



**COMMUNITY BOARD 7/MANHATTAN**  
**Minutes of Full Board Meeting**

Community Board 7/Manhattan's Full Board met on Tuesday, July 1, 2014, at Congregation Rodeph Sholom, in the District. Chair Elizabeth R. Caputo called the meeting to order at 6:44 pm after the Secretary confirmed the existence of a quorum.

Minutes from previous full board meeting were **approved:** 27-0-0.

Chair's Report: Elizabeth R. Caputo

- Expressed our concern for the Israeli teenagers, who were recently found dead after a lengthy search.
- Announced the two new community board members: Peter Sampton and Benjamin Howard-Cooper.
- Announcement of Election of Board Officers for 2014-15: nominations will be taken at the September full board meeting, followed by elections at the October meeting.

Community Session

- Erik Berquist
  - o From NYC Department of Education; speaking to Pre-K for all.
  - o Encouraged parents to sign up for waiting lists if they have not yet done so. Also encouraged community without pre-K to also look at community groups for alternative programs.
- Sara Berman
  - o Spoke regarding Tara Hill, Irish tavern on 108<sup>th</sup> and Broadway, referred to it as a terrible noise nuisance. Ruining quality of life. Speaking on behalf of her building, 300 W. 108<sup>th</sup> St.
- Yakov Rekhter
  - o Also spoke regarding the Irish Tavern noise and disturbance that was spoken about by Sara Berman.
- Win Armstrong
  - o Spoke for Park West Village working group regarding the JHL proposal for development.
  - o Wants further scope for the environmental impact statement.
  - o 106<sup>th</sup> St. rezoning went to city council (this is the current site of JHL.)
  - o Also wrote a letter that has been provided to the Board.
- Matt Dixon
  - o Speaking to no parking signs in front of West 93<sup>rd</sup> Street. DOT installed them to alleviate traffic congestion on the Columbia Grammar School block.
  - o Put up without due process, feel like they were allowed to be posted outside of the rules.
- Sean Donovan
  - o Also speaking regarding the no parking signs on West 93<sup>rd</sup> Street.
  - o Did not know that this issue was going to be discussed tonight.
  - o Apparently, DOT said that the signs would be removed if the CB requests it.



- Bad precedent to have these posted in front of private property.

Manhattan Borough President's Report- Diana Howard

- Series of community leadership development workshops throughout June.
- NYC Council passed resolution to support 16 and 17 year olds to serve on community boards.
- Summer food fliers were provided in the back.
- Arts programming report will seek to reveal what is needed to address deficiencies in arts education in NYC schools.

Reports by Legislators:

Congressman Jerrold Nadler

- Commentary on the recent U.S. Supreme Court cases regarding certain portions of the ACA and public union membership.
  - Provided history of the Religious Freedom Restoration Act, relating to the substantial burden of religious expression.
- Also provided commentary on the security situation in Iraq. He believes that the war unleashed a hornet's nest in the country, specifically as it relates to certain strains of Islam in the nation. Let the Kurds become an independent state.

A-M Linda Rosenthal

- Passed a bill in the Assembly and Senate that banned physical contact between big cats and people.
- Medical marijuana bill as well.
- Passed bill that would bar minors from purchasing liquid nicotine.
- Believes that the SLA needs to be more responsive to community concerns and she will work to set up a community meeting.
- SCRIE went up to \$50,000 starting today.
- Passed a bill that would provide solar tax credits to city residents to promote its use in the City.

Senator Brad Hoylman

- NYC got the ability to set its own speed limit.
- Proposed law to make the Port Authority of New York subject to F.O.I.L.
- Passed bill to authorize use of medical marijuana; more restrictive than he would like.
- Working on bill to ban gay conversion therapy. Blocked by senate, but will continue to push on this issue.

Reports by Legislative Representatives:

David Bailey, Senator Adriano Espaillat's Office

- Seeking to improve child care availability.
- Additional funding for district services department.
- Also supported translation of orders of protection into different languages depending on need.
- IDC will be returning to the Democratic Caucus and will hopefully result in a majority.

Dominic Lee, A-M Daniel O'Donnell's Office

- Provided a brief legislative update.



Joselinne Minaya, NY District Attorney's Office

- Community liaison for the NY DA's Office.
- Working on youth violence prevention.



Rebecca Godlewicz, NYC Comptroller Scott Stringer's Office

- Announcement of \$23 million in arts education funding, but comptroller recommended \$26 million to close the gap in funding.
- Approved \$40 million settlement for Central Park 5.
- Held series of hearings regarding Superstorm Sandy.

Andres Pasmينو, State Senator Jose Serrano's Office

- Tomorrow will be at JASA.
- Passed two bills: one that would allow NYC to pass its own; other bill requires NY State department of health to conduct research in the South Bronx regarding various diseases.

Ed Sullivan-Public Advocate Tish James's Office

- Sought to get 1,000 additional members of the NYPD, but instead entered into a compromise that resulted in moving 200 officers from desk jobs to the field.
- Advocating for universal free lunch; this year this is happening in middle schools, hopefully next year it will spread to elementary schools.
- Advocating for ID cards for undocumented migrants; they will be issued to anyone who needs them.

Jack Sztrigler-C-M Levine's Office

- Provided a brief community and legislative update.

*Business Session*

**Transportation Committee**

**Andrew Albert and Dan Zweig, Co-Chairpersons**

1. **Southeast corner of Broadway and West 78<sup>th</sup> Street** in front of 2194 Broadway. Application #6422-2014-ANWS to the Department of Consumer Affairs by Sultana Razia to construct and operate a newsstand.

Public Comment:

- John Jeanopolous
  - o Did not address their concerns with the transportation committee.
  - o Newsstand will be placed where trucks load and unload. Does not believe that this is an appropriate area for a newsstand.
- Ishacic Nasrvdeen
  - o Local merchant testified that the newsstand would sell the same goods that he sells as well.
- Michael Modlock
  - o Concerned about the loss of the trees that were there before. Also, thinks that the bus stop could have a shelter there as well. This should be done before the newsstand is put in.
  - o Marshall's loading dock is causing a lot of congestion.

Board Discussion:

- Introduced by chairs.
- Marshall's didn't come to complain.



- Committee almost unanimous in its support.
- Major source of income for newsstands is the sale of cigarettes.
- Many sides to the argument, including extra eyes on the street for public safety concerns.

Resolution to **approve** the application was adopted: 30-6-3-0.

**Youth, Education & Libraries Committee, Eric Shuffler and Blanche Lawton, Co-Chairpersons  
Parks & Environment Committee, Klari Neuwelt, Chairperson**

**2. Playground 89 (West 89<sup>th</sup> Street, Columbus-Amsterdam Avenues, adjacent to PS166.) Proposal by the Department of Parks & Recreation for the rehabilitation the playground.**

Presentation by Parks Department

- Provided an overview of the evolving change in the proposed design that resulted in a number of community and community board meetings.

Public Comment:

- Principal of PS 166 is strongly supportive of the proposal. Want the accessibility that the proposal provides. Provides additional space in which students and the community can play.
- Incoming co-presidents of the PTA support the principal and the proposal.
- New proposal adds additional space for play.
- Materials distributed to Board by parties opposed and in favor of the current proposal.
- Complained about 2 years of activity alleged to have been done behind closed door. Some state that the design is a sham. Claim that the safety issue is a canard. Parks department pressured into this current design. Plan was driven primarily by one parent. The process is compromised. Those opposed to the design do support replacing the Belgian blocks.
- Student spoke in favor of the current design as opposed to the proposed redesign out of concern that the flattening of the playground would result in an expanded use of the space by ballplayers to the expense of the children who do not play ball.
- Discussed the environmental impact of the newly proposed park. This new redesign is not sustainable.
- Renovation is needed as opposed to a redesign—do not want to lose the playground for an extended amount of time.

Board Discussion:

- Commentary that we do not design, we rely on experts to do that and we provide input on policy.
- The design including the benches provides the benefit of additional supervision.
- Weight given to the opinions of the principal of the school.
- Proposal to amend the motion to return the benches, which was debated. Vote on the amendment was 24-14-0-0.

Resolution, as amended, to **approve** the application was adopted: 40-0-0-0

**Land Use Committee**

**Richard Asche and Page Cowley, Co-Chairpersons**

**3. 248 West 80th Street d/b/a New York Sports Club (Broadway-West End Avenue.) Application #169-93BZ to the Board of Standards & Appeals by Fredrick Becker, LLP for the New York Sports Club to allow continued use of the premises as a physical culture establishment.**



Resolution to **approve** the application was adopted: 37-0-0-0.

**4. 139 West 91<sup>st</sup> Street (Columbus-Amsterdam Avenues.) Application #117-14-BZ to the Board of Standards & Appeals by Trinity School to allow the expansion of the existing campus.**

Public Comment:

- The legal representative declined to make a presentation at the full board meeting as they previously made a full presentation at the Land Use Committee meeting.
- Emily Mandelstam, Trinity Board of Trustees – speaking on behalf of trustees – thanked Land Use committee co-chairs, district manager. Trinity is committed to working with community to coordinate on construction, mitigate vermin issues, etc. as articulated in their follow-up letter to the Board. They have tried to further minimize impact to Trinity House residents. This project is necessary because meets pressing educational needs, increase class offerings, improve circulation for students and to generally bring physical plant into the 21<sup>st</sup> century.
  - o Joan Dannenberg – Trinity School – ceded time to Emily.
  - o Mules Ahmend – Trinity School – ceded time to Emily.
- John Allman - Trinity School Head of School – the turf serves a central educational component. 8 sports teams in fall and 7 in spring that practice on the space. Also open the turf to various community groups to allow them to benefit from the space. It therefore important that turf remains as a central physical and educational resource
- Aileen Hafteren – Prep for Prep – in order to develop leaders of color for future success the Trinity relationship is vital. Forty plus students attend Trinity from prep every year. Trinity allowed them to open their doo
  - o More meeting spaces to intro
  - o Language labs
  - o Improved science labs
  - o Office not as closets
  - o Renovated bathrooms
- Stephanie Phen – Trinity School student. Need to practice on the turf for track meets. They are only allowed to use it every other day, so off days they practice by running up and down the stairs. Need additional classrooms because classes take place in the basement and also in teachers’ offices.
- John Durko – 125 W. 92<sup>nd</sup> Street Corporation – BSA application requires 4 findings in order substantiate. This project involves an arbitrary sized practice field, which will likely to be used for fundraisers. They do not need an oversized field. Finding A is not met.
  - o Finding D - Trinity does not meet this finding. Trinity is in charge of how many students they admit. They have an insatiable appetite for growth. They should not result in expanded school by claiming an educational hardship. This is result of an unbridled student growth.
  - o It was Trinity’s decision during the 1968 expansion to include the parking lot under the building.
  - o Referenced expanded growth at Columbia Grammar as rationale for not



- Jim Paul – Co-Chair of Trinity House Tenants’ Association – thanked Land Use Committee for thoughtful consideration on this issue. Reiterated committee’s 3 key findings. Regarding finding E, Trinity already has an impressive physical plant according to published accounts on its website. Tenants Association has done extensive research to substantiate that the garage and residence are a single building. The loggia on the Trinity House 4<sup>th</sup> floor is an important building that the proposed structure would substantially diminish. The loggia is the tenants’ backyard; to take it away would deal a great blow to them. Urge that school building be pushed back a few yards to preserve this space.
- William McNally – Trinity House Tenants’ Association – must remove vents outside of loggia area because during construction the building will draw air from this area, which will harm the tenants. The school has no right to seize control of the parking lot because it is a part of the same certificate of occupancy.
- Judy Jacobson – 100 W. 92<sup>nd</sup> Street – this is detrimental to neighborhood. They block local windows. School minimizes impact on neighborhood. Details and all assurances must be provided in advance of the project. Opposes approval.

Board Discussion:

- With respect to the loggia, will other views be inhibited?
  - o Audience member answered yes, northern view is caged in and mostly obstructed.
- Submission from school seems to be trying to meet Finding C. Does this satisfy the board?
  - o No, they have not satisfied 2 identified problems
  - o They did look at changing location of air vents. Have not agreed as yet to move the 5th floor corridor that blocks loggia. They have not agreed to remove the rag on top.
- Finding D from tenants is very compelling. If student body has grown significantly over the years, this is a self-created problem.
  - o Co-chair responded that there was a lot of discussion at the committee level about academic, space needs, especially as it relates to language labs, science labs. This is not to increase enrollment, this is so students can do more in the space they have.
  - o Finding D is that conditions that caused the variance were not caused by the applicant. The specific conditions were not created by the applicant, i.e. unusual configuration, etc. This is distinguishable from instances where owner builds a building with odd-shape.
- It was noted that the as-of-right development does not allow the school to expand with labs, etc.

Resolution to **disapprove** the application was adopted: 35-2-3-0.

Finding A – agree finding has been met: 31-5-0-0

Finding B: not required to be met

Finding C – agree that finding has not been met: 33-4-2-0

Finding D – agree that finding has been met: 24-8-6-0

Finding E – agree that finding has been met: 34-1-3-0

**Business & Consumer Issues Committee**

**Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons**

**5. Applications to the SLA for a two-year liquor licenses:**

- **462 Amsterdam Avenue** (West 82<sup>nd</sup> Street.) Jin Upper West Side Corp, d/b/a Jin Ramen.



- **891 Amsterdam Avenue** (West 103<sup>rd</sup> Street.) America Youth Hostels Inc, d/b/a/ Hostelling International USA. Outdoor area.
- These are new applications for a liquor license for both spaces. At the Youth Hostel it would be underground bar space for the hostel guests.

Resolution to **approve** the applications was adopted: 32-1-2-0.

**6. Unenclosed sidewalk café renewal applications:**

- **241 Columbus Avenue** (West 71<sup>st</sup> Street.) Renewal application #0895637-DCA to the Department of Consumer Affairs by Burrito Junction, Inc., d/b/a Harry's Burrito Junction, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 36 seats.
- **433 Amsterdam Avenue** (West 80<sup>th</sup>-81<sup>st</sup> Streets.) Renewal application #1027125-DCA to the Department of Consumer Affairs by Haru Amsterdam Avenue Corp., d/b/a Haru, for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 22 seats.
- These were unanimously approved at committee level.

Resolution to **approve** the applications was adopted: 35-0-0-0.

**7. 50 West 72<sup>nd</sup> Street (Columbus Avenue.) New application #5871-2014-ASWC to the Department of Consumer Affairs by 50 W. 72<sup>nd</sup> Rest, LLC, d/b/a Riposo 72, for a two-year consent to operate an unenclosed sidewalk café with 13 tables and 30 seats.**

- Given the overwhelming response of the community not to approve this application, the committee will consider it again on Wednesday, July 9, 2014 at 7 p.m. at CB7 Office. This will be at the top of the agenda.
- Committee Co-Chair asked whether there are time constraints at Department of Consumer Affairs. The DCA hearing is always pro forma. It is then sent to the City Council, where the city Council has 30 days to consider it and C-M would have the prerogative of calling it up for a vote via a hearing. The only step left for the board is to have the committee hearing and forward recommendations to the City Council.

**8. 2130 Broadway (West 75<sup>th</sup> Street.) New application #6949-2014-ASWC to the Department of Consumer Affairs by Beacway Operating, LLC, d/b/a Hotel Beacon, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 32 seats.**

Resolution to **approve** the application was adopted: 29-3-2-0.

**Preservation Committee**

**Jay Adolf and Gabrielle Palitz, Co-Chairpersons**

**9. 141 West 81<sup>st</sup> Street (Amsterdam - Columbus Avenues.) Application #14-8148 to the Landmarks Preservation Commission to construct rooftop and rear yard additions.**

- It was a quite elegant glass box that does not belong in the district. Community board is not in the business of redesigning.

Public Comment:

- Donald Press – President of West 81<sup>st</sup> Block Association – No objection to renovation or expansion, but in this case the bulk and scope is too much to bear. This was not a typical rooftop extension, it would cover two-thirds of the building. The curtain wall design is out of context with landmark district. It would be more logical and efficacious to treat this as a single project for two reasons. Given the totality of the proposal, it would be easier to ensure compromise if rejected the entire project rather than negotiating in piece. Second, the extension does not seem appropriate. Finally, splitting the vote left the 5<sup>th</sup> floor in limbo because it does not belong to the



rooftop or the design. Not asking to reverse subcommittee vote because they were diligent, but ask board to disapprove entire project so that committee can reconsider.

- John Harris –W. 81<sup>st</sup> Street Block Association – ceded time
- Richard McGunzy – ceded time
- Architect - Surprised why his design is being shown here because it does not reflect the actual design. He has met with the neighbors and is trying to address their concerns.

Resolution to **approve** the rooftop addition and **disapprove** the rear yard addition was adopted: 29-2-3-0.

**10. 225 Central Park West (West 82<sup>nd</sup> Street.) Application to the Landmarks Preservation Commission for Building Wide Master Plan window replacement.**

- Windows are in very bad disrepair that have been changed over time to 6 over 1. Now they want to replace 1 over 1 via the submitted Master Plan.

Resolution to **approve** was adopted: 31-2-0-0.

**11. 505 Columbus Avenue (West 84<sup>th</sup> – 85<sup>th</sup>.) Application #14-8148 to the Landmarks Preservation Commission for an extension of front fire escape on second and third floor.**

- 5 story building where apartments were subdivided, allegedly legally. The problem is that some apartments on one line do not have a second means of egress.

Resolution to **approve** was adopted: 32-0-1-0.

**Parks & Environment Committee, Klari Neuwelt, Chairperson**

**12. Broadway Mall Association.** Presentation on the 2014 Fall Art Exhibition by contemporary artists, called *Broadway Morey Boogie*, on the malls at 64<sup>th</sup> (north end of Dante), 72<sup>nd</sup> (2), 79<sup>th</sup>, and 96<sup>th</sup> Streets.

- This will be a variety of sculptures by a variety of mid-career artists.

Resolution to **approve** was adopted: 34-0-0-0.

**Steering Committee**

**Elizabeth Caputo, Chair**

**13. Request for a leave of absence.**

Anne Raphael – requested three month leave of absence. She is expected to return at the September meeting.

Resolution to **approve** was adopted: 33-0-0-0.

Preservation will meet in August, other committees will not.

Unanimous consent to adjourn 10:31 p.m.

**Present:** Elizabeth Caputo, Jay Adolf, Andrew Albert, Linda Alexander, Richard Asche, Isaac Booker, Steven Brown, Kenneth Coughlin, Page Cowley, Catherine DeLazzerro, Mark N. Diller, Sheldon J. Fine, Paul Fischer, DeNora Getachew, Marc Glazer, Rita Genn, Matthew Holtzman, Benjamin Howard-Cooper, Meisha Hunter, Madelyn Innocent, Audrey Isaacs, Brian Jenks, Genora Johnson, Lee Ping Kwan, Blanche E. Lawton, , Klari Neuwelt, Gabrielle Palitz, Michele Parker, Nick Prigo, Jeannette Rausch, Richard Robbins, Suzanne Robotti, Madge Rosenberg, Peter Samton, Roberta Semer, Ethel Sheffer, Eric Shuffler, Polly Spain, Mel Wymore, George Zeppenfeldt-Cestero and Dan Zweig. **On-Leave:** Anne Raphael. **Absent:** Robert Espier, Miki Fiegel, Joanne Imohiosen, Lillian Moore, David Sasscer, Jaye B. Smalley, Barbara Van Buren and Howard Yaruss.



**Transportation Committee Meeting Minutes  
Andrew Albert and Dan Zweig, Co-Chairpersons  
July 8, 2014**

**1. 72 West 106th Street, New Family Radio Dispatch (Columbus Avenue.)**

*Renewal application #B01527 to NYC Taxi and Limousine Commission by New Family Radio Dispatch, Inc. at 72 West 106th Street for a For Hire Base Station license.*

No-show.

**2. Application to the Department of Transportation by Hampton Jitney for drop-off stops in front of:**

- 5 West 86th Street, West of Central Park West
- 107 West 86th Street, West of Columbus Avenue
- 2345 Broadway, South of West 86th Street
- 2219 Broadway, South of West 79th Street.

Patrick Condren, longtime private bus operator, currently spokesperson for Jitney.

Jitney has stated that they have currently suspended all UWS service. Before the last round of west side stops, they picked up at Port Authority Bus Terminal, which was not popular.

Intercity Bus Permit System (ICBPS) – cities charging private carriers. This is why the Jitney has to apply for drop-off points, even though they currently use USDOT pre-emption laws.

Current proposal for Westside is for drop-off locations only, not pick-up. They have not been able to get DOT to approve any tentative pick-up locations. The drop-offs take place after all East side drop-offs have happened. The buses continue to the West Side - there is no dedicated West side service.

Projected weekly drop-off volume is 250 people spread over 140 total stops made at 4 different locations (no more than 39 drop-off stops a week at any one location).

Resident of 107 West 86<sup>th</sup> St, Margot Schloss, says that there are frequent city buses as well as double-decker tour buses already stopping there, so an additional Jitney bus would be very disruptive.

KC: Can you stop at hydrants? PC: No

AA: How long will it take to implement one of these stops? PC: 6-7 months, realistically. Supposed to take 45 days.

AA: It would have been ideal if you had surveyed your riders to see where they wanted to be dropped off/picked up, and then we as a committee could go out and survey those spots. PC: Well, that was Dante Park, which was rejected by both DOT and this committee. AA: Who did this survey? PC: DOT.

PC: DOT tells us where we can put stops based on where they think it will not create congestion.

DZ: Will it affect your business if we do not approve a stop tonight? PC: no.

Fee to city is \$30/stop/week.



DZ: These four stops have a minimal impact. Based on the data, there are 140 stops for 250 people.

RS: Resolution to approve the four stops on the condition that the locations are subject to follow-up studies after 6 months.

KC: Friendly amendment to take out the 107 W. 86<sup>th</sup> St Stop.

DZ: Friendly amendment to put back the stop.

*Committee: 8-0-0-0*

*Non-committee: 2-0-2-0*

It was agreed the committee would send a letter to DOT asking if the proposed drop-off in front of 107 W86 Street could be moved to the bus stop at Amsterdam Avenue.

### **3. 96<sup>th</sup> and Broadway, discussion of recent traffic improvements.**

Sean Donovan: the signal seems off on the northbound lane?

Why were the original plan's dedicated right turn lanes from 96<sup>th</sup> St onto Broadway not implemented?

The committee will have a future site visit in the next month or so to see how 96<sup>th</sup> and Broadway is working.

Regarding W95th St and West End Avenue, we've asked for follow-up data from Josh Orzeck and Margaret Forgione, as well as "no left turn 7-10 am" signs.

DZ: You need to be able to make a left turn there. RR: What about making three rights?

LA: Three rights don't make a wrong

### **4. Request by residents of 10 West 93rd to the NYC Department of Transportation to have the three No Parking spaces in front of their building restored to alternate side.**

Matt Dixon, 10 W 93<sup>rd</sup> St. Please see our draft resolution asking DOT to remove the signs, as they were put up without due process in August 2013. No Standing 7 am – 4 pm. Used by the school for whatever they want: private vehicles (Bentleys), delivery trucks, etc.

AA, DZ: Generally DOT will come to this committee before doing anything drastic. Here, they did not.

AA: Unless you're a young child, you shouldn't need to be chauffeured to school, and even if you are, it shouldn't be to park on these people's backs. We need to convene a meeting with DOT, CGP, and the residents.

Sean – spoke with Josh and Margaret, and they said that if CB7 requested that the signs be taken down then they would be taken down.



MD: this parking scheme seems to be a half-hearted attempt to address some of the environmental impact concerns that the CB7 Land Use Committee brought up re: CGP expansion.

DZ: Important to pass a resolution and then gather data and dialogue before the September full board meeting. Proposal that the street be returned to its original setup, and then have DOT go through the proper channels to re-install the signs.

KC: how can we pass a resolution when we don't have any data on whether congestion has decreased or increased? AA: We can always pull the resolution if the data shows the opposite. LA: The crux is really that the CB was not consulted. This is the second example tonight of DOT not consulting us before making drastic changes.

Resolution to restore all parking on W93rd St to regulations in effect prior to the changes made in response to the Columbia School BSA application.

*Committee: 7-1-0-0.*

*Non-committee: 4-0-0-0.*

#### **5. Intersection improvements, West 110 St. at (upper) Riverside Drive**

This has always been a big issue, no stop signs at the intersection because DOT didn't feel there was enough traffic. Now DOT has a plan for bulb-outs, cross walks, and stop signs.

DZ has a letter in support of the proposal. KC: suggestion to ask DOT to study feasibility of a bike lane on 110<sup>th</sup> St in the service road to main road segment.

*Committee: 8-0-0-0.*

*Non-committee: 3-0-0-0.*

#### **6. Discussion of June 26 Transportation Committee walking tour of the West 60's.**

Committee was joined by Diana Howard of MBPO and Richard Castellano, resident manager of The Element.

Of course, changing any one of those streets to westbound means that traffic would be going downhill and thus faster. This could be dangerous on a school street like West 61<sup>st</sup>. DZ: DOT would have to suggest ways to allow downhill traffic to proceed safely.

PK: What about chicanes?

Proposal to write a letter to DOT outlining our observations and asking for their opinion on which streets would be best as westbound out of W 60<sup>th</sup>, w 61<sup>st</sup>, w 64<sup>th</sup>

DZ: Whatever we decide, we should work with the CB7 Vision Zero task force to further consider the social aspects of the decision.



RS: Keeping 61<sup>st</sup> as eastbound might work better for school buses that need to drop off on the right.

MD: Many of the students at these schools are special needs students.

**7. New business.**

Scott Rademaker, brought up a rowhouse that has been converted to a synagogue. DOT has provided a "No Parking" sign in front of the synagogue, a lot of people get towed because they're not aware of the new sign.

RR presented more crash data, but the precinct still does not provide enough specifics, claim they cannot do so without approval from HQ. Ask MBPO?

**Present:** Andrew Albert, Dan Zweig, Linda Alexander, Isaac Booker, Ken Coughlin, Lee Ping Kwan, Suzanne Robotti and Roberta Semer. **Board Members:** Mark N. Diller, Robert Espier and Richard Robbins.

**Absent:** Lillian Moore and Howard Yaruss.



**Business & Consumer Issues Committee Meeting Minutes**  
**Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons**  
**July 9, 2014**

*Called to order at 7:06 p.m.*

**New applications to the SLA for two-year liquor licenses:**

**1. Hudson Beach at West 105th Street in Riverside Park.** 106 Amsterdam Corp, d/b/a The Ellington.

- Marc Glazer represented the group.
- New operator is coming in; contract requires that they maintain public restrooms. Former establishment did not maintain the public restrooms.
- New operator is going to renovate and maintain the restrooms during their operating hours.
- No live music, hours 8 am – 11 pm, 7 days a week; rarely will have an acoustic live performances.
- Andrew Breslin is the proprietor.
- Robert Brashear—public speaker. Pastor at West Park Presbyterian. Had a couple of positive things to say about having the café back in the Park.
- Opening by the end of July

**Vote: 6-0-0-1 Committee**

**2. 210 West 94th Street (Columbus Avenue.)** Whispers Bar, Lounge & Restaurant LLC, d/b/a To be Determined.

- Anthony Caraballo representing applicants Carolyn Vega applying. Transfer from Tandoori West to Whispers Bar and Lounge.
- Small space, 1200 square feet.
- Significant outreach to the community.
- No outdoor seating.
- Opening hours will be amended to 7 am.
- No cabaret; DJ music from Thursday through Saturday, 8 pm – 12 am.
- Single story, no residents next or above the restaurant.
- Will resubmit method of operation to the committee in the next year to apply for a change from 2 am to 4 am for the hours of operation. Submitted an amended method of operation at the meeting. Also changed opening hour from 9 am to 7 am.
- Public Comment
  - o Elise Brown—pastor of Advent Lutheran Church. Made aware of this via public notice. There are residential buildings on both sides of that restaurant. There was an issue with the notice and the address on the notice. Concerned that there is a brand new business there that will struggle to survive there and there is a residential block. Concern about the noise level and the closure level. Presence of SROs on the street.
  - o Tiffany Tulva—her address is 210 w. 94<sup>th</sup> st. Van Gogh on the corner. Would be concerned if there were a lot of people up late and intoxicated at this space. Would hope that this is a nice, safe normal restaurant without too many crowds. Concerned about the presence of the DJ and the effect.

**Vote: 7-0-0-0 Committee**

**3. 507 Columbus Avenue (West 84th Street.)** Blossom West Inc., d/b/a Blossom West.

- Renee Seri, proprietor
- Nearly the same menu that was provided before
- Linda saw the postings



- Transfer will be temporary, and will now be applying for a full liquor license
- Will be applying for an outdoor café.
- Will have delivery
- 11-midnight Sunday through Thursday; 9-12 Friday and Saturday.

**Vote: 7-0-0-0 Committee**

**3A. Capris Restaurant Corp.** Application for beer and wine only. 903 Columbus Ave. at 104<sup>th</sup> st.

- It's been open for 7-8 years. Before called Los Compadres. This is a new owner.
- This is a license transfer.
- Representative is Mejia Tirado and Associates. 4470 Broadway, suite 2, 10040. 212-569-0811. [mmejia@mejiatirado.com](mailto:mmejia@mejiatirado.com).
- Provided a listing of postings.
- We still need a method of operations that lists the hours for the location. Also need photographs of delivery people.
- Stated that hours are 8 am – 11 pm.
- Will vote before the full board meeting in September and asked that we receive the paperwork before then. Also asked that they repost.

**Renewal Unenclosed Sidewalk Café Applications:**

**4. 269 Columbus Avenue** (West 72nd Street.) Renewal application #1423787-DCA to the Department of Consumer Affairs by 72nd & Columbus Restaurant, LLC, d/b/a AG Kitchen, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 16 seats.

- Has an enclosed space and also has 8 tables in an unenclosed café. Only use 6 tables and 12 seats.
- No one is walking along the sidewalk to get to the tables to deliver the drinks or foods.

**Vote: 7-0-0-0 committee**

**5. 429 Amsterdam Avenue** (West 80th -81st Street.) Renewal application #1421365-DCA to the Department of Consumer Affairs by VAI UWS, LLC, d/b/a Vai, for a two-year consent to operate an unenclosed sidewalk café with 11 tables and 26 seats.

- Su did not see posting in the window or in the area. Manager stated that they were not posted. Representative stated that they will re-post.
- Pull the umbrella back
- No changes in the number of tables, 11 tables and 26 seats.

**Vote: 7-0-0-0 committee**

**6. 477 Amsterdam Avenue** (West 83rd Street.) Renewal application #0883095-DCA to the Department of Consumer Affairs by 83/Amsterdam Restaurant Corp., d/b/a Hi Life Bar & Grill, for a two-year consent to operate an unenclosed sidewalk café with 9 tables and 26 seats.

- Earl Geer, proprietor.
- Provided photos of delivery guys
- Linda saw the postings
- No changes to the application.

**Vote: 7-0-0-0 committee**

**New Unenclosed Café Application:**

**7. 2794 Broadway** (West 108th Street.) New application #6768-2014-ASWC to the Department of Consumer Affairs by AJS Public House, Corp. , d/b/a Tara Hill, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.



- Paul and Brian saw that it was well-posted.
- Do not have delivery.
- Application for 10 tables and 20 seats; now just on Broadway.
- Changed to a 9 foot encroachment to Broadway.
- Serve same food outside as they would inside.

Public Comment:

- David Shelden; 2794 Broadway; 40 year resident. Asked that we inquire into 311 and 911 calls.
  - o No effort to quiet or regulate drunken crowd that leaves the bar. Concerned that the sidewalk café would perpetuate.
- Meryl Zigara, 255 w 120<sup>th</sup> St. Presented a letter from board of directors. Problem is a level of consistency and honesty. No posting in her building and no posting in her lobby. Didn't even know about the meeting. Breaking the rule about noise and consistency in the community. Nothing was done for month for the exhaust fan. Consistent mistreatment and lack of trust.
- Eugene Gare, 2790 Broadway, building directly south of the establishment. Member of board of his building. Believes that the postings were not up for very long. Issue is that there is a narrow space at the corner so that it would be a difficult to have the tables on Broadway. Having increased congregation of people at the place impacts building severely. Smoking patrons affect the building. Loud noise emanating from the establishment and patrons outside of the restaurant. In the summer, noise level is high especially when there is a large sports event. Absolute bagel traffic also affects the area. Weekends and sporting event days cause problems.
- Natalie Ruckter, 300 w. 108<sup>th</sup> St., across the street from the bar. Has 12 windows facing the bar. Two issues: behavior of the bar presents problems for the community as it is now, finds it difficult to sleep Thursday through Saturday, there are many calls to 311, sometimes the police come for a short time, there is a petition from her building, asks that we help them with the noise problems; side tables will be unacceptable because that part of Broadway is unusually narrow.
- Barbara Preminger, 301 W. 108<sup>th</sup> St. 7<sup>th</sup> floor. 35 year resident. The issue with this restaurant is that it is a scourge on the neighborhood, and thus we should not reward the restaurant with the tables. Believes that this will make a terrible situation even worse. There are often large groups of people who stand outside of the building. Bar leaves the doors open so the noise escapes from the business into the neighborhood.
- Sarah Berman, 300 w. 108<sup>th</sup> St. Apt. 9A. The building she lives in is across Broadway. Keeps her windows closed all of the time, and has issues with the noise that occurs across the street. Believes that there is underage drinking at the establishment. Often fights outside of the establishment. Police are minimally responsive after lots of advocacy from Ms. Berman. There is also singing and chanting, cars stopping and playing loud music at the corner. Has encountered rudeness and hostility when they complain at the establishment. Outside café adds insult to injury because the bar is a blight on the neighborhood. Other establishments in the area do not present similar problems.
- Jeffrey Sykes, 2790 Broadway, lives in the apartment closest to the bar. From day they moved in it's been disruptive. A few points about the location. The corner is actually narrow at this corner and would make it unacceptably narrow at that point. The bar is loud every day of the week; problems are worst during the school year because the clientele are mostly young. Clientele's behavior is disruptive and rowdy and unrestrained. No confidence in the owners' management of the restaurant so that they would properly manage an outdoor café that wouldn't negatively impact the community. Fears for his safety and therefore doesn't complain because he's viewed a number of fights in the neighborhood.
- Peter Johnson. 17 year resident. Believes that the current incarnation of the bar is unlike what it used to be. Likes sidewalk cafes in the neighborhood. On this block, they have lost a couple of



storefronts. Neighborhood has been transformed for street life and thinks that an outdoor café will add life to the neighborhood.

- Received a letter from 300 w. 108<sup>th</sup> Street, including a number of signatures from residents.
- George Bauska, superintendent of the building next door. Has to clean up a lot of mess from the restaurant. Believes that the café will expand smoking and drinking on the sidewalk. Abusive neighbors.
- Yakov Rechter, 300 w. 108<sup>th</sup> st. Owners of Tara Hill operate in total disrespect with the law.

#### Committee discussion

- Shocked that the problem has not been mitigated. Operator is not showing concern for the neighborhood.
- Why hasn't there been action regarding underage drinking?
- There is frustration that the operations of the establishment inside the operation are not working well on the neighborhood.
- We're going to need to create a positive dialogue between the community and the operators.
- Need a cooling off period.
- Will arrange a mutually convenient time in the interim.
- Will send an email to arrange a meeting.

#### Operator's discussion

- Addressed issue with the exhaust fan.
- Smoking outside—crazy during the day, including people from a methadone clinic that stay in front of the store. Two storefronts down.
- Noise issues—have taken steps to try and address the issues. Check IDs at the door. Only serve in plastic. Not allowed to take plastic outside. Has not been summoned for underage drinkers. Are trying to change the clientele at the bar—if this does not work, then they will be shutting down.
- There is a lot of baggage with the place.
- Not trying to be a sports bar or another college bar—the décor and menu has changed and they are trying to move forward.
- Had issues with rooftop parties that were the source of some of the noise complaints.
- Has an overnight porter 7 nights a week and cleans the sidewalk.
- Obviously has people who support the business and what is happening there.

#### **Vote to disapprove: 5-0-2-0**

#### New Business

- Next B2B: people who are thinking about opening a restaurant.
- Will have different agencies there, DCA Commissioner Julie Menin will talk about paid sick leave, transportation and sanitation will be there.
- Perhaps will occur at the New-York Historical Society.
- Discussed potential locations.
- Check conflicts for committee meetings.
- Think about who should be invited to this.
- In August, will assign tasks to the committee members.

9:23 p.m. Adjournment

**Present:** Michele Parker, George Zeppenfeldt-Cestero, Linda Alexander, Paul Fischer, Marc Glazer, Brian Jenks and Suzanne Robotti. **Absent:** Matthew Holtzman and Joanne Imohiosen.



**Preservation Committee Meeting Minutes**  
**Jay Adolf and Gabrielle Palitz, Co-Chairpersons**  
**July 10, 2014**

The Preservation Committee of Community Board 7/Manhattan met on Thursday, July 10, 2014 at the District Office, 250 West 87<sup>th</sup> Street, in the District. The meeting was chaired by Committee co-chair Jay Adolf, who called the meeting to order at 6:35 pm. Also participating were committee members Meisha Hunter, Lee Ping Kwan, and Mark Diller. The following topics were discussed and decisions made.

1. **102 West 75th Street (Columbus Avenue) Application by owner of Apt 65 for leave not to install brick molds on 11 windows on the sixth floor.**

Presentation by Yungie Hahn, H2 Architects.

- Prior application approved for replacement aluminum windows (double-hung) with curved tops to match the curved brick openings on the sixth floor of the building.
- Replacement windows were installed brick-to-brick.
- LPC approval required wood brickmolds, which were not installed at the time the windows were installed for variety of reasons.
- Windows are appx 65-70 feet above ground.
- Applicant claims that the brick molds (appx 2" in width) would not be visible from the ground, and presented examples of other windows in the building – some with and some without brick molds.
- Cost is reason for request – appx \$12K.

Applicant's Responses to Committee Questions and Comments

- Prior approval was for wood brick mold.
- A violation has been issued against the current condition.
- This is not a hardship application. Rather, this is a legalization application seeking leave to modify the prior approval so that adding the brick molds not be required.
- Client did consider using fiberglass instead of wood, but the applicant claims that the reduction in cost would not be significant because the cost is driven by labor, not materials.
- To install brick molds, a contractor would either need to use a swing scaffold suspended from the roof and move it across 11 windows on the front and side street faces, or remove the glazing from the existing windows, install the brickmold from inside, and then reglaze.
  - Windows function perfectly now.
  - cannot use fire escape for installation – not meant for that purpose, and does not extend far enough to reach all 11 windows.
- Applicant did not survey other window conditions in the building to see if brickmolds were installed (not requested by LPC/Staff).
- No original windows left; hodge-podge of windows (most installed pre-designation).
- Cost of brickmolds would have been less if done when windows installed – unclear by how much.

Committee Discussion

- Applicant is essentially making a hardship application but styled as an appropriateness application. Happy to consider hardship under the applicable standards.
- The application does not provide all information required for hardship status.
- Safe to assume there is a reason that LPC required the brickmolds in the first place.
- Self-created hardship.



After deliberation, the Preservation Committee adopted a resolution to disapprove the application to legalize the non-conforming condition (i.e. the absence of the brickmolds).

VOTE 4-0-0-0.

2. **219 West 70<sup>th</sup> Street (Broadway-West End). Application to increase the existing 5<sup>th</sup> floor with a horizontal addition of 280 square feet.**

Presentation by James Wagman (architect) and David Rubin (owner)

- Partially visible from an angle further along West 71<sup>st</sup> Street, closer to Broadway (not in context with the front façade) – existing plantings partially obscure visibility.
- Visibility is an existing condition – the proposed extension of the rooftop structure adds 23' toward the rear from the existing structure and does not contribute to or increase the existing partial visibility.
- Not adding height.
- Proposal includes leveling and rebuilding the roof below the addition and beneath open terrace spaces.
- Rooftop addition materials: stucco (greyish-white) and glass windows.
- Front façade of building and addition are not being changed.
- On the rear façade, proposal include replacing a single 1:1 double-hung window on the 4<sup>th</sup> floor and replacing French doors in existing masonry opening leading to existing terrace on the existing “L” extension.
- Replacing existing rooftop terrace railing and installing a new brick parapet (full width) with concrete coping to match height of existing railing. 42”.
- Removing existing awning above 4<sup>th</sup> floor French doors.

Responses to Committee Questions:

- Unclear whether there is existing corbelling or other historic detail at the roof level above the 4<sup>th</sup> floor – drawings and photographs unclear.
- Extended addition will be set back from rear façade.
- Axonometric shows other rooftop additions among the same grouping of townhouses.

Committee Comments:

- Concern whether there is corbelling or other significant architectural detail on the rear facade – possible to approve conditioned upon any existing historic detail being preserved.
- Concern that brick parapet could alter visual impact from the rear.

After deliberation, the Preservation Committee adopted a resolution to approve the application as presented, conditioned upon any existing corbeling or other historic detail in the rear yard or rooftop being preserved.

VOTE: 4-0-0-0.



**3. 20 West 72<sup>nd</sup> Street d/b/a Sambuca (Columbus-CPW) - application to modify the existing ground floor storefront.**

Presentation by Steve Wygoda (architect)

- Proposal includes removing the existing windows and restore masonry surrounds, including the stone piers and base elements.
- New fenestration will be bi-fold or accordion-folding wood French doors that will extend 18" into sidewalk.
- Installing retractable awnings over masonry openings..
- Installing lanterns on piers between sets of similar to those of nearby buildings.
- Blade sign above the door – will meet LPC size and mounting requirements.
- Blade is wood anchored by metal into joints between the stone facade.
- No other signage contemplated (not even on skirts of awning).

Community Comments and Questions:

Susan Rutner, 15 West 72<sup>nd</sup>

- Concern about notice to the neighborhood.
- Concern about egress – previous restaurant using this space used multiple means of egress including an emergency exit that disrupted pedestrian traffic patterns for residents and those passing by.
- Concern that folding doors are a prelude to sidewalk café. (Not that any proposed sidewalk café application would come before CB7's Business and Consumer Issues committee, not the Preservation committee, and the result of the current application will not affect the determination to be made by the BCI committee.

Deborah Stanton

- Concern that doors opening onto the sidewalk will bring the noise from the restaurant onto the street and will affect residents above.  
[Committee recommended that the neighbor raise these issues at the BCI committee so that it may consider stipulations about when the doors may be opened for possible inclusion in the applicant's liquor license.]

Committee Comments:

- Removal of the existing metal plating on the windows is good, but concerned about condition of the stone underneath.  
A: Only the bottom is actual limestone – rest is surface "painted" with limestone effect.  
A: Applicant will install new limestone treatments above and below windows as needed.

After deliberation, the Preservation Committee adopted a resolution to approve the application as presented, noting the concerns raised by the community for BCI's later reference.

VOTE: 4-0-0-0.

**4. New-York Historical Society – Application for approval temporarily to install a banner on the upper facade of the Central Park West façade.**

Presented by: Andrew Buonapastore

- Mounting will use stainless steel pins placed in joints of masonry.
- Designed by engineers in accordance with current revised wind force expectations.
- Size of banner equivalent to previous banners – fills opening of windows on CPW.

Community Comments and Questions:

Response to Craig Heard, neighbor



- Banner to be in place September 2014 through May 2015.
- Hooks into masonry will be stainless.
- When exhibit is concluded, will remove hooks and restore joints with approved mortar (which the society keeps on hand).

After deliberation, the Preservation Committee adopted a resolution approving the application as presented

VOTE: 4-0-0-0.

5. 207 West 79<sup>th</sup> Street (Broadway-Amsterdam) – Application to demolish the existing structure and build a new 16-story residential building with cellar and ground floor retail.

Presented by Stephen Glascock (developer), Elise M. Quasebarth (preservation consultant) and Morris Adjmi (architect)

Stephen Glascock (president of Anbaum Enterprises, Inc.)

- Past projects include 110 CPS, 155 East 79, 124 West 23, 419 W 55, 207 West 72.

Elise Quasebarth

- Project next door to the Hotel Lucerne [an individual landmark].
- Between row of Clarence True rowhouses and the Lucerne.
- Existing building has no architectural distinction. Replaced 4 of the Clarence True grouping that continues to the west.
- Existing building extends beyond front façade of the remaining True rowhouses and is flush with the Lucerne.
- Claim that existing building does not contribute to the UWS/CPW historic district.
- Prior owner of the Lucerne bought 4 buildings to the west (subject premises) and additional buildings to the north on Amsterdam. Plan was to expand the hotel.
- Applicant looked for precedent on other wide streets in historic districts. Example of West 72 Street – including those that form mix of tall and shorter buildings.
- Looked at precedent for architectural features and decorative elements. Examples of 320 CPW with setbacks and cantilevered open windows. Many have decorative patterns to enhance facades (e.g. 300 CPW, 40 W 86, 11 W 81)

Morris Adjmi

- Attempt to address context of propose replacement building.
- Lucerne extends 6' further into sidewalk than the townhouses (other than the western-most townhouse in the Clarence True grouping).
- Proposing principal façade in terra cotta, with brick on the side.
- Soldier course that runs around the façade.
- Base of the proposed building extends out to be even with the Lucerne; uses balconies starting at the level equivalent to the level above the bay windows on the townhouses to emulate a setback, although the façade to the east of the balconies is continues in the same plane as the retail below.
- Ribbing in contrasting colored terra cotta across the façade between floors.
- Decorative (floral motif) panels between windows above the ground floor.
- Comparisons to decoration on the True houses and the Lucerne.
- Proposed new building is visible from various perspectives.
- Two southernmost rows of lot line windows on the west façade of Lucerne will be blocked – each of the rooms with blocked windows already has another window.
- Building entrance: west side of ground floor. Three additional bays to the east for retail.



- Shallow marquee above the building entrance.
- Claim is that the proposed building is as-of-right from a zoning perspective.

Committee Questions

- Any thought given to not placing balconies to emulate a step-back at the level of the townhouses' bay windows?  
A: Wanted to step back above the balconies.
- Balconies appx align with line above the bay on the True townhouses and with cornice line of next door buildings.
- Building disapproved at DoB  
A: none of the objections still being resolved would affect the massing or appearance of the proposed building.
- Why the rhythm of fenestration at the lower levels – 5/3/3/4.5?  
A: Symmetrical composition with asymmetrical detail due to the “site condition.”
- Floor heights at retail and residential levels?  
A: 10’5” typical residential floor height; 13’ retail level height; 12’ upper floors/penthouses
- Source of color of terra cotta?  
A: from walking the neighborhood.  
A: also needed to find a color that felt comfortable next to the pink brick and terra cotta of the Lucerne.

Community Comments and Questions:

Ilene Marcus, neighbor

- What windows would be blocked at the hotel?  
A: west façade lot line windows – only the southern half of the Lucerne's west façade.

Batya Lewton

- Height of the proposed building?  
A: 150’ from base to the primary setback; 174 to the top of the building; 189 to the top of the highest bulkhead.

Phillip Singer

- Concern for fate of existing retail.  
A: existing retail will go out of business or relocate.  
A: replacement retail program not yet determined.  
A: new retail will total 4600 SF between 2 spaces.

Deborah Santon, neighbor

- Concern that proposed building would squeeze out middle class.  
[Committee noted that it understood and appreciated the social implications of the project.]

Robin Polley, West 80<sup>th</sup> Street

- Concern about loss of light on trees in the rear yard of West 80th Street.

Tina Higgins

- Concern for impact on a variety of quality of life issues not within the purview of the Preservation Committee.  
A: CB7 Chair Elizabeth Caputo: CB7 District Office and Chair available to coordinate a variety



of quality of life issues – will try to be helpful.

Jeffrey Greenberg, neighbor

- Concern about blocking landmark Lucerne
- Blocking light and air of Lucerne as well as rear yards on West 80th Street.
- Should restore the rowhouses that were once there.

Bruce Shrekant

- Use of setback balconies and brass railings and elements is out of context.
- Appreciates the decorative panels.
- Should set back entire façade to preserve the edge of the Lucerne and keep the line of the townhouses.
- Does not fit in with the character of the neighborhood – few balconies in the historic district; attempt to use balconies to relate to the townhouses is inappropriate.

Margot Martindale, West 80<sup>th</sup>

- Building will block light and air and courtyard of West 80th rear yards.
- Concern about disturbing/displacing rats due to construction.

Sarah Montante – 205 West 79

- Concern for the rights of existing tenants in the occupied existing building.
- No notice to existing tenants.

Hilary Kaufman – owner of adjacent 209 West 79 [one of the Clarence True townhouses]

- Balconies looking into tenants' windows – not appropriate.

Andrew Axrod, neighbor

- Building is site-inappropriate.
- Symmetry of the block would be diminished by this building. Balconies inappropriate.

Chris Wright of the lawfirm Simons & Wright (representing the Lucerne)

- UWS historic district is one of the largest and most complex in our City.
- Proposed building does not reflect that District.
- Historic District was extended to capture this row of buildings when district was laid out.
- Façade of existing building was destroyed in the 1970s.
- Does not agree that because a beautiful row of townhouses was destroyed pre-designation that a building of inappropriate scale and design should be permitted to replace it.
- Two important characteristics of this block are design and scale. Design was destroyed pre-designation.
- Does not follow that the loss of prior beautiful design should mean loss of scale.
- No such thing as an as-of-right building in a historic district from a landmarks perspective.
- Loss of lot line windows is sometimes a fact of life.
- Here, the west wall of the Lucerne is part of its historic character. Red/pink brick is part of Lucerne's character.



- Part of the scale of the street – landmarked with Lucerne in place, west wall has window details in red brick at the end. Rose brick has historic significance.

#### Robert Withers – West 80<sup>th</sup> Street

- Confirmed basis of Dep't of Buildings disapproval as not for zoning bulk or massing.
- Concern regarding protection of historic buildings in construction.  
Committee Response:
  - existing rules require enhanced protection for buildings within 90' radius of the project, including seismic monitors for vibrations and disruption; underpinning where needed.
  - Chapter 33 of the NYC Building Code as well as LPC rules protect historic buildings.

#### Seth Kaufman – 200 West 79 Street

- Should be preserving the character of the historic district, even if the existing building is itself not historic.
- Idea was to keep the light and air of brownstones, tenements and other low rise buildings such as those mid-block and those now on Broadway.
- Character is low rise between the avenues – should preserve the low rise.
- Balconies are not typical or appropriate in this historic district. There are no balconies except on the Zeckendorf building [West 79 Street at Columbus] and few others.
- Proposed penthouse is out of scale.  
A: (per Elise Quaseberth for Applicant): Scale – historic district is composed of taller buildings on avenues, and on wider streets. West 79<sup>th</sup> has tall buildings, as do other wide streets in the district.

#### Sam Leff – West 79<sup>th</sup> Street Block Assn

- Involved in attempt to designate Mount Nebo synagogue as a landmark – torn down only because the lawyer for the builder lied to a judge.
- Involved in attempting to preserve the original Planetarium – also lost because of lies.
- Objects to the presentation of the 3-D model – misrepresents the Lucerne by omitting key design features as well as its color.
- Proposed building has nothing to do with this neighborhood.
- First step to destroying the character of this District.

#### Susan McCarthy, 200 West 79th Street

- Clarified that the previous True buildings were completely destroyed, and not just that their façades were replaced.
- Objects to the interruption of the roof line from the townhouses.

#### Alex Sabona

- Potential that the existing building should be seen as historic, at least as to its scale.

#### Suzanne Sabona

- Due process concern – notices only recently posted, and only relating to the CB7 hearing, not the LPC hearing.  
Committee Chair: Applicant provided photos of postings. LPC does not require posting (perhaps they should).
- Concern for the loss of the play of the setting sun on the west face of the Lucerne.



- Concern that the remaining Clarence True buildings will be next to go based on the fenestration pattern on the west façade of the proposed building.  
A: True buildings are contributing buildings – unlikely anyone would be permitted to demolish.

Howard Heller

- Evaluating appropriateness should include preserving the scale as well as historical value.

Denise, resident of Lucerne

- Pink brick building is of the essence of the character, and that pink façade continues to the west façade.
- Lot line windows are essential.
- Proposal is for a tan gaudy building that belongs in Miami.
- Fixing the façade of the existing building is better way to preserve the character of the neighborhood.
- Landmarks should be preserved for future generations, not just the past.

Alice Murphy

- Concern for cumulative effect of losing historic structures, including former carriage houses on West 77th Street.

Committee Discussion:

- Muddy building – color does not contrast appropriately with the Lucerne. Loves terra cotta as a material, but in this presentation it looks pre-cast and does not provide the character it usually is meant to add.
- Base of the building is inappropriate. Should have carried the notch that articulates between the proposed building and the recessed façade of the townhouses all the way to the ground, especially given the curved bay windows meeting the recess at the second floors.
- Overall proportions very odd - neither horizontally nor vertically pleasing.
- Appears that the façade is trying to be art deco, but floral patterns are not deco.
- Seems more like a hodge-podge of design features when should be a unified building.
  
- Thanks for the very thorough presentation and for providing helpful 3-D models.
- Thanks also for the extensive historic research – very helpful for committee.
- Concern with the attempt to align the street wall with the Lucerne. Trying to be a corner building in a mid-block site.
- Historically have low-scale buildings on this mid-block.
- Given mid-block scale, argument is not compelling to align the height of the proposed building with the taller Lucerne rather than the shorter Clarence True townhouses.
- Bays and balconies are not an appropriate transition from the Lucerne to the lower scale.
- Balconies are a rear yard condition, not typically a front condition in this historic district.
- Wonderfully whimsical conditions on planes of existing townhouses. Curves, deep cornice, decorative panels all contribute to an overall impression of a wonderful sculptural quality to the townhouses – do not see the sculptural play to echo the details on the balance of the block.
- Heights of rooftop addition and bulkheads are excessive. If the streetwall plane respected the lost condition of former townhouses, and rose behind a setback, might have been a respectful way to respond to the context.



- Use of punched openings in masonry/terra cotta is consistent with existing historic conditions. But the plane of glazing is too close to the terra cotta – need more of a recess.
- Agrees with previous Committee member and so will not repeat.
- Bulk that is as-of-right from a zoning perspective does not preclude independent evaluation from landmark/historical appropriateness perspective. CB7 has routinely voted to disapprove bulk and massing in historic districts that were as-of-right from a zoning perspective.
- Concern of balancing the need to respect what once was there and the existing historic fabric to the west with the reality of the non-contributing building.
- While not alone determinative, it is appropriate to include in a mix of factors the impact on the west wall of Lucerne. The west wall of the Lucerne is not purely utilitarian, and the interplay between that façade appearance and the more highly decorated front facades should be viewed as a part of the Lucerne's overall character and the character of the historic district (at least to some extent).
- Ornate façade on two facades of Lucerne, then brick wall on west face of Lucerne should be seen as a whole. West and north façades do not simply turn their backs on the historic district.
- Since the Lucerne was already designated as an individual landmark at the time the UWS/CPW Historic District was designated, should credit the extension of the Historic District with intending to pick up the Clarence True townhouses, including their scale and their design, as at least part of the reason for extending the historic district almost to Broadway (this is as far west as the UWS/CPW HD extends).
- Not in our purview to put back what was once there, but preserving the scale is appropriate.
- Perhaps modulation or setbacks or other means, potentially including lowering overall heights, to accomplish both the massing, articulation and height/scale concerns.
- Does not see western façade of the Lucerne as being part of its essential character.
- Question whether first 5 or so stories of a proposed building could be built on the same plane as townhouses, and then a setback perhaps at the cornice-line and extend to some additional height, would make the proposal appropriate.
- Would have preferred something more like the precedent offered by the developer at 320 CPW -- - those corner windows would have been more appropriate than the attempted use of balconies to modulate between the townhouses and the Lucerne.
- Existing building pushes up against the existing row houses.
- Some sort of angular approach that would modulate between new and existing historic buildings.
- No problem with the materials – likes the façade decoration, not disturbed by the color.
- Should consider a setback such as West 86/WEA to maintain a consistent street wall and then set back to maintain a cornice line and present a cohesive whole.
- Scale and bulk are issues that we deal with constantly. Conflict between zoning as-of-right and appropriateness – grey area, easily blurred.
- Hard to see what is appropriate especially when consider the likelihood of a tall building at the corner of Broadway at West 79.
- Overall as presented there are differing reasons offered for why the building is not appropriate, and this is not a situation where an approval conditioned on adjustments to the design appears useful.
- Proposal: Motion to disapprove the proposal as constituted, and articulate as many of the concerns that informed that disapproval while acknowledging that not all reasons offered for it being considered inappropriate are shared by all committee members.



- Request that Applicant re-present next version if substantial changes are made to the proposed building either before or after the public hearing at LPC.

After deliberation, the Preservation Committee adopted a resolution to disapprove the project as presented, citing the various concerns identified by committee members but acknowledging that not all members agreed with all concerns, was approved.

VOTE: 4-0-0-0; non-Committee Board members:1-0-0-0

6. **31 West 89<sup>th</sup> Street (Columbus Avenue-CPW) Application for a rooftop addition, rear yard addition and excavation of cellar and rear yard.**

Letter and photos received from Susan Dresner and read aloud to the committee members

Presentation by Jackie Peu-Duvallon (preservation consultant), and Timothy Lee (architect)

- Renaissance-revival style townhouse.
- Stoop removed prior to designation.
- Building vacant and returning to single-family use
- Restoring the stoop (box stoop) – approved at Staff-level.
- Proposal:
  - constructing a rooftop addition and raising the level of the balance of the roof;
  - adding a full-width rear yard addition that is aligned at the 30' depth of the rear yard, which involves pulling back the existing "L" extension to conform.
- Raising the roof 3' at rear, 1' at the front, to level it off.
- Bulkheads (stair and elevator).  
Rear Yard proposal:
  - Corbelled cornice at the top of the rear façade – will be preserved.
  - Pulling L bumpout at 13' back to 4' 6" to create a uniform full-width addition to align at 30' depth.
  - Four-story addition with French doors on cellar and 1-3 floors (Juliette balconies).
  - Window mullions will be black
  - Masonry on new rear façade will be red common brick. Lintels will be white stone. Rooftop additions consist of bulkheads that are not visible from the street.
  - Bulkheads half-width (with windows on the west face to bring light into stairway).
  - Bulkhead materials – glass and brick.

Excavation:

- Excavating the rear yard by 1' 4" but leaving perimeter garden.  
Replacement front doors – wood panels instead of glass panels – approval expected at Staff level.  
Precedent taken from other intact brownstones on the same block.

Committee Questions and Comments:

- Kudos for restoring the stoop.
- Raising the roof level will create a chamfer effect where the rear façade (just above the corbeled cornice) meets the new roof line.
- Chamfer materials will be bituminous roofing – part of roofing, not wall.
- Full-width rear extension intrudes only a short way into the line of the existing extensions in the grouping of townhouses and creates only a minimal lightless condition.
- The proposal is sensitive to preserving a common and consistent rear roof line.



- Rooftop bulkheads at half-width of building respect the light and air of surrounding structures/uses.
- Preserving the corbel and sensitive rear scale respect the rear yard character of the historic district.

Community Questions and Comments:

Peter Turner - 24 West 90<sup>th</sup>

- Protect the hemlock tree in the rear yard?  
A: Does not appear to be on this property. Will take care in excavation not to undermine the tree. Excavation not deep enough to disturb roots of the trees.
- A: There are two trees on the rear lot line, and the project proposes to keep the trees.
- Susan Dresner – (via letter) – lives at 36 West 89<sup>th</sup>
- Opposition – concern about penthouse and roof addition.
- Concern in general about rooftop additions – should preserve level horizons and sightlines.

After deliberation, the Preservation Committee Resolution adopted a resolution to approve the project as presented.

VOTE: 4-0-0-0; Non-committee Board members: 1-0-0-0.

**7. 22 West 90<sup>th</sup> (Columbus Avenue – CPW) Application for penthouse and two terraces on the rear façade.**

Presentation Wing Huang, Basic Group Consulting.

Dana Luttway

- Small penthouse proposed (300 SF).
- 9 current apartments – not increasing the number of apartments; will remain a multiple dwelling.
- No work planned on front façade.
- Proposing rear terrace on the roof of the existing basement and a new terrace on the second floor. Arrangement is similar to that next door.
- Second floor terrace is recessed 6’5” from the rear L extension façade.
- Rooftop addition proposed is not visible. Mock-up confirmed.  
Front façade of rooftop addition is proposed to be stucco in the color of the existing building.
- Two punched windows to be added to the east side of the existing extension.
- Rear second and third floor windows have transoms will have a/c sleeve.  
Windows – small on front of rooftop addition; larger in the rear.
- Terrace railing detail – black wrought iron.

Community Questions and Comments:

Jane Berger - Current tenant in apartment under terrace.

- Concern re addition on top of her apt  
A: Safety plan on file; will not be touching ceiling of her apartment – adding on top of it.  
A: will bring materials to the roof.

Peter Turner, 24 West 90th Street (responses to his questions)

- A: Working around shared chimney stacks – structural engineer will arrange not to disturb party walls on both sides, and will avoid adjacent structures.  
A: Flues for chimneys – DoB require raising Flues 3’ -- applicant will construct.



- Applicant's responsibility to raise.

#### Committee Comments

- Concern how terrace will be anchored/supported.

A: Installing two supporting columns to support terraces. Will abut the wall, but will not rest on the roof of the existing structure or disturb existing tenants.

After deliberation, the Preservation Committee adopted a resolution to approve the proposal as presented, but noting our concerns with respect to the integrity of the support structures for the added terraces, was adopted.

VOTE 3-0-0-0; non-Committee Board members 1-0-0-0.

**Present:** Jay Adolf, Mark Diller, Meisha Hunter and Lee Ping Kwan. **Chair:** Elizabeth Caputo.

**Absent:** Gabrielle Palitz, Miki Fiegel and Blanche Lawton.



**Minutes of Parks and Environment Committee  
Community Board 7/Manhattan  
Klari Neuwelt, Chair  
July 21, 2014**

*The meeting was called to order at 7:00 PM by Klari Neuwelt.*

1. Presentation on the RFP for Operation of a Model Sailboat Rental Concession at Conservatory Water in Central Park. (Agenda item #2)

Eitan Adler, Project Manager for Department of Parks & Recreation, presented.

Mr. Adler discussed the difference between an RFB (Request for Bid) and an RFP (Request for Proposal). Specifically:

- a. RFB's are typically for simpler projects than RFP's. They typically don't require any capital investment and/or specific expertise.
- b. RFP's are typically more complicated than an RFB and often require capital investments or specific expertise. This proposal for the Sailboat Concession and the recent Tavern on the Green projects are examples of current RFP's.
- c. In both cases, the duration of the awarded concessions is typically for 5 years at a time.

The originally idea for this concession is modeled off of a concession that has existed in Paris for years. The NYC pond has been used by casual model boating enthusiasts for years. The NY Model yacht club meets weekly and has regattas every Saturday morning. About 15 years ago a private enterprise approached the Parks Department to provide rental the boats. Since then, the DPR has been awarding concessions on a 5 year basis. The current 5 year term ends in 2014, which is why this RFP is being issued now.

The following questions were asked:

Q: Is there extra weight given to the incumbent in choosing a vendor?

A: Not necessarily, although the Parks Department takes past experience into consideration when awarding the contract.

Q: What is the price charged for renting a model boat?

A: Currently \$10/1/2 hr

Q: Can the Committee see the proposals?

B: It is a closed process, but once the concessionaire is chosen the Parks Department will share the non-private details.

Several members of the public and the Committee stated that they are very appreciative of the concession and hope to see it continue.

2. Discussion of motor vehicle idling issues in CB7 District. (Agenda item #1)

Humberto Galarza, DEP Community Liaison for Manhattan, presented.

Phone: (718) 595-3504

His preferred mode of contact is email: [hgalarza@dep.nyc.gov](mailto:hgalarza@dep.nyc.gov)

Klari Neuwelt discussed her experiences with ambulances idling in or near Riverside Park, as well as a variety of private (including commercial) vehicles and various NYC agency vehicles idling while parked



on certain streets in the CB7 District. When she approaches the drivers she is brushed off with comments such as: “I just arrived”, “the law doesn’t apply to me if I’m sitting in the vehicle”, etc. She also mentioned long lines of vehicles routinely parked with the drivers idling their motors while waiting for alternate side parking, specifically along the west side of Riverside Boulevard.

David Sasscer mentioned city buses idling problem, specifically at 106<sup>th</sup> and Broadway. Members of the public agreed and pointed out that the SW corner is especially bad (in front of the KFC). David mentioned that he often talks to the drivers and they often shut their engines off, but the next day they are idling again.

Peter Arndtsen (Columbus Amsterdam BID) mentioned tour buses that idle continuously on Amsterdam Avenue while waiting for tour participants. Also, fuel oil trucks and construction trucks also idle in the same area.

A member of the public (Ashante Blue) pointed out that there are real congestion and idling problems on East 124<sup>th</sup> Street behind the Pathmark. Klari Neuwelt pointed out that that street is not in CB7 and that the Committee would include it in its discussion this evening but that the issue would be better addressed by being raised with the appropriate Community Board.

Mr. Galarza presented the following outline of the DEP’s process for addressing idling:

- a) NYC law says maximum idling allowed is 3 minutes in general or 1 minute near schools.
- b) All complaints should be addressed via the current city 311 phone system, rather than directly to the DEP. This is because they need to capture the meta-data about how many calls, their frequency, where they originate from, etc, and the DEP cannot capture that with direct, individual calls.
- c) Individuals can identify vehicles by license and forward to DEP via 311.
- d) Ambulances and other vehicles that need to run their engines because they need to keep their equipment powered or their contents air conditioned are exempt from the idling rules.

Ken Coughlin pointed out that the problem is real and that the current process clearly does not address the issue. David Sasscer suggested that direct community involvement would help, specifically raising awareness with local tenants to call 311 on a regular basis. Klari Neuwelt stated that she would like to ask the police and the DEP to visit the community board to discuss how they can better address the issue. Klari Neuwelt also pointed out that a lot of the offenders are most likely not the ones paying for the gas so they have less of an incentive to stop the idling. Ken Coughlin asked Mr. Galarza how many violations they issue per year. Mr. Galarza did not have the info, but will follow up with the answer.

The Committee asked Mr. Galarza to return at its September, 2014 meeting in order to continue the discussion. In the meantime, the Committee will ask the CB7 staff arrange a daytime meeting with appropriate DEP personnel, and well as personnel from Traffic Enforcement, NYC Transit, Riverside Park and any other agencies with responsibilities for enforcing the anti-idling law, in order to try to put in place a more proactive program to address the idling problem in the CB7 District. In the meantime, Committee members should e-mail Klari Neuwelt their specific idling concerns (types of vehicles, locations, etc.) that should be part of the discussion with the agencies.

3. Presentation by the Department of Parks & Recreation on the renovation of basketball and handball courts at Booker T. Washington Playground on West 108<sup>th</sup> Streets between Amsterdam and Columbus Avenue. (Agenda Item #3)



Leslie Peoples from the Department of Parks & Recreation presented. Paul Rodriguez and Steve Simon of DPR also attended.

Leslie Peoples walked the public and the Committee through the final design of the upgraded playground. She explained that the existing situation is not safe (handball wall blocks view from street) and deteriorating. The handball court will be moved back on the site, so that it will no longer block vision of undesirable activities. The new layout includes a fitness area with adult fitness equipment, as well as new basketball and handball courts, together with several new trees and new benches.

The following questions were asked:

Q: How is drainage being addressed, especially in the adjacent field?

A: There is no new drainage plan today, but the new plan will include regular maintenance.

Q: Does the new design include lights? (Meisha Hunter, who had attended the site visit for the Committee, noted that neighbors had said that they do not want lights).

A: There are no lights in the new design.

Q: How is the existing graffiti on surrounding buildings being addressed?

A: Steve Simon will follow up with the Community Assistance Unit of the Mayor's Office.

Q: What are the criteria that lead the Parks Department to choose to upgrade any particular park?

A: The Parks Department regularly reviews the condition of all their parks. In this particular case they had originally updated the field but had left the courts undone so it was already on their radar.

Q: What types of trees are going to be planted?

A: This has not yet been identified.

Q: How will the project be financed, and how much will it cost?

A: The project will be included in a multi-site contract, together with several other parks. The cost for this renovation is \$800,000, and the money was allocated by Council Member Melissa Mark-Viverito when she represented this part of the CB7 District, before redistricting.

Q: What is the completion schedule?

A: Since there is a wall involved, it has to go to the DOB, which delays the process. The project is currently in the "Schematic Design" phase with Construction Documents to follow. It probably won't be completed before spring 2015. The playground may be out of commission up to 6-8 months.

The following community members addressed the committee: Ashante Blue, Stephan Poaches, Dionne Masson and Peter Arndtsen (Columbus Amsterdam BID).

Ashante, Stephan and Dionne run basketball clinics at Booker T. Washington Park. They confirmed that people also use the handball court as a bathroom because there is no bathroom in the area. Homeless people also sleep behind the wall. The space is often used for un-permitted parties. Steve Simon confirmed that Parks does not issue permits for parties in parks like these. These community members all said that they believe that the new design will help ameliorate these problems.

Peter Arndtsen expressed concern about the fitness equipment attracting undesirable adults rather than children. Steve Simon said that there has not been a problem with adult fitness equipment installed in other parks and that DPR doesn't foresee it being a problem here. Peter Arndtsen also noted that the community uses this before school as well as during school, including weekends.



The committee resolved to approve the proposed renovations, and to include in the resolution that DPR should show the proposed design to representatives of the adjacent school, MS 54, who had attended the site visit but not yet been shown these plans. Steve Simon committed to following up with Goddard-Riverside, the private agency that has the contract with NYC for homeless outreach in this area, with regard to the homeless population in the park, and with the Community Assistance Unit with regard to the graffiti problem. These last matters will not be part of the resolution, because they are not addressed to the proposed design.

The resolution vote was:

Committee Members: 5-0-0-0

Non-Committee Board Members: 1-0-0-0

Steve's colleague (Vanessa) updated the committee about the latest Gertrude Ederle Recreation Center programs including Tango, various fitness programs and hockey.

Committee updates:

1. CB7 recently wrote a letter to the new DOT Commissioner and other relevant officials requesting that Central Park be closed to all vehicular traffic this summer, per CB7's policy for the past several years. To date, nobody has responded.

**Present:** Klari Neuwelt, Steven Brown, Ken Coughlin, Meisha Hunter and David Sasscer. **Board Member:** Paul Fischer. **Absent:** Joanne Imohiosen and Madelyn Innocent.

