

Business & Consumer Issues Committee

November 9, 2016

BCI Committee of Community Board 7/Manhattan met at the District Office, 250 West 87th Street. The meeting was called to order at 7:00 p.m.

Committee Members Attending: Michele Parker, Linda Alexander, Christian Cordova, Marc Glazer, Paul Fischer, Brian Jenks, and Seema Reddy.

Non-Committee Members Attending: Roberta Semer

Application to the SLA for a Class Change from Beer & Wine to Full Liquor License:

1. **228 West 72nd Street** (Amsterdam Avenue – WEA.) MTGebhard, LLC d/b/a Gebhards Beer Culture.

Applicant asked to be hold over to next month's agenda. Holding over for one month, pending the applicant's request, who will not file until first meeting with CB7. Committee **disapproves without prejudice:** 6-0-0-0; 1-0-0-0

New Applications to the SLA for Two-Year Full On-Premises Liquor Licenses:

2. **166 West 75th Street** (Amsterdam Avenue.) S&G Food Group, d/b/a Cesca. New ownership. Presenting Kathleen E. Negri Stathopoulos, attorney. negriesq@aol.com. New owners, with a history of restaurant operations, including Strip House, Kellari Taverna NY and three others. Committee **Approves:** 6-0-0-0; 1-0-0-0

3. **473 Columbus Avenue** (West 83rd Street.) ACS Columbus LLC d/b/a Lokal.

Currently Bistro Citron, soon to be a Mediterranean restaurant by the new owners, who also own Antalia NYC in Midtown. The hours of operation will not change. Presenting: Serhat Cetinkaya, new owner, serhatnyc@gmail.com

Linda Alexander confirmed restaurant posting in the front.

Committee **Approves** application: 6-0-0-0; 1-0-0-0

New Unenclosed Sidewalk Cafés:

4. **676 Amsterdam Avenue** (West 93rd Street.) New application #7967-2016-ASWC to the Department of Consumer Affairs by Sunflower Amsterdam, LLC., d/b/a Sunflower Cafe, for a four-year consent to operate an unenclosed sidewalk café with 8 tables and 24 seats. Presenting: Meir Moshe, new owner, meir0521@gmail.com

Applicant already has two restaurants, one in Brooklyn and one in Cedarhurst. There are two delivery bicycles. Photographs were sent to the community board, but not included in package, so owner will send again before Full Board. Plans showed 10-foot wide cafe, but owner agreed to reduce the width to 9 feet and will present new plans at Full Board.

Committee **Approves** application with two contingencies, i.e., new photos of delivery personnel; and revised café floor plans: 6-0-0-0; 1-0-0-0

5. **2737 Broadway** (West 105th Street.) New application #9793-2016-ASWC to the Department of Consumer Affairs by The Westside of Broadway Restaurant Group, Inc., d/b/a Toast, for a four-year consent to operate an unenclosed sidewalk café with 15 tables and 30 seats. Presenting: Vic Mouka, Manager and Investor. Toastdowntown@gmail.com. Renewing expired license. Paul Fischer confirmed postings. Restaurants have one delivery bicycle. Committee **Approves** application: 6-0-0-0; 1-0-0-0

6. **New business.**

- a. Paul Fischer remarked on Spectrum application, formerly Indus Valley, and allegations reported in Westside Rag of non-payment to staff.
- b. B-to-B temporarily scheduled for March. Topics for the event included commercial rent regulations, street fairs' effect on local retail businesses, coordinating city agencies to benefit retail owners, discussion on sidewalk café regs.

Meeting ended at 8:00 pm.

Full Board Meeting November 1, 2016

Community Board 7/Manhattan's Full Board met on Tuesday, November 1, 2016, at Mount Sinai West Hospital, 1000 Tenth Avenue (West 59th Street), in the District. Chair Roberta Semer called the meeting to order at 6:42 pm after the Secretary confirmed the existence of a quorum.

The following matters were discussed and actions taken:

Minutes from the October 5, 2016, full Board meeting were **approved**.

VOTE: 27-0-0-0.

Chair's Report: Roberta Semer:

- Chair will use a separate email address specifically for CB7 matters: Chaircb7@gmail.com.
- Courtesy, collegiality and civility, both within the Board and between the Board and the public, will be the hallmarks of our work and meetings.
- Richard Asche will serve as the parliamentarian.
- Chair will convene office hours on Friday afternoons at the District Office, at which any topic may be discussed.
- Presentation of gifts and expressions of thanks and respect to Elizabeth Caputo, who now assumes the role of Chair Emeritus.

Community Session:

Manhattan Borough President's Report, Diana Howard:

- Honoring the passing of Maggi Peyton – cultural arts advisor to Borough President Gale Brewer and 4 preceding BPs.
- Maggi Peyton was a community organizer and respected community leader for generations dating back to the Bella Abzug era.
- Applications for renewal appointment for currently serving Community Board members will be available shortly.
- Community Board leadership series is resuming with a full complement of training and workshops. Open to community members contemplating applying for CB appointment. Current and new members are encouraged to RSVP and attend.

Reports by Elected Officials:

Helen Rosenthal, New York City Council Member (6th District):

- Excited to work with new Chair Roberta Semer.
- Presentation to Elizabeth Caputo, now Chair Emeritus – Proclamation honoring Elizabeth's tireless service.
- Worked on challenging issues, and kept her cool.

- Made everyone on all sides of issues feel heard and respected – sign of a great chair.
- The next Housing clinic will take place on Wednesday 11/2/16 – opportunity for tenants to ask questions of lawyers.
- Enrollment awareness event re Medicare – District Office will receive questions daily from 12-2 pm.
- Street Fairs – Mayor's Street Activity Permit Office has recalled its proposed rules. C-M will send a letter echoing CB7 concerns re proposed changes.
- Initiative to increase the number of street vendors without regulation or limitation as to venue – will oppose via letter.
- Looking at tonight's agenda item relating to the implementation of changes to separate bicycle and pedestrian use of Riverside Park, the Greenway should have one set of rules for the entire year. Original intent re proposed solution to the problem of pedestrian/cyclist conflict avoidance should carry the issue. Rules should be predictable, and this is the sort of issue on which to defer to the expertise and experience of the Department of Parks and Recreation.
- Has written to DPR in an effort to solve conflicts between cyclists and families and children near the West 72nd Street little league ball field by the River.
- Council is focused on holding addressing the problem of illegal hotels.
- Pushing the Department of Transportation to re-stripe West End Avenue after repaving – important to maintain the 2014 safety improvements.

Linda Rosenthal, NY State Assembly, (67th District):

- Congratulations to Roberta Semer – excited for the new Chair and for the community.
- Successful rally to support the bill to prohibit advertising the availability of illegal units via AirBnB. Governor signed the bill into law on 10/21.
- AirBnB immediately sued the City and State and the New York Attorney General over bill based on an interpretation of the Digital Millennium Copyright Act and related federal legislation.
- AirBnB spent extravagantly, using millions of dollars on ads and lobbyists in an attempt to defeat the bill and prevent the Governor from signing it.
- Threatened to sue Governor; endorsed opposition to candidates in the general election and primaries who voted for the bill.
- Sponsored this bill because AirBnB has created loss of affordable housing. Especially in gentrified neighborhoods where old-timers are being left behind and otherwise affordable apartments are being warehoused for this transient use.
- AirBnB follows restrictive rules required by China – should be the same in New York.
- Cannot replace affordable housing, so must maintain stock, and AirBnB is a threat to that stock.
- To seek enforcement of the new illegal hotel law, call 311.
- Mosquito infestation on West 84th Street has been so severe that residents need to sleep under mosquito netting. Problem is especially acute in October and November. Affects quality of life in a fundamental way.

- Convinced the Department Of Health and Mental Hygiene to dig out the sewer where the mosquitos are breeding.
- 11/10 – mammogram van at District Office. (10-4 pm).
- Don't forget to vote.

Richard Gottfried, NY State Assembly, (75th District):

- Thanks to Chair Elizabeth Caputo for her extraordinary work.
- Congratulations to Roberta Semer – new chair.
- Appreciates the announced focus on civility – other governmental bodies could take a page from this example.
- Linda Rosenthal's bill clarifying that advertising and soliciting illegal rentals is itself illegal was signed by Governor despite intense lobbying by AirBnB and others.
- AirBnB is dubbed the "sharing" economy, but it is not "sharing" – it really is stealing from one's neighbors, and exposing the entire building to complete strangers.
- Real problem is that otherwise affordable rental apartments are taken off the rolls and used exclusively for illegal hotels.
- Violation of the 2010 illegal hotel law by its nature happens behind closed doors – so clarifying that advertising and soliciting is itself illegal is key to enforcement.
- AirBnB sued based on DMCA. Seeking to settle the AirBnB portion.

Reports by Elected Officials' Representatives:

Erik Cuello, Office of Council Member Mark Levine (7th District):

- Intro 959 passed the Council – requiring reporting demographics on hate crimes. Now on CrimeStat. Will provide real-time information on such crimes.
- Recycling and composting forum on Thursday 11/17 at Bloomingdale Library. With representatives from Department of Sanitation of New York and the Department Of Health and Mental Hygiene re rodents.
- Open house for legal assistants on Friday 11/18 at District Office to address any housing matters. 10-3 pm.

Sean Coughlin, Office of Council Member Corey Johnson (3rd District):

- Tenants' rights forum on Tuesdays (Wednesday 11/9 for Election Day).
- Legistar.council.nyc.gov is a source of useful information.
- Chaired hearing on exotic animal ban – strong feelings on all sides. Went from opposition to co-sponsor – after watching footage.

Amanda Roberts, Office of Assembly Member Daniel O'Donnell (69th District):

- Photo exhibit in District Office – featuring photos of formerly incarcerated persons.
- Toy drive – ends 12/12 – collecting for donation to children of currently incarcerated persons.
- Election – absentee ballot must be postmarked 11/7.

Tara Klein, Office of State Senator Brad Hoylman (27th District):

- Welcome Roberta Semer as Chair – excited to work together.
- Election Day – illegal to photograph your own ballot. Senator is sponsoring bill to legalize "ballot selfies."
- Working in Albany on Hoosick Falls water crisis. Trying to get documents from polluters via subpoena. Polluters have not shown up at hearings, have not produced documents.

George Damalas, Office of State Senator Jose Serrano (29th District):

- Off-site constituent hours on the Upper West Side – Thursdays at St. Agnes branch library, JASA etc.
- Dates and services on website.

Celine Mizrahi, Office of U.S. Congress Member Jerrold Nadler (10th District):

- Gearing up for Election Day – and down-ticket races and Congress.
- Introducing Elie Peltz – new rep to CB7

Dan Campanelli, NYC Comptroller's Office:

- Congratulations to Chair Roberta Semer.
- Thanks to Chair Emeritus Elizabeth Caputo – tremendous service.
- Comptroller's recent report highlights private sector workers who have no access to retirement plans.
- Comptroller's report on children at risk at child care centers and shelters – 80% of child care workers in shelters had not passed required background checks. Also an alarming number of facilities do not have sprinkler systems.
- Report on City Agency compliance with MWBE requirements – overall, NYC lost ground from survey in 2015.

Renee Woodberry, Manhattan DA's Office:

- \$19MM in funding to divert low-level offenders from the justice system and develop employment opportunities for formerly incarcerated individuals, and for those aging-out of foster care.
- For more information, consult cjii.org.

Dr. Cary Goodman (speaking with time ceded by Maria Fernandez):

- Last Full Board meeting, the American Museum of Natural History's leadership sat with their backs to the people who came out to protest the application relating to the Gilder Center.
- AMNH gave out booklets with project design details only to CB members, not the general public.
- Clear that AMNH has "disdain" for the community.
- Information sessions at AMNH – cut off microphones after a brief opportunity to speak.
- CB7 is much friendlier host for comment.
- Invitation to come to a meeting/summit re complaints about AMNH's proposal. Nov 15, 7 pm at the Society for the Advancement of Judaism, 15 West 86th Street.

Daniel (no last name):

- Parent of 2-year old who attends public school.
- The District 3 Community Education Counsel's October 18, 2016, letter to the Department of Education outlining the elements of an appropriate rezoning proposal violates Open Meeting Law because the letter was not adopted at a public meeting.
- Lincoln Towers' residents are directly affected - son would not be able to attend the school closest to his home.
- New Super-luxury buildings in the PS 199 zone are proposed to be retained in its zone while buildings whose residents supported the school for years are carved out.
- Removing two Lincoln Towers buildings from the 199 zone will not add to the diversity of any school.

Brian Hoberman:

- Concern re an obstruction of the Amsterdam Avenue bike lane at West 85th / Amsterdam Avenue due to construction.
- Bike lane blocked for an entire block for many months. Cyclists must go out into the middle of the road.
- Should move dumpster out of the bike lane, or create a barrier for cyclists.

Peter Arndtsen – Columbus-Amsterdam BID:

- Holiday wish list identifying social service and volunteer opportunities in the neighborhood.
- New restaurant guide.
- History tour on 11/6 at 2 pm.
- Planting spring bulbs in Amsterdam Avenue tree pits.

Business Session

PARKS & ENVIRONMENT COMMITTEE

Klari Neuwelt, Chairperson

Resolutions Re:

1. **Riverside Park Bike Path.** Department of Parks & Recreation's proposal to create a designated bike path from West 72nd Street to West 83rd Street in Riverside Park.

Presentation by Klari Neuwelt:

- The CB7 Parks & Environment Committee is presenting its resolution, but John Herrold (Riverside Park Administrator) and Margaret Bracken (Chief Horticulturist for Riverside Park) are available to answer questions.
- Proposal to separate cyclists and pedestrians on a particularly heavily congested zone in Riverside Park near the Boat Basin along the sea rail.
- Proposal arose under C-M Rosenthal's Participatory Budget process in 2015. Won in PB voting. \$200K in funding was made available (including administrative costs).

- Perceived conflicts between pedestrians and cyclists are frequent sources of concern in Riverside Park.
- This is one specific initiative to eliminate such conflicts.
- Proposal includes a means to divert cycling traffic between about West 72nd Street to about West 83rd Street. Cyclists would be directed away from the esplanade and sea rail to existing inland paths, up and over the Rotunda at the Boat Basin, and would rejoin the sea rail path at the start of Riverwalk.
- Uses only existing paths - \$200K doesn't go as far as anyone would like.
- During the PB process, some materials described the proposal as a seasonal diversion only applicable in high volume months; the item on PB ballot was silent as to whether the proposal was meant to be seasonal or annual.
- The particulars of the proposal in PB should not control the issue when submitted for approval to CB and agencies.
- The proposed resolution calls for an annual rather than seasonal implementation, with DPR to re-evaluate after two years of implementation.
- The highest level of congestion is experienced in front of the Rotunda and the restaurant.
- Path up and over the Rotunda involves a steep grade change.
- Existing lighting on the pathways would be changed to LED to increase power on inland paths.
- One question that comes up frequently relates to the convergence of bike path with the sea rail path. This proposal would retain that convergence and barriers, and then begin diversion just south of the running track.
- No regrading, but will repave near the Rotunda.
- The diversion is needed because the Park is safer than ever before, with an enormous increase in use, including commuting cyclists along the Greenway.
- Rationale for opting for year-round rather than seasonal implementation is desire for consistency and predictability (and not wanting to keep changing signs). Many argued for seasonality.

Board Questions:

- Q: Grade at Rotunda?
A: Steep.
A: All of these existing paths are used by cyclists and pedestrians.
- Q: Are there any statutory or regulatory penalties for cyclists who don't follow the diversion?
A: Not enough Park Enforcement Patrol officers to enforce at the ends of the path. Expect some concentrated enforcement when first introduced. As a general matter, enforcement is more likely self-enforcement and spot-enforcement.

A: While cycling on any path in a park in NYC is not permitted, that rule is not enforced in Riverside Park.

- Q: Is DPR committing to keeping path clear of ice and snow?
A (John Herrold): Yes, same as other paths.
- Q: When implemented, any possibility of increased funding for regrading and paving? Evaluation after 2 years seems too long. Too long for public and Board to make interim changes – consider shorter period (1 year).
A: \$200K will fund the signage, lights, path smoothing, widening the path with dividers, etc.
A: Will start construction in Fall 2017. Allowing a year for construction, but could be ready sooner.
A (Margaret Bracken): grade will essentially be the same, just smoother. Significant amount of pruning on the south end.
- Q: Any data on crashes on the sea rail path? Enforcement is already an issue (motorized vehicles on paths).
A (John): Cyclists and pedestrians already are getting hurt. Don't want to wait for something worse.
- Q: The Amsterdam Avenue bike lane is not seasonal. Frequency of follow-up?
A: Year-round and reevaluated quarterly.
- Q: Significant diversion of heavily used bikeway.
Q: Data on pedestrians on Esplanade?
A: Not as such.
Q: Environmental Impact studied re diversion.
A: Assume that same number of cyclists would use the diverted path.
Q: Does the detour path meet any recognized safety standards?
A: Not for federal funds.
A (Margaret): Riverwalk has only 2 lanes – 14' with 1.5' shoulder.
A: Proposed paths are 11'-12' – appears to be adequate, especially since the inland path is not heavily used by pedestrians.
A (John): this is a park, not a roadway. Not trying to eject cyclists – just accommodate.
A (John): not building something new. Greenways all over NYC were designed by DPR. Working with existing 80 year old paths.
- A: Paths up/down to the sea rail path at West 101st and West 91st are at least as steep as the Rotunda.
- Q: Don't know number of pedestrians in winter?
A: Yes, there are pedestrians in winter.
Q: Is this a safe path for bikers.

A: Within constraints with which we have to work.

- A: Can avoid Rotunda by going up to the inland path, rejoin at Rotunda and walk 400', then go back inland.
- A: Heard from many pedestrians who are afraid to use the Esplanade – cannot use their own neighborhood park.

Public Comment:

Gale Dedrick:

- 57 years old, walked all over NYC. Wants to be able to walk the park.
- Will not go to the Esplanade – not safe even sitting on benches.

Matthew Hiller:

- Obvious solution is to for cyclists to be respectful of other park users.
- Should not put all of the inconvenience on cyclists.

Jim Zisfein:

- The desolate paths proposed for cyclists are unsafe in icy winter conditions.
- Should have equal access when the Esplanade is least crowded. Seasonal can work.
- Best to have everyone on the waterfront for safety in numbers at off-season.

Henry Rinehart:

- Thanks to CB7 Chair Roberta Semer for the chance to discuss change.
- Negotiating change in civil terms. Separating cyclists and pedestrians is good.

Chris Hamilton (via Willow Steltzer):

- Petition – 2,000 electronic signatures seeking seasonal separation in only 4 days.

Steve Harris:

- Stopped using the esplanade because we need dedicated paths for pedestrians and bikes.

Brad Taylor (CB9 vice chair and chair of the CB9 Parks committee):

- In favor of seasonality – winter upland paths can be dangerous.
- Need more data – more than anecdotal evidence of risk, especially at low usage times.

Elizabeth Brody:

- Trustee of the East Coast Greenway – being designed for everyone.
- Hudson Greenway is an outstanding part of the coastal greenway. Park paths must be accessible and safe for all.

Santiago Figueroa – West Side Little League:

- Concern about area outside the ball field at 72nd Street – no data needed to demonstrate safety risk.
- Endorses the proposal to preserve safety of 1200 children who use this area.

Jay Bitkower:

- Separating cyclists and pedestrians will promote safety, but need data to know when and where to avoid crashes.
- Proposal creates an unsafe condition – supports seasonal implementation.

Carl Kulo:

- Runner, commuter and recreational cyclist. Separating pedestrians and cyclists is good for all.
- Proposed modifications to the route may not be enough; commuting after dark is risky. Support seasonality.

Wendy Frank:

- Uses path daily. Should make no decision on seasonality without crash data.
- Should have a Public Service Announcement on how cyclists and pedestrians should interact.

Sam Kingsley:

- Supports year-round separation. Currently will not visit the Esplanade – too unsafe.
- DPR does indeed plow the inland paths. Riverside Park is not a West Side Highway for commuting bikes.

Dorothy Pierrard:

- Uses path at 9 pm in winter – can see/be seen well at the River. No one inland after dark in winter.

Steve Vaccaro (with time ceded by Elise Merrow, John Van Scheck):

- Should not kick cyclists off the Greenway. When approving on-street bike lanes - CB7 demanded data.
- Should not rush this proposal without measuring the grade at the Rotunda – anecdotal comparisons not adequate.
- Why not send pedestrians and runners up the hill?
- Planners cannot assure that paths proposed for bikes will meet the standards for a multi-use path.
- Cyclists should not lose access to the amenities on the bikeway – water fountains etc.
- Doesn't strike the right balance. One group of park users should not be favored over another.

Daniel Pearlstein:

- Uses sea rail path as a bikeway and to run. Need DoT experts to weigh in.
- Biking in park is for transportation – has to be safe. Not DPR's specialty.

Mike McCarthy:

- Parent and coach at West Side Little League. Support change – needed now.
- Welcome spirited debate. If we need to take time to work through this issue.
- Concern for dodging cyclists on path to ballfield from 72nd Street.

David Vassar:

- Crowded conditions – good news but creates problems.
- Seasonal approach makes sense. Perpetual – too draconian.

Beth Orum:

- Park user – endorse seasonality. Cannot get up that hill, especially in winter.
- Will not try in cold weather – not safe with black ice. Will go where it's not safe.
- Should not discourage cycling, especially for commuting.

Patrick Miller:

- Rides path from Harlem. Need a straight path with clear vision.
- Putting cyclists on a dark, curved path at night will cause more crashes.

Dulcie Canton:

- Greenway is an important cycling route - supports seasonality – does not want to be diverted to dark path.

Mary O'Brien:

- No problem riding the Rotunda path uphill during the day – but at night is a completely different experience.
- Need enforcement against lycra spandex cyclists, not commuters.

Additional witnesses seeking to support a call for either limiting the diversion to a seasonal implementation or none at all:

John Van, Carol Wasser, Elise Morrow, Ira Gershenhorn, Mark Goldberg, Courtney Williams, Alexander, Peter, Jessa Berber, Margaret Harbo, M Nelson, Brian Hoberman and Daniel Perlstein.

CB7 Comments:

Klari Neuwelt:

- 3 possibilities – approve proposal as presented; reject diversion altogether; or entertain a motion re seasonality.

Shelly Fine:

- **AMENDMENT:** – approve diversion plan but with the following conditions:
 - that the path diversion take effect only from April through October, and
 - only from Dawn to Dusk.

Comments on the Amendment:

- Klari: Parks finds a dawn to dusk implementation to be impractical.

- Richard Asche: Dawn to dusk makes sense – used in Central Park (for auto traffic). Safer by the water at night.
- Linda Alexander: People don't adhere to these rules.
 - Should use the Amsterdam and Columbus Avenues protected bike lanes in winter rather than the Greenway if worried about safety. Too much ambiguity re dawn to dusk.
- Meisha Hunter Burkett:
 - Thanks to Council Member Helen Rosenthal for leadership re separating pedestrians and cyclists.
 - Thanks to Margaret Bracken and John Herrold for advice and expertise on the importance of separating users.
 - Those present at the committee spoke against seasonality and in favor of separation.
 - Experts at the committee opined that once patterns are established, it is hard to adjust or modify behavior.
 - Supports year-round.
- Ethel Sheffer: Should not equate commuting with park usage.
 - Should employ DPR, not DoT standards in a park; this is not a roadway.
 - Urgently support the original resolution. Excellent way to achieve safety.
- Mel Wymore: Concern about children at ballfield – this plan does not address that area.
 - Would rather see money used to address the ballfield.
 - Dawn to dusk is already a rule for park hours of operation – not a hard standard to adopt/implement.
- Suzanne Robotti: Supports Shelly's amendment – rules should reflect reality.
 - Should not create rules that invite disobedience.
 - Should build modern paths – should not be limited by limitations of 80 year old paths.
- Richard Robbins: Park is tragedy waiting to happen.
 - It is too difficult to ride a 40 lb. Citibike up the Rotunda hills.
 - Need data on crashes. Need to understand what new conflicts will be created.
- Eric Shuffler: Voted for Amsterdam Avenue protected bike lane because separation makes sense.
 - Does not feel safe with young children in the Park when cyclists go by – must guard kids assiduously.
 - Testimony tonight is all about convenience to bikers. Park is not just a cycling transportation artery.
- Jeannette Rausch: Unfair to lump all cyclists together. Conflicts arise in different times of day.
 - should consider sending the resolution back to committee to assess impact of different timing scenarios.
- Susan Schwartz: Uses the Esplanade. Impressed that this project got so many votes at PB.
 - Hard to collect data on those who no longer use the park due to safety concerns.
- Louisa Craddock: Need data and clarity. Cannot wait for update on implementation for 2 years.
- Ken Coughlin: Working to get cars out of Central Park at all times – not an overnight process.
 - Double-standard cars vs bikes – cyclists being asked to sacrifice by taking a substandard detour.

- Unreasonable expectations create non-compliance. Compromise such as seasonality is the best approach.
- Steven Brown: Passionate about this issue because there is a safety issue for everyone.
 - Uses this strip on a daily basis and has a little leaguer. Voted for all bike lanes.
 - Don't need data to see the safety issue. Urge no return to committee.
 - Open to seasonality, but must pass tonight, must protect everyone.
- Klari Neuwelt: Familiar with all of the paths at issue.
 - A credible argument has been made for seasonal implementation.
 - Crafted resolution without seasonal implementation because DPR also made a good argument.
 - Impractical to implement based on times of day.

Amendment to approve the resolution but with seasonal implementation of diversion (only) (i.e. diversion during April through October).

VOTE: 20-20-0-0 – amendment fails.

Amendment to approve the resolution but with implementation of diversion (only) from 9 am to 8 pm year round.

VOTE: 13-24-3-0 – amendment fails.

*After deliberation, the originally proposed resolution to **approve** was adopted.*

VOTE: 31-7-2-0.

LAND USE COMMITTEE

Richard Asche and Page Cowley, Co-Chairpersons

Resolutions Re:

2. **1991 Broadway** (West 67th-68th Streets.) Application to the Department of City Planning for modifications to the use of a public plaza.

Presentation by Richard Asche and Page Cowley (co-chairs):

- Previous application for use of the privately owned public space included a carousel, now eliminated from design.
- Existing condition hampered by large cone-shaped column element in the space.
- New design incorporates everything committee previously requested – including articulating folding doors, trees, special signage, lower light levels for using computers and doing homework, acoustical material on brick wall for sound absorption, artwork on the upper portion of the wall that could be changeable.
- Must include adequate signage reinforcing that no purchase is required to use the space; noting rules of Privately Owned Public Spaces.
- ADA accessibility – all furniture and equipment is compliant; winter doors on a mullion with self-activation.

- Applicant is working closely with City Planning, so additional changes are unlikely.

*After deliberation, the resolution to **conditionally approve** was adopted.*

VOTE: 36-0-0-0.

3. **205 West 95th Street** (Broadway – Amsterdam Avenue.) Application #2016-4228BZ by New York SMSA Limited Partnership d/b/a Verizon Wireless to the NYC Board of Standards and Appeals for a special permit re proposed modification expanding the interior equipment room of a public utility wireless communication facility from the current 400 square feet to approximately 600 square feet.

Presentation by Richard Asche and Page Cowley:

- Allowing additional room for communications equipment. Needed frequently to boost cell phone capability.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 36-0-0-0.

PARKS & ENVIRONMENT COMMITTEE

Klari Neuwelt, Chairperson

Resolutions Re:

4. **Riverside Park.** Department of Parks & Recreation's proposal to reconstruct the existing park paths and landscape in the interior of Riverside Park from West 91st Street to West 95th Street.

Presentation by Klari Neuwelt:

- Affected area is Crabapple Grove – has been in need of substantial restoration for years.
- C-M Rosenthal has allocated \$500K, plus a private donor has advanced \$100K.
- This project has been on CB7's budget priorities for years.
- The plantings include gorgeous crabapple and cherry trees, but the area suffers from broken fencing, lack of irrigation, and paths in serious disrepair.
- Margaret Bracken's plans include restoring paths, installing granite curbs, fencing off lawns, installing historic benches, improving lighting via RSP Luminiere, plus new wonderful indigenous plantings.

CB7 Comments:

- These paths are not shared routes or part of the cycling Greenway.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 36-0-1-0.

5. **Central Park.** Central Park Conservancy's proposal to reconstruct the West 86th Street – West 90th Street landscape and perimeter.

Presentation by Klari Neuwelt:

- Pedestrians entering at West 86th Street do not have an ADA compliant path to the West Drive.
- Proposal rebuilds landscape, installs historic benches (the Central Park "Setee"), adds irrigation, and makes paths ADA compliant mostly by shifting grade and adding a short railing. Proposal also includes new plantings.
- Adjacent Central Park West sidewalk will also be reconstructed with Belgian blocks that are ADA compliant and lays flat.

CB7 Comments:

- New pathways should follow "desire paths" charted by park users.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 37-0-0-0.

TRANSPORTATION COMMITTEE

Andrew Albert and Dan Zweig, Co-Chairpersons

Resolutions Re:

6. **Winter's Eve at Lincoln Square.** Application to the Mayor's Street Activity Permit Office by the Lincoln Square BID for curb lane, sidewalk and street closures for Winter's Eve at Lincoln Square on Monday, November 28, 2016.

Presentation by Andrew Albert:

- The annual tree-lighting and foodie showcase, with entertainment and outreach.
- A signature achievement of the Lincoln Square Business Improvement District every year.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 37-0-0-0.

7. **Macy's, installation of a sidewalk plaque on the S/W/C of 77th Street and Central Park West.** Request by Macy's to the City Department of Transportation for installation of a sidewalk plaque on the southwest corner of 77th Street and Central Park West to commemorate its place as an historic step-off point for the Macy's Thanksgiving Day Parade.

Presentation by Andrew Albert and Dan Zweig:

- Per Charles Miller from Macy's, proposal to install a marker in the sidewalk at West 77th Street and Central Park West, at the site of the annual parade's inception.
- Proposal has been approved by the West 77th Street Block Association and the New-York Historical Society.
- Adjusting the materials to make sure it does not cause pedestrians to slip.
- Committee approved after obtaining feedback from the neighbors and block associations.

CB7 Comments:

- Concern for free corporate advertising.
- The Macy's Thanksgiving Day Parade is a neighborhood institution that merits such recognition.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 31-2-4-0

8. **326 West 77th Street** (Riverside Drive – West End Avenue.) Application to the Department of Transportation by Lloyd Realty, LLC for a revocable consent to construct, maintain and use a new stoop and fenced-in area.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 37-0-0-0

9. **322 Central Park West** (West 92nd Street.) Application to the Department of Transportation by 322 Realty Corp. for a revocable consent to construct, maintain and use a fenced-in planted area on the northwest corner of intersection of West 92nd Street and Central Park West and to maintain and use two existing planters on the north sidewalk of West 92nd Street, west of Central Park West.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 37-0-0-0

10. **N/W/C Broadway and West 94th Street.** New application #12659-2016-ANWS to the Department of Consumer Affairs by Mohammad Islam to construct and operate a newsstand on the northwest corner of Broadway and West 94th Street.

Presentation by Dan Zweig and Andrew Albert:

- Applicant not present – resolution is for a protective disapproval.

*After deliberation, the resolution to **disapprove** was adopted.*

VOTE: 36-0-0-0.

PRESERVATION COMMITTEE

Jay Adolf and Gabrielle Palitz, Co-Chairpersons

Resolutions Re:

11. **221 West 79th Street, d/b/a Voila Chocolate** (Broadway – Amsterdam Avenue.) Application to the Landmarks Preservation Commission for a window replacement on the second floor.

Presentation by Gabrielle Palitz:

- Application seeks to change the windows on the second floor from those approved previously to a different design. Previously approved 3 wide panes. The existing condition includes 4 double-hung windows.
- Proposal is for 2 double-hung windows (1:1) flanking a wide fixed pane.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: BUNDLE 11-13: 36-0-0-0.

12. **513 Columbus Avenue, d/b/a Osteria Cotta Restaurant** (West 85th Street.) Application to the Landmarks Preservation Commission for legalization of the store front.

A. Regarding the storefront:

Presentation by Gabrielle Palitz:

- Approved design had French doors with divided light muntins and mullions.
- As-built condition includes wood doors with solid wood lower panels and non-divided light windows.
- The rural feel to the door configuration is inconsistent with the historic district and neighboring storefronts.

*After deliberation, the resolution to **disapprove the existing storefront design** was adopted.*

VOTE: 36-0-0-0.

B. Regarding the awnings:

Presentation by Gabrielle Palitz:

- The awning as installed was at a different insertion point and different angle than approved.

*After deliberation, the resolution to **approve the awnings** was adopted.*

VOTE: 36-0-0-0.

13. **144 West 88th Street** (Columbus - Amsterdam Avenues.) Application to the Landmarks Preservation Commission for a front façade renovation.

Presentation by Gabrielle Palitz:

- Committee recommended modifications to the proportions of the proposed door and the surrounds.
- Applicant agreed to changes.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 36-0-0-0.

14. **44 West 95th Street** (Columbus Avenue – Central Park West.) Application to the Landmarks Preservation Commission for a rear yard addition on three floors, rooftop addition, façade restoration, and new windows.

A. Regarding the front façade restoration work:

Presentation by Gabrielle Palitz:

- Significant restoration proposed for the front façade. No issue of appropriateness.

*After deliberation, the resolution to **approve the front façade restoration work** was adopted.*

VOTE: 36-0-0-0.

B. Regarding the rear yard and rooftop additions:

Presentation by Gabrielle Palitz:

- The cumulative effect of the proposal overwhelms the building.
- The townhouse is at the end of an historic row, next to a Carrere & Hastings apartment building with a side light court that would be impacted by changes.
- Full-width / full-height addition will impact light court windows.
- Significant bulk proposed to be added to the top – extends to within 2 feet of the existing rear façade.
- Design of addition not different than what is typically approved. But extends full height/full width. No relationship to existing fabric.

Public Comment:

Francesca Dindo (neighbor facing the doughnut):

- If the proposed renovation were to pass, without reduction, the living room windows of the apartments on the light court would be completely obstructed and would lose an incredible amount of light and air.
- Losing sleep over this potential loss – getting claustrophobic thinking about being boxed in.
- Ms. Schneider on the first floor would be completely boxed in.

Emily Schneider – on the ground floor of adjacent apartment building facing the doughnut:

- Unbelievable that such a major change is possible.

Umberto Dindo (neighbor):

- Supports committee's disapproval.

Judith McGraff (neighbor):

- Concern for impact on the character of the doughnut.

Orin Katula (neighbor):

- Losing light and air – wall 8 feet away.

CB7 Comments:

- Developer should consider a compromise creating a rear addition that has an angle that preserves light.
- Amendment (Accepted as friendly) to refer to the blocking of living room windows and the impact on the doughnut as "egregious."
- Preservation Committee should develop proposed legislation to further protect rear donuts.
- Evolution – Landmarks Preservation Commission at one time would not even consider non-visible rear yard additions. Slowly LPC has given consideration to doughnuts. Not reasonable to expect as-of-right additions to be banned altogether.
- Concern that LPC is again changing its tune and moving toward not spending as much time on doughnuts except when rear and roof together are proposed to be renovated.

*After deliberation, the resolution to **disapprove the rear yard and rooftop additions** was adopted.*

VOTE: 36-0-0-0.

BUSINESS & CONSUMER ISSUES COMMITTEE

Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

Resolutions Re:

15. Citywide Event Coordination and Management's proposed regulations for street festivals.

Presentation by Michele Parker:

- SAPO (Mayor's Street Activity Permit Office) has rescinded proposed new rules and will extend moratorium.
- Voting to honor and record work done by committee and other board members to offer considered and thoughtful opposition to the proposed revisions to the regulations.

*After deliberation, the resolution to **disapprove the proposed new regulations (since withdrawn)** was adopted.*

VOTE: 33-0-1-0

16. Intro 1303, Street Vendor Modernization Act.

Public Comment:

Steve Harris (neighbor):

- Committee concern – no mechanism for siting food truck vendors, even with over-concentration in certain areas.
- Community wants the CBs to review the proposed legislation.
- Must include a local siting proposal giving local control over where vendors may operate.

CB7 Comments:

- Amendment (accepted as friendly) to insert into the resolution a call for a requirement that Community Board approval be required for siting the vendors.

*After deliberation, the resolution to **disapprove** was adopted.*

VOTE: 32-0-1-0.

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

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

- **410 Amsterdam Avenue** (80th Street.) Public Market Inc., d/b/a Boka.
- **505 Columbus Avenue** (84th Street.) Jaknap LLC, d/b/a Kefi

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 34-0-0-0.

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

18. 1889 Broadway (West 63rd Street.) West 63 Empire Associates, LLC and the Empire Rooftop, LLC, d/b/a Empire Hotel/Empire Rooftop.

- New owners will meet with neighbors – continue dialogue – exchanged contact information.
- Experienced community-oriented operators.
- Better concept - no promotion parties will have lower impact of noise and congestion.
- Asked applicant to soundproof the retractable roof.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 33-0-0-0.

19. 768 Amsterdam Avenue (97th Street.) Louis Colantino, Entity to be formed, d/b/a Patron North.

Presentation by Michele Parker:

- Disapproved without prejudice due to applicant's failure to appear.

*After deliberation, the resolution to **disapprove without prejudice** was adopted.*

VOTE: 33-0-0-0.

Alteration application to the SLA:

20. 430 Amsterdam Avenue (81st Street.) Third Avenue Restaurant Inc., d/b/a Jake's Dilemma. Adding floor space and an additional bar.

Presentation by Michele Parker:

- Expansion of SLA licensed premises because the store will expand due to new construction of a rear yard addition at the ground and cellar floors.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 34-0-1-0.

Unenclosed Sidewalk Café Renewals:

21. 511 Amsterdam Avenue (**West 85th Street.**) Renewal application #2008459-DCA to the Department of Consumer Affairs by EE Bar, LLC, d/b/a E's Bar, for a four-year consent to operate an unenclosed sidewalk café with 8 tables and 20 seats.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 34-0-0-0.

New application Under Change of Ownership:

22. 2636 Broadway (West 100th Street.) New application under change of ownership ULURP# N160153ECM/ DCA# 15235-2015-ASWC to the Department of Consumer Affairs by Spectrum Restaurant, LLC, d/b/a Manhattan Valley, for a four-year consent to operate an enclosed sidewalk café with 8 tables and 20 seats.

Presentation by Michele Parker:

- Enclosed café located at this site for more than 25 years.

CB7 Comments:

- This block has long had vacant storefronts (including the abandoned Metro Theater). This enclosed sidewalk café has not outlived its usefulness like others in the District.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 28-1-3-0

23. New Unenclosed Sidewalk Cafés:

- **225 Columbus Avenue (West 70th – 71st Streets.)** New application #13474-2016-ASWC to the Department of Consumer Affairs by FM70, Inc. d/b/a Bistro Cassis, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 14 seats.
- 510 Columbus Avenue (West 85th Street.) New application #13620-2016-ASWC to the Department of Consumer Affairs by Motorino 3, Inc., d/b/a Napoletana, for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 12 seats.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 32-0-0-0

28. [Renumbered to separate this application from the other applications included in item 23]

2178 Broadway (West 77th Street.) New application #14203-2016-ASWC to the Department of Consumer Affairs by NY Broadway Hotel Owner, LLC d/b/a NYLO New York City/ LOCL BAR, for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 8 seats.

Presentation by Michele Parker:

- New application for an unenclosed outdoor café adjacent to the entrance to the NYLO hotel.
- Applicant's predecessor in interest was unable to use the previously licensed unenclosed café because of the construction of two new, large residential buildings in the mid-block.
- Applicant is renewing its application now that construction is substantially complete.

CB7 Comments:

- Mark Diller: Opposed to this café because:
 - it is in the mid-block of a narrow street, which runs counter to CB7's guidelines and preferences;
 - the character of the block has changed since the hotel last operated the café, from a small-scale commercial character with rental car facilities to housing two 16-story apartment buildings;
 - the site is perilously close to the turning radius needed to back the truck into the FDNY firehouse across the street (example of the fire truck crashing through the former Hertz location next door to the proposed café location);
 - the block is an artery for children to access PS 87 and the playground surrounding it.
- Brian Jenks and Richard Robbins: Also oppose in this instance.

*After deliberation, the resolution to **approve** the application **failed**.*

VOTE: 15-16-2-0.

Motion: Resolution to disapprove the application for the reasons stated above.

*After deliberation, the resolution to **disapprove** was adopted.*

VOTE: 21-10-2-0.

24. 676 Amsterdam Avenue (West 93rd Street.) New application #7967-2016-ASWC to the Department of Consumer Affairs by Sunflower Amsterdam, LLC., d/b/a Sunflower Cafe, for a four-year consent to operate an unenclosed sidewalk café with 8 tables and 24 seats.

*After deliberation, the resolution to **disapprove without prejudice** was adopted.*

VOTE:

25. **2737 Broadway (West 105th Street.)** New application #9793-2016-ASWC to the Department of Consumer Affairs by The Westside of Broadway Restaurant Group, Inc., d/b/a Toast, for a four-year consent to operate an unenclosed sidewalk café with 15 tables and 30 seats.

*After deliberation, the resolution to **disapprove without prejudice** was adopted.*

VOTE: 34-0-0-0.

STRATEGY & BUDGET COMMITTEE

Mel Wymore, Chairperson

Resolutions to Adopt:

26. CB7's priorities for the FY18 NYC Capital Budget.

Presentation by Mel Wymore:

- Mostly followed the same order of priorities from last year.
- Kayak dock is new priority based on a new condition – the Manhattan Community Boathouse dock from which it launches free kayaking at West 72nd Street in Riverside Park was destroyed during the winter.
- Call for solar trash compactors is also new.

CB7 Comments:

- Playgrounds – why was Frederick Douglass playground (West 100th Street at Douglass Houses) not included?
-- that playground has so little equipment and is in poor condition.
- Amendment (Accepted as friendly by Klari Neuwelt, chair of Parks & Environment which advanced the playground renovation proposed priorities) – add a call to renovate the playground to the existing budget priority identified as #26 calling for renovation of the artificial turf at an adjoining portion of Frederick Douglass playground.
- Rankings a product of close collaboration with DPR.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 33-0-0-0.

27. CB7's priorities for the FY18 NYC expense budget.

*After deliberation, the resolution to **approve** was adopted.*

VOTE: 32-0-0-0.

The meeting was **adjourned** at 10:54 pm.

Present: Andrew Albert, Audrey Isaacs, Benjamin Howard-Cooper, Blanche E. Lawton, Brian Jenks, Catherine DeLazzero, Christian Cordova, Dan Zweig, Elizabeth Caputo, Eric Shuffler, Ethel Sheffer, Gabrielle Palitz, Genora Johnson, George Zeppenfeldt-Cestero, Howard Yaruss, Issac Booker, Jay Adolf, Jeannette Rausch, Kenneth Coughlin, Klari Neuwelt, Lillian Moore, Linda Alexander, Louisa Craddock, Madelyn Innocent, Madge Rosenberg, Manuel Casanova, Marc Glazer, Mark Diller, Meisha Hunter Burkett, Mel Wymore, Michele Parker, Miki F. Fiegel, Nick Prigo, Page Cowley, Paul Fischer, Peter Samton, Polly Spain, Richard Asche, Richard Robbins, Rita Genn, Robert Espier, Roberta Semer, Sarina Gupta, Seema Reddy, Sheldon Fine, Sonia Garcia, Steven Brown, Susan Schwartz, Suzanne Robotti, Tina Branham

Health & Human Services Committee

November 22, 2016

The meeting was called to order at 7:00 pm

Committee: Madge Rosenberg & Catherine DeLazzer (speaker phone), Co-chairs, Genora Johnson, Robert Espier, Sheldon Fine, Christian Cordova, Audrey Isaacs,

Non-Committee members: Fern Fleckman.

Urban Fellow: Stephanie Guzmán.

Stephanie Guzmán made presentation, on Youth Crime Prevention

Her visual presentation accompanied her report, explaining her research.

Purpose: Help HHS to identify and develop a strategy to advocate an approach to crime prevention in CB7 /Manhattan District.

Methods: Collaborating with Local stakeholders and experts. Following up with panelist from past discussions on crime. Conduct research to better understand best practices and successful programs, and identifying demographics.

Research Findings:

Who's commenting what crime where?

What is already being implemented?

According to the public perception New York's Upper West Side is one of the safest places in Manhattan. According to NYPD reports, crime decreased about 37 percent between 2001 and 2015.

Nearly 3,000 reported incidents dropping to 1,891 in police precincts 20th and 24th.

Recommendations: Educate middle school children on the definition and consequences of crime.

Middle schools in Manhattan School District 3 in partnership with police officers from the 20th and 24th Precinct.

Questions from Committee and Non Committee members.

Has crime gone down due to changes in stop and frisk?

How many juvenile arrests in 20th and 24th precincts?

How many crimes committed by 16 and 17 year olds?

Does mental health play a role?

Does community see the problem?

Does this tie into gangs in our community?

Is this something that could be tied into CB7 taskforce on Public Housing?

Do we want to look into NYCHA gangs in CB7?

Should we be talking to Police assigned to NYCHA in PSA 6, which is part of NYPD, concerning recent gang violence at Wise Houses?

Suggestions from Committee and Non-Committee members.

Report is great but it may not be the way to go!!

Stephanie says the folks that she spoke to, closer to community or in neighborhood, said, yes, they know about gangs, but unfortunately until gang events happen we can't examine them. If we go in the direction of gangs, we are going into delicate issues.

Not all kids end up in gangs.

Not up to this committee to solve these problems. What problem do we want to address. Do we really want to target behavior?

We should identify areas of concern in schools such as anger management. If schools need more social education, we can advocate with elected officials, government agencies. We should advocate for what schools want. We cannot change the world, but we can impact concerns that exist.

Stephanie will talk to representatives from schools and family court about crime prevention needs and approaches. Family Court deals with youth 12+ who do not go through DA's Office. First we need to articulate problems.

Next meeting December 13, 2016

Meeting in December will focus on working with the police. Is the research we are doing any help to them?

Meeting ended 9:20 pm

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Land Use Committee Meeting Minutes

November 16, 2016

Meeting started at 7:00 pm and was adjourned at approximately 9:30 pm.

Present: Richard Asche, Co-Chair, Page Cowley, Co-Chair, Tina Branham, Louise Craddock, Sheldon J. Fine, Jeannette Rausch, Peter Samton, Ethel Sheffer.

Absent: Howard Yaruss

CB7 Board Members Present: Roberta Semer, Chair CB7 and Mark Diller

The following matters were discussed and actions taken:

1. **8-10 West 70th Street Congregation Shearith Israel**, Application #74-07-BZ to the Board of Standards and Appeals by Congregation Shearith Israel for an extension of time to complete construction, minor modifications to the project and review by Special Calendar.

This is the fifth meeting held to discuss various revisions to certain documents either required by the Board of Standards & Appeal or previous public testimony and comments from the Land Use Committee in July, August and September. As the October Land Use meeting was dedicated to a presentation of the project that incorporated responses to BSA questions and other supplemental information. The attorney for the project, Zachary Bernstein, Esq. presented the project. There was no time for public comments and / or questions or for the Land Use Committee to discuss the project -- there were many revisions and comparative plans to assimilate and again, updated information was provided the day before, with little opportunity to have a meaningful review by committee members in preparation for this meeting, although all members were provided the digital distribution.

This evening was dedicated to hearing the public comments. The applicant was present for responses if needed. Below is a summary of the comments recorded:

- **Kate Wood, Landmark West!**

As per the instructions from the BSA, Ms. Wood stated that Landmark West! had not received the revised and updated package of information. The opinion is that the materials are still out of sync with any review opportunity being out of date or late. Also the issue of the programming regarding classrooms and office space is not reflected in an interim submission to the Department of Buildings set and this is not cited in any of the documents received to date. Lastly the hardship qualifications need to be reviewed as the circumstances and qualification threshold that were perhaps true in 2008 have changed.

- **Sean Khorsandi, Landmark West!**

Mr. Khorsandi read a letter prepared by Craig Morrison, Architect. This letter made four points:

1. The project described as mixed use with synagogue related facilities and residential floors above had changed. There are increased numbers of offices and less classrooms.
2. With regards to the "minor modifications" increasing the kitchen area and excavating under the sidewalk are not minor revisions.
3. With regards to the request for additional time, this is now the second request. How was the intervening time spent and why are there so many revisions?
4. In 2014, the applicant filed the project with the Department of Buildings (DOB) that showed three classrooms. The DOB revoked this application in April 2016. The filings are in essence inconsistent with the proposed program now being considered.

- **Cindy Antonucci, Neighbor and Chair of Coop at 18 West 70th Street**

Ms. Antonucci first addressed the issue of document distribution. They too did not receive any documents and requests that the materials be considered as received untimely by this committee. The reason why the document distribution is so important is that with each submission there are material

changes. To name but a few of the more significant and not minor modifications: The additional excavation and creation of vaults under the sidewalk at two levels; The kitchen venting system is now different with increased HVAC and filtering system and while sound and noise testing was performed on the on specific pieces of equipment, it was not tested and the cumulative noise level of all equipment cycling on and off at the same time was not provided; a contradiction in the number of classrooms and offices and the synagogue need for more offices as these are not interchangeable; DOT approval of the 2013 plans is not this plan and the original license granted was for a year and this has now expired; lastly the time limitation rational regarding code changes does not seem plausible.

- **David Rosenberg Esq. Representing the neighbors**

Several points were raised. The first was an issue relating to comments at the last full board meeting as anti-Semitic because of the number of comments in opposition to the project. Please note that there was a great deal of anxiety about this remark and the understanding was that the full board video record would be researched to confirm if this was the case. If not there, will be no further remarks such as this in the future.

His specific comments to the request for minor modifications and time extension(s) related to the following:

1. The necessity to build the number of condo units as the real estate market has changed and perhaps not all are needed.
2. The passage of time weakens the current financial argument for more condos.
3. The project never considered construction impacts
4. There was never any statement in previous submissions that the mechanical systems and structural system had not been fully designed.
5. The duration of the litigation should no longer be a factor as that has already been covered by a previous extension of time.
6. The Hebrew school population and program has changed and now stands at less students estimated at 40-50.

His primary point is that there is no basis for this committee to change the original determination from 2008

- **Robert Jacobsen, resident of 91 Central Park West**

Read a letter from Ellen Fleisher a shareholder of 91 CPW. This letter stated concerns with the following:

1. The program and activities are now no more than a catering facility. This increased level of activity will impact the neighborhood.
2. Having events other than related to the synagogue will impact noise, light and air with late night or weekend events, and the mechanical system running for longer periods of time.
3. The “towering” condo breaks the streetscape, particularly now with the additional mechanical equipment.
4. Lastly, this project is “a large footprint treading on the neighborhood.

- **Jeanne Martowski, resident of 91 Central Park West**

At this point, Richard Asche asked how many people that have attended and have a comment and / or are in opposition to the proposed request for time and consideration of minor modifications.

Jeanne responded that 26 people aware here and in opposition. Ms. Martowski went on to add that the 9-story building would not improve the neighborhood, as it is too tall for condos. Landmark West! commissioned a report to study the Central Park Skyline and the impacts of larger buildings

that would be visible from Central Park. This addition detracts from the pedimented synagogue silhouette.

- **Emily Markowitz, representing Assembly Member Richard Gottfried**
Read a letter in opposition to the project reinforcing the original denial the Community Board provided in 2007.

- **Arnold Weiss, resident of 91 Central Park West**
Closed with the public comment period by stating that there were substantive reasons why the project should not go forward:
 1. There has been a programmatic “bait & Switch” over the years.
 2. The claim that the delay is now at a critical time and the applicant needs programmatic relief now. This is not urgent after 8 years.
 3. The project costs originally needed \$35 million to construct the project originally, four years later this same scope is \$60 million. There is no new financial data to support this revised cost.
 4. The document distribution as stated earlier, was not complied with.
 5. Accepting this proposed action sets a terrible precedent that any project for whatever reason can be delayed and still approved no matter the extent of revisions, financial hardship reverses or any number of factors that could change an original approved project after so many years.

In order to resume the work of the committee and write a resolution, Richard Asche proposed to revisit and adopt the original resolution from 2007. This seemed appropriate because the committee appreciated that the financial circumstances relating to the original hardship circumstances had changed. Was there a need to add so many condos in this higher priced real estate climate eight years after the original application? The following committee members were polled for their thoughts:

Ms. Sheffer supported the proposal from Richard but would opt to exclude the minor modification component request. This because she believed that she could not find a uniform definition between the BSA and the NYC Building code as what a minor modification actually represents.

Mr. Samton was concerned about the environmental issues regarding the extent of mechanical equipment within the middle of the block and any adverse impact that these systems might have to the quality of life for adjacent apartment residents. He also suggested the addition of landscaping to ameliorate the noise and make the roof scape more interesting and sustainable.

Ms. Craddock stated that if a variance is based on hardship, for this non-profit, does this hardship on which this variance was granted remain viable. This is the time to re-evaluate after 9 years; there has been too much time to accept the original financial hardship findings as applicable.

Ms. Rausch offered an opinion regarding the extent of change and modification and posed that the revisions were not minor when considering new mechanical systems, additional two level sub-surface investigation and re-design/re-orientation of the egress stairs. She did not believe that the project complies with a discretionary action as there have been too many late submissions, incomplete presentations and an extensive passage of time.

Ms. Branham was in agreement with the above comments.

Mr. Fine stated that many of the programmatic issues are so subjective to an institution and should not curtail or be the basis opinions on the financial status and well being of this synagogue. However, the community and the impacts of the neighborhood do need to be taken into account.

Other board members present, Mark Diller and Roberta Semer were in agreement that a resolution could be composed.

Therefore Richard agreed to draft a resolution using the December 4, 2007 resolution to reiterate our opposition based on the five findings that we assessed at that time. Principally that the “E” finding requires an affirmative showing that the requested variance is the “minimum necessary” to alleviate hardship. And for the “B” finding is based on financial and economic conditions prevailing in 2008 and these conditions with a stronger real estate market are likely no longer valid either.

As to the set of multiple revisions and modifications, there is now significantly more information regarding the mechanical, electrical, plumbing egress and fire and life safety systems provided that have altered the committee's perspective as to what may or will impact the neighbors with regards to light, fresh air and noise. Lastly, the applicant's decision to excavate more cellar and sub-cellar areas was not included in the original project in 2007 and this type of work represents a risk to adjacent buildings and the synagogue itself, as there is no documentation or description as to how this work would be staged, adjacent structures shored and protected or the amount of underpinning that may be required.

Mr. Asche agreed to draft a resolution for the committee to review that would result in our final resolution decision to disapprove Congregation Shearith Israels' application. The vote was as follows:

Committee: 8-0-1-0
Board members: 2-0-0-0

These notes reflect the memory of the writer. Respectfully submitted by Page Cowley, Co-Chair.

Parks & Environment Committee

Klari Neuwelt, Chairperson

November 29, 2016

The meeting was called to order at 7:02 p.m.

Members present: Klari Neuwelt, Brian Jenks, Meisha Hunter Burkett, Susan Schwartz, Ken Coughlin, Sarina Gupta. **Non-Committee Board Members present:** Mark Diller, Roberta Semer, Louisa Craddock, Su Robotti.

Before moving to official business, the Committee received an update from the Manhattan Community Boathouse that they had over 16,000 kayakers this year at their 56th Street location, including over 3,000 from CB7. They thanked the Committee for its support and indicated that they were looking forward to renewed free kayaking at 72nd Street when the dock there is restored.

The Committee then moved on to its official business.

1. Discussion with Department of Parks and Recreation about possible use of the parking lot adjacent to the Tavern on the Green for Tavern business operations.

The Chair of the Committee provided the following insight prior to remarks by representatives of the City of New York's Department of Parks and Recreation Revenue Division ("Parks").

- The New York Post had reported that Tavern on the Green was interested in adding a specific paved area¹ lot into its concession. The report was news to the Committee and caused concern. The Chair and former Community Board 7 Chair Caputo met with the Tavern on the Green concessionaires and lobbyists regarding the report, where they were told that no specific proposal had been made to Parks, but that they were interested in using the "parking lot" both to park cars of their customers and to serve as an area where they could erect tents for private events. The "parking lot" had been included in the prior Tavern concession, which terminated about eight years ago, but is not part of the current concession. Not including the "parking lot" in the RFP that led to the current concession agreement had been suggested at a meeting of this Committee and readily agreed to by the Parks Department. Since the announcement of this agenda item, the Committee received many written communications regarding this issue from community members (summarized later in the meeting as listed below).
- The Chair, through FOIL, requested Parks records related to discussions with the current licensees about permitting them to use space in Central Park that is not included in their License Agreement, but her request was denied on the basis that the information "would impair present or imminent contract awards".
- The Chair also read aloud an e-mail communication of November 28 from Joanne Imohiosen, who had been DPR Deputy Commissioner for Revenue during the prior Tavern license period, and then, after retiring from DPR, had been a member of CB7 and of this Committee. In the e-mail, Ms. Imohiosen referred to a "proposal" by the Tavern

¹ Referred to herein colloquially as a "parking lot" based on its use under the prior Tavern concession.

concessionaires for a “sole source” contract for the commercial use of the “parking lot”, which has not been used commercially (except for Marathon events) for eight years, saying that including the “parking lot” now would “change the deal” that had been made pursuant to a public competitive process. She said that she and neighbors are opposed to any such change.

- Also, independently, CB7 has received community inquiries about why the “parking lot” has not been modified and “greened” for other uses since it stopped being used for commercial purposes other than Marathon events.

Following the Chair’s opening remarks, Melissa Goldberg (Director of Concessions Compliance) and David Cerron (Chief of Revenue, Concessions, and Controls Oversight) presented to the Committee.

- Parks is aware of Tavern on the Green’s interest in using the “parking lot”, but no formal plan has been proposed for use and therefore there would be nothing to review at this time. Parks has requested that Tavern on the Green submit a detailed proposed plan of use for the “parking lot”. If/when such a plan is submitted, and if, as an agency, Parks believes that the proposal merits further discussion, Parks represented that they would then further engage with the Community Board around such a proposal.
- The space is currently used by New York Road Runners (“NYRR”) during the Marathon period to hold a large two-story structure. Tavern on the Green has a contract with NYRR to provide refreshments in that structure.

The Committee and Parks then engaged in an exchange of ideas and discussion regarding the use of the “parking lot”.

- Some on the Committee suggested that any discussion about the “parking lot” should include a discussion about how the area could be “greened” and made more “park-like” if it would not be used for other purposes.
 - o Parks commented that for greening/changing the “parking lot”, it would work hand in hand with the Central Park Conservancy (“CPC”), which is the organization that restores and manages the landscapes in the Park. Parks would not speak for the CPC as to what priority would be given to redevelopment of the “parking lot” if such a proposal were to be made. There are no project plans for the site at this moment.
- Parks also indicated that the Revenue Division would work with the CPC regarding any proposed use of the “parking lot” as an addition to the concession of the Tavern on the Green.
- Parks observed that they do not believe that a “sole source” contract process would be required if the “parking lot” were to be added to the concession, but stated that they would require further advice from the agency’s lawyers and Corporation Counsel prior to making any final decisions as to this point.

- Parks was responding to a point, which would become clearer in later discussion, regarding concern among Committee members that the use of the “parking lot”, if offered by Parks for a commercial use, would not be subject to an open bidding process. As this discussion developed, Parks also stated that valet parking is currently allowed under the license agreement with Tavern on the Green. [Chair’s note following the meeting: Though not in the “parking lot”; presumably off premises.]
- As the discussion developed, additional members of the Committee, including the Chair, articulated their belief that allocation of prime space in Central Park to the parking of private vehicles would be inconsistent with our contemporary values regarding the use of our public park land.
 - Parks stated that parking concessions do exist at other parks when such concessions are ancillary to another function.
- A member of the Committee then commented that the Committee should endeavor to understand what changed between the time of the RFP process that resulted in Tavern on the Green gaining the concession and today. Which part of its business plan was faulty or is failing that would require it to seek additional sources of revenue? Also, why would more space be needed to add revenue? Additionally, the Committee discussed that it would be instructive to look at the history of the space, via public records and photographs, to determine how the space was configured and used in the past and whether that could provide insight on proposed alternative uses going forward.
- The Committee agreed that it would take no action at this time, but appreciated the opportunity to gather facts and articulate its feelings to various stakeholders present at the meeting.

Members of the Community also provided commentary on the possibility that the “parking lot” be used by the Tavern concessionaires for additional profit-generating purposes.

Ira Gershenhorn commented that only Tavern on the Green is interested in keeping the “parking lot” paved and that steps should be taken to convert the “parking lot” to green space.

John Santilari, who lives at 55 Central Park West adjacent to Tavern on the Green, stated that, as a neighbor, he would be concerned about increased traffic, pollution and noise that parking in the “parking lot” would bring to the area.

Julie Greenberg, an agent and lobbyist for Tavern on the Green, indicated that it is an open question as to whether it can be successful in its current iteration and that they are exploring how they could be more successful in the space.

Bill Koster inquired into how long the NYRR structure had been erected in the area, why it was now two stories instead of a tent, and why the growth was needed. Parks responded that the question was more appropriate for their Special Events division, who handles that relationship, than the Revenue

division. However, Committee members mentioned that the current two-story glass pavilion has been erected for only the past two or three Marathon seasons.

Letters sent to the Committee by members of the community were read and summarized by members of the Committee.

Stephen Farinelli, a resident of 55 Central Park West, wrote regarding his concern about staging for storage and trash that could be added at the site, causing a potentially unpleasant visual effect, which would ideally be remedied by a screen that would block the service area from view.

Peter Greenwald, President of the Board of Directors of 55 Central Park West, wrote to indicate that he knows of no shareholder in his building that would support expansion of activity at Tavern on the Green. Mr. Greenwald also wrote a letter complaining that service areas are not shielded by flora.

Martha and Fred Mendelsohn, residents of 55 Central Park West, wrote to remind the Committee that the “parking lot” has not been used for commercial purposes for many years, but when it was used for such purposes, it caused unbearable traffic and noise.

Cynthia Hayes (address unidentified) wrote to express her concern that use of the “parking lot” may increase noise and other nuisance related to deliveries.

Isabel Davis, a resident of 55 Central Park West, wrote to express her opposition to commercial use of the “parking lot”.

Linda Jesselson, writing on behalf of a Mrs. Raunitz, a tenant at 55 Central Park West, expressed a strong opposition to expand commercial activity to the “parking lot”.

Wolf Hengst, a resident of 55 Central Park West, wrote that the current conditions of the “parking lot” are an eyesore and a disgrace.

During the discussion, two Committee members mentioned that large glass pavilion that the concessionaires have erected at the southeast façade of the Tavern building that has been in place from some time in October to some time in April of each year, and is used for private events, though it had not been presented to the community during the RFP review process. They mentioned that it obscures the façade of the building that was just restored at public expense of more than \$20 million, and that it has conflicted with the “affordable” take-out section of the Tavern operation, reducing its season and its seating when open. Parks responded that they have been working with the concessionaires to reduce the conflict between that pavilion and the take-out service, adding take-out seating closer to the bridle path.

The Committee adjourned at 8:25 p.m.

Preservation Committee

December 1, 2016

Present: Jay Adolf and Gabrielle Palitz, Co-Chairpersons, Meisha Hunter Burkett, Louisa Craddock, Mark Diller, Miki Fiegel and Peter Samton, Committee members. Roberta Semer, CB7 Chair, was also present.

The Committee met at the District Office, 250 West 87th Street. The meeting was called to order at 6:30 pm.

The following matters were considered and actions taken:

170 West 79th Street - Rodeph Sholom School (Amsterdam Avenue)

Application to the Landmarks Preservation Commission for a new upper rooftop play deck to provide additional recreation area for older middle school students. The renovation of a lower rooftop play deck for younger students is being reviewed by LPC staff.

Presentation by Danny Karpf, Rodeph Sholem School; Sara Grant & Dawid Pol, Murphy Burnham & Buttrick Architects

This item was first heard at the November 10, 2016 meeting of the Preservation Committee. It was held over and the school was urged to work with neighbors who were concerned about the design and height of the 'basketball cage,' greater noise level and reduction of light.

The following facts and concerns were taken into account in arriving at our conclusion:

- The school encompasses buildings at 170 West 79th Street and 163 and 165 West 78th Street. 170 West 79th Street is flanked by 19-story and 15-story residential buildings. Zoning is R10A. The upper rooftop play deck would be on the 170 West 79th Street building above the existing 4th floor.
- In order to level the play area, the sloped roof will be raised up to 2.5 feet (from back to front).
- Proposed rooftop area will provide 1,770 square foot roof deck at rear of the building with a completely enclosed, open air wire cage to be installed to allow for ball play.
- The reduced chain link fence enclosure will extend 20 feet above the new rooftop surface; the 18'-8" clear height is necessary to permit installation of basketball hoops at east and west sides of cage.
- Roof is presently an unoccupied space with existing mechanical systems and two roof bulkheads.
 - o Existing mechanical systems will remain; portions of the ductwork and smaller fans will be relocated to make room for play spaces.
 - o Bulkheads will be expanded in size for egress; a new bulkhead will be built for a new limited use ADA elevator. A small screened-in area in front of the bulkheads will allow access from the play space to the elevator and at the bulkheads.
 - o Elevator and stair bulkheads will be faced in light gray horizontal cement panels.

The following changes were noted at the 12/1/16 meeting after representatives of Rodeph Sholom and Murphy Burnham & Buttrick met with residents of the adjacent buildings.

- The height of the basketball cage was reduced 20%, from 25 feet to 20 feet. The clear height of 18'-8" is necessary to permit installation of basketball hoops at east and west sides of cage. This will serve school needs although it is not competition height.
- The mock-up for the basketball 'cage' was reduced in height. It is not visible from West 78th Street but is still partially visible on West 79th Street looking through the alley to the west of 170 West 79th Street.
- Still exploring materials for the chain link fence, to be installed on a metal structural frame, which may be vinyl-coated in white or black rather than a natural metal finish, in order to minimize visibility and reduce noise and impact of balls.
- Roof deck meant for recess activity for fifth to eighth grades (10-14 years), including basketball practice.

Public Comments:

- Dmitry Nemirovsky, 172 West 79th Street, Apt. 8C
In original presentations, the goal was seen as fresh air for kids. In reality, they already have a gym with a basketball court and the school is close to Central Park and Riverside Drive. The reality doesn't match the stated goals.
- Susan Bodnor, 172 West 79th Street, Apt. 9CD
Discussed the difference between a space and a place, her home. Noted it is as bad for children to have too many entitlements as to grow up deprived. Suggested building a year-round, lifetime garden to teach students to live in a sustainable world.
- David Schatsky, 172 West 79th Street
Spoke about visual impact of large fenced cage immediately outside apartment windows.
- Antonia Abraham, 172 West 79th Street
Spoke about certain times of day when the sun is glaringly reflected off the metal chain-link fence
- Robert Pierpont, 164 West 79th Street
Exhibited photo of mock-up from street with basketball cage vividly blocked out in orange. Also showed photos of basketball cage – ten feet away -- taken from the roof of 164 West 79th Street, the adjacent building to the east. Problem is the height of the basketball hoops. What about low ball activities to lessen the impact?
- Carlos Haro, 172 West 79th Street
Pointed out that two basketball hoops means two groups of kids, two basketballs. Noise is amplified. Talked about impact of noise upon naptimes of his ten month old child and that the sun at his window will be diminished.
- James Menapace, 164 West 79th Street
Part of community group that met with Rodeph Sholom. Said they asked for more time but did not get it and believes that they have not been able to influence the design. Said Rodeph Sholom refused to make a commitment about the lighting.
- Zach Hample, 164 West 79th Street

Played a recording, window open and closed, of children playing mid-afternoon (11/21). He works from home and finds he cannot do so with the present noise level.

Committee Comments:

- Peter Samton: The stairs are enclosed and roofed over. It isn't required. A: Doesn't need to be enclosed but must be roofed.
- Gabrielle Palitz: Rodeph Sholom School steps back 5'6" from the lot line and therefore the rooftop addition will be 17'-18' from 172 West 79th Street.
- Gabrielle Palitz: The Preservation Committee cannot discuss the appropriateness of the Rodeph Sholom program.
- Miki Fiegel: We should consider living walls. Greenery. A: Living walls are maintenance intensive.
- Jay Adolf: Asked whether Rodeph Sholom had considered not having basketball. A: The kids want basketball. JA: Can one basketball hoop be eliminated? Is it feasible to place it on the south side of the cage. A: There are meant to be two basketball hoops and the area would be too short if on the south side. JA: Hoops do not have to be opposite.
- Meisha Hunter-Burkett: Rodeph Sholom wants to work as well as it can with its neighbors. The lower play area, which is meant for use by the lower grades, could maybe be used for the middle grades. The basketball cage would be lower and less obstructive. The higher rooftop play area could be used by the lower grades. A: There might be access issues. The lower play area, however, has lower basketball hoops for younger children.
- Louisa Craddock: The possibility of free play during recess rather than organized sports should be considered. Sports activities are, by nature, noisy. The idea of a garden sounds appealing.
- Peter Samton: Noise is an issue. A basketball court is extreme. A green roof would be appropriate. The situation needs a compromise to make it work.
- Mark Diller: Can't tell school how to program curriculum but a landmarks analysis would find a 20 foot cage on top of a landmarked building inappropriate. Can't support a 20 foot rooftop addition. The school can use the rooftop, as-of-right, as a play area but is not entitled to build a 20 foot cage.
- Gabrielle Palitz: There is some visibility and therefore an impact on the street. A compromise could be achieved by flipping the use of the two rooftop play decks so that the lower school would use the higher deck. Therefore, the walls of the enclosed basketball cage can be lowered -- perhaps 10-12 feet rather than 18 feet. •

The Committee decided to address the issue in two parts.

- a. The Preservation Committee of Community Board 7/ Manhattan believes that the proposed design of the new and enlarged bulkheads, the mechanical equipment and the least viably intrusive fencing materials for the rooftop play deck are all reasonably appropriate to the historic character of the building and of the Historic District.
THEREFORE, BE IT RESOLVED THAT the Preservation Committee of Community Board 7/ Manhattan **approves** the new and enlarged bulkheads and the mechanical equipment, and the rooftop play deck fencing materials

Preservation Committee: 7-0-0-0.

Non-Committee Full Board member: 1-0-0-0

b. Regarding the specific design of the rooftop play deck, the following facts and concerns were taken into account in arriving at our conclusion:

- The totally enclosed, chain link fenced area on the upper play deck will extend 20 feet above the new rooftop surface, which will create an 18'-8" clear interior height to permit the installation of basketball hoops for middle school students.
- A portion of the new rooftop enclosure will be visible from the public way – through the alley to the west.

The Committee finds the visibility of the proposed 20 foot high enclosure to be significant, NOT minimal. Accordingly, the Committee requested the overall height of the enclosure be reduced eight feet to minimize the impact of its visibility from the public way and from the east-facing façade windows of the neighboring apartment building. The lower height enclosure would still permit some outdoor ball play but preclude middle school student scaled basketball. The Committee suggested that the basketball function be shifted to another outdoor play deck on a lower floor than this rooftop enclosure (currently being renovated), since that lower level play deck is fully contained within the rear yard and fully concealed from the public way.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed design of the new rooftop play deck which is partially visible from the public way is overscaled for the building, too tall and therefore inappropriate to the historic character of the building and of the Historic District..

THEREFORE, BE IT RESOLVED THAT the Preservation Committee of Community Board 7/ Manhattan **disapproves** the design of the rooftop play deck.

Preservation Committee: 7-0-0-0.

Non-Committee Full Board member: 0-0-1-0

351 Amsterdam Avenue (West 77th Street.) Application to the Landmarks Preservation Commission to request legalization of the first floor storefront façade.

The following facts and concerns were taken into account in arriving at our conclusion:

- The three buildings, 349, 351 and 353 Amsterdam Avenue, show a continuity of horizontal and vertical brick framing elements, most evident still in 349 Amsterdam Avenue.
- The design approved by LPC retains the original horizontal and vertical framing.
- The proportions of the glazing – the height of the transoms, the tall elongated pieces of fixed glass, and the door widths, all reinforce the verticality of the primary historic architectural detail.
- The height of the doors has been reduced from eight feet to seven feet.
- a pair of slender cast iron columns at the center of the storefront are still referenced in the design of the renovated storefront at 349 Amsterdam Avenue.
- The existing as-built design has introduced several additional metal verticals which visually detract from the central cast iron columns.
- The pair of service doors now contained between the columns is too narrow and appears out of scale. They are not suitable for egress.
- The proportion of the new doors and windows are shorter and squatter than the approved LPC design, bear less relationship to the more vertical original proportions.
- The installed signage board is taller than the horizontal brick sign band and fully conceals the historic fabric of the original brick band.
- The historic fabric of the side brick framing elements is also concealed by the new storefront structure.

Committee Comments:

Meisha Hunter-Burkett: The historic nature of the brickwork has been obscured by the new design. The new windows are clunky and heavy. The organizing element should be the two vertical cast iron columns in the center. The low height of the doors and the increased height of the transoms is not respectful.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed design of the existing storefront is inappropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT the Preservation Committee of Community Board 7/ Manhattan **disapproves** the legalization of the existing storefront facade

51 West 81st Street (Columbus Avenue.) Application to the Landmarks Preservation Commission for a master plan for window replacement.

The following facts and concerns were taken into account in arriving at our conclusion:

- A building-wide replacement window master plan is proposed.

- The building was originally constructed as a hotel. It was later converted to an apartment building, altering the internal unit configuration, which impacts some of the window openings and the design of the windows contained within.
- The proposed master plan proposes to replace all the existing windows in kind, modelling the new windows on the current existing windows.
- The original window design appears to have consisted of individual one-over-one double hung wood windows, and pairs of one-over-one double hung wood windows, with center mullions.
- Some double hung windows appear to have been converted to triple hung windows in the 1950's and then converted back to double hung wood windows in the 1970s.
- All original windows have been replaced with new aluminum replacement windows, typically one over one singles, and window pairs butted together with no center mullion where the internal plan permits.
- Arch-headed window openings at the second floor (the top story of two-story high arched masonry enclosures) are currently made up of shorter double-hung flat-topped windows with fixed curving head transom units.
- Upon closer inspection of historic photos presented, the Committee found evidence that the proportions of the original windows were different, heftier, designed to complement the robust architectural vocabulary of the building, which includes a three-story rusticated stone base and a red-brick clad façade with distinctive contrasting limestone lintels

The Committee urged the architect to conduct further research into the historic records and modify the proposal to create windows with proportions and details that approximate the originals windows in heft and design.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed replacement window master plan does not reflect the proportions or the details of the original windows within the building's architecturally robust facades, and is inappropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT the Preservation Committee of Community Board 7/ Manhattan **disapproves** the proposed window replacement master plan.

Preservation Committee: 6-0-0-0.

Steering Committee

November 15, 2016

Steering Committee of Community Board 7/Manhattan met at the District Office, 250 West 87th Street. The meeting was called to order at 6:35 pm by Chair Roberta Semer.

Committee Members Present: Roberta Semer, Andrew Albert, Audrey Isaacs, Christian Cordova, Elizabeth Caputo, Gabrielle Palitz, Howard Yaruss, Jay Adolf, Madge Rosenberg, Page Cowley, Suzanne Robotti.

Non-Committee Members Present: Kenneth Coughlin, Louisa Craddock, Mark Diller, Susan Schwartz.

The following matters were discussed:

1. Emails.

Roberta Semer:

- We are being FOILed by a neighbor of Congregation Shearith Israel.

CB7 Comments:

- Can make an email with CB7 as part of a username for email.
- Cannot delete emails as regard to CSI.

2. Agendas and Minutes.

Roberta Semer:

- We are not consistently creating Agendas in a timely fashion to be able to publish on the CB7 Website.
- Agendas are needed 2-3 days before the end of the month.
- Some committees are not submitting minutes.

3. Press Policy.

Roberta Semer:

- Board members should not talk to any media unless authorized by the CB7 Chair.
- Committee chairs may only talk to media when authorized by the CB7 Chair.
- Board members should only talk to media as individuals, not as representing the Board.

CB7 Comments:

- Q: Can you then not be identified as a CB7 member?

- A: You need to make clear that you are talking as an individual and not for the Board. You can identify yourself as a Board member. Do not talk about any other Board member's motivations or stances.
- We can follow the mayor's office media policy.
- It is ok to provide factual data.
- When a Board member talks with media it creates the problem of a reporter calling and blindsiding the Board Chair with comments.
- Roberta: Will put media guidelines in writing for all Board members.
- Sue Robotti: guidelines were sent before, will send them again.

4. Co-Chair Changes.

Roberta Semer:

- Howard Yaruss is replacing Dan Zweig as Transportation Committee Co-Chairperson.
- Eric Shuffler is stepping down as Co-Chairperson of the Youth, Education & Libraries Committee after December.
- Polly Spain is no longer Co-Chairperson of the Housing Committee due to being elected Second Vice-Chair.

5. Core and Working Principles.

Roberta Semer:

- Please, take the Core and Working Principles handout back to committees for review and possible changes.

6. New Member's Recruitment.

Roberta Semer:

- The application period for New Community Board Membership starts on November 15th.
- The application dateline is January 31st.
- Existing Board members should re-apply if needed.
- Will check to see if the Manhattan Borough President Office will remind existing members to re-apply.

7. December Full Board Agenda.

Roberta Semer:

- Preservation Committee will meet on Thursday December 1st (instead of 2nd Thursday of the month)

CB7 Comments:

- Preservation Committee: the Landmarks Preservation Commission application by 170 West 79th street may be controversial.

- Land Use Committee: received a data dump of emails and documents in regards to Congregation Shearith Israel. May not be able to come with a resolution because of the wealth of materials. Meeting on November 16th: have over 27 documents, plus CD, plus hardcopy of data. Page Cowley expects many people to come to the Committee meeting.

8. Committee Updates.

Roberta Semer:

- Youth, Education & Libraries Committee trying to get a December meeting with PS191 principal and parents.
- Mark Levine is having a sanitation program Thursday November 17th at 6pm at the Bloomingdale library.
- The Housing Committee will be discussing the HDFC program in their December meeting. 27% of those buildings have financial difficulties (DAMP tax).

CB7 Comments:

- Transportation Committee: will get elected officials to come to December meeting about some issues (e.g. control of red lights speed cameras, 96th street southbound exit on Henry Hudson, getting much more timely information to DOT about auto collisions).
- Health & Human Services Committee: working on crime prevention report.
- Communications Committee: working on an e-newsletter.

9. New Business.

- Louisa Craddock felt blindsided at November's Full Board meeting by the Parks & Environment Committee's resolution on the Riverside Park Bike Path.
- Q: Can members receive notifications of resolutions like this one before the FB meeting to have enough time to check things out?
- A: Look at the committees' agendas before their meetings. Also, if "500" people show up for a particular issue, the committee chair may notify the Board Chair of the keen interest on that subject.
- We have the opportunity to mention these types of issues at the Steering Committee meetings for members to know about them.
- Committee chairs can contact Roberta and then it can be decided how to notify the Board members so that they can have an opportunity to inspect the sites for themselves.
- We need to use neutral language on the notifications.
- Materials can be emailed to the Board members when these issues come up.
- Normally members don't read issues before their committee meeting. If you are serving on a committee with issues, be prepared before the meeting to discuss the issues.

The meeting ended at 7:12 pm.

Transportation Committee

November 3, 2016

Chair Andrew Albert called the meeting to order at 7:03 P.M.

Present: Andrew Albert, Isaac Booker, Ken Coughlin, Miki Fiegel, Marc Glazer, Richard Robbins, Suzanne Robotti, Howard Yaruss and Dan Zweig. **Board Chair:** Roberta Semer.

CB7 Chair Roberta Semer announced that Dan Zweig would no longer be Co-Chair of the Committee.

Park Royal

Michael Pressel, of Management, and Miranda Levinstein, the Board President, of the Park Royal appeared before the Committee to make their request for a restoration of a no-parking zone in front of their building on West 73rd Street, between Central Park West & Columbus Avenue. DOT has removed the no-parking signs in front of their building, and it has created a dangerous situation, with lots of double-parking. This block includes the NY Sports Club, 2 doctor's suites, many new apartments. It's a unique block, in that many huge buildings empty on to it, and there are many large apartment buildings here, including the Olcott, Mayfair Towers, & the Dakota. All use this block for deliveries, pickups, etc. After a brief discussion, the following resolution was passed:

Resolution: CB7 urges DOT to restore a 3-car length "No Parking Anytime" zone in front of the Park Royal on West 73rd Street.

Vote: Comm: 9-0-0-0

NCB : 1-0-0-0

Discussion of open DOT items - Andrew Albert

A discussion of still open items that DOT has not yet acted upon took place. Items include getting correct & timely accident stats from the NYPD, 96th/West End Ave signal changes, restoration of the 96th St exit from the southbound HHP, etc. Andrew stated he would like to get a NYS elected official to a future meeting to discuss the 96th St exit, local control of red light/traffic cams, and better & timely accident stats. Andrew stated he would draw up the entire list, send it to Rich, who will create a spreadsheet for future action.

96th/West End Ave

A discussion of the safety concerns at this intersection took place, with many claiming near-misses and not adequate pedestrian safety due to a quick-changing traffic signal here. The Committee's concerns about this intersection will be sent to DOT, with discussion with a DOT representative at the next committee meeting. A look at the Nelson-Nygaard recommendations for this intersection will also take place at the next Transportation Committee meeting.

New Transit Service-Andrew Albert

Andrew gave an update on the November 7th changes to the transit map, including the return of the W train, a temporary cutback of the Q line to 57th St/7th Ave, prior to the opening of the 2nd Avenue subway, and late-nite improvements to the R line, including an extension to Whitehall Street.

Turn Signal - 96th/Broadway

A report about problems with the above traffic signal was reported. This will be investigated and reported to DOT for a fix.

Future Meetings

A discussion of topics for future meetings took place, with suggestions ranging from another look at parking, to examining Broadway, the lack of throughput on our Avenues, electronic delivery bikes, more loading zones, etc.

Youth, Education, & Libraries Committee

November 17, 2016

The Youth, Education & Libraries committee of Community Board 7/Manhattan met on Thursday, November 17, 2016 at the District Office, 250 West 87th Street, in the District. The meeting was called to order by co-chairs Blanch Lawton and Eric Shuffler at 6:35 pm.

Present: Blanche Lawton, Eric Shuffler, Tina Branham, Mark Diller, Paul Fischer, Rita Genn and Sarina Gupta. **Chair:** Roberta Semer.

The following topics were discussed and actions taken.

New York Public Library – Performing Arts Branch Library. Application to the Public Design Commission for changes to lighting of the entrance on the Lincoln Center Plaza entrance and to the blade signs above the Amsterdam Avenue entrance to the Performing Arts Branch.

The Library for the Performing Arts (the "Performing Arts Library") is a specialty branch of the New York Public Library housing a collection of manuscripts, texts, audio, video and other media relating to the study, history, analysis, practice and presentation of a wide variety of performing art forms. The branch is located on the campus of Lincoln Center and is integral to the Eero Saarinen-designed complex that is home to the Vivian Beaumont, Mitzi Newhouse and Claire Tow theaters.

The Performing Arts Library has entrances on the Lincoln Center plaza and on Amsterdam Avenue. The plaza entrance is protected by a glass and steel canopy that currently has panels of lighting along its length filtered through perforated steel and opaque plexiglass covers. The Amsterdam Avenue entrance has a series of five blade panel signs above the entrance opening, which blade panels are illuminated from within. Neither the blade signs nor the glass and steel canopy are original to the building or the Saarinen design.

The NYPL proposes to replace the current lighting under the plaza canopy with a series of LED strips that will focus light on the entranceway. The strips providing the lighting will be concealed behind the existing steel front frame of the canopy and will reduce the visual impact of the lighting feature. The strips will focus illumination on the entranceway and will be angled not to be in the line of sight of a pedestrian unless she/he looks directly at the proposed apparatus.

The NYPL also proposes to replace the internal lighting within the blade signs with an LED system that will provide more diffuse light in the existing blade panels without the need for panels and materials to scatter and diffuse the light to create an even internal illumination of the sign. The power for the new lighting will be obtained through the existing conduits located in the anchors for the blade signs.

The two proposed lighting changes are sensitive to their surroundings, will increase safety while lowering energy consumption, and are appropriate to the design and nature of the building to which they will be added.

Community Board 7/ Manhattan

Based on the foregoing, the YEL committee adopted a resolution recommending approval of the NYPL's application to the PDC.

VOTE: 6-0-0-0; Non-Committee Board members 1-0-0-0.

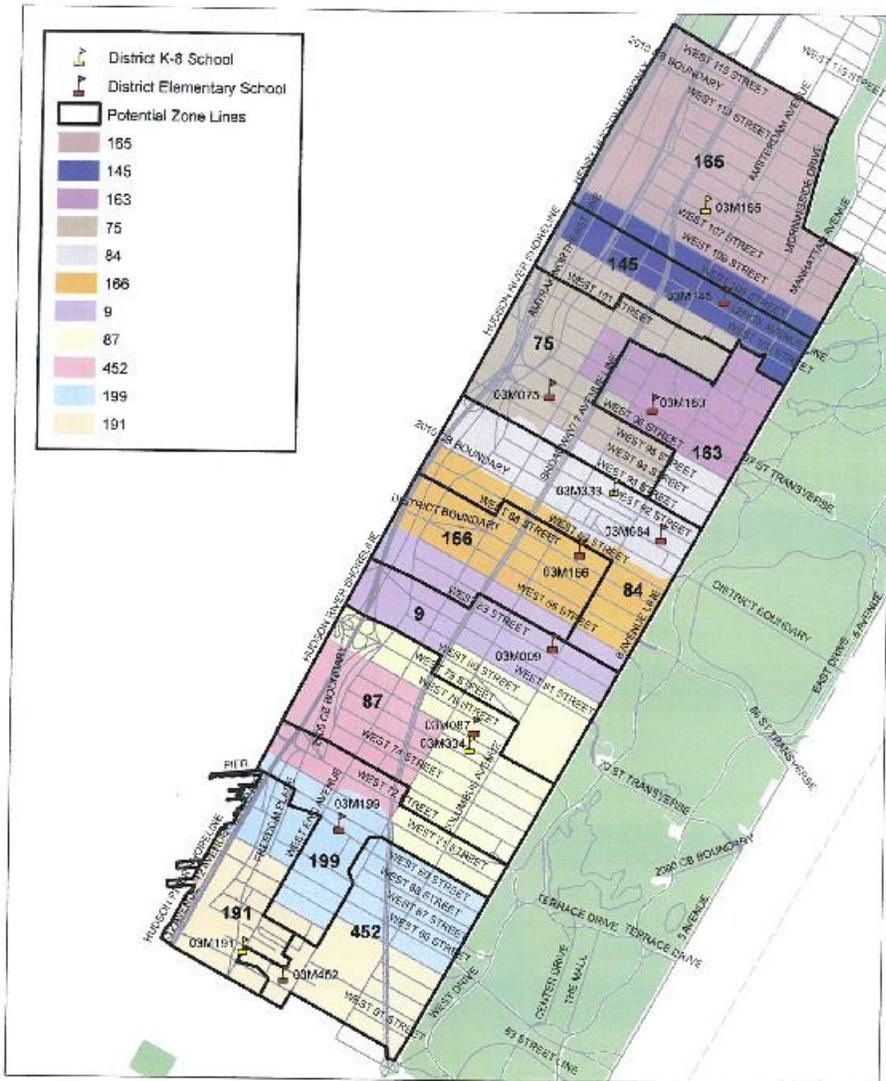
Update on Rezoning Proposals for the Northern and Southern Portions of Community School District 3 as presented by the Department of Education to the District 3 Community Education Council.

Key elements of the Final Rezoning Proposal as presented to the CEC by Community Superintendent Ilene Altschul and Sarah Turchin, Director of Manhattan Planning, DoE Office of District Planning:

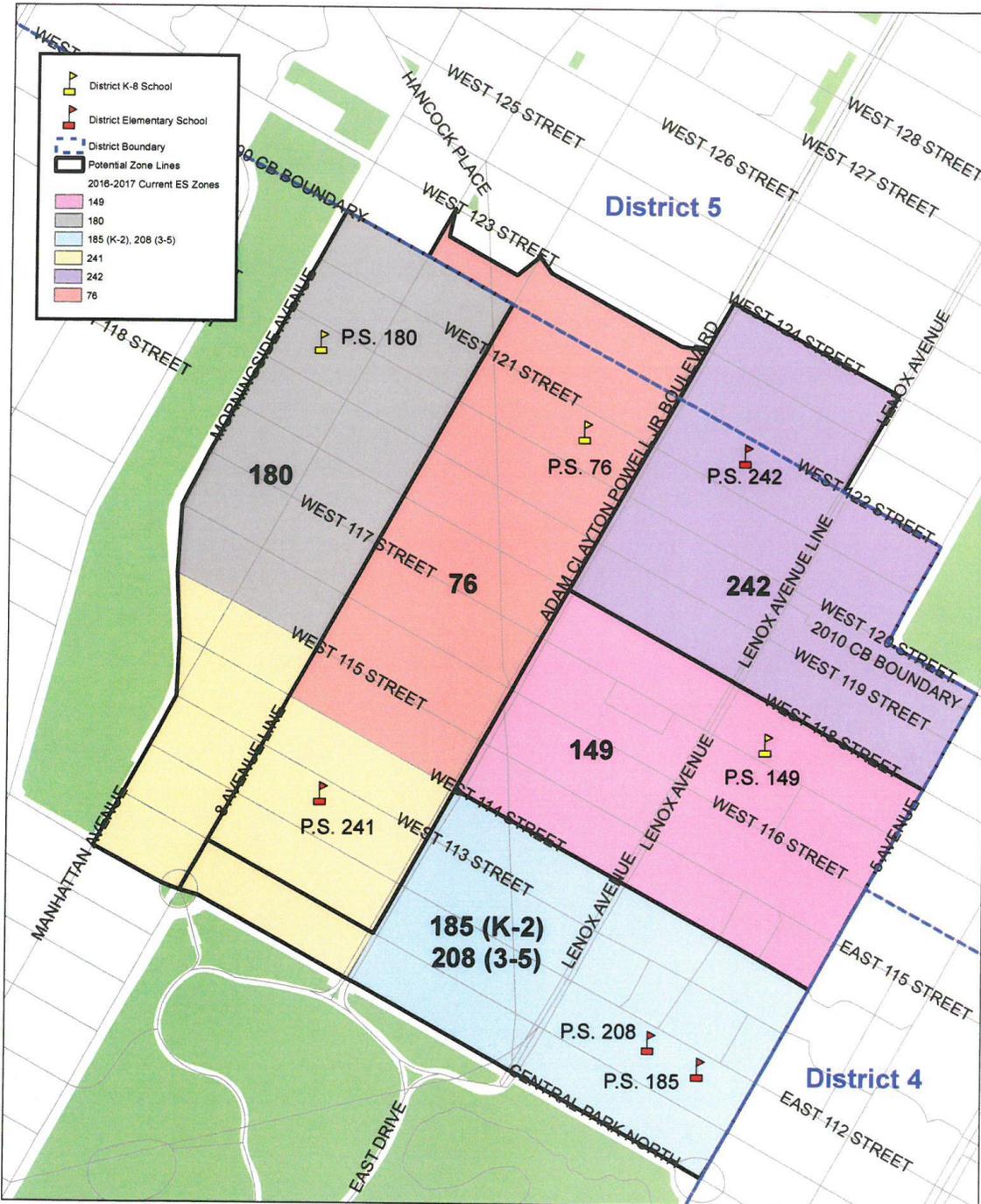
1. PS 191 to move into RSC building
 - PS 191 is now poised to succeed under Principal Lauren Keville's leadership.
 - (a) School has retained literacy and math coaches to support the teachers with their innovative curriculum and in meeting students' needs.
 - (b) Implementing a different math curriculum ("Terc") that has a track record of success.
 - (c) Retaining the literacy curriculum that features three different approaches (TC Lucy Calkins Reading & Writing program; oral history type story-telling program; and a writing-centered approach)
 - (d) DoE will add a district-based G&T program starting at 3rd grade in 2017 (Chancellor Farina favors starting G&T at 3rd grade)
2. PS 199:
 - (a) Proposal will reduce overcrowding, allowing the school to restore use of cluster rooms.
 - (b) Plan includes a reduction in anticipated enrollment (unclear whether the requested reduction includes scaling back to 5 sections of Kindergarten)
3. PS 452 to relocate into the 191 building:
 - (a) Re-siting will provide 452 and Principal Scott Parker the room to expand and grow that the confines of the O'Shea building cannot afford.
 - (b) Some accommodation will be made to parents in the current 452 zone for bus transportation to the new site.
4. Recitation of goals for rezoning centered on the need to solve overcrowding in the southern portion of the district. Minimal mention of the goal of ending isolation based on economic status, race or ethnicity.
5. Goals: same as for previous presentations (overcrowding, diversity).
6. Re-siting PS 191 to PS 342 Building
 - (a) Joint public hearing held at PS 191 on 11/7/16.
 - (b) Re-siting proposal to be voted on by PEP on 11/16/16.

7. Re-siting PS 452 to the 191 building.
8. Re-siting the Dual Language MS to the space to be vacated by PS 452 in the O'Shea Complex
 - (a) Re-siting DLMS will free up space for the successful dual language elementary school programs at PS 84.
 - (b) Focus on expanding the French dual language elementary program (although it is possible the Spanish dual language program would be expanded if there were sufficient demand that cannot be met by other Spanish DL programs in the District).
9. One goal of rezoning is to create "sustainable" zones. Sustainability includes anticipating and providing for:
 - (a) Demand for seats expected from new construction already in the pipeline.
 - (b) Ensuring that the new zones promote diversity.
 - (c) Minimize geographic barriers (e.g. limiting the number of dangerous intersections through which students would be expected to navigate en route to school).
10. New Map:
 - (a) Lincoln Towers: 165 WEA and 185 WEA are still proposed to be rezoned to PS 191.
 - (b) New map does not also rezone 205 WEA to PS 191, as the CEC's 10/18/16 letter to DoE proposed.
11. Impact of proposal includes increased diversity at all impacted schools (some may take time to be seen due to grandfathering etc.).
12. Separate Rezoning - Central Park North to West 124th Street.
13. Key elements of the rezoning:
14. For 2017:
 - (a) Consolidation of PS 241 (and its highly regarded "STEM" program) into PS 76 in the 76 building.
 - (b) Closing PS 241 as a distinct entity/school.
15. Beyond 2017:
 - (a) The PS 241 catchment would be split among PS 76, PS 180, and PS 185/208 to the north, northwest, and east.
 - (b) Goal is to minimize travel distance of the affected families by allocating buildings to the nearest surrounding school building.
16. Empty space in 241 building:
 - (a) No clear plan included in the Rezoning Proposal.

- (b) The future use of this space "will be the subject of community engagement."
- (c) NOTE: the DoE tried unsuccessfully to close 241 in 2009 and to give the entire building to the Success Charter network. Success Charter and Opportunity Charter are the other occupants of the 241 building, and have aggressively sought to occupy space in the building (and have targeted 241 families for solicitation to enroll).



**District 3 Rezoning Proposal: W. 59th St to W. 116th St
For 2017-2018 Implementation**



**District 3 Rezoning Proposal: Central Park North to W 124th St
For 2017-2018 Implementation**