident and security will enforce that the 'smoking area' will be located in the Piazza area sufficiently removed from the 2nd Street entrance and sidewalk. 15) 969 N. 2nd St. will submit a trash and recycling plan to NLNA for advisory review and comment only. This plan must abide by the Philadelphia Code regardless of whether or not that is part permit review by the City.'"
Passed 12-0-0

Motion: By Micah Gold-Markel, seconded by Bill Russell. "To approve the actions of the Zoning Committee on the matter of 'Duck Flats' – 816-824 N. 4th St., 817-821 N. Lawrence St., and 816-822 N. Leithgow St., i.e.: 'Thank you for your presentation. We support the use of space at 818-824 N. 4th St. for Greenable on a temporary basis without jeopardizing or negating the previous zoning variance for 25 residential units and 32 parking spaces. Please also provide signage designating location of customer parking.'"

Passed 12-0-0

New Business

Motion: By Ira Upin, seconded by Fernando Benavides. "Any time the President sends report of a tally in an Board poll, s/he shall include a list of the specific members who have voted on the issue."

Passed 12-0-0

Motion: By John Braxton , seconded by Ira Upin. "To adjourn."

Passed by acclaim.

The meeting was adjourned at 8:58 p.m.

Addenda:

President's Report

1. PLANNING AND PLANNING-RELATED ISSUES

- Casinos – The PNA met with Rep. Mike O'Brien, and Sen. Larry Farnese in mid-August, and a group of NLNA board members met with a group of FNA board members soon after. Details at the meeting.
- Our 537 Module appeal (appeal of a water/sewer permit granted SugarHouse by the City Water Dept and PA DEP) has been settled, pending final signatures on the settlement documents. The settlement is the draft letter this board approved via email board poll last month, with one change, which makes the terms binding not only on the parties but on their successors and assigns. This provision was added at my request, because SugarHouse may have to change the corporate entity that actually owns the casino and does construction (as part of an ownership consolidation their financier is requiring of them).
- Central Delaware Plan – July 31 was the quarterly Board meeting of the Delaware River Waterfront Corp. (DRWC). They considered the issue, reported early in the summer, of a lease of the old incinerator/Festival pier site at Delaware and Spring Garden for temporary parking during a future phase of SugarHouse construction. As per my last report, I did attend and speak about our Spring Garden Greenway project, and the importance of not tying up the Delaware and Spring Garden site with a potential parking lot for years on end. Steven Weixler, Chair of CDAG also spoke in support of our position on this. Some members of the DRWC board also indicated they shared our concerns.

2. FUNDRAISING/FINANCES/ADMINISTRATION

- General Fundraising – See the Fundraising Committee report.
- Spring Garden Greenway Project – We've had further meetings with all project partners. We've gotten public input on several occasions, in late July and most recently on August 19. Public input has been steady and of high quality. The number of people giving input has been decent (about 130, counting all methods), but not as high as one would ideally hope. On the other hand, the input we've received has been remarkably consistent – no doubt because the problems with the site are so obvious. So I think we can be confident that DIGSAU and its partners have gotten a fair sampling of community sentiment and ideas. A draft plan for the project will be presented at the September GM.
- NLNA Budget – Barb M. has committed to work with committee chairs on their FY2010 budgets for those committees that have budgets. Charlotte Daub has created an early draft of the FY2010 budget – basically a more nicely formatted, and technically cleaned-up version of our FY2009. She's also working with Lara to get our

Quickbooks accounting in line with our budget formatting. As of now it appears we will not be able to approve a final budget before the beginning of FY2010. However, I am hopeful we can approve the budget at the October 5 Board meeting, which would be only four days into FY2010.

3. DEVELOPMENT ISSUES AND DEVELOPER RELATIONS

- Tower Investments – Lara is working very hard on the trash and recycling issues. Larry and Ira are working hard on the 969 N. 2nd Street zoning discussions.
- Waterfront – See the “Central Delaware Plan” item in section 1 above.

4. OUTREACH/EVENTS/GENERAL MEETINGS

- General Meetings – The September GM will be largely occupied by the Spring Garden Greenway draft plan presentation. Neighbor and local Committeeman Frank Peta is working on Candidates’ Night (featuring Democratic and Republican candidates for DA and Controller) for the October GM. 26th Police District Captain Cram will likely make an appearance at one of these two GMs as well.

5. COMMUNICATION AND PUBLICITY

- Email – The list has grown by 40 in the last month, to 1,132. This is steady growth; the Constant Contact switch seems to be driving this new growth, at least so far.
- Web Site/Domains – No update.
- Other Internet – A neighbor recently contacted me volunteering to do Web/internet related work. I will have a more detailed conversation with him to see what his abilities and availability are.
- Local Press – The North Star and Spirit are again asking us to provide more lead time on meetings and events. If anyone would like to help me with that, I’d be grateful. The help I’m thinking of would involve keeping track of upcoming events, emailing me reminders, and ideally emailing the newspapers about them two or more weeks ahead of time.
- Other Outreach – No update.

6. OTHER ITEMS

- Crime and Safety – We’ve had a rash of theft-from-vehicle incidents, more than 30 in the last month or so. I’m informed an arrest has been made.
- Online Board Polls – Ratification of any online board polls (537 Appeal settlement; anything else).

Clean and Green Board Report

- Solar Energy Informational Evening: Wednesday, September 30 at CC. Rep. from State of PA to discuss tax credits. Reps from various solar power suppliers and installers.
- Street Tree Planting: Approx. 50 “TreeVitalize” trees to be planted late November (incl. 19 trees along Lib Lands 3rd and Wildey Streets sidewalks.). Additional trees planned for 2nd Street corridor in mid-November. Application for 60 more trees for Sprig 2010 planting submitted. Possible funding available to remove dead trees. Will open up tree pits for new trees.
- Worm Compost Bin workshop: Date TBD. Advance registration required. Can we do this via paypal?
- Philadelphia Water Department: Model Neighborhood: Plans continue with PWD for selected blocks to be models for storm water management.
- Web site for Clean and Green: Working on a web site that will be accessed via NLNA site. Site will be a sustainability resource for NL community an include both useful info and announce C & G events.
- Looking ahead: Want to do Hard-to-recycle/E-waste collection again but researching different company to work with.
- And....Do we have a projector?
- Outreach Ideas:
 - NLNA Info table at Music Festival/flea market?
 - Informative items home with kids from local schools: Kearney, Bodine, St. Peters
 - Contacting Bart Blatstein regarding a welcome pack for all his new residents

Election Committee Report

ADDITIONAL ELECTION PROCEDURES

After the May 2009 elections there was some concern about any person running for both an officer and an at large position. The board has approved the following procedures.

1. Any person may run for both an officer position and an at large position during the same election. This is the procedure to follow: Two separate ballots will be prepared and voting must be completed for the officer position(s), and the ballots counted and results reported to the president, before the next ballot can be distributed. The next, and last, ballot will include all those nominated for an at-large position, but anyone who received a majority of votes for an officer position will be struck from the ballot or participants will be informed to disregard that name when voting.

2. No one person should nominate more than one candidate for an open executive seat (example – three nominees for VP should be nominated by three different people). No one should nominate more than one candidate when they are

recognized. All others who want to nominate should then be recognized in turn before the chairperson returns to someone who has already made a nomination.

3. If a board member resigns between elections in May and December 31 of the same year, a mid-term election will be conducted. If a board member resigns on or after January 1 of the following year no mid-term election will take place and that empty seat will be added to the same year's April nominations.

Liberty Lands Report

- The September Liberty Lands meeting will be held at the park at 6 p.m. tomorrow (Wednesday). Agenda items include: 2 work days coming up - 9/12 and 10/17; need to design a sprinkler system from the zoo grant money; What to do with the compost pile from hell?; plans for the movies next summer; discussion of renting an aerator for the lawn and reseeding; What to do with donated rocks from Mitch; and the 2010 BUDGET.
- The pawlonia trees were successfully pruned.
- The rain garden will be planted out with donated plugs on Saturday (9/12) in the morning. PHS has found a donor to replace the 4 new trees that died.
- Sue Patterson and one of her friends are developing a monitoring system for the cistern water. This is important to make sure that it's not holding (or growing) contaminants; it's also important as a way of demonstrating whether collection and re-use of street water is an effective strategy that others should adopt.
- We are discussing whether to hold the fall festival on 10/24 or 10/31 this year.
- The NLNA Board needs to discuss whether park rental donations should go into the park account or the NLNA general account.
- This report (as always) doesn't include the many ongoing, small items (watering schedules, community garden organizational issues, etc.) It may also be incomplete since I've been away most of the summer. Sorry.

Zoning Committee Meeting

Monday 6/29/09, 6:30PM

Present: Larry Freedman, Barb Mulckhuyse, Ira Upin, Tim McDonald, Harvey Bell, Jonathan Sher, Joe Mikuliak, Matthew Emerson, Charlie Abdo, Mike Simons, Chris Isaacson, Marc Butakis

Absent: John McCarroll, Irene Lambrou

1) 6:30 – 7:15 – Tiago Patricio – 808-10 N. 4th St. – L4 – Proposal for first floor commercial/studio and 3 residential units above as part of a 4 story, 45' building structure with green roof. Architect – Fink und Stange (FuSA). Notes: 52'H top of elevator shaft overrun. 45'H building. 3' bay overhang at sidewalk. Commercial space on ground floor open to basement. Three one-bedroom apartments @ 750 s.f. each, above w/ stair and elevator access. 580 s.f. commercial x 2 levels = ~1100 s.f. retail / commercial. Rear Yard open space = ~95s.f. – 17' x 6' – possibly used for commercial trash / recycle. Tenant trash / recycling proposed for storage inside units until collection day. Green roof w/ partial roof deck. Roof deck not shown, proposed to cover 1/3 of roof, which would be ~250 s.f. No parking allotted (none required in C2 use). Some neighbors concerned about density and parking requirements. Commercial ground floor proposed for all uses in C2 other than restaurant which would compete with neighboring restaurant (Honey's). Community discussion notes: No one opposed use as commercial / residential. 7 support height / density as-is; 4 support if 1 floor shorter. Nearby neighbors across street and in Gov. Court would like it 1 flr shorter, not to store trash in back yard. No shadow studies to show affect on adjacent properties, City Planter, Governor's Court.

Motion by CA; 2nd by JS: Thank you for your presentation, we appreciate the mixed-use concept of the project. Please return to the Z.C. with a proposal for a building not to exceed 35 feet, and not to include more than two residential units (a commercial first floor and basement with two residential units above). The elevator should be removed with one less floor. Future presentations should include a plan for the green roof and roof deck. The deck should be centered on the roof to not be visible from 4th St. or Governor's Court. Please present a trash and recycling plan. Trash cannot be put out on the street until trash day, and consideration must be taken if commercial space refuse is to be stored in back yard to not be visible by residents of Governor's Court. Passed: 8-2-0

2) 7:15 – 7:45 – Marjola Como – 400 W. Fairmount Ave. – Second visit for proposal of 20 seat coffee shop with no cooking. Applicant met with Urban Design Committee following previous visit – see UDC notes. Hours to be Mon – Sat 6A – 9P, Sun 6A – 8P. Exterior improvements include: repainting of exterior in yellow and orange. 3 small tables w/ 2 chairs each on Fairmount Ave. side, to be brought in at night. Ductless mini split system A.C. unit to replace existing unit on 4th St. side, and attempted removal of empty phone booth at corner.

Motion by MS; 2nd by IU: We support the proposal as presented with the following provisos: 1) Hours of operation are not to exceed 6A – 9P, 7 days a week, 2) Trash and recycling plan is to be given to the Zoning Committee following a

meeting with Lara Kelly (trash@nlina.org); 3) No cooking is to occur on premises, and no venting hoods are to be installed; 4) Noise is not to escape premises; 5) Outdoor seating is to be on Fairmount Ave, 3 tables w/ total of 6 seats; 6) Façade changes are to be made as presented; 7) There is to be no application for a liquor license; 8) Attempt to remove phone booth as part of construction permit. Passed: 11-0-1

3) 7:45 – 8:30 – Tower Investments – 969 N. 2nd St. – Second visit for proposal for a Special Events venue including catering, alcohol, live entertainment and dancing. Ron Patterson representing Tower Investments. Zoning Hearing scheduled for September 23rd at 2PM. Kitchen in basement is to support outside catering, inside catering, and Piazza events. No take-out restaurant as generally defined, catering to be taken from premises. Occupancy on application is to be limited to 300 people. Curb cut on 2nd St. to be removed, except where needed for loading dock. Valet Parking is for events at 969 N. 2nd St. only.

Motion by JM; 2nd by BM: We will give preliminary support for a Special Events venue for 969 N. 2nd St. as presented on 8/31/2009 pending legal review of language to prevent it's use as a nightclub, and the following provisos: 1) Occupancy, excluding workers, of building is not to exceed 300 persons; 2) Directional signed will be installed or placed in visible spots on 2nd Street to indicate the valet drop off/pick up zone, and the location availability of self-parking in the Germantown Avenue parking lot. Valet to use ingress / egress of property through parking lot to south of 969 N. 2nd St. to Hancock St. to parking lot / garage at Hancock and Germantown. Valet is to be managed to not interfere with current tenants' parking spaces and access, and such that there is no undue interference with surrounding neighbors; 3) Permitted uses and types of events will include: Life-cycle events (such as Christening, Bar Mitzvahs, weddings, birthdays, funerals, etc.), Banquets, Receptions, Trade shows, Exhibits, Conventions, Professional Society events, Musicals, Concerts, Dances, Other related assembly functions, Displays and sales of goods and services; 4) Unpermitted uses and types of events will include: Public admission nightclub and Adult cabaret activities as defined at 14-1605 of the Philadelphia Zoning Code; 5) No admission by paid ticket after 10:00pm will be allowed. No admission after 10:00pm by random public will be allowed. (The purpose of this proviso is to have no events that allow for a constant influx of patrons throughout the event so as not to be a nightclub-type of event or use.) No more than 300 tickets are to be sold for any one event. Events are not to be run concurrently; 6) No more than 4-ticketed events per week, open to the general public (not private events) will take place that involve music, live entertainment, and or/dancing by patrons. Such events, however, may consist of one-day or consecutive multi-day events; 7) Responsibility for events will be with the property owner, or with the tenant that possesses the property under a lease; 8) Hours of operation at 969 N. 2nd St. facility will vary depending upon the type of event held, but are to be no earlier than 8AM or later than 11PM Sun-Wed, 1AM Thurs-Sat; 9) Conditional liquor license is to be restricted to serving alcohol within the building; 10) Other than for admission and exit of patrons, workers, event staff, etc., doors will remain closed when music is playing. Doors are not to be propped open. Any lines for admission will cue into the Piazza; 11) 969 N. 2nd St. will submit any façade changes and proposed signed to the NLNA's Urban Design Committee for advisory review and comment only; 12) 969 N. 2nd St. will submit a trash and recycling plan to NLNA for advisory review and comment only. Trash / recycling is to be stored inside facility, and to be picked up between 8AM and 8PM. Deliveries are to be handed in valet zone on 2nd St. or within building; 13) No take-out sales of alcohol. Alcoholic beverages are not to be taken from property by event patrons. Passed: 9-0-0

Updates/general discussion; Old Business; New Business

4) 8:30 – 9:15 – Onion Flats – “Duck Flats” – 816-824 N. 4th St., 817-821 N. Lawrence St., 816-822 N. Leithgow St. – L4 – Proposal to put in allowed use for zone (L4 – Greenable, green home / construction product store) with a request that it not jeopardize the previous zoning variance approval for 25 residential units and 32 parking spots. www.greenable.net Existing garage space and side open space to be used for operations and storage of retail / service business. 4 off-street parking spaces. Commercial trash / recycling pickup per City Government regulations. Deliveries to occur between 10AM and 5PM, Mon – Friday. Signage to be on a support pole perpendicular to the building, painted on a wood base similar to neighbors at Honey's and City Planter. Subtle lighting.

Motion by MB; 2nd by JM: Thank you for your presentation. We support the use of space at 818-824 N. 4th St. for Greenable on a temporary basis without jeopardizing or negating the previous zoning variance for 25 residential units and 32 parking spaces. Please also provide signage designating location of customer parking. Passed 9-0-1