

RESOLUTION

Date: May 1, 2018

Committee of Origin: Transportation

Re: Approval of Guidelines for Secondary Street Naming.

Full Board Vote: 33 In Favor 6 Against 2 Abstentions 0 Present

Committee: 6-2-0-0. Non-committee Board Members: 2-0-0-0.

1. Secondary Street Name signs must be positioned with a Primary Street Sign in order not to confuse visitors. Effort will be made to avoid placing them on busy intersections, intersections that are cluttered with signs, or intersections where there have been a large number of vehicle crashes.
2. After 10 years Secondary Street Names are reviewed.
3. No political organizations will qualify for a Secondary Street Name.
4. Requests for Secondary Street Names must include proof that residents of the block and members of the family do not object. A petition with at least 100 signatures from the local area is required; as well as proof that notices were posted on the street to confirm there were no objections and that institutions and major organizations on the street were informed.
5. People and Non-Profit Organizations who may be considered for a Secondary Street Name must meet at least one of the following conditions:
 - A. There is compelling evidence that the person or not-for-profit entity proposed for a secondary street naming contributed in an extraordinary way to the welfare of the block and/or the community and the country. The person or organization had a long standing direct presence and relationship with community (10 years or longer).
 - B. The person is deceased and there is no plaque or other official acknowledgement of them in the District (as well as no known plans to do so).
 - C. The person had an untimely death that led to a greater awareness of the cause of death and concerted effort to address the problem.
 - D. The not-for-profit institution or organization requesting a Secondary Street Name is located on the block and has made a transformative contribution to the community for over 25 years; or it is the year of a significant event for the institution (i.e. the 250th anniversary of service to the community). Limit the time of the naming to the year of the significant event.

RESOLUTION

Date: May 1, 2018

Committee of Origin: Transportation

Re: Secondary Street Naming, Corine Pettey

Full Board Vote: 33 In Favor 5 Against 1 Abstention 0 Present

Committee: 4-2-1-0. Non-committee Board Members: 4-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the request in honor of **Corine Pettey** by Paul Fischer at West 101st Street on the N/W/C of Central Park West.

RESOLUTION

Date: May 1, 2018

Committee of Origin: Transportation

Re: Congestion Pricing

Full Board Vote: 32 In Favor 2 Against 7 Abstentions 0 Present

Committee: 7-0-0-0. Non-committee Board Members: 4-0-0-0.

Community Board 7/Manhattan has called on the state to impose a "congestion pricing" program in Manhattan in order to reduce traffic congestion, improve air quality, help fund mass transit and, in general, promote alternatives to vehicular transportation. The state has failed to adopt this program and, instead, is imposing fees on taxis and for hire vehicles.

THEREFORE, CB7 RESOLVES that imposing fees on taxis and for hire vehicles encourages the use of individual private vehicles creating more congestion and pollution and, in general, undermining the goals of congestion pricing. We reiterate our support for a congestion pricing program and, in the interim, call upon the state to impose commensurate fees on individual private vehicles.

RESOLUTION

Date: May 1, 2018

Committee of Origin: Housing

Re: NYS A741 - Preferential Rent

Full Board Vote: 31 In Favor 0 Against 7 Abstentions 0 Present

The following facts and concerns were taken into consideration in arriving at our conclusions:

- i. Prior to June 2003, landlords who gave tenants in rent regulated housing “preferential rents” (rent lower than the legal registered rent) were required to use such preferential rents as the basis for the rent upon renewal of the tenancy for as long as that tenant stayed in an apartment, with any increases based on the discounted preferential rent rather than the legal maximum rent.
- ii. On the last night of that year’s legislative session, with the state’s rent stabilization laws about to expire, the State Senate forced through as a condition of renewal of rent regulation an amendment to the rent stabilization law that allows landlords to rescind preferential rents when the tenant renewed a lease, and to allow landlords to base renewal rents on the prior maximum legal rent rather than the preferential rent, unless the lease explicitly forbade it. The Senate then adjourned, leaving the Democratic-controlled Assembly with the choice of accepting the changes or letting rent stabilization in its entirety die.
- iii. By the end of 2003, there were more than 100,000 apartments with preferential rents statewide. The number surpassed 200,000 in 2010. As of October 2016, there were approximately 250,000 such apartments.
- iv. The Assembly has passed bills to repeal the preferential rent loophole six times since 2009, most recently on June 14, 2017. These bills would have prohibited owners from raising preferential rents by more than the annual Rent Guidelines Board permitted increases while a tenant remains in the apartment or if a previous tenant moved out because the apartment condition breached the warranty of habitability. The Senate has failed to pass or even vote on any version of these Assembly bills.
- v. The only reform concerning preferential rent to have passed the legislature was a 2015 amendment to the rent stabilization law that prevented landlords from charging the full 20 percent vacancy increase if the previous tenant had a preferential rent and lived in the apartment less than four years.
- vi. The loss of a preferential rent upon renewal can cause a longstanding rent regulated tenant severe financial hardship and often results in a tenant having to move out, after which an apartment is quickly destabilized.
- vii. Since 2003, at least 160,000 apartments have been taken out of rent stabilization using a combination of the following:
 - a. 20% vacancy allowance
 - b. 0.6% per year longevity increase for tenancy over 8 years
 - c. 1/60th of the cost of IAI (Individual Apartment Improvements)
 - d. High rent / high income vacancy decontrol
 - e. Loss of preferential rent

- viii. Assembly Bill A741 seeks to redress the effects of preferential rents on rent stabilized tenants, who include many of our most vulnerable neighbors.
Key elements of A741 and its Senate counterpart S3712 include:
- a. Prohibiting a landlord from increasing the renewal rent of an apartment with a preferential rent by more than the then-permitted annual RGB increase while a tenant remains in the apartment; only upon a tenant's vacancy could an owner remove a preferential rent.
 - b. Rescinding the ability of a landlord to remove a preferential rent upon the vacancy of a regulated apartment where the vacancy was caused by the landlord's failure to maintain the apartment in a "habitable condition" as required by the implied warranty of habitability.
- ix. This legislation has broad support in the Assembly and Senate.

Community Board 7/Manhattan believes restoring preferential rent will protect affordable housing units in our community and throughout the City. Without this legislation, approximately 250,000 units of affordable housing with preferential rent are at risk of being deregulated and the tenants displaced. We urge the expedient passing of this legislation.

Community Board 7/Manhattan applauds the efforts of NY State Assembly Members Linda B. Rosenthal, Richard Gottfried, and Daniel J. O'Donnell, and NY State Senators Marisol Alcantara, Brad Hoylman, and José M. Serrano for their tireless efforts on behalf of the residents of our district, in preserving, building and reclaiming affordable housing.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan urges the Legislature to pass NY State Assembly Bill A741 and NY State Senate Bill S3712, and the Governor to sign the bills into law with the urgency befitting the crisis posed by the current law concerning preferential rent.

Committee vote at Pre-meeting

RESOLUTION

Date: May 1, 2018

Committee of Origin: Housing

Re: NYC Intro 601 - Fair Housing Plan.

Full Board Vote: 37 In Favor 0 Against 2 Abstentions 0 Present

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

- April marked the 50th anniversary of the Fair Housing Act (Title VIII of the Civil Rights Act of 1968). This Act prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status. The US Department of Housing and Urban Development (HUD) is responsible for monitoring compliance to this law.
- In 2015, the Obama administration enacted the Affirmatively Furthering Fair Housing (AFFH) rule to combat discrimination in housing policy. AFFH is a legal requirement that federal agencies and federal grantees further the purposes of the Fair Housing Act by to conducting an Assessment of Fair Housing (AFH) planning process. The AFH planning process is intended to help communities analyze challenges to fair housing choice and establish their own goals and priorities to address the fair housing barriers in their community.
- Earlier this year, Secretary of HUD, Ben Carson, announced that HUD will delay implementation of the anti-segregation measure AFFH. The due date was pushed back five years for most jurisdictions, including NYC.
- Delaying the implementation of AFFH undermines an important tool to hold the City of New York accountable to address historic segregation and housing discrimination in New York City.
- In light of this delay, Housing Preservation and Development (HPD) announced that it would proceed with its own fair housing planning process, “Where We Live NYC.” HPD plans to seek input from community stakeholders impacted by the rule. HPD will use this input and data to compose a report outlining how the city can foster inclusive communities, promote fair housing choice, and increase access to opportunity for all New Yorkers.
- Intro. 601 seeks to codify this fair housing planning and to increase transparency and community consultation around the development of affordable housing in New York City.
- Intro. 601 would require the mayor (through HPD) to submit a fair affordable housing plan to the council, which shall provide for the creation and preservation of affordable housing in the city in a manner that affirmatively furthers fair housing.
- Intro. 601 mandates yearly reporting on the citywide current and projected need for extremely low income (ELI), very low income (VLI), low-income (LI), middle-income (MI) and supportive housing units. Additionally, the bill requires HPD to report yearly on the creation and preservation of affordable housing development units by Neighborhood Tabulation Area.

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- Intro. 601 requires that the plan be developed in consultation with stakeholders, including real estate developers, building owners, tenant advocacy organizations, affordable housing advocacy organizations, legal service providers, and other relevant persons.

The Housing Committee of Community Board 7/Manhattan applauds the efforts of the City Council to further the goal of fair housing in New York City, especially in such a time when HUD has delayed and ignored its role in enforcing fair housing.

The Housing Committee of Community Board 7/Manhattan urges City Council to amend the legislation's requirement for public outreach to include consultation specifically with community boards, in addition to the other stakeholder groups already listed in the bill.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan supports the efforts of our elected officials and urges expedient passage of Intro. 601 by the New York City Council.

Committee vote at Pre-meeting

RESOLUTION

Date: May 1, 2018

Committee of Origin: Preservation

Re: 104 West 76th Street, Apt #5 (Columbus Avenue.) Application to the Landmarks Preservation Commission for a rooftop addition and enlargement of two-rear-facing windows.

Full Board Vote: 35 In Favor 1 Against 2 Abstentions 0 Present

Committee: 4-1-0-0.

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

- There is an existing “mezzanine” roof structure which begins below the level of the existing roof and extends 6’-6” maximum above the roof.
- The proposal is to enlarge the existing mezzanine with a 220 sf. addition at the rear, which is not visible from the public way. The overall expanded mezzanine structure will extend approximately 1’-4” higher than the existing mezzanine roofline.
- The existing building staircase will be extended up to the roof, replacing an internal roof-access ladder. The stair extension will require a new bulkhead which will project 1’-6” above the new mezzanine roofline. The bulkhead is partially visible from the public way.
- The new mezzanine expansion and stair bulkhead will be clad in beige stucco, with dark gray steel windows with insulating glass at the rear and with black painted wood and insulating glass doors by Marvin at the front.
- At the rear façade, the existing top floor façade will be modified. The existing door will be widened, and the two existing double-hung windows and intermediate brick wall section will all be combined to create a single wider and taller opening: a central door pair with Juliet balcony with flanking side-lights. New openings to have bluestone lintels. This fenestration is designed to match the design of the existing fenestration on the two floors below, which was installed in a prior recent renovation, designed by the same architect.
- All new fenestration to be gray steel doors with insulating glass, to match existing below as well as new fenestration at expanded mezzanine above.
- All new railings at fourth floor and mezzanine decks and at Juliet balcony to be dark gray metal with an ipe wood cap.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed rooftop addition and modification of the rear façade fenestration master are reasonably appropriate to the historic character of the building and the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the rooftop addition and the enlargement of two rear-facing windows.

RESOLUTION

Date: May 1, 2018

Committee of Origin: Preservation

Re: 47 West 94th Street (Columbus Avenue – Central Park West.) **Application to the Landmarks Preservation Commission for a set-back rooftop addition and extension of existing chimney, an expansion of the existing rear extension, an excavation to increase height of the existing cellar level, façade masonry restoration and window replacement.**

Full Board Vote: 37 In Favor 1 Against 2 Abstentions 0 Present

Committee: 5-0-0-0.

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

Proposed front façade work includes the following:

- Repair front masonry façade as required.
- Replace existing aluminum windows with new double-hung thermal wood windows, one-over-one by Marvin, painted finish, White Dove color.
- Remove existing grille at Parlor floor window.
- Repaint the existing metal stoop railings black.
- Restore tooled surface of stoop walls and at knee wall enclosing front entry court.

Proposed rear yard work includes the following:

- Remove stucco and restore existing brick cladding at existing rear facade.
- Replace existing aluminum windows with new double-hung thermal wood windows, one-over-one by Marvin, painted finish, White Dove color.
- Remove existing two-story partial width rear yard addition and replace with new two-story full-width addition, extending 12'-9" from rear façade to 30 foot setback line.
- New addition to have large two-story central glazing element with narrow side and horizontal brick cladding bands. In-swinging wood door pairs with fixed transoms above to be painted wood with insulating glass by Marvin, White Dove to match windows throughout.
- Side walls to be sheathed in common brick to match rear façade.
- All new railings at terraces and at exterior garden stair to be black painted steel with ipe wood caps.
- Entire existing cellar and new cellar space below new rear yard addition to be excavated 13" down, underpinned at party walls.

The Committee urges the applicant to reduce the overall extent and modulate the scale of the full-width fenestration proposed for the enlarged rear yard addition, and to expand the extent of masonry cladding framing the sides of this fenestration.

Proposed rooftop work includes the following:

- New 10 foot tall rooftop addition to be constructed, set back 16 feet from front façade, 3'-8-3/4" back from rear façade. Addition to be clad in light colored "HardiBoard" cement board siding, White Dove or similar light color. The new rooftop addition is not visible from the public way.
- New in-swinging painted wood doors at rear with insulating glass by Marvin to match all new windows and doors throughout.
- Above new rooftop addition, new service roof with mechanical equipment and open metal railing, not visible from the public way.
- New required chimney extension will be partially visible from the public way. It will be clad in brick to minimize its visibility.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed rooftop addition, chimney extension, expanded rear yard addition, cellar excavation, and front façade restoration work including replacement windows are all reasonably appropriate to the historic character of the building and the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the proposed rooftop addition, chimney extension, expanded rear yard addition, cellar excavation, and front façade restoration work including replacement windows.

RESOLUTION

Date: May 1, 2018

Committee of Origin: Business & Consumer Issues

Re: 491 Columbus Avenue (West 80th Street)

Full Board Vote: 39 In Favor 0 Against 1 Abstentions 0 Present

Committee: 8-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** new applications to the SLA for two-year liquor license by Onur Oktas or Corp to be formed.

RESOLUTION

Date: May 1, 2018

Committee of Origin: Business & Consumer Issues

Re: 447 Amsterdam Avenue (West 83rd Street)

Full Board Vote: 39 In Favor 0 Against 1 Abstentions 0 Present

Committee: 8-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** new applications to the SLA for two-year liquor license by Gazala's 1, Inc., d/b/a Gazala's.

RESOLUTION

Date: May 1, 2018

Committee of Origin: Business & Consumer Issues

Re: 155 West 62nd Street (Damrosch Park)

Full Board Vote: 39 In Favor 0 Against 1 Abstentions 0 Present

Committee: 8-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** new applications to the SLA for two-year liquor license by Restaurant Services I LLC and Lincoln Center for the Performing Arts Inc.

RESOLUTION

Date: May 1, 2018

Committee of Origin: Business & Consumer Issues

Re: 108 West 74th Street (Columbus Avenue)

Full Board Vote: 35 In Favor 0 Against 3 Abstentions 1 Present

Committee: 8-0-0-0.

The following facts and concerns were taken into consideration upon arriving at our resolution:

1. Numerous testimonials from the residents of the immediate area including the applicant building at 108 West 74th Street as well as committee members spoke in opposition to the applications.

They cited as their main concerns:

- a. The quality of life would be diminished because of the potential for noise emanating from the open back yard (donut) space the applicant intends to use as part of their restaurant. The back yard area is enclosed by a brick wall and there is a residential back yard occupied by a family with young children next door. Families with school aged children live in and near the venue.
 - b. The backyard space is completely surrounded by residential buildings with windows that overlook the backyard. Those on W 73rd street on the south, as well as to the east and west of the building would be affected by noise late at night even if the applicant amended his hours of operation to close the backyard earlier than the restaurant interior.
 - c. There was no proof that the applicant notified the residents of the buildings on W 73rd Street (between Columbus and Amsterdam Avenues) of their SLA application.
 - d. Residents of the building at 108 West 74th Street as well as those of the adjacent buildings are concerned about the loss of the residential feeling of the block and premises. The block is entirely residential between Columbus and Amsterdam Avenues. There are many restaurants on both Amsterdam and Columbus Avenues to serve the public.
 - e. The other significant concerns were with deliveries and garbage removal. Deliveries and garbage removal would block the entire narrow street for many hours. To expect a delivery truck to make deliveries from the avenues would be unrealistic and untenable as would to expect a private garbage carter to pick up from the avenues instead of the street.
 - f. Ancillary concerns are the possible venting issues, smells, noise on the street, and infestations.
2. There was no testimony of support from the public.

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** a new application to the SLA for two-year liquor license by B&H Restaurant LLC, d/b/a To be Determined.



RESOLUTION

Date: May 1, 2018

Committee of Origin: Business & Consumer Issues

Re: Unenclosed Sidewalk Café Renewals.

Full Board Vote: 39 In Favor 0 Against 1 Abstention 0 Present

Committee: 8-0-0-0.

- **187 Columbus Avenue** (West 68th – 69th Streets.) Renewal application #2029490-DCA to the Department of Consumer Affairs by JAGR 187 Columbus LLC d/b/a Joe Coffee, for a four-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats.
- **426 Amsterdam Avenue** (West 80th – 81st Streets.) Renewal application #1428051-DCA to the Department of Consumer Affairs by Luke's Lobster III, LLC d/b/a Luke's Lobster for a four-year consent to operate an unenclosed sidewalk café with 3 tables and 6 seats.
- **433 Amsterdam Avenue** (West 81st Street.) Renewal application #1027125-DCA to the Department of Consumer Affairs by Haru Amsterdam Avenue, Corp. d/b/a Haru for a four-year consent to operate an unenclosed sidewalk café with 7 tables and 22 seats.
- **477 Amsterdam Avenue** (West 83rd Street.) Renewal application #0883095-DCA to the Department of Consumer Affairs by 83/Amsterdam Restaurant, Corp. d/b/a Hi Life Bar & Grill for a four-year consent to operate an unenclosed sidewalk café with 9 tables and 26 seats.

RESOLUTION

Date: May 1, 2018

Committee of Origin: Business & Consumer Issues

Re: New Unenclosed Sidewalk Cafés.

Full Board Vote: 38 In Favor 0 Against 1 Abstention 0 Present

Committee: 8-0-0-0.

- **158A West 72nd Street** (Broadway.) New application #5225-2018-ASWC to the Department of Consumer Affairs by Ephesus Corp. d/b/a Seven Hills Mediterranean Grill, for a four-year consent to operate an unenclosed sidewalk café with 5 tables and 10 seats.
- **267 Columbus Avenue** (West 72nd – 73rd Streets.) New application #5038-2018-ASWC to the Department of Consumer Affairs by TAP NYC, LLC d/b/a TAP NYC, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.
- **2460 Broadway** (West 91st Street.) New application #5941-2018-ASWC to the Department of Consumer Affairs by SweetGreen New York, LLC d/b/a SweetGreen 91st & Broadway for a four-year consent to operate an unenclosed sidewalk café with 12 tables and 28 seats.

RESOLUTION

Date: May 1, 2018

Committee of Origin: Business & Consumer Issues

Re: 343 Amsterdam Avenue (West 76th-77th Street.)

Full Board Vote: 34 In Favor 0 Against 1 Abstentions 1 Present

Committee: 8-0-0-0.

The applicant did not attend the meeting;

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** new application #5121-2018-ASWC to the Department of Consumer Affairs by Joe & The Juice New York, LLC d/b/a Joe & The Juice for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 10 seats.