



COMMUNITY BOARD 7/MANHATTAN
Full Board Meeting
Mark Diller, Chair
January 3, 2012

Community Board 7/Manhattan met on Tuesday, January 3, 2012, at Fordham University, 113 West 60th Street in the District. The meeting was chaired by CB7 Chair Mark Diller, who called the meeting to order at 6:41 pm. The following topics were discussed and actions taken.

Approval of minutes from previous full board meeting

Upon motion moved and seconded

VOTE: 28-0-2.

Chair's Report-Mark Diller

The January Neighbor of the Month is Miriam Febus of the West Side Federation of Neighborhood and Block Associations. Miriam started Federation in 1975 with a community in disarray. She has brought new neighbors and families into the essential fabric of the UWS.

Miriam- Thanks for this award; pledges to continue to work to make UWS best place to live.

- A storefront rezoning proposal was certified by the Department of City Planning on January 3rd. The ULURP application will be heard at a joint Land Use and Business & Consumer Issues meeting on Wednesday 1/18. The proposal is intended to guarantee the continuation of active and vibrant retail on Columbus, Amsterdam and Broadway.
- Jewish Home Lifecare has filed an application with the Department of City Planning for certification under ZR 22-42 regarding its proposed relocation of its nursing facility to the West 97th Street site. This application will be heard at a joint meeting of Steering, Land Use and Health & Human Services on 1/17. Proposal to rezone the JHL site on West 106th Street will be ready for consideration in coming months.
- Thanks to Ethel Sheffer for shepherding the Chair through these land use matters
- Testified at a 4 hour SLA hearing regarding Papisito. Additional concerns have emerged that are being conveyed to the SLA.
- There is a Borough Board resolution re NYPD Stop and Frisk Program that will on the Health & Human Service committee's January agenda and the February Full Board agenda.
- The Bylaws Task Force, chaired by Roberta Semer, continues to tackle the thankless task of clarifying and re-thinking the by-laws.
- The by-laws work led to the discovery that CB7 should have an ethics committee. It will be chaired by Sheldon Fine and joined by Haydee Rosario and Bob Espier.
- Victor Gonzalez has resigned per COIB requirements due to his appointment to the NYCHA board of directors. We wish him well with his new responsibilities and authority.

Community Session –

- Morgan Dale (Citizens Committee for NYC)- Supports volunteer-led neighborhood groups across the city, has a grant program to assist community development program from \$500-3k and provides project planning assistance. Deadline for application is 1/31. 212-822-9564, www.citizensnyc.org.
- Jane Thompson- 736 West End Avenue, next to 732 WEA construction site. The developer is bricking in 100 lot-line windows, which are illegal in the city, dismantling the chimneys on Williams Senior Residence at 730 WEA causing dust accumulation. The site has been unlocked possibly allowing access into residences. Sliver buildings must be stopped, if not illegal, immoral.
- Ilonna Pederson- Need to preserve way of life and health not merely buildings; bricking up of windows is emotional experience.



- Petra Kolokotonis- manager of NYPL Riverside branch. Computer classes every Monday, exercise programs and ping-pong on Tuesday, mid-week movie on Wednesday, once a month book discussion group. Gaming for teens, Monday and Thursday and bridge club on Friday.
- Christina Giorgio (New York Lawyers for the Public Interest) - Supports PCB resolution; thanks to Youth, Education & Libraries Committee for vetting it so thoroughly. This is a great example of grassroots activism.
- Jenny Fong- 1/23 is Chinese New Year. Shen Yun Performing Arts is presenting a program on history of Chinese dynasties, at Lincoln Center 1/11-1/15.
- Takemi Ueno- Lives at the Alfred on West 62nd Street, next to 2 construction sites; the construction works wakes us up daily. It is too much to have fashion week, which will add nighttime noise to the daytime noise we presently experience.
- Christian Bray- A holiday meal for 150 seniors was held at Loi restaurant with participation by Scott Stringer and Gale Brewer and food service by Barbara Adler and Mel Wymore.
- Peter Arndtsen, District Manager, Columbus-Amsterdam BID- Reported on January/February events in the BID area including a history talk on Sunday 2/12. The BID submitted an application to DOT weekend walks in the spring.
- Cleo Dana- Represents Friends of Damrosch Park. 2 years ago MCB5 vacated fashion week from Bryant Park ostensibly because of growing size, but because overflow from Fashion Week impacted the streets and caused security issues and disruption in community. Damrosch does not belong to Lincoln Center; it was deliberately created as a separate entity. As a Department of Parks & Recreation park, it must conform to city and state statutes governing use, noise and concessions. The community was not consulted in move of fashion week to Damrosch and healthy plantings were removed to accommodate it. We want our park restored.
- Susan Koeppe-311 claims internal park noise is not within their jurisdiction. Sanitation issues are caused by dumpsters and temporary toilets. This cannot be an acceptable way to live.
- Sidney Goldfischer- Arrogance and contempt governed this decision. They treat Amsterdam Avenue as garbage dump. Make them empty the dumpsters daily, give us an unobstructed sidewalk from Amsterdam to Columbus Avenues, restrict construction hours.
- Gail Graves- Safety concerns are raised by fashion week for the mobility and visually impaired.

Manhattan Borough President's Report- Rebecca Godlewicz

- Thanked board members for submitting reapplications; one of few boards to comply on time. New applications are due on 1/13.
- MBPO put out report regarding Walmart last month and negative effects on smaller businesses should Walmart enter the community.
- Applications are due on 1/27 for the Greening Your Block Program.

Reports by Legislators

Gale Brewer – City Council Member, 6th District

- West-Park Presbyterian Church now has a working boiler.
- Recycling day at YMWCA on 1/22.
- Dental and Metrocard vans coming to the district office in January.
- Continuing to work on Age-friendly UWS: free/low cost movies at LC for seniors, etc.
- Went to the City Planning Commission certification of the retail rezoning today; look forward to working together on this issue.
- Schools near Wise Towers have raised gang concerns; want to establish basketball program w/ Joan of Arc and Goddard Beacon.
- Working on illegal hotel fines.
- Passing resolution tomorrow on right to carry reciprocity.
- 1/17 Council Transportation Committee taking up bill regarding audible pedestrian signals.

Jared Chausow, Senator Tom Duane's Office

- Senator Duane testified at Intro. 404 hearing.
- The senator has been carrying legislation for a decade regarding mandated reporting and felonies for violations and increasing list of those included and augment the statute of limitations.
- About to embark on a challenging session, welcome any ideas about potential legislation

Ben Schachter, Senator Adriano Espaillat's Office

- Priority remains to protect tenants; working w/ HCR to enhance enforcement and make increases to rent control tenants more equitable.
- Submitted testimony in support of Intro 404.
- Working to protect education funding.
- Senator voted yes on restructuring of tax code.
- Hope to have new redistricting lines in coming weeks.

Paul Sawyier, A-M Linda Rosenthal's Office

- Mammogram van at their district office on 2/9.
- Will continue to work on rent stabilization issues.
- Applaud NY City Council on legislation re PCBS.
- Testified in support of Intro 404.
- 1/11 is hydrofracking comment period deadline.
- Held press conference on Title XX funding.

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

- Sponsoring book drive until end of February.
- Preparing for implementation of Dignity for All Students Act 7/2012.

Jessica Dennison, NYC Comptroller's Office

- A number of audits were published at end of year; conducted one at HPD that found a loan account of \$17 million that remains unused.

George Oliver, A-M Richard Gottfried's Office-

- New liaison; looking forward to State of the State and a productive year.

*Business Session***Land Use Committee****Richard Asche and Page Cowley, Co-Chairpersons****Joint with Transportation Committee****Andrew Albert and Dan Zweig, Co-Chairpersons**

1. **95 West 95 Street, Columbus House** (Columbus Avenue.) Application N 120092CMM to the Department of City Planning by Columbus 95th Street LLC for a renewal of a special permit that allowed the conversion of an existing 49-car accessory garage to a public parking garage with 100 spaces, with 43 of the spaces remaining as accessory.

This is an application for the renewal of a special permit, granted by the Department of City Planning in 2007, that expired in October of 2011. CB7 disapproved the original application four years ago. Then the tenants were opposed and the landlord was not allocating parking spaces to tenants. Now spots are allocated to tenants and they support the proposal.

Board Discussion

- Clarification that the parking garage will take the same amount of physical space. Additional parking slots have been created due to reallocated space and attended parking which accommodates more cars.
- Congestion was an issue in 2007: from the minutes four years ago:
 - “Street is a heavily used thru street connecting the West Side Highway with the Central Park Transverse and ultimately the FDR Drive. There are two crosstown bus stops on the street, one immediately adjacent to the entrance to the garage; there is frequent double parking on the block. Cars exiting the garage and heading westbound (e.g., to the highway) will be required to cross over the eastbound lanes, creating further congestion. A public parking garage on this site, therefore, would have the potential to impact substantially on eastbound traffic. While the special permit would increase the permitted number of cars by 57, the actual impact would be greater since in addition to the new public spaces, many of the spaces vacated during the day by monthly parkers can be rented out on a transient basis.”
 - Why is that issue not being addressed?
- Parking demand increases with availability. A decision in buying a car is based in part on the availability and cost of parking. This is a public-transportation-rich area without need for more cars.
- More visiting drivers can be accommodated.
- Hourly parking increases traffic, much more traffic than resident parking.
- Families need cars; the area has lost 1,000 parking spots.
- Revenues generated by attended lots with their increased ability to park more cars keep rents from rising.
- Clarification that the size of the garages will stay the same but because of the reconfiguration and because of attendants more spaces will be available in total. There will be 100 spaces with 57 public spaces available.

Hope Cohen read from the application for the renewal:

“Columbus House, located at 95 West 95th Street (The “Building”), currently contains two unattended accessory parking garages on West 96th Street, with separate entrances and curb cuts, in the C1-9 portion of the Site, to be converted to a public parking garage with 100 spaces (the “Garage”), 43 of which will remain for accessory parking. The eastern garage, in the R9 district, will remain an accessory parking garage and become an attended accessory parking garage with 55 spaces. A pedestrian access route will provide direct access from the Building to this accessory garage.”

- A vote in favor is for above.

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

VOTE: 23-10-7-0.

Preservation Committee

Lenore Norman and Gabrielle Palitz, Co-Chairpersons

2. **173 West 78th Street** (Amsterdam Avenue.) Application to the Landmarks Preservation Commission for replacement of the existing storefronts, installation of new signage, new fabric awnings, decorative exterior lighting, installation of new display windows in previously existing openings.

WITHDRAWN

Business & Consumer Issues Committee

Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

3. **Unenclosed Café Renewal Applications:**

- **2173-75 Broadway** (West 77th Street.) Renewal application DCA# 0955758 to the Department of Consumer Affairs by Kiman Coffee Shop, Inc., d/b/a Big Nick's Burger Joint & Pizza Joint, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 24 seats.

- **2315 Broadway** (West 84th Street.) Renewal application DCA# 1341402 to the Department of Consumer Affairs by Donizetti LLC, d/b/a 5 Napkin Burger, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 34 seats.
- **511 Amsterdam Avenue** (West 85th Street.) Renewal application DCA# 1320797 to the Department of Consumer Affairs by 511 Amsterdam Vino Corp., d/b/a Slightly Oliver, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 20 seats.
- **584 Columbus Avenue** (West 88th – 89th Street.) Renewal application DCA# 0851262 to the Department of Consumer Affairs by New Bella Luna Inc., d/b/a Bella Luna, for a two-year consent to operate an unenclosed sidewalk café with 13 tables and 25 seats.
- **2665 Broadway** (West 101st – 102nd Street.) Renewal application DCA# 1189644 to the Department of Consumer Affairs by Kieffer & Norell, LLC, d/b/a Picnic Market Cafe, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 23 seats.

Comment to Big Nick's: Please keep umbrellas within the approved footprint and above eye level to avoid injuries.

After deliberation, the resolution to approve was adopted.

VOTE: 37-0-1-0.

New Unenclosed Café Applications:

4. **340 Amsterdam Avenue** (West 76th Street.) New application DCA# 1413323 to the Department of Consumer Affairs by Amsterdam Ale House, Inc., d/b/a Amsterdam Ale House, for a two-year consent to operate an unenclosed sidewalk café with 11 tables and 32 seats.

After deliberation, the resolution to approve was adopted.

VOTE: 39-0-0-0.

5. **392 Columbus Avenue** (West 79th Street.) New application DCA# 1413020 to the Department of Consumer Affairs by CB-NACT 392, LLC, d/b/a The Coffee Bean & Tea Leaf, for a two-year consent to operate an unenclosed sidewalk café with 24 tables and 48 seats.

Board Discussion

- This is the restaurant's 2nd location. They are Kosher, good neighbors, an amenity to the neighborhood.

After deliberation, the resolution to approve was adopted.

VOTE: 37-0-2-0.

6. Applications to the Mayor's Street Activity Permit Office for 2012 Multi-block Street Fairs.

Board Discussion

- Current administration's policy is to eliminate these fairs due to their cost.
- It should be noted that each group on the list gets a portion of money for lending their name to the producer of the street fair. How these groups are selected is a matter we should be more aware of. The process for being selected as a sponsor should be transparent and revolving.
- Clarification: The sponsoring group is required to pass along 20% of the new proceeds. The committee sees the financial allocations.

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

VOTE: 35-3-0-0.

Youth, Education & Libraries Committee
Gabriella Rowe and Marisa Maack, Co-Chairpersons

7. PCBs in public schools.

Public speaker:

- Bob Wyman: supports the resolution and commends the committee on their work. He is concerned about the environmental impact of PCBs. Schools should conduct an environmental survey of all hazards affecting their facilities.
- Addressing PCBs can proceed in parallel with actions to eliminate burning of nos. 6 and 4 fuel oil, which release harmful particulates into the air.

Board Discussion

- 800+ schools were built before there was an awareness of the dangers of PCB.
- City administration has a 10-year plan to replace the lighting fixtures.
- Two hearings were held by the committee to discuss this issue.

After deliberation, the resolution requesting that John King of the NY State Department of Education instruct the SCA to expeditiously inspect all schools constructed before 1978 for PCB contamination in lighting fixtures; and that the SCA lighting fixture remediation program be completed within the EPA recommended 2-3 year timeframe was adopted.

VOTE: 35-0-0-0.

Motion to adjourn, without objection at 8:57pm.

Present: Mark Diller, Jay Adolf, Andrew Albert, Linda Alexander, Ian Alterman, Richard Asche, Issac Booker, Elizabeth Caputo, Louis Cholden-Brown, Hope Cohen, Kenneth Coughlin, Mark Darin, Robert Espier, Miki Fiegel, Sheldon J. Fine, Paul Fischer, Marc Glazer, Phyllis E. Gunther, Joanne Imohiosen, Ulma Jones, Marisa Maack, Lillian Moore, Klari Neuwelt, Gabrielle Palitz, Michele Parker, Nick Prigo, Anne Raphael, Oscar Ríos, Suzanne Robotti, Helen Rosenthal, Gabriella Rowe, Roberta Semer, Ethel Sheffer, Eric Shuffler, Elizabeth Starkey, Barbara Van Buren, Thomas Vitullo- Martin, Cara Volpe, Mel Wymore, George Zeppenfeldt-Cestero and Dan Zweig. **On-Leave:** Lenore Norman. **Absent:** Brian Byrd, Page Cowley, Blanche E. Lawton, Haydee Rosario, Madge Rosenberg and Evan Rosing.



Housing Committee Meeting Minutes
Nick Prigo, Chairman
January 9, 2012 6:30PM

Chair Nick Prigo called the January meeting of the CB7 Housing Committee to order at 6:35 pm

1) SCRIE Resolutions

- No quorum last month but decided to introduce two resolutions.
- The first tackles city-level administrative concerns while the second tackles state legislation to amend eligibility.

VOTE 1: 8-0-0-0 1-0-0-0

VOTE 2: 8-0-0-0 1-0-0-0

2) Occupy Our Homes

- Representatives from New York Communities for Change: Olivia Leirer (Communications Director), Pete Nagy (Housing Organizer), Amelia Adams (Political & Legislative Coordinator).
- NYCC has been fighting foreclosures for many years including advocacy for town-wide divestment from Chase accounts, who had only modified 6% of mortgages of those who sought modifications.
- Seek to increase pressure and spotlight on vacancies in neighborhoods, and the hoops owners must jump through to modify their mortgages.
- Early last year, NYCC first considered the idea of moving people into properties the banks and city have abandoned; the growth of Occupy Wall Street provided partnership opportunities & a framework for these actions.
- 12/6/11 was a national day for home occupations with actions in 40 cities.
- On December 6th, 1,000 individuals marched in East New York and moved a homeless family into a Bank of America foreclosure at 704 Vermont Ave.
- Incubating this project in east Flatbush; working with clergy to attend local congregations and spread word of coalition work. Eventually looking to establish a land-trust.
- OWS Seeking to establish network of trainings for organizers throughout city including scouting, recruiting and training on squatter rights.
- Last year, CM Lander introduced a foreclosure bond bill that requires banks to pay for vacant property upkeep; CM James has announced her intentions to intro bill to prevent NYC from bonding with Chase.
- Eventually would like to force city to alter policies on affordable housing and homelessness.

3) Underoccupancy Letters at NYCHA

- The committee was joined by Rosalba Rodriquez, District Office Director for CM Brewer and affected tenants at Amsterdam Houses
- NYCHA has distributed letters to tenants in under-occupied units informing them of their obligation to downsize; this mostly impacts long-term tenants, chiefly the senior population
- While this has technically been the policy for the entire history of the authority; NYCHA has not enforced this policy for past few decades resulting in a groundswell of individuals they are seeking to move simultaneously.
- Most of those affected are not opposed to moving but want to stay inside community and need help with possessions.
- There is serious miscommunication about availability of smaller units within community; Chair Rhea has said that people are guaranteed new unit in their development; therefore they should be entitled to retain their unit until an appropriate size one in their development opens, however misinformation is being spread.



- Two issues for the committee to consider- how we communicate this policy and the enforcement/wisdom of such policies.
- The committee will write a letter to NYCHA and CM Mendez, Chair of the Cmtte on Public Housing, in addition to resolution to call for a declaration of tenants' rights, education for management, coordination with TA, and distribution in multiple languages
- VOTE: 6-0-1-0 4-0-0-0

4) Running Activity Agenda

- Chair Prigo reported on developments in rolling out the Committee's communications project; hope to launch community leaders list this month
- Louis Cholden-Brown presented on the housing-related legislative priorities for our local legislators & advocacy organizations as well as committee participation in their ratification.

Finding no new business, the meeting was adjourned at 8:30 pm



**Transportation Committee Meeting Minutes
Andrew Albert and Dan Zweig, Co-Chairpersons
January 10, 2012**

1. Making West 59th Street permanently one-way westbound – Request to DOT by John Jay College.

Presented by Ines Leon, Director of Space Planning.

Presentation excerpts:

- About 50,000 students; 2-3,000 faculty; new building completed between Amsterdam and West End Ave., 59th and 60th Streets; entrance on 59th St. which is 60 feet wide (regular one-way street width); before construction, the street was two-way, during construction it was a temporary one-way; DOT did study the issue, concluded that there was no congestion and that accidents were reduced by 20%, and injuries by 40%; other neighboring streets, 58th and 60th, go East... DOT procedure requires Community Board's recommendation.

-10 West End Ave. Building board – has no problem with this, but requests that W. 60th is Eastbound all the way – (could be put on the agenda for another meeting)

Vote to approve request that W 59th St. stays permanently one-way westbound
Committee members (9-0-1-0) Board members (4-0-1-0)

2. Presentation by Mark Gorton: “RE Thinking the Automobile”

Mark Gorton, inventor and founder of Lime Wire web site, a hedge fund, Open Plans Project, NYC streets renaissance... and a UWS neighbor – was introduced by Mel Wymore.

Presentation excerpts:

During the twenties, NYC streets designed for automobile traffic not for people traffic: best example Queens Boulevard – statistics show very high incidents of deaths and injuries of pedestrians-... UWS streets redesigned by the same traffic engineers... sidewalks narrowed... automobile prioritized...streets turned into roads - which they should not be...think about human living conditions, a space good for people is horrible for cars (speed 2-5 m/h) and vice versa... cars and people in one space do not mix well... one person in a car occupies many times larger space proportionally... Incessant traffic, noise pollution, dividing people... very unpleasant: it does not have to be that way!

- Open streets for kids to play ... kids cannot walk or bike to school (which they should), they need to be accompanied all the time... sidewalk free for pedestrians for about 5-6 feet... crossing the street very dangerous... seniors are prisoners in their own home

- Traffic harms human relationships: study by Prof. Appleyard, UC Berkeley, on social interactions on three streets with (1) heavy traffic, (2) moderate traffic, and (3) light traffic: number of friends formed on a heavy traffic street is 0.9; on moderate: 1.9, and on a light traffic street: 3 friends... One cannot measure friendships never formed... Also, a harmful psychic impact: the perception of “home territory” significantly shrank – inhabitants of light traffic streets perceive the whole block, both sides of their street as their “home territory”; the inhabitants of heavy traffic streets perceive just the building in which they live and a few feet in front of it as their “home territory”...

- Congestion is a symptom of a badly designed transportation system...Manhattan has less space... needs more efficient transportation, carrying more people per vehicle... about 13,000(?) street cars have been ripped out to accommodate automobile traffic... bridges move fewer people since introduction of individual automobile transportation (1989 compared to 1907 statistics)... today 370,000 fewer people enter the Central Business District...

- We need complete transformation: if we make it easier to drive – more people would drive in Manhattan; if it is more difficult to drive in Manhattan it will make it easier for people to use mass transport instead...

- Retail rents are the highest out of Manhattan, in Fulton Mall, Brooklyn because the street is not traffic-oriented but people-oriented: – street narrowed, traffic only for buses, sidewalk widened ...



- Bicycling – environmentally friendly, healthy... takes significant transportation load: 40% in Munich, Germany; 30% Ferrara, Italy; 25% Osaka, Japan; 20% Tokyo, Japan;... In NYC, cycling increased 124% from 2006 to 2010...

For a more livable city, we should compress traffic by space and time, close streets: to be people-oriented, and as play streets for children... Example: 1) Berkeley has the same grid system as NYC – major streets in Berkeley are made as “through streets”, smaller streets obstructed and traffic redirected to “through streets”... 2) Groningen, Holland – center fully pedestrian, around it, city separated into three separate traffic cells, you can drive into one cell but have to go out and around to reach the next one, not pass through...

Smart transport policies: a) parking: subsidized use of our public curb space, should be disincentivized not subsidized... b) congestion pricing... c) designated bus lanes, (fenced off like in China) better use of space ... d) car sharing... Create a pedestrianized network – Broadway, all the way...

Questions and discussion:

- reduce speed limits...
- trolleys as indication of lower class neighborhood... this is elitist ; ... bikes do not belong in parks; proposition to reduce bike parking on sidewalks...
- (answer by Mark Gorton) in response to elitist: the concept is flawed - we allow the wealthy people from suburbs to drive in; – support for residential parking permits
- presentation (movement of people over bridges) missing diagrams from other sources: example tunnels which many people use to get to the City
- grew up in UWS, could play on the sidewalk – her children couldn't...requests lower speed limits
- (ans.) DOT is working on it but if we press elected officials we could probably achieve it
- how can we get enforcement for speed limits
- (ans.) speed cameras best – automated enforcement best – police enforcement not impressive in the City; also, the speed can be reduced by light timing synchronized to speeds of 20 m/h
- DOT has been somewhat amenable to this in certain sections of UWS
- kids do not play outside because of electronic toys and danger on the streets, not only from cars but from people too...
- did you give this presentation to the Mayor and DOT
- (ans.) indirectly ideas percolated to the administration, somewhat... did not talk with the Mayor
- slide on Park Ave. showed only the median, not the traffic lane; parents also used to take children across the street in the past, as they do now
- car crashes are the biggest killer of children under age 11; more people killed by cars than by guns
- statistics of people movement over the bridges questionable... was it that underground movement with subway was taken out
- timing of lights for crossing the street very important;...tax cars according to their weight
- (ans.) ... 50 people per year killed in Queens Boulevard...
- “all stop” on street crossing more dangerous in NYC because people have to wait longer – impatient, they start crossing on red
- encouraged to give presentation to kids, since they are more positive, more open, to this
- tolls on Broadway and “congestion pricing” got bad attitude in City Council, are you talking to people about it, it would be nice if we get people in Albany to support it
- (ans.) I want a change in the neighborhood (on micro level), not going to wait for Albany to wake up
- your view of the cabs
- (ans.) they are enhancement of transport, but more a problem regarding space... cab system can work better, but over time in visionary planning we wouldn't have it as...
- (ans.) example of a great Council member (of...) who led 200 people to demand closing of streets as a trial for summer – after trial people loved it and it stayed permanently...
- in a dream state of the future, 3 top priorities:
- (ans.) for now 1) 20% in UWS, all streets not just cross streets; 2) street closing –a. Broadway; b. play streets - make process easier, make it regular, every Sunday; 3) protected bike lanes

- discourage car ownership, reduce parking
- there is a better usage of public space than as a storage for private property -cars
- visionary presentation- rides bike on Greenway, but it is getting more crowded and ... we need to increase space for non-motorized transportation
- instead of pushing for "congestion pricing" which is in jurisdiction of Albany, we should push for rising parking rates which are within City authority
- why not charge for parking along CPW, Transportation Committee can do it
- (Chair of CB7, M. Diller) a lot of initiatives done by CB and we have a lot to build on and we'll do some more
- we can ask and we do not get positive answers all the time
- (ans.) need to have good access to delivery in NYC ...creating loading zones...recognizing that free public parking is the most inefficient use of public space ... DOT has small staff - could not pay attention to all the issues - CB can press for issues

3. Discussion of guidelines for secondary naming of streets

- Mayor's Office for People with Disabilities withdrew their request for a secondary street naming
- cost of plaques: about \$800-\$1100 (will provide exact number)
- 250 total possible blocks on UWS
- institutions did not need to be near the corner of the block - changed to "on the block"
- shall we have a maximum number of names per street defined? How many does 106th Street have already?
- a must: secondary street name should always be paired with an existing official city street sign for the street name on the same pole (with different color from the official city street signage)
- in the village plaques displayed on the City property, can we do the same?
- what are the criteria which designates what goes on a plaque and what as a secondary street name?
- a proposal: It should be that the most famous people (world-renowned) get the secondary street names and the lesser known people (local heroes) get plaques. That way, we reduce the number of applications and remove the burden of elected officials to accommodate the requests from their constituency
- those who are asking for a plaque or second naming of a street should be able to finance their proposition, raise funds - it becomes an actual local street project creating a consensus among all residents
- every block having a sign with a numbered street and another sign with a name is too confusing for all who do not live within a radius of several blocks
- there is an app on NYC web site where one can get info...
- NY City Council introducing a legislation to have biographies on the web site for the people whose names are on the street signs
- people do stop and read plaques
- in the neighborhood, we have shops that can make them for less than \$1000 (will check)
- question for C-M Gale Brewer's office: What is "wider recognition" in general: a plaque or a secondary street naming? This is a basic question upon which the Committee could build appropriate criteria for secondary street naming.
- we should give the opportunity to those who come after us to change what we have done to better express the needs of their time, so we should not set the time span that secondary name signs have to be on (even the limit of 20 years could be interpreted that the signs have to be on that long) but we should leave a reminder that the signs are not permanent, they are changeable and removable
- the life span of signs for secondary names for streets – erased from guidelines
- any studies done if secondary naming of streets creates a problem for traffic?
- not known if studies are done for traffic but it is a reported problem for pedestrians – not clear for 911emergency calls where people are (chair of CB7, M. Diller)

4. Food truck/cart survey – All who did not, please submit.

**5. New business.**

A health issue complaint by a licensed vendor to CB7: Barbara Morris (917 499 7984; bmorris624@yahoo.com) has a stand at NW 67th St. (in front of Apple store)... next to her is a grill cart that emits a lot of charcoal smoke and all who pass by ingest it but she is ingesting it all day long. Has asthma and this creates an increased health problem for her. Even if they comply with all legal requirements, it is not a healthy situation.

Asking CB7 to help, make more stringent rules, use of charcoal on the city streets is not healthy, she inhales 2 bags of charcoal a day.

6. Further discussion of electric-powered bicycles.

- electric-powered bicycles being defined in Senate and Assembly bills that are ongoing
- federal regulations define that under 20 m/h speed, it is a bicycle; over that is a motor vehicle
- if breaking the traffic regulations, police could ticket the operator and impound the electric-powered scooter
- if they are fully motorized, electric scooters should not be parked on sidewalks at all.

Present: Andrew Albert, Dan Zweig, Ken Coughlin, Mark Darin, Ulma Jones, Blanche Lawton, Lillian Moore, Anne Raphael, Oscar Rios and Roberta Semer. **Board Chair:** Mark Diller. **Board Members:** Mel Wymore, Linda Alexander, Ian Alterman and Suzanne Robotti.



Business & Consumer Issues Committee Meeting Minutes
Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons
January 11, 2012

Unenclosed Café Renewal Applications:

1. **2020 Broadway** (West 69th Street.) Renewal application DCA# 1308014 to the Department of Consumer Affairs by Tapas Food and Wine, Inc., d/b/a BarCibo Enoteca, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 22 seats.

COMMITTEE APPROVES 7-0-0-0 3-0-0-0

2. **249-251 Columbus Avenue** (West 71st - 72nd Street.) Renewal application DCA# 1103658 to the Department of Consumer Affairs by CMR, Corp., d/b/a Gitana, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 19 seats.

COMMITTEE APPROVES 7-0-0-0 3-0-0-0

3. **267 Columbus Avenue** (West 72nd - 73rd Streets.) Renewal application DCA# 1072082 to the Department of Consumer Affairs by Classic Food, Inc., d/b/a Sido Falafel & More, for a two-year consent to operate an unenclosed sidewalk café with 3 tables and 6 seats.

COMMITTEE APPROVES 7-0-0-0 3-0-0-0

4. **441 Amsterdam Avenue** (West 81st Street.) Renewal application DCA# 1283635 to the Department of Consumer Affairs by JPS Ventures, Inc., d/b/a St. James Gate, for a two-year consent to operate an unenclosed sidewalk café with 3 tables and 8 seats.

COMMITTEE APPROVES 7-0-0-0 3-0-0-0

5. **442 Amsterdam Avenue** (West 81st Street.) Renewal application DCA# 0953744 to the Department of Consumer Affairs by 442 Amsterdam Restaurant Corp., d/b/a Gin Mill, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 14 seats.

COMMITTEE APPROVES 7-0-0-0 3-0-0-0

6. **2340 Broadway** (West 85th Street.) Renewal application DCA# 1000314 to the Department of Consumer Affairs by Broadway Desserts. LTD, d/b/a French Roast, for a two-year consent to operate an unenclosed sidewalk café with 21 tables and 48 seats.

COMMITTEE APPROVES 8-0-0-0 3-0-0-0

7. **517 Columbus Avenue** (West 85th Street.) Renewal application DCA# 0812902 to the Department of Consumer Affairs by Re Spec Corp., d/b/a Jackson Hole, for a two-year consent to operate an unenclosed sidewalk café with 25 tables and 48 seats.

COMMITTEE APPROVES 8-0-0-0 3-0-0-0

8. **584 Amsterdam Avenue** (West 88th - 89th Streets.) Renewal application DCA# 1247422 to the Department of Consumer Affairs by T.B. 584 Amsterdam Rest. Corp., d/b/a Bodrum, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 24 seats

COMMITTEE APPROVES 8-0-0-0 3-0-0-0

9. **2450 Broadway** (West 90th - 91st Streets.) Renewal application DCA# 0940252 to the Department of Consumer Affairs by Carmines Broadway Feast, Inc., d/b/a Carmine's, for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 22 seats.

COMMITTEE APPROVES 8-0-0-0 2-0-0-0

10. **2665 Broadway** (West 101st - 102nd Street.) Renewal application DCA# 1189644 to the Department



of Consumer Affairs by Kieffer & Norell, LLC, d/b/a Picnic Market Cafe, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 23 seats.

COMMITTEE APPROVES 8-0-0-0 2-0-0-0

11. **2737 Broadway** (West 105th Street.) Renewal application DCA# 1109932 to the Department of Consumer Affairs by The Westside of Broadway Rest Group Inc., d/b/a Toast, for a two-year consent to operate an unenclosed sidewalk café with 15 tables and 30 seats.

COMMITTEE APPROVES 8-0-0-0 2-0-0-0

Enclosed Café Renewal Applications:

12. **180 Columbus Avenue** (West 68th Street.) Renewal application DCA# 0895625/ ULURP# N110267ECM to the Department of Consumer Affairs by Mafra Restaurant Corp., d/b/a Il Violino, for a two-year consent to operate an enclosed sidewalk café with 15 tables and 36 seats.

COMMITTEE APPROVES 8-0-0-0 1-0-1-0

New Unenclosed Café Application:

13. **474-476 Columbus Avenue** (West 83rd Street.) New application DCA# 1415817 to the Department of Consumer Affairs by Spring Natural Corp., d/b/a Spring Natural Kitchen, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.

COMMITTEE APPROVES 8-0-0-0 2-0-0-0

New Enclosed Café Application:

14. **247 West 72nd Street** (Broadway - West End Avenue.) New application DCA# 1379700/ ULURP# N110190ECM to the Department of Consumer Affairs by My Most Favorite 72nd St. Corp., d/b/a My Most Favorite Food, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 27 seats. **Ms. Candice Clements, a resident of the applicant's building complained about the restaurant's staff congregating and smoking in an alcove adjacent to the entrance to the residential portion of the building. Committee votes to approve only if the applicant installs a sign reading "NO LOITERING" in said alcove. Applicant agrees to comply prior to board vote and to submit a photograph to CB7.**

COMMITTEE APPROVES 8-0-0-0 1-0-1-0

Present: George Zeppenfeldt-Cestero, Michelle Parker, Linda Alexander, Elizabeth Caputo, Marc Glazer, Joanne Imohiosen, Ulma Jones, Anne Raphael and Eric Shuffler. **Board Chair** Mark Diller. **Board Member** Louis Cholden-Brown. **Absent:** Paul Fisher.



**Preservation Committee Meeting Minutes
Lenore Norman and Gabrielle Palitz, Co-Chairpersons
January 12, 2012**

1. **173 West 78th Street, dba Sugar and Plumm**, (Amsterdam Avenue.) Application to the Landmarks Preservation Commission for replacement of the existing storefronts, installation of new signage, new fabric awnings, decorative exterior lighting, installation of new display windows in previously existing openings.

Return visit of this application due to denial of original design by Landmarks. Represented by Carmen Aguilera and Angel a Hurley, Rockwell Group, Architects

Applicant submitted new façade renderings; removal of lighted poles, inset placement of windows to two inches in from pilasters, door inset to three feet from outer facade, horizontal and vertical mullions around windows and doors, along with a leaded glass transoms on the façade. Base to be of a dark granite stone. New retractable, purple and mauve striped fabric awnings – alternating between striped-with-graphics and simply-striped - is reasonably appropriate to the historic character of the buildings and of the Historic District.

Resolution to **approve** revised storefront design **6-0-0-0**

2. **101 West 87th Street**(Columbus Avenue.) Application # 126926 to the Landmarks Preservation Commission to alter the facade and to install a marquee.

Represented by Adam Rolston, (architects), Caroline G. Harris (attorney), Brian Kelly and Tyler Clark, (project managers)

Finished building to accommodate 73 apartments and 6 storefronts.

Installation of new ADA- compliant elevator.

Revised color palette at the fiber-reinforced concrete cladding materials of the two-storey addition: now charcoal gray “cornice” and lower horizontal band bordering red-tone spandrel and pilaster cladding
Renovations to the existing ground floor façade, including:

--facing all existing red brick cladding in charcoal gray porcelain ceramic tiles

--stripping, refurbishing, staining and sealing existing wood storefronts along Columbus Avenue and around the corner on West 87th Street. Wood stain color to be charcoal gray.

Charcoal grey awnings on store fronts.

Renovation to residential entrance: replacing the doors and windows at the existing residential entrance on West 87th Street with new multi-paned doors and fixed sidelights, bronze finish to match existing bronze-tone bay windows above. Entry doors to be clear glass. Fixed sidelight glazing to be frosted, mirror-backed opaque glass.

Classic flat marquee on residential entrance, bronze finish with recessed lighting.

Resolution to **approve** the façade alterations and new marquee. **6-0-0-0**.

Present: Gabrielle Palitz, Jay Adolf, Brian Byrd, Miki Fiegel, Mark Glazer and Blanche E. Lawton.

On-Leave: Lenore Norman.

Prepared by Marc Glazer

Edited by Gabby Palitz, January 15, 2012



Steering Committee Meeting Minutes
Mark Diller, Chair
Joint with Land Use Committee
Richard Asche and Page Cowley, Co-Chairpersons, and
Health & Human Service Committee
Madge Rosenberg and Barbara Van Buren, Co-Chairpersons
January 17, 2012

Chair Mark Diller called the meeting to order at 6:35 PM.

1. Opening Remarks – Mark Diller, Chair, CB7 reviewed the agenda and order of business:
 - The only business at this meeting will be to will hear Jewish Home Lifecare's (JHL) application to the Department of City Planning. JHL is seeking a certification that certain conditions specified in Zoning Resolution section 22-42 do not exist in connection with its proposed relocation to West 97th Street.
 - First we will discuss whether the conditions do or do not exist. We will hear presentations from two speakers, Calvin Brown from the Department of City Planning and Elise Wagner, attorney for Kramer Levine on behalf of JHL.
 - Second we will hear JHL's presentation on the proposed project and hear comments from the community.

2. Review of the three conditions in the Section 22-42 of the Zoning Resolution – Calvin Brown, Department of City Planning
 - Note that City Planning Commission still has to decide on the application.
 - If the application doesn't meet any of the three requirements, then application can move forward to the commission.
 - If the applicant meets any one or more of the requirements, it triggers a review to determine if they need a special permit.
 - Condition a) *The ratio between the number of beds for such uses in existence under construction or approved toward construction by the appropriate Federal or State agency to the population of the Community District compared to such ratio for other Community Districts shows a relative concentration of facilitates covered in this section in the affected district.* The proposed project will lower the amount of beds in existence slightly.
 - Condition c) *The incidence of construction of facilities for the last three years warrants review over these facilities because they threaten to disrupt the land use balance in the community.* This concerns the issue of balance in the community. It is to avoid an over-production of these types of facilities.
 - Condition b) *A scarcity of land for general community purposes exists.* This text was written in 1974. To give context, at the time there was a proliferation of these types of facilities and a concern that they would crowd out other types of uses. In upper Manhattan, where we are, this is not a significant issue. There are many mixed-use opportunities in the Upper West Side.

3. Jewish Home Lifecare presentation directed to ZR Section 22-42, Elise Wagner, attorney for Kramer Levine on behalf of JHL.
 - Note that this is a re-location of the Jewish Home Lifecare facility at 120 West 106th Street and will result in 100 fewer beds.
 - To address the issue of oversaturation of nursing homes: there are only two in this area. The West 106th Street facility will be located to West 97th so there is no over proliferation.
 - More on condition a) oversaturation. Department of City Planning statistics show a ratio of 5 beds per 1,000 people in MCD7, which is below the City average.
 - Condition b) is intended to avoid competition for land being devoted to nursing homes. There is no scarcity. 4% of total land in MCB7 is used for nursing homes.
 - Condition c) Since there has been no construction of nursing home facilities since 2002., there could not be over-building.

Community questions and comments on ZR Section 22-42

Douglas Woodward, urban planner representing the Park West Village Tenants' Association.

- There must be a public review process and a special permit should be required because two of the three conditions addressed in the Zoning Resolution exist in the area in connection with JHL's proposed project. Community deserves the full protection of a special permit.
 - a) Ratio must be compared to other community districts. Applicant ignored instructions in zoning test. Did not do a comparison of the individual communities but only of the general. They all used four-year-old data.
 - b) With relatively small number of vacant lots in area, land is scarce.
 - c) Applicant considered only nursing facilities. The instructions include any health-related facilities.
- ULURP process is not onerous and the JHL should go through the process. The community needs a full review of all aspects of the effects on the community.

Hillel Hoffman speaking on behalf of tenants and friends who signed a letter in opposition to the proposed construction:

- Only .66 of 1% of land is vacant if one excludes Riverside South, which is an enclave generally inaccessible to the northern part of the district.
- The community is dense and what little land we do have open should be an addition to PS 163.
- The traffic on West 97th is already heavy.
- This application should go through ULURP process.

Joint committees' questions and discussion on Section 22-42 and the presence of conditions a), b) and c) in Community District 7

Richard Asche asked one representative from the developer and one representative from the community to describe briefly the definition of "scarcity of land" and of "general community purposes" and if those phrases are used elsewhere in Zoning Resolution and the history of the application of those terms.

Elise Wagner:

- Not entirely clear what it means. The plain language does not represent the intent if one reviews the history. In the historical notes it refers specifically to nursing facilities.

Calvin Brown:



- “General purposes” is not defined according to his review of the literature and history. He finds b) is disturbingly vague. a) and b) must stand alone in being evaluated.
- In city-wide averages of bed-ratio CB7 ranks 21 out of 53 (6 districts have 0 beds)
 - Largest 31.6 in Queens.
 - CB7 4.9.
 - Smallest is CB6 .6
 - CB8 (number 9) 10.2 ratio
 - CB5 (number 40) 2.6.

Board questions and comments for Ms. Wagner and Mr. Brown:

- Does a nursing home fall under the definition of “general community purpose”? A: Along with many other uses.
- Has ULURP process helped to define the “Community purpose” phrase? A: No
- Scarcity is clear and clearly exists. Community purpose is clear. There is a school where kids are sitting in trailers just 200 feet from the proposed project.
- Where Jewish Home Lifecare is now is not a problem. Should not move it.
- Can general community purpose be applied to private property? If land is owned privately the community should purchase it for community use.
- Uncomfortable with the ratios used to determine saturation. It speaks only to relative saturation and that is not the question. Averages do not belie relative truth.
- Saturation should either be defined by specific quantitative analysis or it’s too vague. In any case, two nursing facilities in a community our size can’t be considered oversaturation.
- “Community facilities” has a legal/zoning definition: nursing home, doctor’s office; many different things that are specified in the Zoning Resolution.
- In the last ten years has this provision been used in a case we could use as an example?
A (Ms. Wagner): Used many times, every time a nursing home is built in NYC. And we have responded consistently.
- A parking lot (which is the current use of the proposed development site) doesn’t seem to fulfill general community purposes.
- This is the first time that the Department of City Planning, developers and community are unanimous in acknowledging we don’t know what b) means. Rather than guess at the meaning, Mr. Asche recommended not advising on it.
- Clearly there is a scarcity of land because the Board of Education is behind in providing seats for children. Also the scarcity increases the value of the land which is why JHL can consider leaving the old building and moving to West 97th Street.
- CB7 has been trying to look at open spaces in new ways. JHL is moving the facility from 106th Street where it does not have a problem into an area where it takes open land and creates a problem.
- The land is not required by zoning to fulfill a community purpose but the zoning lot is built out to full residential capacity. The parking lot cannot be used for residential use. Still it’s private property so it could be a dormitory, doctor’s office, hospital, school, not-for-profit housing with sleeping facilities.
- The language is not vague but open so that communities have ability to interpret to their communities’ need. We should assert what we need and want.
- We should not punt on b). We need to use our opportunity to vote. This is the one opportunity for our voice and the community opinion to be heard.



Mr. Asche asked for a straw vote on the three conditions in order to determine if the Board was ready to decide:

Non-binding straw vote on a) finding passes: This application for the nursing home does NOT create the condition to be avoided.

Non-binding straw vote on c) finding passes: This application for the nursing home does NOT create the condition to be avoided.

Non-binding straw vote on b) finding: Do we have enough information to vote? Passes – consensus that CB7 should offer a position on whether the b) finding condition exists (rather than simply identify the ambiguity in the language and conclude that the Board cannot offer a view due to the lack of clarity in this context).

A second non-binding straw vote on b) finding determined that the condition to which the b) finding relates does exist in the District.

After deliberation, the following resolution was adopted:

As to the condition addressed in finding a): The condition which is the subject of the a) finding does NOT exist in the District.

Joint Committee Vote: 19-6-0-0. Non-committee Board Members Vote: 1-1-1-0.

As to the condition addressed in finding b): The condition which is the subject of the b) finding DOES exist in the District because there is a scarcity of land for general community purposes.

Joint Committee Vote: 15-6-5-0. Non-committee Board Members Vote: 4-0-1-0.

As to the condition addressed in finding c): The condition which is the subject of the c) finding does NOT exist in the District.

Joint Committee Vote: 25-0-1-0. Non-committee Board Members Vote: 4-0-1-0.

4. Jewish Home Lifecare presentation on the proposed project.

- JHL presented certain aspects of its proposed project, including presentations by its architect, traffic engineer, and a representative of a national organization whose elder care model JHL seeks to implement in its new facility.
- The presentations included changes to the project design that decreased the size of the proposed building by 4 stories or roughly 50 feet (from appx 325' to appx 275') based on the elimination of certain services and office space from the proposed building.
- The elimination of those services were expected to diminish the number of trips required to be made to the new facility each day, and potentially the issue of the parking of the vehicles used for those trips.
- JHL was committed to continuing to offer the services which were being eliminated from the project, but in a different location within the District.

Questions and comments on the overall project.

List of community members who spoke: Emily Margolis, Jean Green, Dorsey, Cathy Unsino, Natalie Nutakor, Dean Heitner, Robert Josman, Laura Jervis, Pearl Granat, Debbie Gilbert, Lou Colletti, Albinia De Meo, Irving Polsky, Winifred Armstrong, Chaz Rynkiewica, Nydia Leaf, John Engel, Dr. Gerald Sider, Minam Levi, Arnold Young, Jed Levine, Bob Wilkis, Cheryl Strong, Mike McGuire, Barbara Farring, Carrie Reynolds, Ron Soloway, Louis Coletti, Dean Daeian, D. Maria Watson, Sonia Garcia, Japhney Garrison.

The topics addressed by the speakers included:

- Traffic congestion, school busses, and pedestrian traffic is heavy.



- The 97th Street site doesn't allow for expansion, but the old site does. JHL should stay at 106th Street.
- Ex-CB7 member reported on the approval given to JHL in the first location. It was thoughtfully done and they should stay. The proposed facility is smaller and will not serve the community as well particularly as adult care has been eliminated from the plan.
- Alternative plan for JHL offered by a social worker with many years of experience - Low rise buildings with elder care on the first floor and mixed residential living above.
- Traffic study is insufficient, need air quality study, comprehensive land use analysis. Alternatives are needed.
- Any thoughts on underground storage. What about putting a school on the ground floor? The problem with West 106th Street is that it needs to be torn down and what to do with the residents then.
- Executive Director, Westside Federation Senior and Supportive Housing. JHL gives excellent care. Medicaid, redesign, NYS right sizing of nursing homes, economic collapse of 2008. All this makes it impossible for JHL to give the service they want to. Renovation of the building is not possible.
- President of Building Trades Employers' Association - The union would like to build the new building. It would be foolish to put more money into attempting to update/upgrade the existing facility. Please consider that our industry is at 30% unemployment and are expected to lose another 30k jobs in the next couple of years. Please consider the jobs.
- Letter written to the JHL from the NYS Dept of Health: Approval of the application in 2008 for the West 106th Street Certificate of Need. Plans were completely in place. There is no rationale to move.
- LP engineer, building is out of scale for the neighborhood. There is no environmental study filed or planned. It is claimed that it is not needed.
- JHL is working with reputable contractors and their attention to detail indicates that this will be a good, high quality job.
- In September CB7 voted to encourage green space as donuts in back yards because there is so much cement in the city. We are living in a time of extreme weather.
- Resident of Upper Westside and Trustee of JHL. The flagship facility at West 106th Street is long past its prime and the facility must be re-built in order to give the service that this community deserves.
- For past ten years working on a National Science Foundation Study on the effects of stress on people's lives. A tall, thin building is not good. A facility with beds distributed around a bank of elevators is not a home. Patients need to be able to go outside. Too close to an elementary school. West 97th Street is already used past capacity with schoolchildren. Parking was added to slow the traffic.
- In favor of the greenhouse model.
- The street and area have gone through construction for the past several years. More construction is too hard on the community.
- Safety issues of removing unhealthy, bed-ridden elderly in a nursing or rehab facility from upper floors during an emergency. As a flight attendant, the risks of evacuation in a time-sensitive manner are well-known. This facility creates unacceptable risks.
- Resident of Westside, mother is resident of JHL, President of the Relatives and Friends Association at JHL. The current 106th Street building is broken, it doesn't work. The care there has been extraordinary.



- Open space has been lost in the neighborhood because of the new buildings. A promise to keep the development site for park-like open space was broken. Save what we have left.

Closing and adjournment at 9:52 pm.

Present: Steering Committee Members: Mark Diller, Andrew Albert, Richard Asche*, Elizabeth Caputo, Louis Cholden-Brown, Page Cowley*, Miki Fiegel**, Marisa Maack, Gabrielle Palitz, Michele Parker, Nick Prigo, Suzanne Robotti, Madge Rosenberg**, Elizabeth Starkey, Barbara Van Buren**, George Zeppenfeldt-Cestero and Dan Zweig. **Land Use Committee Members*:** Jay Adolf, Sheldon J. Fine, Joanne Imohiosen, Helen Rosenthal, Roberta Semer, Ethel Sheffer, Thomas Vitullo- Martin. **Health & Human Services Committee Members**:** Ian Alterman, Robert Espier, Haydee Rosario, Evan Rosing. **Non-Committee Board Members:** Kenneth Coughlin, Blanche E. Lawton, Lillian Moore. **On-Leave:** Lenore Norman. **Absent:** Klari Neuwelt, Gabriella Rowe and Mel Wymore.



Land Use Committee
Page Cowley and Richard Asche, Co-Chairpersons
Joint with Business Consumer Issues Committee
Michelle Parker & George Zeppenfeldt-Cestero, Co-Chairpersons
January 18, 2012
Goddard Riverside Community Center

The Upper West Side Neighborhood Retail Streets Initiative. Application by the Department of City Planning to rezone the street fronts along sections on:

- Broadway, bounded by 72nd and 110th Streets on the east side;
- Amsterdam Avenue bounded 75th and 110th Streets on the west side, excluding the blocks between 100th-101st Streets and 102nd-103rd Streets, and bounded by 73rd-87th Streets, and 105th-109th Streets on the east side of the avenue; and
- Columbus Avenue bounded by 72nd and 87th Streets.

Presentation by Laura Smith, Department of City Planning

There is great transportation access, community centers, schools, etc. Proposal responded to concerns of the community, including continuous vacancies being held to create larger stores, too many large stores and too many banks. Columbus Avenue has many stores with 8-12-feet of frontage. Larger frontages on Columbus Avenue includes a Duane Reade with 80-feet of frontage where there were once many small stores. City Planning feels there is a lack of services in the commercial space as a result. Not just the loss of many small stores for one big store, but less small service retailers.

On Broadway, there is higher density for commercial and residential uses and the building footprints are larger, so proposal regarding storefront size would not apply on Broadway except with respect to banks. Heard about a “loss of character” because of banks occupying in excess of 50- 100-feet of frontage (1/2 block). City Planning thinks that larger stores are consistent with the character of Broadway, but would like to limit the banks’ frontages.

Seeking to preserve the “multi-store character” of Columbus and Amsterdam Avenues. On Broadway, it is about “the active retail character.”

Recommendations:

Proposal for Enhanced Commercial District #2:

Columbus Avenue bounded by 72nd and 87th Streets – two establishments for every 50-feet of zoning lot frontage, no larger than 40-feet. (Does not apply to existing stores.) Exceptions are supermarkets, schools, houses of worship or any frontage on any lots that have less than 30-feet of depth. Second component is a bank frontage limitation of 25 feet for new banks, but does not apply to existing or corner lots (Amsterdam Avenue, included). Third frontage limitation would apply to residential lobbies for 15-feet. Fourth and final component deals with 50% street wall transparency from 2 to 12 feet off the sidewalk, i.e., windows.

Also applies to Amsterdam Avenue bounded by 75th and 110th Streets on the west side, excluding the blocks between 100th-101st Streets and 102nd-103rd Streets, and bounded by 73rd-87th Streets, and 105th - 109th Streets on the east side of the avenue.

Example: A 60 foot frontage that is vacant for two years will have to renovate to smaller stores in order to be compliant.



The new zoning on Broadway, between 72nd and 110th Streets, would not be affected by the new zoning requirements, with the exception of banks. Large frontage being used by banks may turn over to other banks if vacated, but may not be used for other retail. Ideally, City Planning would like five stores per block, rather than the proposed seven stores per block front on Columbus and Amsterdam Avenues. Broadway would have the same transparency requirements. This is to facilitate an active pedestrian experience. Moreover, 60-foot wide retail is compliant on Broadway; but 60-foot-wide bank is not compliant.

Frontage Limitations on Existing Buildings:

The same limitations apply to existing buildings, as well as new buildings in order to discourage warehousing of multiple, contiguous retail spaces. However, larger existing spaces that are larger than the limitations are grandfathered if being used for similar purposes, which precludes banks.

City Planning Commission may modify these rules under two circumstances:

1. If the proposed use is in an unusually laid out space and cannot be configured to comply, there may be a waiver granted;
2. If there is a high ground-floor retail vacancy rate in the neighborhood.
3. One example of a C15 overlay over the existing R10A , applies exclusively to Isabella's.

Presentation by Page Cowley and Richard Asche:

Land Use originally saw it in May 2011.

One of the pitfalls, Ms. Cowley suggested could be homogenization of the Avenues. She pointed out that there is a “wonderful fracturing of the storefronts” because of the nature of the buildings on Columbus and Amsterdam, comprising tenements. Agrees Broadway can tolerate the larger frontages and that retail frontages in the landmark buildings may not be able to comply due to structural limitations.

Elected officials' comments:

Manhattan Borough President Scott Stringer, “This proposal is a little different because it concerns the commercial space. We have a real obligation and opportunity to look at our streetscape a better way. I ask you to really consider this.”

Council Member Gale Brewer, “I am here because I have 65 banks in my district. I did start this four or five years ago. Children are really impacted by the streetscape. I cannot thank City Planning enough. We tried to work with abatements, but had to go through Albany to legislate. The streetscape is what our neighborhood is all about.” Thanked several participants. “In 2008 Scott Stringer had a huge forum on this topic. This could be a model and we need to do something to preserve the mom and pops and keep a balance in this neighborhood.”

Q&A:

1. Concerns about too many of the same stores within a small area.
2. Concerns about Duane Reades and banks, specifically.
3. A question about waivers and how they are defined?
4. Sheldon Fine: When does the vacancy timeline begin? What is the time of passage?
5. Jay Adolf: Will City Planning have oversight on design? Are there legal/constitutional issues?
6. Ian Alterman: Can City Planning demand a landlord reduce the existing space if there is a tenant.
7. Public: Questioned boundaries again. A: On Columbus Avenue, it does not go above 86th Street.
8. Public: If an applicant is coming in for a misleading waiver who is overcharging so that he/she can get a higher rate, is it reviewable? A: CB reviews first, then City Planning.



9. Andrew Albert: Were there other neighborhoods considered for these regulations? A: has been applied to 125th Street. CP: We were asked to review Manhattan Valley and the existing environment is different than the other areas.

Public Session

1. Paul Sawyer on behalf of Assemblywoman Linda Rosenthal: Expressed support.
2. Varun Sanyal, on behalf of Councilmember Inez E. Dickens: Expressed support.
3. Barbara Adler on behalf of Columbus Avenue BID. Expressed disapproval; urged Columbus Avenue be removed from the proposal.
4. Lynn Binder Max from Three Parks Democrats. Expressed Support.
5. Brenda Levin on behalf of Extell. Expressed disapproval and feels LPC's guidelines are enough. Joined by Paul Selver, Kramer Levin. Requested exemption for existing individual landmark-designated buildings.
6. Batya Lewton. Been in the neighborhood for 80 years. Asks CP to forgo two-year exemption.
7. Monica McKane, CB8 public member. Her mother-in-law has lived in Manhattan Valley for 60 years and still needs Hispanic stores.
8. MaryAnn Rothman, Council of NY Cooperatives and Condominiums. Believes there will be unintended consequences by creating burdensome issues for owners who will pass it onto vendors. Expressed disapproval.
9. Steve Max, Three Parts Democrats. Discussed his late barber who couldn't afford rent. Asked CB7 to hold down rents; support for commercial rent control.
10. Richard Barr. Feels there is not enough commercial diversity; would like commercial rent control.
11. Cynthia Doty, District Leader. Expressed support.
12. Alexander Medvedev. Lived in UWS for 57 years. Feels the proposal is flawed and feels contextual zoning will not protect the "little guy." Encourage new construction, add mid-block commercial zones, explore different storefront presentation models. Disapproves.
13. Bob Bottfeld, Three Parks Democratic Club. Expressed support.
14. Madge Rosenberg, retail owner and neighbor. Expressed support.
15. Debra Kravet, Aphorp Cleaners owner. Landlords have to be accountable. Expressed support.
16. Peter Arndtsen, Columbus Amsterdam BID. Constituency is skeptical. Expressed support.
17. Susan Nial, neighbor. Is concerned about the process of authorization and waiver because she feels there is no clear opportunity for the public. Expressed support with concerns.
18. Willy Gonzalez, neighbor. Brought up issue concerning tenants.
19. Elizabeth Kellner, neighbor. Expressed Support.
20. Maritz Silva-Farrell, Alliance for a Greater NY. Expressed Support with concerns about the "Walmartization" of the neighborhood.
21. Mel Wymore, CB7 member and City Council candidate. Congratulated participants.
22. Tom Vitullo-Martin, CB7. Expressed concern. Believes that by putting a barrier on one big player will have a negative effect on other businesses. Is for the goal but feels there has not been enough analyses. Would like LPC pull out landmark buildings.
23. Joanne Imohiosen.. Agrees with Tom.
24. Roberta Semer, CB7, would like clarifications.
25. Shelly Fine, CB7, expressed support.
26. Jay Adolf, Expressed ambivalence but would like to exempt stores that wish to expand.
27. Richard Asche, Landmarks should not regulate ground floor spaces, Supports amendment
28. Mark Diller, supports the amendment. Likes shorter term of vacancy
29. Ethel Sheffer supports the amendment, thinks two year is too long for term of vacancy
30. Michelle Parker, CB7, expressed support.
31. George Zeppenfeldt-Cestero, expressed support. Feels two-year vacancy period is too long.
32. Ian Alterman, expressed ambivalence.
33. Andrew Albert. Feels the intent is good, but has questions, e.g., a successful mom-and-pop that would like to expand.

- 34. Page Cowley suggested we put off the vote and hear from other board members.
- 35. Mark Diller, CB7. Expressed support with caveats.
- 36. Mel Wymore. "This is a first step to guard against street-deadening uses. As a community board, we should encourage small businesses, but the distinction is that this proposal has to do with zoning issues."
- 37. Barbara Van Buren. Feels the resolution needs to be strengthened by adding enforcement. Also with the waiver issue, the language needs to be tightened. Doesn't agree with two-year vacancies.
- 38. Richard Asche. We haven't focused on the language and the office will circulate the proposal. Resolution and vote to be considered on February 15, 2012.

Issues to be further considered:

- 1. Variance
- 2. Two-year vacancy requirement
- 3. Landmarks waiver
- 4. Length of grandfathering
- 5. How do you define supermarkets

Present: Land Use Committee: Richard Asche, Page Cowley, Jay Adolf, Hope Cohen, Sheldon J. Fine, Joanne Imohiosen. Helen Rosenthal, Roberta Semer, Ethel Sheffer, Tom Vitullo-Martin. **Business & Consumer Issues Committee:** Linda Alexander, Elizabeth Caputo and Joanne Imohiosen. **Board Chair** Mark Diller. **Non-Committee Board Members:** Ian Alterman, Louis Cholden-Brown, Kenneth Coughlin, Mark Darin and Mel Wymore.



**Youth, Education & Libraries Committee
Gabriella Rowe and Marisa Maack, Co-Chairpersons
January 19, 2012 6:30 PM**

Kathryn Wright, Senior Youth and Family Director of Westside YMCA:

YMCA currently planning for their teen programming, summer day camp and teen career connections (50 paid internships in NYC).

YMCA in the midst of the Strong Kids Fundraising Campaign

YMCA offers free after school programs at PS 165 and 166. These programs are threatened from budget cuts. PS166 especially endangered because it is not deemed to be in a needy neighborhood. Example of the area may not meet low income criteria but area has pockets of need that would meet the criteria.

PS165 has a wait list for the after school programs. PS166 has capacity.

Co-Chair Maack made the point that the policy of judging need by zip code is problematic for CB7 area because it overlooks pockets of need within "non-needy" zip codes.

Ms Wright said she was requesting letters be sent to Mayor and DYCD stating there is a need and making the point about need even within this higher income zip code and further asking what plans the city had for alternatives for the affected families.

Ms Wright indicated that should either or both after-school programs close, alternatives are difficult to find because of cost to keep schools open due to need for school safety presence.

CB7 member Cara Volpe asked about partnering with co-located charters. Ms Wright indicated it is school specific.

CB7 member Louis Brown discussed his concern over a resolution dealing with across the board cuts because then every committee does a resolution. He said we should focus on the issue of need within our zip code.

CoChairs will draft letter instead for YEL to review.

CEC Middle School Committee Presentation

CEC President Christine Annechino made the presentation along with PS199 parent Stefan Koster. Tanya Khotin, another public school parent who is a member of the committee was present also.

The committee has been working for two years. It represents all parents, all schools in D3. They are working to provide that there is not a deficit of seats in middle school. They have compiled all their own data.

There are 22 middle school programs.
D3 is a choice district.
No zoned D3 middle schools.
There are about 1450 middle school test takers



1/3 of kids in middle school are from out of district. (anyone who ever attended a D3 elementary school is eligible for middle school in D3)

2/3 of the D3 middle schools test below proficiency.

There are 4 schools with proficiency ratings over 75%. Delta, Computer School, Mott Hall, Center School. Center starts in 5th grade. The other 3 are all first choice only schools.

A comparison with D2 reveals D2 has much many more schools above proficiency levels than D3. D3 has extremes – a few very high performing but most are not at proficiency.

The top four which are first choice only have proficiency of 77%-90%

The next middle group are 50%-75%

The bottom eleven schools are 10% to 40%.

Discussion was led by CEC presenters on the excess demand for the first choice schools.

There are 480 seats for first choice only schools.

Only 63% of qualified students for those schools get a seat.

285 students who qualify for those schools will not get a seat.

DOE says the 6th grade target (# of seats) capacity is 1468. DOE says base demands only exceeds target capacity in the worse bubble years 2015/2016.

There was significant discussion about the following issues

- (1) Overall lack of seats in the future years
- (2) Acute lack of seats for students in certain proficiency ranges at schools with similar proficiency ranges
- (3) Need to raise proficiency levels throughout D3 to improve choices

Present: Marisa Maack, Isaac Booker, Brian Byrd, Louis Cholden-Brown, Paul Fisher, Haydee Rosario, Helen Rosenthal, Eric Shuffler and Cara Volpe. **Board Member:** Mark Diller. **Absent:** Gabriella Rowe.



**Health & Human Services Committee Meeting Minutes
Madge Rosenberg and Barbara Van Buren, Co-Chairpersons
January 24, 2012**

MANHATTAN BOROUGH BOARD RESOLUTION REGARDING NYPD'S STOP AND FRISK PROGRAM

Andrew Kollach from the Borough President's Office comments that no guns are found in 99.8% of Stop and Frisks, and 85% of those stopped are black and Latino. The "Call In" model cited in the resolution and gun "buy backs" bring in more weapons than Stop and Frisk. "Call In" offers education, job training and housing to groups of trouble makers. He says "furtive movement" criteria for S & F is inadequate, and police need better training to judge when S & F is needed. There is a need to reform police department training rather than the citing individual officers.

Sheldon Fine (former school administrator in S. Bronx) and Fern Fleckman (psychiatric social worker) are skeptical about the effectiveness of "Call In" social services especially with shortages of services and jobs.

Ian Alterman says that since 78% of crimes are committed by blacks and Hispanics or in black and Hispanic neighborhoods, the 85% is not far out of line.

Robert Espier and **Elizabeth Starkey** say the resolution is necessary as written to correct long standing abuse of minority youth.

Evan Rosing would like to make final "be it resolved" about marijuana legislation into a separate resolution.

Evan questions some of the assumptions that are provided in the resolution (e.g., the 7% arrest rate across racial lines). Believes that the resolution should be more focused on improving police stop and frisk procedures.

Miki Fiegel would like Mark Diller to present resolution as it is at Borough Board but to have the leeway with the final wording and separating last "BE IT FURTHER RESOLVED" on pending marijuana in public view legislation

**RESOLUTION APPROVED:
COMMITTEE 5 - 3 -0-0; BOARD 3-0-0-0; COMMUNITY 1-0-3-0**

SPEAKERS FROM JASA ADVOCATE PROGRAM

Ron Cohen and Stuart Lahm described the advocacy training they acquired at JASA's Institute for Senior Action. They will be speaking and advocating for senior issues in housing, transportation, meals. The Institute is in session for 20 students of all faiths from February 27 - May 2 from 10:00 am to 2:30 at a total cost of \$75.00.

Present: Barbara Van Buren, Madge Rosenberg, Ian Alterman, Robert Espier, Miki Fiegel, Sheldon J. Fine, Phyllis E. Gunther, and Evan Rosing. **Board Chair** Mark Diller. **Board Members:** Louis Cholden-Brown, Kenneth Coughlin and Elizabeth Starkey. **Absent:** Haydee Rosario. **Public:** Fern Fleckman, Judith Martinez and Ruth Ellen Simmonds.



**Manhattan Community Board 7 Minutes
District Service Cabinet Meeting
Penny Ryan, Chair
January 25, 2012, 9:30-11:00AM**

Mayor's Office, NYPD, DEP

Plans for Fashion Week and construction coordination.

- Five community letters going out from the mayor's office; letters can be sent out to cabinet members.
- Construction coordination in the letters; fashion panel to be set later this week
- Whisper jets replaced noisy generators.
- Residents want to take back Damrosch Park for community use.
- DEP is monitoring the fashion week events.
- 20th Pct is coordinating with Fashion Week security.
- LS BID – arranging prefix menus for the area.
- Some NYCHA residents will be hired for help.
- Tent after parties are supposed to shut down at 10 PM but last year went on beyond.

DDC/ConEd

Update on Water Tunnel work in the Lincoln Square area.

- DOT has not issued permits to Con Edison so no work has been done.
- DEP will find out about their work which is scheduled before Con Ed begins.

311

Update on October agency recommendations and liaisons.

No progress from DoITT. Will work with CM Gale Brewer's office to gather information.

DOT Updates:

- Shared bike program: moving along trying to nail down bike stations by next month, looking for feedback from BIDs, CBs, and will have tables out in the community in March.
- Bench program: first batch will be 140 and will be distributed around the City, others are saying CB7 will get 60 of the first benches. DOT will verify.
- Slow streets program: Neighborhood Slow Zones – for self-contained areas that don't contain major streets, CB7 does not qualify for this program.

DOB

Bicycle rentals in public parking garages and West 60th Street.

17 West 60th Street was issued a violation for use contrary to Certificate of occupancy.

DOB requested location that operated last year so they can start inspection in March.

Inspections of accessory garages operating as public garages:

808 Columbus Avenue (97th-100th Streets). *Can an accessory garage be sold separate from the residential building?* No, have to be separate buildings, with separate CofO. CofO defines classification of garage.

1865 Broadway, American Bible Society, signage: must be on private property, can only advertise events that are happening inside the building. Not for vendor logos, or other advertising.

- Entrance door enclosures: Storm enclosures/vestibules that are under 18" away from the building are legal. If enclosure is out more than 18" report to 311 and DOB will inspect.
- Construction Update: 732 West And Avenue – will be working four weekends for sewer work.

NYPD

Traffic reports: 20th Pct

- 12 % reduction in overall crime; arrests are up.



- In 2011 – 20th Pct was up eight accidents from 2010, total 2000 accidents. Pedestrians getting hurt is up one for the year.

24th Pct

- Last year there was a reduction in overall accidents, down 22% for the month & total injury down 30 %.
- Crime index down for the year, problem with 10 residential robberies, people leaving windows open. The precinct is doing community outreach to inform them on what they should do to prevent burglaries.
- Burglary cluster is on Central Park West – Columbus Avenue/102-107 Streets.
- Grand Larceny: 28 day ID theft spike, nineteen were unattended properties both at home and in some bars.

CB7 requested NYPD Traffic statistics that can be shared with the Transportation Committee.

Report on redesign of the Broadway and 71st Street intersection and traffic congestion.

- Traffic flow has been adjusted and flow is now moving well.

Status of traffic flow on Riverside Boulevard since the 72nd Street connection opened and enforcement of double parking regulations on taxis and black cars in the AM and at noontime.

- Black cars – done several operations and will continue parking enforcement.
- 159 summonses issued to taxis.

Electric bicycles:

- Must be registered with DMV. Enforcing – CM & 20th Pct educating restaurant owners make electric bikes legal. 24th Pct will do the same.
- Pcts will give CB details about insurance and licensing.
- 311 calls on abundance of electric bikes used by Ollie's, 2425 Broadway (91st Street) and Saigon Grill, 620 Amsterdam (90th Street). 24th Pct to advise.

PSA#6 and 24th Pct

Youth violence around Joan of Arc complex and Wise Towers.

- Have identified groups around Joan of Arc and Wise Towers and will reach out to involve them in youth council and basketball recreation.
- Community meeting with Goddard and agencies.
- 24th Pct. school team has been working with principals in the area.

DSNY

Enforcement personnel in CD7. Recycling perpetrators were caught, confiscated two trucks.

They may have been responsible for the basket and recycling thefts in December and January.

DOHMH/DPR

Rats in Magnolia Bakery tree pit: installed 10 tubes, reduced presence but not gone totally.

DOHMH/DPR/DSNY

Riverside Park and surrounding area (83rd-91st Streets, River to Broadway) plan: community people will make a model block with interagency group. Community to supply manpower to educate community on garbage storage problem.

Agency Reports.

Clean up NYC: Anthony Vargas – lost most of its funding, only left with 40% of original budget. Midtown Community Corp has taken over but only works in the 14th Street to 86th Street area.



NYPD Transit#3 – Ipad and Iphone thefts are on the rise. NYPD Transit has produced a Public Service Announcement. Females are the biggest target. PD advises users to download *Find My Phone* app for iphones.

FDNY – slight reduction in stats – 852 fires down to 839, -13.

- FDNY step-up of building inspections and for buildings under construction, have helped significantly in lowering emergency accidents, over 400 fewer incidents ytd.

NYPD PSA6 – Overall crime is down for the year 1%; spike in domestic related felony assaults.

ConEd – trench project on 59th Street may impact DSNY.

Present: Penny Ryan, District Manager, John Martinez, Asst. District Manager; DI Brian McGinn, Lt. Mike Baker, PO Jerry Clark, 20th Pct; Bart LeSeur, Robert Alfieri, FDNY; DI Nancy Barry, PO Steve Jones, PO Donodelle Jr., NYPD Transit #1; Det. Ramos, NYPD PSA6; Leah Donaldson, DOB; Josh Orzeck, DOT; Humberto Galarza, DEP; Paul Evans, Parks; Jessica Dennison, Office of Comptroller; Jesse Bodine, CM Brewer's Office; Pat Richardi, Con Ed; Luis Rivera, Midtown Community Corp; Marjorie Cohen; Peter Arndtsen, Columbus-Amsterdam BID; Rich Juliano, Lincoln Square BID; Barbara Adler, Travis Craw, Columbus Ave BID.