

***Full Board Meeting  
Eric M. Nelson, Chairman  
February 6, 2001***

Eric Nelson called the meeting to order at 7:24 PM. Mr. Nelson reported that the Manhattan Borough President is forming a construction noise task force to address community concerns. Hector Santana and Melanie Radley, Co-Chairs of the Uniformed Services and Environment Committee, will lead the Board's participation in the task force.

**Public Session:**

1. Gloria Bedoya of Foster Parent Recruitment Supervisor from the Children's Aid Society encourage participation in their program. For more information, please call (212) 987-4873.
2. Ronald Boerke of the Central Park Conservancy spoke about the free public recreation programs in Central Park. In addition to an extensive daytime school program, the Conservancy offers after-school programs and weekend programs. For more information, please call (212) 348-4867.
3. Adam Montanoro of the Folun Dofa organization spoke about their local community Folun Dofa events, especially educational opportunities. For more information, please call (212) 865-0813.
4. Robin Shiveder for Manhattan Valley, Morningside and Harlem Neighbors for Viable Neighborhood spoke about their issues with Columbia's development plans.
5. Brad Usher from State Senator Tom Duane's office spoke about the reduction of democratic processes in the State Senate. In addition, he reported that Coach Tours, Inc has bought NY Apple Tours.
6. Ms. Weissbram spoke about the value of street fairs to those who cannot afford other market opportunities.
7. Linda Rosenthal for Congressman Nadler's office reported that the Congressman has been appointed Chair of the Constitutional sub-committee, which deals with Constitutional Amendments, Civil Rights, and other crucial issues of law.
8. Diana Schnieder spoke about aircraft flyovers that have plagued our community for the past five years. She encouraged everyone to write to U.S. Senators and Congressional members.
9. Marose Quiogue from the NY Public Library spoke about a new library service, consumer health service. This service is available in all branches in Manhattan, Bronx, and Staten Island as well as online at [www.nypl.org.branch.com](http://www.nypl.org.branch.com)
10. Dough Griebel, the President of the Columbus Avenue BID, introduced the new Columbus Avenue map, which he made available.
11. Anna Hunter from State Senator Schniederman's office announced a public meeting, joint with Assemblyman Scott Stringer, to deal with the education funding equity case. It will be held at PS 9, 100 West 84<sup>th</sup> Street 6:30-8PM on February 15<sup>th</sup>.
12. Rowena Daly from the West Side YMCA spoke about the Y's after school programs, which serves 8,000 children in the neighborhood. Also the grand opening of their building will be in June.
13. Police Officer Jorge Rivera, the Patrol Borough Manhattan North Liaison from the Community Affairs Office of the Police Headquarters, reported on Health Stat coverage for children who don't have health coverage and Gun Stop, which rewards people for information about illegal guns. Information is anonymous.
14. Ethel Sheffer announced the public hearing on the Final Environmental Impact Statement for the Relocation of the Miller Highway Project, which will take place on Thursday, February 15<sup>th</sup> at 7PM. She urged board members to send comments and attend the special public hearing.

### **Manhattan Borough President's Report**

Noah Pfefferblit announced that there would be a new liaison for CB7 starting shortly. He is now the Director of Community Affairs for the Borough President's Office.

### **Legislator's Reports**

Assemblyman Scott Stringer announced that the Governor already appealed the education equity case and, in addition, has proposed reduction in universal Pre-K, professional development and other educational programs. He reported that express service at 72<sup>nd</sup> Street might be threatened. The Assemblyman has been approved Chair of the Oversight, Analysis and Investigation Committee, which has subpoena power.

### **District Manger's Report**

Penny Ryan announced major construction by ConEd on southbound Broadway from 110<sup>th</sup> -107<sup>th</sup> Streets. She also introduced the new Commanding Officer of the 24<sup>th</sup> Precinct, Raymond Spinella. Captain Spinella gave a brief overview of his work in the NYPD.

### **Business Session:**

Resolution to disapprove an application to the Department of Consumer Affairs by Mushtaq Ahmed to construct and operate a newsstand at the S/E/C of Broadway and 67<sup>th</sup> Street was adopted: 36-0-0-0.

Resolution to approve the West 83<sup>rd</sup> Street Block Association's proposal to replace existing street lights with Bishop's Crook lampposts on West 83<sup>rd</sup> Street from Riverside Drive to Broadway was adopted: 32-1-3-0.

Resolution to approve 170 West 79<sup>th</sup> Street, Congregation Rodeph Sholom School's application #01-3454 to the Landmarks Preservation Commission to enlarge a rear yard addition was adopted: 36-0-0-0.

Resolution to approve 1000 Fifth Avenue, Metropolitan Museum of Art's application #01-3694 to the Landmarks Preservation Commission for facade alterations and underground building expansion was adopted: 38-0-0-0.

Resolution to approve Westside Little League's proposal to construct a dedicated little league field and a convertible soccer/softball field in Riverside Park, between 103<sup>rd</sup> and 104<sup>th</sup> Streets, was adopted: 38-2-0-0.

Resolution to approve renewal application DCA#814035 to the Department of Consumer Affairs by American Specialty Foods Inc., d/b/a Josie's at 300 Amsterdam Avenue, for a five-year consent to operate an enclosed sidewalk café with 8 tables and 27 seats, was adopted: 26-8-3-0.

Resolution to approve renewal application DCA#1027125 to the Department of Consumer Affairs by Haru Amsterdam Avenue Corp., d/b/a Haru at 433 Amsterdam Avenue, for a five-year consent to operate an unenclosed sidewalk café with 7 tables and 22 seats, was adopted: 36-0-0-0.

Resolution to approve renewal application DCA#1006739 to the Department of Consumer Affairs by Gabriella's True Mexican Inc., d/b/a Gabriella's Kitchen at 311 Amsterdam Avenue, for a five-year consent to operate an unenclosed sidewalk café with 29 tables and 58 seats, was adopted: 36-0-0-0.

Resolution to approve renewal application DCA#1025224 to the Department of Consumer Affairs by Surtic Inc., d/b/a Citrus at 320 Amsterdam Avenue, for a five-year consent to operate an unenclosed sidewalk café with 19 tables and 42 seats, was adopted: 36-0-0-0.

Resolution to approve new application DCA#1068447 to the Department of Consumer Affairs by Rancho West Corp., d/b/a Rancho at 570 Amsterdam Avenue, for a one-year consent to operate an unenclosed sidewalk café with 21 tables and 42 seats, was adopted: 36-0-0-0.

Resolution to amend CB7 By-Laws to require that no member shall be a candidate for Board office until he or she has completed one year of Board service was not adopted: 4-26-6-0.

Deliberations:

Barry Rosenberg, Barbara Van Buren, Joyce Johnson, Klari Neuwelt, and Jean Green Dorsey stated that the changes were unnecessary.

Tom Vitullo-Martin stated that he doubted the Board has the authority to make these changes.

Dan Zweig generally favored resolution "A"; believing a year of service would make the Board officers better.

Barbara Keleman supported resolution "B", stating it would make resolution "A" unnecessary.

Steve Carbo questioned who the three Steering Committee members who voted in favor of the proposed resolutions were.

Resolution to amend CB7 By-Laws by changing the Election Calendar to:

- Announcement in July
- Nominations in September
- Elections in October
- New officers take office on November 1<sup>st</sup>.

was adopted, with the condition that it takes effect in January 2002: 28-7-2-0.

Resolution to amend CB7 By-Laws to require that in order to vote in a Board Election, a Board Member must have attended at least two Full Board Meetings as an appointed Board Member prior to the meeting at which the election is held was not adopted: 3-29-3-0.

Present: Eric M. Nelson, Chairman, Barbara Adler, Andrew Albert, Richard Asche, Annette Averette, Beth Berns, Gale Brewer, Dan Cohen, Hope Cohen, Beverly Feingold, Sheldon Fine, Georgette Gittens, Jean Green-Dorsey, Guillermo Gonzalez, Douglas Griebel, Phyllis Gunther, David Harris, Robert Herrmann, Lawrence Horowitz, John D. Howell, Joyce S. Johnson, Betty Katz, Barbara Keleman, Marc Landis, Klari Neuwelt, Lenore Norman, George Price, Melanie Radley, Oscar Rios, Barry Rosenberg, Hector Santana Jr., Ethel Sheffer, Elizabeth Starkey, Patricia Stevens, Barbara Van Buren, Thomas Vitullo-Martin, D. Maria Watson, Angela Wiggins, Robert Zuckerman, Daniel Zweig.

Absent: Peter Bailey, Ulma Jones, Lydia Padilla, Sharon Parker-Frazier, Evelyn Tamarin, Melanie Wymore, George Zeppenfeldt-Cestero.

**Transportation Committee**  
**Andrew Albert and Dan Zweig, Co-Chairs**  
**February 13, 2001**

The Committee considered several agenda items.

1. Co-Chair Andrew Albert announced that Columbia University has withdrawn the proposed sidewalk changes on West 110th Street for the Columbia University School for Children and Faculty Housing, at the southeast corner of Broadway and 110th Street.
  
2. Newsstands. Michael Sillerman, Esq., Vice Chair, Zoning Committee, Real Estate Board (REB), addressed the topic of legislative initiatives regarding newsstands at the request of the Committee. He opened by stating that currently the City of New York has a "non-system" regarding placement of newsstands, which he described as "buildings on the sidewalk," some of which are placed in a haphazard manner. Comments about the placement of the stands from Community Boards and the public are taken into account by the Dept. of Consumer Affairs and the Dept. of Transportation (the relevant city agencies -- DCA sends applications to DOT) only if they apply to a structure that is impeding pedestrian traffic. As long as the newsstand meets the minimum clearance regulations (XXX feet from a door, subway entrance, etc.), it is approved. Andrew Albert said that CB7 has "commented" many times in the form of resolutions, but the Board has been overridden. However, in some cases where the 20 Precinct has indicated that the stand would be a danger, particularly where the newsstand would block views of an ATM vestibule, newsstand applications have been turned down.

Andrew Albert pointed out that CB7 has tried to support operators by suggesting alternative sites, but any applicant who rejects a site has his/her request returned to the bottom of the list.

Klari Neuwelt asked about the design issues. Andrew Albert responded that there is little input from the Art Commission, and that the Landmarks Commission is not involved in sidewalk usage. (Later in the meeting Klari Neuwelt clarified that Landmarks does review applications in historic districts and is supposed to "report the application to the Art Commission.") Ms. Neuwelt pointed out that in the past bad design and/or a poor maintenance history by the applicant who is a current owner of another stand were not taken into account. She also said that the law is silent on what material is used for the stand. Mr. Sillerman responded that newsstands are licensed by DCA and DOT and that there was "no countervailing force."

Gale Brewer asked if veterans and the disabled still receive preference as operators.

Andrew Albert responded that vets/disabled may receive preference, but that they must accept the first site offered; if not, their application is placed at the bottom of the list.

Dan Zweig stated that in response to a concern that the percentage of non-news items displayed was too high, legislation has been proposed in the past.

Ian Alterman, a public member, discussed fees. He felt that the fees are too low and that increases could discourage new applicants. Elizabeth Starkey reported that newsstands in parks operate as concessions and pay thousands of dollars in fees. Dan Zweig suggested sliding scale fees.

Madeleine Polayes, a public member, said that the stand at 72nd and B'way, NW corner, was hard to walk around.

Fiona Oliphant, representing Council Member Eldridge, indicated that CM Eldridge has submitted legislation to require that a proposed newsstand get approval from any nearby news stores.

In response to a question from Klari Neuwelt, Mr. Sillerman indicated that the membership of the REB is primarily Manhattan property owners. He also said that on a pro-bono basis his firm would be interested in working with CB7 to initiate legislation, discussions or other action to improve the placement of newsstands on the sidewalks of New York City, and give Community Boards greater say over the placement of the stands.

In summary, Andrew Albert thanked the guest speaker and suggested that CB7 proceed to draft legislation (in concert with Mr. Sillerman) to change the newsstand application process, and then meet with other interested parties. It was suggested that DOT (with well-briefed staff) be invited to the next Transportation Committee meeting to begin the discussion. (Later, DCA, etc.) In addition, Elizabeth Starkey will assign each committee member an area to review and map for stand locations. And CB7 will ask DCA for information on the number of disabled/vet operators. Mr. Sillerman liked the approach of research and organizing to take action on the issue; he also pointed to the First Amendment issues.

3. News boxes. Several public members commented on the proliferation of news boxes at street corners, and their poor maintenance. Elizabeth Starkey said that the committee should focus on the maintenance of the boxes and not differentiating news and business publications, which would bring up First Amendment issues. She also commented on design issues for the boxes, and said that the large green boxes built by midtown BIDS are not an option for CB7 as they are unattractive and hard to maintain.

Suggestions for restricting boxes include: higher fees, asking the news organizations for design improvements, support of Intro. 590, which legislates more monitoring, testifying at a City Council hearing on a new version of Int. 590, including the BIDs in discussions.

Ms. Starkey passed out an extensive Municipal Art Society paper on news boxes

for review. The Committee will continue to address the issue.

4. Discussion of NYC Transit (NYTA) painting W. 72nd St. bus stop curbs yellow. Council Member Eldridge allocated funds to renovate the streetscape on W. 72nd St., RSD to CPW, including the installation of granite curbs. The NYC TA has a policy of indicating bus stops by painting all curbs yellow, so as to discourage illegal parking. Members of the committee said that they have not seen yellow paint at all bus stops. Furthermore, they felt that the TA should have consulted with others before assigning a crew to paint what was obviously a taxpayer funded, quality renovation of the curbs.

*Resolution urging the NYC Transit Authority to remove the yellow paint at bus stop curbs on W. 72nd Street*

WHEREAS, Council Member Eldridge has recently allocated city dollars to the renovation of West 72nd Street, Riverside Drive to Central Park West, an area that includes designated historic landmarks,, and the work has been done with high quality material, including new granite curbs; and

WHEREAS, the bus stops are indicated by tall signs; and

WHEREAS, drivers of vehicles can see the signs which indicate the bus stop area and the curbside by which it is illegal for vehicles to stand in; and therefore

BE IT RESOLVED THAT CB7 urges the NYCTA to remove the yellow paint that it placed over new granite curbs to indicate bus stops on West 72nd Street from CPW to RSD.

Committee approval:

Committee Members:	7-1-0-0
Non-Committee Board Members	2-0-0-0
Public Members	5-0-2-0

5. Discussion of proposal by 72nd Street contractor to close the sidewalk on the west side of Amsterdam Avenue between 73rd and 74th Streets at night for safety reasons.

After discussion that indicated both the contractor and the management of Apple Bank, which is located on the site, were concerned about the safety of pedestrians walking through the above-mentioned sidewalk at night, the Committee passed the following:

*Resolution on closing sidewalk corridor for duration of 72nd St. reconstruction:*

WHEREAS, both the 72nd Street IRT contractor and the management of Apple Bank, which is located on the site, are concerned about the safety of pedestrians walking on the sidewalk on the west side of Amsterdam Avenue between 73rd and 74th Streets during the reconstruction of the 72nd St. IRT; and therefore

BE IT RESOLVED THAT CB7 recommends the closure of the sidewalk corridor between 9 PM and 6 AM during the reconstruction period, that a sign be placed on site indicating that this is a temporary measure, and that these actions be carried out as necessary by the workers employed by the 72nd Street IRT contractor.

Committee approval:

Committee Members:	8-0-0-0
Non-Committee Board Members	1-0-0-0
Public Members	1-0-2-0

6. Budget. Elizabeth Starkey asked all members to review the District Needs and budget material and make recommendations. Preliminary discussion included subway stations that need capital improvements, the on-going effort to curb illegal commercial traffic on WEA, etc.

7. New Business. Madeleine Polayes, a resident of 11 RSD/285 WEA, requested that the Committee support a "no parking zone" space in front of the building, on the West End Avenue side. She was joined by the manager of the building.

The matter was laid over to the next month in order to give time for notification to all building and area residents.

**Land Use Committee**  
**Co-Chairs: Richard Asche and Larry Horowitz**  
**February 21, 2001**

**1. 556 Columbus Avenue**

Abdullah Seraj, owner, and Steve Wygoda, architect, presented the new (change of ownership) application for an unenclosed sidewalk café. The previous owner had assured the Committee repeatedly that she would employ waiter service and non-disposable dishware and tableware in the café and never did. The current owner has owned the establishment and operated the café for the past two years, continuing his predecessor's tradition of operating without waiter service.

The applicant has agreed to establish waiter service both inside and outside. The Committee recommended that the applicant establish waiter service inside immediately and return to the March meeting of the Committee to present the application for the café.

**2. 414 Amsterdam Avenue**

The Committee adopted the following resolution:

*WHEREAS the applicant has agreed to remove the flower boxes and menu stand from the railing and outside of the sidewalk café;*

*BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application #1016775 to the Department of Consumer Affairs by BEK Enterprise, Inc., d/b/a Savann Restaurant at 414 Amsterdam Avenue (West 79<sup>th</sup>-80<sup>th</sup> Streets), for a five-year consent to operate an unenclosed sidewalk café with 8 tables and 17 seats.*

Committee Member vote: 5-0-0-0 Board Member vote: 1-0-0-0

**3. 434 Amsterdam Avenue**

Kevin Yuen, manager, presented the application for an unenclosed sidewalk café.

The Committee adopted the following resolution:

*WHEREAS the wooden platform that was there before the summer of 2000 has been removed and;*

*WHEREAS the establishment has agreed not to reinstall the wooden platform;*

*BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application #1002039 to the Department of Consumer Affairs by Pensu Corp. d/b/a Roppongi Japanese Restaurant at 434 Amsterdam Avenue (West 80<sup>th</sup>-81<sup>st</sup> Streets), for a five-year consent to operate an unenclosed sidewalk café with 10 tables and 25 seats.*

Committee Member vote: 5-0-0-0 Board Member vote: 1-0-0-0

**4. 2290 Broadway**

Robert Bookman, attorney, presented the renewal application for an unenclosed sidewalk café.

Ian Alterman spoke about delivery personnel for the establishment riding bicycles on the sidewalk. Mr. Bookman assured the Committee that the management would reinstruct delivery personnel about riding on the sidewalk. Furthermore, the applicant agreed to eliminate 2 tables and 6 seats from the café in order to accommodate a bicycle rack within the borders of the café.

The Committee adopted the following resolution:

*WHEREAS the applicant has agreed to install a bicycle rack within the confines of the sidewalk café and has agreed to submit to Community Board 7/Manhattan plans revised to document this change and stamped by the NYC Department of Consumer Affairs;*

*BE IT RESOLVED THAT Community Board 7/Manhattan approves the renewal application #1023819 to the Department of Consumer Affairs by West Side Deli LLC, d/b/a Artie's Delicatessen at 2290 Broadway, for a five-year consent to operate an unenclosed sidewalk café with 18 tables and 54 seats.*

Committee Member vote: 4-1-0-0

#### **5. 254 West 72<sup>nd</sup> Street**

The Committee adopted the following resolution:

*BE IT RESOLVED THAT Community Board 7/Manhattan approves the renewal application #1003589 to the Department of Consumer Affairs by Sugar Bar, Inc., d/b/a Sugar Bar at 254 West 72<sup>nd</sup> Street, for an extension of a one-year consent to a five-year consent to operate an unenclosed sidewalk café with 4 tables and 12 seats.*

Committee Member vote: 6-0-0-0 Board Member vote: 1-0-0-0

#### **6. 183 Columbus Avenue**

Dimitra Malliaros, owner, presented the application for a new (change of ownership) unenclosed café. The Committee expressed deep concern about the roll-down enclosures installed by the previous owner around the café. These are illegal, and the applicant agreed to remove them.

The Committee adopted the following resolution:

*WHEREAS the applicant has agreed to remove the roll-down canvas/plastic enclosures that were installed by the previous owner to enable an unenclosed sidewalk café to serve as an enclosed café; and*

*WHEREAS the applicant has agreed not to cover the sidewalk with carpeting, etc.;*

*BE IT RESOLVED THAT Community Board 7/Manhattan approves the new application #0835735 to the Department of Consumer Affairs by VK Food Shop Inc., d/b/a Elite Café at 183 Columbus Avenue (68<sup>th</sup>-69<sup>th</sup> Street), for a one-year consent to operate an unenclosed sidewalk café with 6 tables and 11 seats.*

Committee Member vote: 5-0-0-0 Board Member vote: 1-0-0-0

#### **7. 23 West 73<sup>rd</sup> Street, Park Royal**

Chris Caslin, attorney, presented the application being made to the Department of City Planning (DCP) by Town Sports International (TSI) for a second special permit pursuant to Sect. 74-711 of the Zoning Resolution to permit conversion of space in the basement and cellar of a residential building to (New York Sports Club) health-club use. The first special permit (#C950227 ZSM) was granted in October 1995 to permit the club to be established in the first floor and basement of the subject building.

Mr. Caslin explained that the health club was seeking to expand in response to desires expressed by its existing clientele for studio and aerobics facilities. TSI's original agreement with the building's original sponsor, Broadway Associates, anticipates that TSI might pursue an expansion at some point. Broadway Associates has agreed to allow TSI to pursue this expansion now. TSI would be expanding into space that is not needed by building residents and would build storage space for residents as part of the construction project.

Tom Houghton, Dan Yu, Guy Metcalfe, Jim Moore, Sharon Davison, residents of 23 West 73<sup>rd</sup> Street, spoke in opposition to the application. They represent the Co-op Board of 23 West 73<sup>rd</sup> Street as well as themselves as individuals. While they appreciate the convenience of having the club in their

building (several are members), they stated clearly that the club has not been a good neighbor to the building. Vibration and noise are the worst problems – from 6am to 10:30pm every day from gym machines (especially treadmills) and air conditioning equipment. The club has received citations from Department of Environmental Protection and Department of Buildings concerning noise from and placement of air conditioning equipment. Residents have also complained about lack of hot water from stress on building's infrastructure. In addition, towel bins have consistently been found to block emergency exits. The residents are opposed to club expansion until the existing problems are fixed.

Robert Calvo, TSI's Vice President for Construction, responded that the club is "a totally standalone environment," having its own infrastructure for heat and hot water. The Department of Buildings citation was given in error and has been rescinded. He agreed that there have been problems of noise and vibration, but that TSI had done all it could do, including making large expenditures for acoustical consulting and noise abatement. Mr. Calvo believes the noise and vibration situation has been remedied to the fullest extent possible.

The Committee felt strongly that it would be wrong to allow expansion of the club when significant problems remain with its current incarnation – especially since club management has essentially given up on addressing those problems.

The Committee adopted the following resolution:

*WHEREAS Town Sports International is already operating a New York Sports Club health club in the first floor and basement of 23 West 73<sup>rd</sup> Street, pursuant to special permit #C950227 ZSM; and  
WHEREAS the existing New York Sports Club health club has not adequately addressed long-standing complaints from residents of its host building concerning noise and vibration, and associated official citations; and*

*WHEREAS the existing New York Sports Club health club has exhibited a lack of good-neighborliness to its host building in additional ways, such as carelessness regarding fire safety, by blocking emergency exits with towel bins;*

*BE IT RESOLVED THAT Community Board 7/Manhattan disapproves the application #000550ZSM to the Department of City Planning by Town Sports International for a second special permit pursuant to Section 74-711 of the Zoning Resolution to convert 892 ft<sup>2</sup> for studio use in the basement and 2387 ft<sup>2</sup> for aerobics use in the cellar of 23 West 73<sup>rd</sup> Street.*

Committee Member vote: 5-0-1-0 Board Member vote: 1-0-0-0

#### 8. **44 West 106<sup>th</sup> Street**

Fred Becker, attorney, presented the application (#265-00-BZ) being made to the Board of Standards & Appeals (BSA) by 142 LLC to allow the construction of a six-story plus penthouse, five-family residence at 44 West 106<sup>th</sup> Street (a.k.a. 142 Manhattan Avenue).

Mr. Becker explained that the narrowness of this corner lot creates a hardship. A complying building would feature unreasonably narrow rooms and uncomfortable configurations; therefore, the applicant is seeking a variance to cover 100% of the lot, rather than the allowable 80%. Granting this variance would cause the elimination of the front yard area. No variance in floor area is being sought; this is solely a redistribution of bulk.

Mr. Becker further explained that economic factors require the applicant to build a residence for five families, rather than the allowable two. The applicant will occupy one of the apartments and rent the rest; involving only one other residential unit would be economically unfeasible.

Members of the Committee were concerned that the proposed building is out of scale with the immediate neighborhood and that it is the harbinger of gentrification of the area.

A proposed resolution to approve the application failed.

The Committee adopted the following resolution:

*BE IT RESOLVED THAT Community Board 7/Manhattan disapproves the application #265-00-BZ to the Board of Standards & Appeals for a variance pursuant to Sections 23-145 and 23-32 of the Zoning Resolution to allow the construction of a six-story plus penthouse, five-family residence at 44 West 106<sup>th</sup> Street, a.k.a 142 Manhattan Avenue by permitting:*

- *an increase in the lot coverage from 80% to 100%*
- *an increase in the number of permitted dwelling units from two to five..*

Committee Member vote: 4-2-0-0 Board Member vote: 0-1-1-0 Public Member vote: 1-1-0-0

### 9. Columbia University.

Columbia University is applying to the Board of Standards & Appeals (BSA) for variances to permit the construction of a mixed-use building on the southeast corner of Broadway and 110<sup>th</sup> Street. The applicant is seeking seven variances:

<b>Variance Required</b>	<b>Permitted/Required</b>	<b>Proposed</b>
Sections 33-431 and 24-522: Height and Setback	15 foot setback at 85 feet height	No setback (149-foot streetwall)
Section 24-552: Rear-Yard Setback	20-foot setback from Rear-Yard Equivalent required above 125-foot height	No setback (building height is 149 feet at required setback area)
Section 24-111: Lot Coverage	65% for through and interior lot portions of lot	72.75% on through lot, 100% at existing interior lot
Section 24-382: Rear-Yard Equivalent	60-foot minimum depth, located within 5 feet of midpoint of the lot	46-foot, 10-inches, not located within 5 feet of midpoint of the lot
Section 32-421: Supplementary Use Regulations	Community facility use not permitted on upper stories of buildings with commercial use above 1 <sup>st</sup> story ceiling	Existing bank to remain in occupancy of 2 <sup>nd</sup> floor with community facility use on upper stories
Section 23-861: Minimum Window Distance	30-foot minimum distance from new walls to existing legally required windows	3-foot, 4-inches to 10 feet at former lot lines
Sections 23-223, 35-411, and 24-21: Zoning Rooms	35 (calculated based on required lot area set aside for community facility and commercial uses, and existing open space ratio remaining for residential)	99 (existing, no increase) located in residential units in tenement buildings to remain

The 12-story building would feature approximately 30 units of faculty housing and a K-8 school, modeled on the University of Chicago's Laboratory School. There would also be commercial

space, including the continued presence of Chase Bank on the second floor of the existing neighboring building that would be adjoined to the new structure.

See separate handout with proposed resolution, drafted in cooperation with Youth and Housing Committees. Columbia University withdrew proposed transportation changes, so the Transportation Committee did not provide input to the resolution

There being no further business, the meeting was adjourned.

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**Land Use Committee Members Present:** Richard Asche, Hope Cohen, Lenore Norman, Lydia Padilla, Melanie Radley, Ethel Sheffer, Maria Watson. **Land Use Committee Members Absent:** Beverly Feingold, Doug Griebel, Larry Horowitz, Betty Katz. **Board Members Present:** Beth Berns, Gale Brewer, Eric Nelson, Hector Santana, Tom Vitullo-Martin, Dan Zweig.

**Housing Committee**  
**Beth Berns and Tom Vitullo-Martin, Co-Chairs**  
**March 1, 2001**

Present: Committee members Beth Berns, Tom Vitullo-Martin, Jean Green-Dorsey, Anette Averette, Lydia Padilla, Evelyn Tamarin, Gale Brewer; Board members D. Maria Watson; Public members Anne Cunningham, Russell Pinsely, Partha Devi; Representative of CB9 Carolyn Kent.

The committee considered the following matters:

**1. Agenda Item Postponed.**

We had intended to present a motion to encourage passage of NYS Assembly and Senate bills that would extend protection from luxury decontrol to seniors and people with disabilities. Due to changes in the scheduled agenda, we are postponing this item to April.

**2. District Needs Statement**

A. Ann Cunningham reported on the section dealing with SROs. The district needs more, and updated, information on the SRO situation. An unknown number of SRO's have been emptied and converted since the last district needs statement. (We are seeking info from the WS SRO Project.) On average, 90 percent of the population of SROs are seniors, disabled and low-income people. They also contain a significant HIV-positive population. When these buildings are emptied, the evicted or displaced tenants have few alternative resources, and many become homeless. (This relates to the very high populations of shelters at this time.) The SROs have a disproportionate number of police calls, especially when owners are attempting to empty the buildings. Security is relaxed and predatory visitors and tenants are tolerated, because that puts pressure on residents to leave. These buildings have a disproportionate share of illegal eviction actions, requiring police intervention, and illegal conversion activities. Owners frequently ignore stop work orders from the Building Department. In operating buildings, many of the apartments are being held empty (warehoused.)

The existing district needs statement needs to be revised by

1. inclusion of "hotels", in addition to SROs
2. update with current numbers.
3. Housing Court actions broken down by borough, and if possible, identifying actions in SRO/hotel buildings

B. Jean Green-Dorsey reviewed the Mitchell-Lama needs statement.

Changes: statement refers to buy-out as a recent problem. The problem is long-standing, with examples of buy-outs in 1998.

Also, as an update, our Mitchell-Lama organization received a very important decision from DHCR that defines what the owners can and cannot do after the buy-out. Ruling was handed down on Jan. 25, 2001.

We are also concerned about another aspect of affordable housing: Affordable Neighborhood Services. e.g. Child care. The owner of our building evicted the child-care service in our building, and has been holding the space open for a luxury tenant, though he has not found one. This impacts the working people in our building adversely. As rents go up, the cost of all services--doctors, food, etc.

C. Gale Brewer reported on the NYCHA portion of the needs statement. (This report was provided as the last item in the meeting, but is grouped here for convenience.) Three developments in CD7 want security cameras as a high priority: Wise, Amsterdam Addition, and Douglas Houses. Amsterdam Houses does not want the security camera. All projects are experiencing constant problems with elevators, and these need renovation to make them reliable.

Also, the important word from the NYCHA supporters is that the new Bush budget has nothing in it for affordable housing or public housing, except for some first time owner mortgage assistance program. This is a serious problem, and we must respond as a community to get this course changed.

**3. HPD's In-Rem and Anti Abandonment Program.**

HPD representatives outline the agency's program of identification and intervention for dealing with housing that is in tax arrears and/or distressed. The program involves both carrot and stick, significant levels of customized assistance, including financial assistance, and enforcement actions that culminate in foreclosing of the property.

**Louis Aragon, Associate Commissioner for Property Services,** and **Michael Bosnick, Assistant Commissioner,** outlined for the committee the current and new programs that are designed to remove inventory from the city, place property in reliable private and not-for-public hands and monitor its operation into the future, and to forestall through remedial efforts the need to take additional property. This program is distinguished from traditional code enforcement efforts, which continue, in that this is pro-active. Code enforcement relies on complaints phoned in by individual tenants, resulting inspections, and of fines and penalties for failure to remove inspection. That approach is scatter-shot--efforts are not concentrated on critical neighborhoods or streets where individual buildings are bringing down others. It is not identifying buildings that are in later stages of "distress", and it is not helping solve the problem of turning those buildings around.

In contrast, the Anti-abandonment program is

- a. targeting neighborhoods or areas
- b. identifying distressed buildings that will need intervention, and attempting to do this early, before abandonment

To target buildings, the program is drawing on signs of physical distress of the property (code enforcement records) and economic distress (tax arrears) to develop a list of candidates for the program. We have initially identified 5,000 such multiple dwellings in New York, of which 1000 are in Manhattan. There are four boro offices in handling this program. Manhattan's is under the direction of **Paul Novarro, 212 423 5088**. Each borough has contracts with Neighborhood Consultants, to assist in the following work:

- a. Individual building **Assessments**, through a site visit. The assessment will include physical conditions, management practices and economic matters.
- b. **Treatment** Plan for each building. This plan may include any or all of the following: education (in actual repairs, and in management), voluntary program of repairs, assistance in obtaining loans from the private sector, or from HPD's resources, including subsidized loans that permit the repair without significant increases in rents.
- c. Ongoing **Monitoring** of these buildings to ensure that once removed from the program of assistance, they do not return to distressed conditions.
- d. Finally, these programs are backed up with **Enforcement** actions that can result in the foreclosure of the building for tax arrears.

In foreclosure actions, there are several programs: the standard program involves the selling of tax liens to a private Housing Trust, a group of investors. The Trust will then make attempts to collect the tax arrears. Failing that they will foreclose on the property, which will be sold at tax auction to retire the lien. The process of foreclosure involves two notices and about 4 to 5 months time, during which the owner can pay the tax arrears

When the buildings are evaluated for this program, some are identified as high-distressed. The formula includes high tax arrears, significant numbers of code violations, and emergency repair program assessments. These latter are for city-provided emergency repairs, such as for heat, or roof repairs where repairs are necessary. The review will include rents, which are often low in these distressed buildings.

The program will assist the owner in making repairs and paying the tax arrears. If there is not ability to pay, such a distressed building is not simply dumped onto the market, because that will not result in any increased viability. It may be entered into the third party transfer program.

In the first stage of this program, Neighborhood Restore, a not-for-profit offshoot of LISC, takes title to the property and creates a viable plan for correcting the building's problems with the new 3<sup>rd</sup> Party owners. The assistance involves identifying repair and rehab needs, voluntary agreement to remove violations (and avoid penalties for them), rent adjustments with DHCR, and identification of available HPD funds, that will help minimize rent increases.

The building is then transferred to qualified housing 3<sup>rd</sup> party operators, after a period of time. The transferred title

is clear of all liens.

TVM: CB7 has requested that two Third Party Transfer buildings in our area, part of a site including three vacant adjacent lots, at 110th and 109th and Manhattan Avenue, be joined with the development of the three lots in such a way as to preserve the low and moderate income affordable rents in the two occupied buildings, into the future. The board wishes to see support for a mixed income residential community in new projects in which the city is a partner or has a significant role in approvals, throughout the district.

MB: Our program does not have funds for the continued operation of these buildings. We work to see that the rents for current occupants are not increased unduly, and remain affordable to them.

TVM: On turnover of these leases, these apartments in our district might reasonably be expected to go to market, and would not be affordable by current residents of that community—at least that would be the expected outcome, since that area is experiencing a high rate of inflation of housing costs. That is not what we hoped would be the outcome.

We understand that the city would not wish to continue subsidy of rents in that neighborhood into the future, nor do we believe that would be necessary. The Board's resolution requested that the two sets of properties be linked, and that the developer of the vacant land--we understand that Columbia and Artemis have been selected by HPD for those sites--assist in some way (probably through some capital and operational support) the restoration and maintenance of those two properties, and that the properties be preserved into the future for families of low and moderate means.

Bill Scott (Columbia): We (Columbia) were precluded from receiving the property because we were not qualified operators. We thought we could provide assistance to certain qualified operators (such as Artemis, our co-developer of 110<sup>th</sup> St) and that these operators might then find it viable to reserve the housing into the future for this kind of use.

Louis Aragon: We have not considered this sort of thing up to now, but we will be willing to explore the possibilities. I believe however that the three sites are Greenthumb sites, and are involved in the NYS Attorney General's litigation.

Maria Watson: one of the sites is involved in the Greenthumb issue; one was a community garden, but they are not functioning.

Gale Brewer: What is the timetable for turn-over of this project to the third party? For selection of the third party?

LA: Turnover is by May 26, 2001 Selection of recipient is prior to that.

Beth Berns: LISC will not have been involved before that time, so the decision is mainly HPD's.

TVM: We would like you to examine the possibility and desirability of the Board's expressed preference. We think a strong program could be worked out with Columbia as the developer of the adjacent properties, and that operators from our community, like Goddard Riverside or others who are qualified, could accomplish our plan. Can we discuss this matter with you further?

LA: Yes.

#### **4. Discussion with Columbia University of the Housing impact of the proposed development of a site on Broadway between 110th and 109th Streets.**

Columbia is represented by Larry Dias and Bill Scott, of the community relations and property management offices respectively.

In the course of the meeting, Larry Dias was called away on an urgent matter, and Bill Scott made the presentation to the committee.

[This meeting had been announced to the public at the Land Use committee meeting, on the CB7 web site and mailed announcements, and on flyers distributed to all apartments in the two Columbia buildings, and other buildings on 109th Street by board members. One resident of the neighborhood came to the meeting.]

Beth Berns began the session by outlining the charge to the Housing Committee by the board. The resolution to approve the requested Variance had been prepared and approved by the Land Use and Youth Committees. That approval had been conditioned on Columbia's sending a letter of agreement for certain policies and changes to CB #7. These changes involve the operation of the proposed school on the site, the retail space and planning for other sites. The Youth Committee had handled the school matters, and its changes had been accepted by the Land Use committee and incorporated into its resolution.

The Housing Committee, if it formed a resolution, would not separately present this to the board. Its resolution would be incorporated into the overall resolution or presented as a friendly amendment. In the event that committee disagrees with this resolution, its positions would be offered as an Amendment and voted up or down.

Further, the discussion and resolutions from our committee should be limited to housing issues alone, since other committees had competently handled the other matters.

Bill Scott: Mr. Scott reviewed the layout of the new building, and Columbia's reasons for building it lower, but with fuller coverage of the property. He showed the alternative 18-story building that could be built on the site as of right. This taller building is undesirable to neighbors, and less able to accommodate the school that Columbia needed. He also identified the impact of the proposed building on its neighbors. The primary impact was on two buildings at the corner of 109th street that Columbia owns. The 8 apartments sharing the lot line with the new Columbia building would effectively lose light and air for habitable rooms, mostly bedrooms.

Columbia had previously proposed the following actions:

1. It would commit the two 109th Street buildings to community residents (rather than use these for Columbia students and faculty). There are 17 apartments in these buildings.
2. It would fully rehabilitate all apartments with new wiring, new kitchens and baths, plumbing and wallboard where needed. (Mr. Scott showed pictures of rehabilitated apartments, which show substantially new units.)
3. Columbia would keep these apartments affordable to its tenants and would not raise rents for the capital work.
4. Columbia would allow tenants to switch apartments if they so desired (five vacant apartments). Those living in apartments where windows would be blocked by the new walls would be able to move to other rehabbed apartments elsewhere in the building if available, or to similar apartments with similar rents in other Columbia properties to mitigate lot line window issues. Columbia has already met with tenants and outlined these offers to them.

Marie Watson: MW outlined the principal problems with the proposed variance and building plan. She presented pictures showing that the wall of the adjacent Chase Bank building filled in the windows of kitchens and bedrooms of apartments on the lower floors. The proposed new building would extend this wall up the full height of the turn-of-the-century tenement walk-up. This would mean a return to conditions outlawed in New York a century ago, and was not something the Board should approve.

MW said that she did not believe that building codes were meant to protect only tenants in occupancy. There are laws that concern the design of the building. It is not sufficient to remove the obstacle of the damage to current tenants, and then turn around and rent the apartment to other tenants. Such substandard housing should not be permitted to be constructed.

MW suggested an alternative that would provide Columbia with more space and better serve all future tenants of the building. That is to build an addition on to the top of the second building, rehab the remaining apartments in that building, and move all tenants into these apartments at current rents, preserving it for community residents into the

future. The corner building could be demolished, or incorporated into the design of a larger residential-school building. This eliminates the problem of any substandard units.

BS: Scott responded that the idea was very good, but that it would delay everything for too long. Also, Chase had a 99-year lease, and Columbia and the community had worked hard to move Chase to this location. It is difficult to think of relocating the bank, which might just depart entirely. The community needs a bank. Scott emphasized the importance of the new housing to Columbia, and the new school. He has 161 faculty on waiting lists for housing in the area, and the lack of housing, now that the market has become so inflated, is damaging Columbia's ability to recruit faculty and graduate students. This is a serious matter to the University and its future. Finally, he noted that the preservationists were very concerned about the character of Morningside, and that the buildings on this street form a particularly attractive unbroken building wall. Columbia did not want to demolish these existing structures, and believed the preservationists would not be supportive of that. Columbia is also concerned about the outcry that might result from the demolition of an occupied housing. They wanted to avoid that.

MW: Has the preservationist community actually said they would oppose?

BS: No.

Jean GreenDorsey: I go back the fight over the gym, when Columbia thought it would build what it wanted, despite the community wishes. But Columbia is much changed today, and I support the institution. I am however concerned about the problem the Chase Bank building, and the wall above it, will cause.

Could, as an alternative, Columbia move residents of the two buildings and mix them with the residents of the new tower?

BS: I could not do that. These are luxury apartments for Columbia, and will be renting for considerable amounts. There are only 27 apartments in the new building as it is.

Carolyn Kent of CB9: I am here to listen and observe, but I do want to say that I believe that Columbia has a correct view of the preservationists community and its position on those buildings. That row of buildings is great. The community is also concerned about the height of the as-of-right building, and its impact on neighboring apartments. They prefer the lower building. I think Columbia is concerned about the impact of the their proposed building on the apartments, but perhaps the sacrifice of the back rooms, and the loss of natural light is the best solution on balance. Columbia has offered to relocate any tenant living in those apartments, and the newly rehabbed units would be offered to people who knew what they were getting before taking it.

Gentleman from 110th street: I live across the street and am very concerned about the shadow effect of a taller as-of-right building. We are opposed to a building any taller.

JGD: Columbia's commitment to affordable housing for members of the community in the 109<sup>th</sup> Street building should be "in perpetuity."

Annette Averette: I too am concerned about the precedent we might be setting in approving this waiver. But if there are five vacant units--8 affected units altogether--maybe we could write an approval of a waiver in such a fashion that it is clear we are not setting a precedent.

Beth B: The back rooms of these apartments are without natural light. This could be the location of the kitchens and bathrooms, which can be mechanically ventilated under the building code. There will remain several habitable spaces, bedrooms, that will be deprived of natural light. Artificial light will have to be provided. Columbia has presented a mitigation package, including principally the offer to tenants of other renovated apartments at similar rents.

TVM: I do not believe we should grant any waiver of building code requirements for habitable spaces that have

been on the books since the turn of the 19th Century, and were one of the great achievements in improving housing in this city. There were very good reasons why the code required natural light and air in habitable rooms--

MW: and it is important to see that the walls are just three feet from the windows of the bedrooms and block the flow of air as well as the light...

TVM: Having said that, I think Columbia is persuasive that a radical change in building design is impractical at this date. But it is necessary for Columbia to mitigate the damage of this waiver, at this site. This can be done by eliminating the habitable bedrooms that will lack light from these apartments through a redesign. In the extreme, the apartment could be turned into lofts, with mechanical ventilation of kitchens and baths at the back, and light provided to the large room from the front.

Evelyn Tamarin: Would that eliminate the need for the waiver?

BB: No. It is still against code to build so close to windows, and the waiver would be necessary. But the problem of having habitable space without natural light and air would be solved. The apartment space itself would be legal.

BS: I could do that. We thought of it ourselves, but thought that the loss of a bedroom would be too great, not something the families would desire. But we could get a design so that there would be no habitable rooms (living rooms, dining rooms, bedrooms) without windows.

Gale Brewer: The number of bedrooms are very important to the community. And I myself have had an apartment with almost totally dark window, and I found that artificial light can eliminate the problems the code was concerned about.

JGD: There are very impressive things you can do with "light-walls", totally artificial light sources.

TVM: We would still be in the position of approving substandard rooms. A lot of developers in our district would like that. We have problems with developers who have illegally bricked in tenants windows to build additions on the buildings, acts that I think are illegal. We need to prevent from spreading. I think approving this waiver is a dangerous precedent. Columbia needs to eliminate the condition the code seeks to prevent in habitable rooms.

GB: But we should not be forcing Columbia to remove bedrooms in apartments now occupied by tenants. If the tenant objects...

TVM: Columbia should develop its plans and commit to executing them, and if a tenant in occupancy objects, Columbia should commit to making the change when the occupancy turns over [or the tenant requests the change.]

BS: We could do that.

TVM: Because there would be a loss of bedrooms to the community, I think this too should be mitigated, and that Columbia should commit apartments containing as many bedrooms as are lost to the community, to be rented to community residents on the same terms as those in these two buildings.

BS: That would be fine.

MW: I would like to return to the idea that Columbia, in addition, commit 21 units in buildings elsewhere in the district to the community. Larry Dias had previously made that offer.

BS: But then we were thinking that we would put students into these buildings. But we thought better of that, because the residents of these buildings are cohesive. They are like a neighborhood.

TVM: In fairness to Columbia, we would have to note that this plan involves 17 apartments for the community, plus

additional apartments-bedrooms equal to the number lost. So if there are four additional apartments, we get the 21.

MW: Then, I think the number should be determined, and the timing of the delivery of apartments.

JGD: How about a commitment to four additional apartments.

BS: I would accept that.

TVM: It is clear from the existing plans that the redesign would almost certainly eliminate 8 current bedrooms in these apartments. That would mean under the original formulation, Columbia would be required to provide apartments containing that number of bedrooms in total to the community, at affordable rents. There are many different combinations for doing this.

BS: We would commit to replacing the number of bedrooms elsewhere in the community, and will be flexible on the number of apartments, depending on the need.

TVM: Columbia has mitigated the most significant housing issues presented by its request for waivers by this plan, and with this Agreement, I believe we should support the waivers.

Evelyn Tamarin: How does this work? We approve the waivers, how do we get commitment to these changes?

BB: The Land Use Committee has asked Columbia for a letter of agreement that incorporates all the provisions of the mitigation requested by the Youth Committee, Land Use and Transportation. The Letter should be enforceable. Our resolution would be incorporated into such a letter.

BS: I believe the letter to Land Use is being signed as of right now--may already be signed by Emily Lloyd for forwarding to Land Use.

BB: So this would be an addition.

BS: Yes.

GB: I would like the committee to recognize the very great effort and time that Maria Watson has given this matter, and the service she has done the Board and the community.

General Approval.

**Housing Committee Resolution:**

Whereas Columbia University has a need of faculty housing and a school that would serve families of the faculty in order to remain competitive in its recruiting effort,

And whereas Columbia University owns the property on Broadway between 110th Street and 109th Street, which includes two existing 5-story apartment buildings on 109<sup>th</sup> street occupied by a by non-Columbia community residents; and these families have formed a cohesive community of residents; and

Whereas the Variance requested by Columbia would have a direct negative impact on the light and air of several rooms facing the lot line in the apartment buildings, and the NYC Building Code does not permit the existence of habitable rooms lacking natural light and air, and CB7 will not approve the legalization of such a condition; Whereas these 8 apartments facing the lot line can be made to conform to the purpose of the Code by a redesign that eliminates habitable rooms without windows and

Whereas Columbia University has agreed to preserve, completely renovate and modernize the two apartment buildings on 109th Street, containing 17 apartments, to be residences for non-Columbia members of the community, at "affordable rents", and these rents will be defined as affordable to households spending less than 30% of their total household income on rent, with household incomes less than 90% of the Area Median Income (AMI) of NYC as defined by HUD.

Columbia University agrees that these apartments will continue to be governed by the Rules and Regulations of Rent

Stabilization, for existing tenants as well as future tenants of these properties, in terms of rent increases and occupancy standards, even if Columbia University is exempt from these rules due to their Tax Exempt Status. Columbia University will offer current tenants of the 109th street buildings the choice of these renovated apartments, with priority to tenants whose apartments are affected by the construction of walls that obscure their bedrooms; and eliminate non-habitable rooms. However, current tenants of 109 Street will be permitted to continue in occupancy in violating apartments, without changes in the number of rooms, if they so desire, but Columbia will correct the condition when the current tenant requests or when the apartment becomes vacant, prior to re-leasing of the unit. In addition, Columbia University will offer to members of the community who are not affiliated with Columbia, affordable apartments in buildings under Columbia management and that the number of these bedrooms will be at least the number of bedrooms eliminated by the redesign of the 109th street buildings but not less than 8 in any combination of apartments; under the same conditions as in the two 109<sup>th</sup> Street buildings; and that these commitments to community housing will be preserved in perpetuity; and that Columbia University will prepare a Letter of Agreement with CB7;

Be it resolved that the Housing Committee of CB 7 approves the requested Variances that permit the construction of the proposed faculty housing and school.

Passed:

Committee member: 7-0-0-0

Board members 1-0-0-0

Public members 3-1-0-0



**HEALTH AND HUMAN SERVICES COMMITTEE**  
**Barbara Van Buren and George Zeppenfeldt, Co-Chairs**  
**MINUTES OF MEETING OF 2/27/01**

The meeting was opened by co-chair, Barbara Van Buren.

*Committee Members Present:* Steve Carbo, Georgette Gittens, Phyllis Gunther, David Harris, Elizabeth Starkey, Barbara Van Buren.

*Committee Members Absent:* George Zeppenfeldt-Cestero, Annette Averette, Jean Green-Dorsey, Barbara Keleman, Marc Landis.

The first item on the agenda was a presentation by Kate Collignon of the NYC Economic Development Corporation, for the approval of their plan to lease the commercial space at the Regent Hotel at 2724 Broadway (104<sup>th</sup> St.) to Common Ground Ventures for the purpose of initiating a Job Development Program at the Regent Hotel, which is a family shelter operated by the Volunteers of America, and funded by the Division of Homeless Services. A part of the space will be used by Ben & Jerry's ice cream store which will provide job training to formerly homeless individuals. Another section will be sublet to a subtenant providing a compatible use and participating in a Common Ground Job Training Program.

When the use of the Regent Hotel by the Division of Homeless Shelter was originally approved in ULURP proceedings at CB7, agreement was made that the commercial space would be used for such purposes. To date it has been empty. The purpose of this request is to secure approval for the lessee.

Common Ground has a strong track record of services for previously homeless individuals. They operate the Times Square Hotel, the Prince George, the Aurora, and are currently partnered with the McBurney Y in the rebuilding of that facility. At the Times Square, they work with Ben & Jerry's in running a program similar to the one they will have at the Regent.

There will be 7 trainee slots, each for 20 hours a week on-the-job training for a period of six months, during which the trainees will be paid union wages. During the fourth month work will begin on placing the trainees in permanent positions after they complete training. The program which has been operating for several years at the Times Square, has had a retention rate of 80% for the trainees, and a placement rate of 70%, at an average salary of \$10 an hour. Placements are made in many job areas, and are not limited to other ice cream stores. The training is related to preparing people for the job market and enabling them to have a track record. In its combined job training programs, Common Ground placed 98 individuals during the last year.

The rent paid will be market level, adjusted for the training opportunities, which will be provided to homeless individuals.

The EDC requested that a letter of approval be sent by the full Board to the President of the EDC, Michael Carey, at 110 William St, NYC 10038.

**The committee voted to approve the proposal; the specifics of which will be drafted by Elizabeth Starkey.**

Vote: Committee 6-0-0-0

Public Members 2-0-0-0

It should be noted that before the presenting group left, they shared Ben & Jerry's ice cream pops with those present.

Follow - Up Reports

Impact of pesticide use in CD 7 The presentation originally planned for tonight has been postponed to the March meeting. Steve Carbo gave a brief report on potential harm to health from the pesticides used by government agencies. NYPIRG will be making a presentation to us and the committee will be considering how the full Board can be involved.

Status of immigrants in our community. It had been hoped to have information tonight on activities in the community which would work towards mitigating current laws affecting the well-being of both documented and undocumented immigrants.. In consulting with our local Congressional office, we learned that there is nothing pending or planned in Congress. The New York Immigration Coalition, which we had hoped to have speak with us, is currently focussing all it efforts on educating immigrants concerning the law passed the end of last year, which would permit certain undocumented immigrants to obtain legal documents, (green cards) which would then enable them to move towards applying for citizenship. Only spouses and unmarried children of immigrants here legally, or individuals whose employers vouch for the fact that American citizens are not available to do their jobs, are eligible for this waiver. There has been a great deal of misinformation concerning this bill, and many unscrupulous persons have been exploiting the desire of the immigrants to legalize their status.

Material concerning the health status of immigrants unable to receive Medicaid although they are tax-payers, was distributed. The Immigration Coalition will be asked to share with us recommendations on how we can have an impact in this area

Child Health Plus David Harris has been exploring efforts being made to alert parents to the existence of Child Health Plus, which can be used by working parents who are earning above the Medicaid eligibility level. The schools are planning to take an active role in education about this, and are being offered incentive bonuses if they are able to enroll a certain percentage of eligible children in the program. From what David has learned, pre-school children are not being addressed in this outreach. He is working on developing a forum for groups working with pre-school children to learn how they can help the children become enrolled. This will be further refined, and share with the Committee as a whole.

Services in SROs A meeting is being planned between community residents and the Manager of the Yale Hotel to discuss services provided to the residents of his SRO. Committee members will be advised of the time and location.

### Planning for District Needs Statement

Work is starting on this year's District Needs Statement. Elizabeth suggested that everyone read last year's statement, and consider what areas had to be amplified or changed. It was agreed to do that, but also to seek input from community groups as to what they thought was needed in the community. It was decided to go about this in several ways, with the aim of having our work completed in April.

- Community groups will be alerted by mail that the Committee is interested in their thinking about the health and human service needs of the community
- We will obtain the dates of meetings of coalitions of community groups to see if members of the committee are available to go out to seek community input
- Special focussed meetings will be held with groups which indicate they want to have input into the committee's report
- Groups, such as religious communities, will be invited to the April meeting to share their perceptions of needs in their community.
- Budget priorities from last year will be reviewed to see if they are still concerns, and other priorities will be determined.