

RESOLUTION

Date: November 7, 2018

Committee of Origin: Preservation

Re: 66 West 77th Street (Columbus Avenue.) Application to the Landmarks Preservation Commission for a new ADA ramp for the building entrances on Columbus Avenue.

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

Committee: 3-0-0-0

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

- The proposal is to add an ADA accessible ramp to provide access to two adjacent commercial spaces previously occupied by Isabella's restaurant and Kenneth Cole.
- The proposed ramp would be black metal with an aluminum pipe railing finished in black
- The existing non-historic retail storefront will be modified by re-locating the doorway to enable the two locations to share the ramp.
- The ramp would be mostly in front of the retail space to allow for preservation of an unenclosed sidewalk café in front of the restaurant.
- The committee felt that a concrete ramp would be more in keeping with the facades of the two affected locations. The applicant agreed to ask the building owner/applicant to make that alteration.

The Preservation Committee of Manhattan Community Board 7/Manhattan believes that the design of the ramp is reasonably appropriate to the character of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7 **approves** the installation of the ADA accessible ramp with the strong recommendation that the ramp be constructed of concrete.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Preservation

Re: 225 West 86th Street (Amsterdam Avenue-Broadway.) Application to the Landmarks Preservation Commission to create a barrier free access to an entrance inside the west archway.

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

Committee: 3-0-0-0.

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

- The proposal is to create barrier free access inside the west archway where there is currently an uneven sidewalk
- The sidewalk will be renovated and an ADA compliant ramp installed
- The ramp will be concrete, faced with bluestone with a polished bronze or brass tubular handrail, though not required.

The Preservation Committee of Community Board 7/Manhattan believes that the proposed design of the access ramp is appropriate to the historic character of the building and the Historic District.

THEREFORE BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the application to create a barrier free access inside the west archway.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Transportation

Re: Winter's Eve.

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

Committee: 7-0-0-0. Non-Committee Board Members: 1-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** application to the Department of Transportation by the Lincoln Square BID for curb lane, sidewalk and street closures for the November 26th Winter's Eve.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Transportation

Re: 37 West 93rd Street (Columbus Avenue – Central Park West.)

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

Committee: 8-0-0-0. Non-Committee Board Members: 1-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** application EIN#13-3080198 to Department of Transportation for a revocable consent for new fenced-in area, steps, stair and ramp with railing.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Transportation

Re: 248 West 71st Street (Broadway-West End Avenue.)

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

Committee: 8-0-0-0. Non-Committee Board Members: 1-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** application EIN#083-64-0101 to Department of Transportation for a revocable consent for a new fenced-in area.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Transportation

Re: Transit Signal Prioritization for some of CD7 key intersections.

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

Committee: 8-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan calls on NYC DOT & NYC Transit Dept. of Buses to investigate the possibility of installing Transit Signal Prioritization at the following intersections:

1. 73rd St & Broadway (for southbound M57 buses)
2. 81st St & Amsterdam Ave (for northbound M7, M11 buses)
3. 87th St & West End Ave (for M86 SBS beginning journey to East Side)
4. 97th St & West End Ave (for M96 beginning journey to East Side)
5. 106th St & Broadway (for M60 beginning journey to LaGuardia Airport)
6. 73rd St & Broadway (for northbound M104 buses)

LETTER OF RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Full Board Vote: 25 In Favor 0 Against 9 Abstentions 0 Present

October 16, 2018

Hon. Vincent G. Bradley, Chairman

New York State Liquor Authority

80 S. Swan Street, 9th Floor

Albany, New York, 12210-8002

Re: 955 West End Ave, New York, NY 10025, Mocha Lounge Inc., Application to Change the Method of Operation, Serial #1027455.

Below is the Manhattan Community Board 7 response to the Mocha Lounge:

WHEREAS, Mocha Lounge Inc., aka the West End Café, aka The West End on the Park, (the applicant) is located at 955 West End Avenue, New York, NY;

WHEREAS, this location is within a residential building, in an R8 Zone, and is surrounded by residential buildings and Straus Park is across the street;

WHEREAS, the applicant is making an application to the State Liquor Authority (SLA) for a change in the Method of Operation to include, among other things live amplified and acoustic music, use of the outdoor patio to serve alcohol, and to operate until 4am every night;

WHEREAS, the current Method of Operation for this venue only allows a bookstore where coffee, beverages and alcohol can be served. There is no music permitted, and is permitted to serve liquor only until 12 midnight;

WHEREAS, the applicant has continually violated their Method of Operation as follows:

1. The venue has live and/or recorded music and/or karaoke music every day of the week. This music is loud enough to be heard one block away but residential tenants, with their children, suffer the most. Tenants of 955 WEA as well as those in the surrounding residential buildings came to the 11-14-17 Business and Consumer Issues committee meeting and articulated their numerous noise complaints over the course of five (5) years. They also came to the 10-10-18 BCI meeting and further articulated their complaints over the course of the year;
2. There have been fines imposed by the SLA for failing to operate within the Method of Operation; and
3. Things have not changed and tenants and neighbors characterize the owner and the venue as "bad actors"; and
4. Music continues till 4am most nights; and
5. Because there is no security guard outside the venue, **neighbors** have to pay for security guards to keep West 107th Street safe.
6. Insulation inside the venue does not muffle any sounds from the music;
7. Patrons congregate in the well of the building to smoke cigarettes and drink alcohol;
8. Trash and debris are stored in parts of the well in violation of the requirement for all residential buildings to keep the well clear;
9. Patrons congregate under the scaffolding to smoke;

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10. There is no doorman or security guard to disperse groups from congregating outside the building. Patrons congregate there and in Straus Park all night. These groups continuously make loud noises at all hours and keep the neighbors and their children awake even though these neighbors keep their windows closed;
11. The sidewalks around the venue are littered with debris from the patrons and there is no attempt to keep the sidewalk clean. Vermin are attracted to the debris;
12. The sidewalks have signs and plants blocking the flow of pedestrian traffic;
13. There is a solicitor outside the building urging pedestrians to come into the venue. This causes noise and is uncharacteristic of a residential neighborhood;
14. Residents who are coming home are often harassed by patrons who are loitering on building steps and on the sidewalk;
15. The kitchen door is left open. This door leads to the backyard courtyard shared by the residential tenants. This could lead to safety problems for those tenants;
16. Many tenants of the building and those in the surrounding buildings have made many 311 complaints and few were resolved;
17. Signage for the venue is not in conformity with the rules. It is on the fence at the perimeter of the well and on the façade;

THEREFORE, BE IT RESOLVED that Manhattan Community Board 7 (MCB7) disapproves the application for a change to the Method of Operation;

BE IT RESOLVED, that MCB7 disapproves the request for an additional bar because no Alteration Application with plans was submitted for review; and

FURTHER BE IT RESOLVED, that CB7 asks the SLA to enforce the current Method of Operation to specifically prohibit the sale of alcohol after midnight.

In Addition:

Please be advised that Manhattan Community Board 7 has requested an investigation in conjunction with the Department of Buildings (DOB), the Department of City Planning, and the Borough President's Land Use Division to ascertain if this Group Use 6 is permissible in an R8 Residential Zone. At present, the City Planning Code does not permit Group Use 6 in an R8 Residential Zone.

MCB7 will forward the results of the investigation to the SLA Board upon its completion. Until such time (expected in 30 days) MCB7 requests that the current Method of Operation continue without change and with SLA Enforcement.

MCB7 is willing to negotiate with the applicant/owner after the investigation is concluded.


Michele Parker
BCI Committee Co-Chair


Christian Cordova
BCI Committee Co-Chair


Roberta Semer
MCB7 Chairperson

Cc: Michael Jones, Deputy Chief Executive Officer, NYS Liquor Authority

via email: michael.jones@sla.ny.gov

Cc: Joseph Levey, Attorney for Applicant

via email: dana@helbraunlevey.com



RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: 768 Amsterdam Avenue (West 97th Street)

Full Board Vote: 25 In Favor 0 Against 9 Abstentions 0 Present

WHEREAS the applicant was not prepared to proceed at the last meeting and also did not come to the pre-meeting; and

WHEREAS the applicant did attend the Full Board meeting and agreed to return November 14, the next BCI Committee meeting;

BE IT RESOLVED THAT the applicant is **Disapproved** without prejudice but will be heard at the next BCI meeting for a final resolution regarding the DJ, Live Music and closing time.

DRAFT

RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: 283 Columbus Avenue (West 73rd Street)

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

Committee: 9-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the new application to the SLA for a two-year liquor license by Owner Parminder Singh, d/b/a To be Determined.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: 320 Columbus Avenue (West 75th Street)

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

Committee: 8-0-0-1.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the new application to the SLA for a two-year liquor license by Miznon UWS LLC, d/b/a Miznon.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: 329 Columbus Avenue (West 75th Street)

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

Committee: 9-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the new application to the SLA for a two-year liquor license by 329 Hospitality Group LLC, d/b/a To be Determined.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: 412 Amsterdam Avenue (West 80th Street)

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

Committee: 9-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the new application to the SLA for a two-year liquor license by NYC Bettola Corp., d/b/a Bettola.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: 517 Amsterdam Avenue (West 86th Street)

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

Committee: 8-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the new application to the SLA for a two-year liquor license by Tiki Chicki, LLC, d/b/a Tiki Chick.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: 620 Amsterdam Avenue (West 90th Street)

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

Committee: 8-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the new application to the SLA for a two-year liquor license by Reins International New York, Inc., d/b/a GYU-KAKU.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: 2701 Broadway (West 103rd Street)

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

Committee: 8-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the new application to the SLA for a two-year liquor license by Aaron 31 LLC, d/b/a Aangan.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: Unenclosed Sidewalk Café Renewals:

Full Board Vote: 33 In Favor 0 Against 1 Abstention 2 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the following Unenclosed Sidewalk Café Renewals:

- **208 Columbus Avenue** (West 69th- 70th Streets.) Renewal application #1451239-DCA to the Department of Consumer Affairs by Birote Corporation, d/b/a El Mitote, for a four-year consent to operate an unenclosed sidewalk café with 19 tables and 56 seats.
Committee: 8-0-0-0.
- **430 Amsterdam Avenue** (West 81st Street.) Renewal application #1096363-DCA to the Department of Consumer Affairs by Third Ave. Rest, Inc., d/b/a Jake's Dilemma, for a four-year consent to operate an unenclosed sidewalk café with 8 tables and 19 seats.
Committee: 7-0-0-1.
- **440 Amsterdam Avenue** (West 81st Street.) Renewal application #2042353-DCA to the Department of Consumer Affairs by Benva Bakery, LLC, d/b/a Orwasher, for a four-year consent to operate an unenclosed sidewalk café with 11 tables and 25 seats.
Committee: 7-0-0-1.
- **2454 Broadway** (West 91st Street.) Renewal application #1353319-DCA to the Department of Consumer Affairs by Big daddy's III, LLC, d/b/a Big Daddy's, for a four-year consent to operate an unenclosed sidewalk café with 18 tables and 36 seats.
Committee: 8-0-0-0.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: 420 Amsterdam Avenue (West 80th Street.)

Full Board Vote: 33 In Favor 0 Against 1 Abstention 2 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** renewal application #2038123-DCA to the Department of Consumer Affairs by Olma Lounge, LLC, d/b/a Olma Caviar Boutique & Lounge, for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 16 seats.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: 2012 Broadway (West 68th – 69th Street.)

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

Committee: 8-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** renewal application #1282959-DCA to the Department of Consumer Affairs by Nanoosh Broadway, LLC, d/b/a Nanoosh Mediterriane , for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Business & Consumer Issues

Re: 417 Amsterdam Avenue (West 80th Street.)

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

Committee: 8-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapprove** new application #12939-2018-ASWC to the Department of Consumer Affairs by BL 417 Amsterdam NY, LLC, d/b/a Bluestone Lane, for a four-year consent to operate an unenclosed sidewalk café with 10 tables and 19 seats.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Health & Human Services

Re: Child Victims Act (Bill A05885 and S809)

Full Board Vote: 32 In Favor 0 Against 2 Abstentions 1 Present

This resolution is based on the following facts and claims:

1. Under current New York State law, victims of child sexual abuse have until age 21 to file a claim against the institution where abuse occurred and until age 23 to file a claim against their abuser. Criminal charges must be filed before age 23 (with the exception of rape).
2. In recent years, some states have extended or eliminated statutes of limitations for child sexual abuse, including 8 in 2017. (So far this year, an additional 15 have introduced reform bills.) New York is “considered one of the states with the least victim-friendly reporting laws in the country” (The New York Times Editorial Board, 2018).
3. Lawmakers and activists have advocated for the passage of the Child Victims Act for more than a decade. It would extend the statute of limitations to the age of 50 in civil cases and to the age of 28 in criminal cases. It would create a one-year lookback window for victims to file a claim if the statute of limitations has expired for them. It also “requires judicial training relating to child abuse and the establishment of rules relating to civil actions brought for sexual offenses committed against children” (A05885 Summary).
4. The Child Victim’s Act is “a legislative acknowledgment of the unique character of sex crimes against children, which can have a multitude of effects upon victims, including being justifiably delayed in otherwise taking timely action against their abusers and/or those who facilitated in their abuse” (A05885 Memo).
5. Most victims of child sexual abuse do not report their abuse because of the age at which it occurred, their relationship to their attacker, and/or concerns about safety. In addition, as argued in the text of the Child Victims Act, “certain abusers - sometimes aided by institutional enablers and facilitators - have been successful in covering up their heinous acts against children, either by guile, threats, intimidation, and/or attacks upon child-victims” (A05885 Memo).
6. For those who do report sexual abuse, the average age is 42 or older (The New York Times Editorial Board, 2018; Spröber et al., 2014). It takes significant time for victims to recover, identify what happened, understand that it is not their fault, share their experience, and decide whether or not to report it in the interest of accountability and justice.
7. The recent movement for states to extend or eliminate statutes of limitations has “encouraged more victims to come forward and seek justice for abuse that was never properly addressed, if it was addressed at all” (The New York Times Editorial Board, 2018). This may reduce and prevent future abuse through the identification of offenders.

8. In addition to lifelong post-traumatic effects for victims, child sexual abuse has significant economic costs to society (Children’s Safety Network Economics and Insurance Resource Center, National Institute of Justice). These costs (estimated in the millions and billions) should not be paid by victims and taxpayers, but by those responsible, including offenders and institutions that “cover for them” (The New York Times Editorial Board, 2018). Opponents cite concerns about the cost to their institutions, but states that have eliminated or extended statues of limitations have not been faced with overwhelming numbers of claims. As of July, 2018, in Delaware, there have been 1,175 claims filed, in California, 1,150, Minnesota, 1,000, Hawaii, 200, Guam, 200, Georgia, 10, and Utah, 1 (CHILD USA).
9. The Child Victims Act reflects the unique character and severe and irreparable consequences of sexual crimes against children; allows more victims the opportunity to seek justice; and as a result, takes a positive step toward protecting children from sexual abuse.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan calls on the New York State Assembly and Senate to pass the bill and for Governor Andrew M. Cuomo to sign it into law. Community Board 7/Manhattan further calls on our elected officials at every level of government to provide the funding and attention necessary to educate New Yorkers about their rights when it becomes law.

Committee: 5-0-0-0. Non-Committee Board Members: 2-0-0-0.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Steering

Re: CB7 Priorities for the NYC Capital Budget for Fiscal Year 2020.

Full Board Vote: 28 In Favor 3 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan adopts the priorities for NYC Capital Budget for Fiscal Year 2020.

RESOLUTION

Date: November 7, 2018

Committee of Origin: Steering

Re: CB7 Priorities for the NYC Expense Budget for Fiscal Year 2020.

Full Board Vote: 30 In Favor 0 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan adopts the priorities for NYC Expense Budget for Fiscal Year 2020.