

February 2004 Minutes

Full Board

February 3, 2004, 7:00 PM

Jewish Home and Hospital

Chairperson Hope Cohen opened the meeting at 7:16 pm and welcomed all in attendance. The minutes from the previous full board meeting were reviewed and approved (Approved 20-0-2).

Public Session

Chairperson's Report, Hope Cohen

- Reminded Board Members whose terms are coming to an end on 31 March to re-apply by 13 February. Other people interested in applying should also submit applications by that date. Applications are available at the board office or through a link at www.cb7.org.**
- Discussed the effect of Abstention votes on close votes. While abstention votes do not technically reject a resolution, they may prevent a resolution from gaining approval.**
- Announced the availability of a new Geographic Information System (GIS) website that can be accessed via the CB7 website (www.cb7.org.) The site offers a visual mapping of various types of data pertaining to .the Upper West Side.**
- Hector Santana, Jr. announced that the first meeting of the Public Housing Task Force will take place on Thursday, 26 February, 7:00 PM at the CB7 office. Meetings will focus on both a particular public housing development as well as on an overarching issue, such as apartment plastering.**
- Chairperson Cohen discussed the process by which proposed changes to the CB7 By-laws will be reviewed, deliberated and decided. The amendment process requires that proposed amendments be circulated to Board members at least two months in advance of the meeting when they will be voted on. Board Members received a draft of the proposed changes by e-mail within the past few days and at tonight's meeting, so the earliest possible time for a vote will be the April meeting. Full deliberation and debate of the proposed changes will be scheduled for the March Full Board (Wednesday the 3rd at Congregation Rodeph Sholom). The draft proposal will remain open to changes through the March (23rd) Steering Committee meeting. Thereafter, the proposal will be closed until it is presented for consideration by the Full Board on Wednesday, 7 April. Several Board Members debated the process by which specific amendments will be reviewed. Some proposed that the By-laws proposal be**

broken into two proposals: one that includes changes likely to pass, and one that includes more controversial changes. It was noted that each proposed By-law change can be rejected as an amendment to the proposal by majority vote; then the amended proposal must be approved by a two-thirds vote. The By-laws Task Force is chaired by Shelly Fine; Hope Cohen and Robert Herrmann are members.

- Chairperson Cohen noted that in both March and April, Full Board meetings will be held on the first Wednesday of the month.

District Manager's Report, Penny Ryan

- District Manager Penny Ryan reported continuing work with DoITT on 311 .
- Chancellor Klein announced an agreement with bus companies to end idling in front of schools. Principals and teaches can now give summonses to bus drivers who are idling.
- Snow was not removed from CD7 playgrounds because the Parks Department does not have equipment. Workers cleaned the playgrounds with shovels. . Ms. Ryan asked Budget Committee to discuss.
- Ms. Ryan urged everyone to report complaints and requests for service to the Board Office, or call 311 and give the work number to the office for follow-up.
- The District Office will move temporarily to the American Bible Society, 1865 Broadway (West 61st Street) in March, 2004 while the 250 West 87th Street space is renovated. The renovation is anticipated to take 4-6 months.

Reports by Elected Officials

Councilmember Gale Brewer

- Her office has prepared an updated list of capital projects needed in schools within her District.
- City Council budget hearings are scheduled for March.
- The Technology Committee has been elevated to full committee status. Future meetings will focus on iNet and Spectrum.
- The Council website will post hundreds of new bills this week.
- Hopes for a speedy resolution of the 72Street ramp debate.
- Supports tenant ownership of the property at 72 West 88th Street.
- The "A&P site" at West 70th Street and West End Avenue and the "Woolworths" site on West 70th Street Amsterdam Avenue are being developed as-of-right.
- Her staff will had out voter registration cards at local high schools on Thursday, 5 February, from 7am to 9am.
- Efforts underway to resolve issues at MS#44 through peer mediation.

- Urged the Board and local organizations to propose "signature projects" to be funded by Time-Warner Company.

Councilmember Bill Perkins

- Interested in learning the concerns of residents regarding traffic issues like the 72nd Street ramp. Has resolution against the Patriot Act, in particular issues related to libraries.

- Council will override veto of the Lead Poison Bill.

- Tough decisions ahead regarding reduction of property taxes and the need to maintain the tax base.

Public Speakers

Alan Flacks announced memorial service of Jim O'Connor on Saturday, 7 February, 2pm.

Joyce Goodman, representative for Assemblymember Daniel O'Donnell, discussed collaboration with libraries to publish book reports by children.

Aaron Lowenstein, representative for Councilmember Philip Reed, thanked people for coming to Mr. Reed's inauguration party. He announced a \$500K allocation to Booker T. Washington school for a science lab. He also announced up-coming hearings on tow-trucks and medicinal use of marijuana.

Tom Vitullo-Martin announced a public campaign by Friends of West Park to preserve the West Park Presbyterian Church on Amsterdam Avenue and West 86th Street.

Phyllis Gunther announced a rescheduled Riverside Construction Task Force on Wednesday, 25 February, at 303 West 66th Street at 7pm and a walk-through with DOT on February 24, 9am to review traffic regulations on Freedom Place.

Business Session

Land Use Committee

Richard Asche, Chairperson

- 1. 72 West 88th Street (Central Park West-Columbus Avenue.) Submission to the City Council by the Department of Housing Preservation and Development, under the Tenant Interim Lease Program, to sell the above-mentioned property**

to the 72 West 88th Street Housing Development Fund, providing 12 cooperative units for sale to the current tenants and storefront commercial space. (Approved 38-0-0-1)

Rufus Harvey, Deputy Director of Tenant Interim Lease Program - Tenants will investigate and propose their own building manager; the boiler has been repaired and will be re-inspected prior to the sale.

Mr. Asche drew attention to letters about cellular antennae and zoning change proposal for community facilities included in Members' meeting packets. He also explained that CB7 will not review the proposed development at Broadway and (north side of) West 110th Street since MCB9, in which it is located, has already voted to approve the application for variances.

Parks and Preservation Committee

Lenore Norman, Chairperson

2. 50 West 67th Street (Central Park West-Columbus Avenue.) Application #043001 to the Landmarks Preservation Commission to replace arc-headed windows. (Approved 37-0-0-0)

Committee Chairperson Norman announced a meeting to discuss the expansion of programs at the West 79th Street Boat Basin on Thursday, 12 February at 7:00 PM. Elizabeth Starkey asked for update on restoration of the Towers Nursing Home at Central Park West and West 106th Street

Transportation Committee

Andrew Albert, Chairperson

3. Application by Greenmarket to the Mayor's Office of Street Activity Permits to conduct a market on Fridays on the north side of West 97th Street between Amsterdam and Columbus Avenue. (Approved 38-0-1-0)

4. 421 Amsterdam Avenue (West 80th Street.). New application DCA1157466 to the Department of Consumer Affairs by Malka Restaurant Inc., d/b/a Monaco at 421 Amsterdam Avenue, for a one-year consent to operate an unenclosed sidewalk café with 18 tables and 36 seats. (Approved 38-1-0-0)

5. Proposed closing of the Miller Highway 72nd Street off-ramp. (Approved 33-2-0-0)

(This was a vote to disapprove the closing of the ramp at this time)

Olive Freud, Committee for Environmentally Sound Development, spoke in favor of closing the West 72nd Street ramp.

Terry Wolf spoke in favor of closing the West 72nd Street ramp.

Batya Lewton, Coalition for a Livable West Side, spoke in favor of keeping the ramp open while making the connection between Riverside Drive and Boulevard.

Nan Schubel and Sam Kinseley spoke in favor of closing the ramp and completing the connection.

Arthur Belkin argued that West Siders need more time to learn about this issue. He felt the off ramp should remain open.

Board Members discussed the closing and its timing in relation to traffic mitigation actions required of the Riverside South developer. Several members spoke on the importance viewing the ramp in the context of long-range plans to manage traffic on West End Avenue and in the neighborhood. Board Members deliberated whether the resolution should be modified to support eventual closing of the ramp, but also more immediate action with regard to planning, traffic mitigation, environmental impacts, and construction schedules.

See January 2004 Transportation Committee Minutes below for more detail.

Mr. Albert announced the restoration of subway lines B, D, M, R, Q, W over the Manhattan Bridge, as full two-track service will return to the bridge for the first time in a generation on 22 February.

Present: Hope Cohen, Barbara Adler, Andrew Albert, Janet Alvarez, Richard Asche, Sheldon Fine, Deborah Gobble-Lewine, Georgette Gittens, Guillermo Gonzalez, Phyllis Gunther, Marlene Guy, David Harris, Robert Herrmann, Lawrence Horowitz, Joyce Johnson, Ulma Jones, Barbara Katzander, Barbara Keleman, William Meyers, Eric Nelson, Klari Neuwelt, Lenore Norman, Sharon Parker-Frazier, Melanie Radley, Oscar Rios, Michael Roberts, Barry Rosenberg, Helen Rosenthal, Hector Santana, Jr., Ethel Sheffer, Charles Simon, Elizabeth Starkey, Patricia Stevens, Barbara Van Buren, Thomas Vitullo-Martin, D. Maria Watson, Melanie Wymore, George Zeppenfeldt-Cestero, Dan Zweig.

Absent: Linda Alexander, Annette Averette, Peter Bailey, Dan Cohen, Jean Green-Dorsey, Douglas Griebel, John Howell, Betty Katz, Marc Landis.

Respectfully submitted by Melanie

Steering

Minutes will be uploaded as they become available.

Community Development

Minutes will be uploaded as they become available.

Transportation

Andrew Albert, Chairperson

February 10, 2004 at 7:00 PM

The meeting was called to order by the Chairperson at 7:07.

Application was made on behalf of the Church of St. Paul and St. Andrew, 263 West 86th Street, for a revocable consent to permit installation of a ramp rail for the handicapped. The presenter, William David Boling, an Architect, explained that disintegrating marble steps, which would be used elsewhere within the church, were to be removed and replaced by the ramp.

Approved: 6-0-0-0-Committee Board Members

1-0-0-0-Non Committee Board Member

This application was previously approved by the Parks and Preservation Committee.

New application DCA #1158198 for one-year consent to operate an unenclosed sidewalk café with 13 tables and 26 seats by 412 Amsterdam Avenue Corp., DBA

Bettola. The owner, Sebastiano Cappitta, and his representative, Michael Kelly, were present. Subject to revision of the drawings showing that the width of the cafe will be reduced to 9' from the current 9'2" presentation and subject to plans to restore the building to Landmark status, the application was approved.

6-0-0-0-Committee Board Members

1-0-0-0-Non-Committee Board Member

This application requires joint approval with the Parks and Preservation Committee.

Review of DoITT's proposed and amended rules relating to the notice of siting and other regulation of public pay telephones. (Charles Simon to draft a Resolution which will include the following inquiries.)

a) Why are the new rules not retroactive to existing phones?

b) How will the new rules be incorporated into the upcoming Coordinated Street Furniture Plan?

c) Will there be rules concerning the size, design and placement of new phones?

d) Will the new rules take into account the current locations where there are an inordinately large number of existing phones? For instance: Columbus Avenue/Broadway/72nd Street and on Columbus Avenue between 104th and 110th Streets where there are 39 phones.

e) What will be done about the explosion of telephones that have been installed prior to these new regulations and amendments taking effect? Are arrangements being made to for some of them removed?

f) Is there a plan to deal with ill-kept/kempt phones?

After a frank and earnest discussion regarding policy on new newsstand applications, the Committee decided to continue to hear each new application on a case-by-case basis.

The Transportation Committee continues in its strenuous objection to an application for a newsstand on Columbus Avenue at the northwest corner of 72nd Street. CB7 has disapproved this application. The applicant for application # 0428696 will attend the Parks and Preservation Committee meeting on February 12.

New Business

Peter Arndsten, Chairman of the Columbus/Amsterdam Avenue BID raised the question of the varied pricing at parking meters in different districts of Manhattan.

He raised the question of the intense air pollution north of West 96th Street by commercial trucks going south on Columbus Avenue.

There was a discussion re the possibility of installing Cobra lamp posts for 10 blocks north of 104th Street and Columbus Avenue

Present: Andrew Albert, Bobbie Katzander, Barbara Keleman, Oscar Rios, Charles Simon, Dan Zweig. Non-Committee Board Member: Elizabeth Starkey.

Absent: Eric Nelson

Respectfully submitted, Bobbie Katzander

Commerce

Minutes will be uploaded as they become available.

Parks and Preservation

Lenore Norman, Chairperson

February 12, 2004

1. Request from NY Charter for a seasonal commercial permit to dock a 65-foot charter boat at the West 79th Street Boat Basin as part of expanded public access and recreational services at A-dock – Gregory Smith, Chief Dockmaster.

79th Street Boat Basin Chief Dockmaster, Greg Smith presented an informative and detailed explanation of the request for NY Charter for a seasonal commercial permit to dock a 65-foot charter boat (“Festiva”) at the Boat Basin’s north dock, the A-dock. He said that most (70%) of the charters would run between 6:00PM and 10:00PM-an hour being added on each to allow time to board and disembark passengers. Although the “Festiva” would be the only commercial boat docked at the CB7 basin, other commercial vessels do tie-up briefly at this boat basin. These are called the Touch and Go’s. The “Festiva” will provide its own PVC line to reduce air pollution.

Smith spoke about six slips that are being added to the facility, making a total of 116 slips available to Transient, Commercial and Recreational boats; the sea dock is being repaired and new pilings are being installed- all capital budget items. Realistically he hopes that the improvements will be ready by Memorial Day although the 6-month boating season starts officially on May 1st.

Members of the public asked questions concerning: security, lighting, noise, the commercialization of Riverside Park vs. whether this was something that community residents really wanted and the need for a community sail training program.

A resolution was proposed to grant a trial, one-season permit to NY Charter that would be found 30-day at a time. Smith will make his first report back to the committee in June.

Committee: 5-0-0-0. Board: 2-0-0-0. Public: 1-0-0-0.

2. Update on the status and concerns of permanent residents of the West 79th Street Marina.

Members of the CB7 community, who live year round on their boats, were represented by Leslie Day. They expressed their concerns about: the steep increase in docking fees (40%-50%) charges over the pasted two years. They were not told of the circumstances of the increases and are very upset. The committee chair assured them that the community values them enormously. She wants the community to feel confident about approaching the community board. Ms. Norman will attend their next meeting at the Arsenal.

3. Proposal by the Department of Parks and Recreation to install temporary public art in Riverside South Park – Patricia Hamilton, Public Art Coordinator.

Patricia Hamilton, The Public Arts Coordinator of the Parks Department is seeking approval of a proposal to install temporary public art in Riverside Park South. Because siting had not been determined, she was invited to return to the committee when that has taken place.

4. Proposal by the Department of Parks and Recreation to renovate the West 96th Street tennis court pathway in Riverside Park – KC Sahl, Riverside Park Administrator.

KC Sahl, Riverside Park Administrator and _____, Architect presented a proposal to renovate portions of the West 96th Street tennis facility in Riverside Park. The "pathway" is to be widened by 12 feet, the parking lot repaved and gates installed, benches replaced, deterioration mental fencing restored and replaced without changes to design or color. The curbs will also be repaired. There is a \$275,000 budget for the renovations.

WHEREAS, this is a replacement in need and an opportunity to repair the area;

BE IT RESOLVED THAT the Parks and Preservation committee approves the proposal by the Department of Parks and Recreation to renovate the West 96th Street tennis court pathway in Riverside Park.

Committee: 5-0-0-0-0. Board: 2-0-0-0. Public: 1-0-0-0.

Certificate of Appropriateness applications:

1. On Columbus Avenue at the northwest corner of West 72nd Street. Application #042896 to the Landmarks Preservation Commission to construct a metal and glass newsstand at the sidewalk (Joint with Transportation Committee.) DOT and DCA have approved the application.

Presenter: James Garretson, Architect and April Sepanski, Applicant.

Discussion: Design of newsstand has previously been approved by the Art Commission. This newsstand has been approved by DCA and DOT. Proposed location is West 72nd Street and Columbus Avenue, northwest corner in front of Chase Bank, which is an individually landmarked building and in a historic district.

Materials: galvanized steel, painted dark green with a glass awning.

Resolution/Outcome: The committee denied the application.

WHEREAS, the newsstand appears to have a negative impact on both the street and the individually designated building in terms of design and location; and

WHEREAS, the crowding of the sidewalk impedes the ability of the public to appreciate the buildings in the historic districts;

BE IT RESOLVED THAT the Parks and Preservation Committee disapproves application #042896 to the Landmarks Preservation Commission to construct a metal and glass newsstand at the sidewalk.

Committee: 5-0-0-0. Board: 2-0-0-0. Public: 1-0-0-0.

2. 37 Riverside Drive (West 76th Street.) Application #041832 to the Landmarks Preservation Commission to construct a greenhouse at the penthouse level.

Presenter: Mark Cirnigliaro, representative of the architect.

Discussion: Southeast corner of intersection. Penthouse has been in existence for many years. Application is to add a greenhouse. It appears that the greenhouse cannot be seen from Riverside Park because of high cornice-cornice which is 4 feet high.

Materials: black steel with glass. LPC agrees with architect's opinion of visibility issue.

Resolution/Outcome:

WHEREAS, greenhouse has limited visual impact;

BE IT RESOLVED THAT the Parks and Preservation Committee application #041832 to the Landmarks Preservation Commission to construct a greenhouse at the penthouse level.

Committee: 5-0-0-0. Board: 2-0-0-0. Public: 1-0-0-0.

3. 107 West 70th Street (Columbus-Amsterdam Avenue.) Application #042619 to the Landmarks Preservation Commission to enlarge a window on the rear façade.

Presenter: Claudia Dixon, Owner

Discussion: Front of buildings have been preserved to remain as close to original as possible. There have been many alterations to the backs of the buildings over the years. Application is to enlarge two rear windows – will be a tilt and turn window with fixed transom. Cannot be seen from public thoroughfare. Committee does not object to enlarging the window but would like to see another type (i.e. double hung or casement).

Resolution/Outcome:

The resolution is to approve with suggestion to replace type of window – such as double hung or casement.

Committee: 3-2-0-0. Board: 1-0- 2-0. Public: 1-0-0-0.

4. 412 Amsterdam Avenue (West 79th-80th Street.) Application #044103 to the Landmarks Preservation Commission to modify storefront infill installed without Landmarks Preservation Commission permits.

Presenter: Dan O'Connor, Arch

Discussion: 412 Amsterdam Avenue, d/b/a Bettola – a small restaurant. Application is to legalize an existing storefront that was installed 10 years ago prior to the present regulation and was not approved by LPC. Storefront would be painted dark red and retractable awning would be brown. All signage on block would be uniform and discreet.

Resolution/Outcome: Whereas the storefront conforms to the requirements. Resolution is to approve.

Committee: 5-0-0-0. Board: 2-0-0-0. Public: 1-0-0-0.

5. 140 Riverside Drive (West 86th Street.) Application #042518 to the Landmarks Preservation Commission to amend the master plan for window replacement.

Applicant did not appear. Application was not approved.

Strategy and Budget

Helen Rosenthal, Chairperson

February 18, 2004, 7PM

Chairperson Helen Rosenthal called the meeting to order at 7:15PM. Present were Helen Rosenthal, Elizabeth Starkey, David Harris, Melanie Wymore, Hope Cohen, Board Chairperson, Penny Ryan, District Manager and Peter Arndsten, Director Columbus Amsterdam BID. (Absent members were Janet Alvarez, Robert Herrmann and Hector Santana). January minutes were reviewed and approved by the group. Melanie Wymore agreed to take minutes. David Harris agreed to take minutes in March.

After School Follow-Up

Penny Ryan reported on the Mayor's initiative to consolidate after school programming throughout NYC. The Administration is working with the Fund for the City of New York, Wallace Foundation, The After School Corporation (TASC), Administration for Children's Services (ACS), the Department of Youth and Community Development (DYCD) and the Department of Education (DOE) and will present a report by May 2004. The Administration will issue a new request for proposals (RFP), incorporating programs currently offered by ACS, TASC, DOE, and DYCD. A "community summit" will be held in March, but no details were available.

She noted that the process for developing the RFP is unclear. Several concerns were raised regarding the consolidation effort, especially with respect to the compressed schedule, accurate data, and community input.

Action: Penny will investigate the consolidation process, including what people/organizations are involved. George Zeppenfeldt will inquire about the process at the Borough Board meeting.

Communication with Elected Officials

Robert Herrmann composed a letter to elected officials requesting a list of their budget priorities. The group discussed whether the letter should directly request face-to-face meetings.

Action: Melanie Wymore will edit the letter for review by the group. Post Script: Helen Rosenthal asked Penny Ryan to send the letter. Follow up calls will be assigned/selected by committee members.

District Need Statement Review

Elizabeth Starkey gave an overview of DNS reports from other districts in Manhattan. The group discussed ways to improve the CB7 DNS, including less prose, more charts and graphs, a summary sheet, and a direct correlation to budget priorities. The group agreed to publicize the DNS and request feedback from Committees and the public by May 2004. Helen Rosenthal presented a chart that correlates DNS issues to budget priorities. Several priorities were not discussed in the DNS. The group assigned a specific committee member to each section of the DNS. Each member will be responsible for coordinating interactions with committees regarding the DNS and writing/editing their section of the report. Assignments are as follows:

Land Use – Hope Cohen

Transportation – Robert Herrmann

Commerce – Melanie Wymore

Health – Elizabeth Starkey and David Harris

Community Development – David Harris and Elizabeth Starkey (with help of Hector Santana)

Parks and Preservation – Janet Alvarez

Action: The committee will:

a) publicize DNS:

Announce that we are looking for comments at the next full board meeting (leave copies on the back table) and that the DNS is available on the web. Helen should write a cover letter soliciting comments to the DNS, attach the DNS and send to our CB7 community (Penny Ryan has the list). Helen will report to steering committee status of DNS, CB7 committee involvement, and request for comments.

a) submit DNS on time in July 2004,

b) include a summary that relates the DNS to potential budget priorities that will be studied and confirmed in November 2004,

c) Strategy and Budget Committee members ensure that related committees review, edit, and confirm statements made in the DNS relative to their area of expertise,

d) correlate budget priorities to the DNS, and

e) review prior budget priorities made by CB7 compared to funded projects.

The committee will interview other committees about the DNS in March and April.

Committee Guidance

The group discussed how to interact with Committees regarding key strategic issues. David Harris proposed that a form (attached) be used to outline and track work. Melanie Wymore proposed that the committee investigate proactive and methodical approaches to identifying/assessing community needs. Hope Cohen suggested that we start with a review of the Mayor's Management Report.

Action: Penny Ryan will contact possible interns to research community assessment techniques. Members are asked to review the relevant sections of the Mayors Management Report, which is available at www.nyc.gov.

Rec Center 59 Update

Melanie Wymore announced that the Rec Center was accepted as an NYC "Design Excellence" project. She reported that DPR, Councilmember Gale Brewer, CB7, and CB4 will begin a campaign to raise \$25Million for the center. Help from Budget and Strategy is welcome, especially regarding meetings with elected officials.

Strategy and Budget Goals

The group discussed its role in championing progress regarding key issues, including a) after school programs, b) SRO's and public housing, c) Rec Center 59, and d) some health issues. Hope Cohen noted that long-term issues should be managed by the S&B Committee, so other committees can deal with day-to-day tasks.

Action: The group will develop guidelines about how to divide labor and coordinate with committees on long-term issues.

CB7 Issue Tracking Form

Budget Priority:

1) Policy Research to be completed (including data, testimonials, studies, etc.)

2) Political Research to be completed (including funding sources, bills/laws, committees, interested parties, etc.)

3) Political Strategy (including presentations, meetings, hearings, timetables, etc.)

Responsible Committee Member:

Completion Date: _____

Health and Human Services

Barbara Van Buren, Chairperson

February 17, 2004

1. Representatives of the industry, academia and advocacy groups will discuss the health concerns related to the placement of cell phone antennae and equipment on the exterior of residential buildings (Note: the Land Use Committee is considering the zoning-related issues.)

Presentation from 350 CPW:

Joan Bondell, a resident of the rental property at 350 Central Park West, provided testimony about her experience with the installation of cell phone antennae directly outside her bedroom window. She circulated photographs showing the antennae, and also cables attached to the exterior of the building – which in some cases ran along window sills. According to Ms. Bondell, a base line engineering report before the antennae were operative showed no significant radiation, but a second report after Nextel turned on the system indicated she was being exposed. Several other residents of the building expressed their concern about the lack of specific information about the radiation from the antennae, and its potential health effects on themselves and their children. They wished to know why Nextel placed the antennae (eight in total) on the side of the building rather than on the roof, where materials offered more protection.

David Kotelchuck provided professional expertise on behalf of the concerned tenants. He stated his credentials included a PhD in Physics, MS in Public Health & Safety, membership in the Industrial Hygiene Association, and several years teaching a course on Noise and Radiation at Hunter College. Dr. Kotelchuck stated that there was intense debate within the scientific community whether there's a statistically significant elevation of cancer rates among people exposed to low frequency radiation. He said that guidelines are based on the point at which radiation heats organs, and indicated that earlier effects should be considered in establishing guidelines. It was pointed out that several other nations have much stricter guidelines than the U.S. On being questioned, he acknowledged that brick and mortar is porous so that radiation can pass through, though it falls off quickly, within a few feet of the source. When asked what other sources of radiation at that level might exist in an apartment, he said almost any electrical appliance would emit radiation, though the apartment owner has the advantage of control; appliances can be turned on and off. He summarized that currently available studies would indicate people exposed to the level of radiation emanating from the Nextel antennae were probably not going to be harmed – but that “probably” is not sufficient assurance. He pointed out that unlike cooperative owners, renters are given no opportunity to decide whether to accept the risk. When asked if he would want to expose his family to the situation, he said, “I would not want to be a canary, assuming risk with no benefit.” He added, on questioning, that while there are standards and guidelines for acceptable radiation in the environmental occupation field, there are no standards developed for acceptable levels of radiation in children.

In the ensuing discussion, it was stressed that OSHA recommendations protect workers while installing the equipment, but there seemed to be no protection for people exposed to the equipment. Another community resident explained that while he did not have an antenna outside his window on his building, antennae on the roof of a nearby building were pointed at his building. He said that was why it's urgent for everyone in the community to have better information about the health implications of these installations.

Presentation from Nextel:

Andrew Ajab stated that he is a senior manager for site development for Nextel. To the question about why antennae would be placed on a building exterior instead of a roof, he explained that the system requires relays at

various heights, so that the same frequency can be used by multiple users. He said engineers determine where there is a gap in service, and then real estate consultants are dispatched to find a suitable location and negotiate with the building owners. It was pointed out subsequently that this process leaves tenants out of the loop and is therefore discriminatory.

Nextel provided professional testimony from Ron Peterson. He stated his credentials include a career with Bell Labs, in the Environmental Health and Safety Department, and participation in professional committees that advised the Federal Communications Commission on developing standards, along with membership on the National Council of Radiation Protection and Measurements, and international committees.

Mr. Peterson said that contrary to the previous testimony, the effects of low frequency radiation have been studied intently since 1978. He also disputed the contention about thermal effects being the criteria for guidelines. He offered assurance to tenants concerned about radiation leaking from the cables, which he said are completely insulated. And he said he had personally made measurements near similarly mounted antennae in New Jersey – near where an infant was sleeping – and was confident the situation was safe. He pointed out that the antennae are directional; and that often levels of radiation in a residence were coming not from an immediately visible source, but from somewhere else. “Anywhere you can get a cell phone signal, transmitters are reaching you.” This did not serve to assuage the group, but rather added to the sense of urgency, for the need for more reliable third-party assessment of the health impact of proliferating cell phone systems. One resident noted that Nextel was only one of several companies with installations around the city.

Continuing his testimony, Mr. Peterson said the fact that other countries have lower guidelines does not mean they are in compliance. He added that if the operative rule is that if you can't prove it safe, don't do it, very little new technology would be possible. He expressed confidence in the U.S. guidelines, which were developed by the Institute of Electrotechnical Engineers in 1991, and reaffirmed in 1997. He said the real concern was the cellular phone itself, which is almost at the recommended limits, though even there he said nothing has been found to show that this is harmful to adults or children.

On questioning, it became evident that while Nextel claims antennae are transmitting within FCC guidelines, the company has not measured the actual output of the antennae from a distance closer than the street or the roof.

General Discussion:

Councilwoman Gale Brewer was asked if there has been any mapping of antennae; she said the Department of Buildings has a listing, but its numbers seem low and she doubts their reliability.

She added, in response to another question, that Telecom legislation passed in 1996 precludes the passing of regulation to require community consultation on

installations. Community Board 7 Chair Hope Cohen suggested that it might be useful to explore incentives for companies to have better notification and placement procedures.

Committee Chair Barbara Van Buren explained that the Health Committee could not determine what is an acceptable health risk, but that a letter to Nextel would be written to urge better communication with and responsiveness to residents affected by the placement of equipment. This communication should include specific information about the level of radiation and updates on monitoring processes. Ms. Van Buren also urged community members to advocate for their concerns with City Council members and Dr. Friedan, the Commissioner of the Department of Health and Mental Hygiene.

As it was unclear whether Nextel had followed its guidelines for determining if the radiation was at an acceptable level, (their protocol calls for evaluation of accessible areas, and it was not known if this had included the interior of apartments or just public spaces) Nextel agreed to cooperate in a study by an engineer to be agreed upon by both Nextel and the tenants to evaluate radiation levels inside affected apartments. Tenants agreed to this as long as they had a voice in choosing the engineer. Dr. Kotelchuck offered to help them make a choice, and this was accepted

A representative from Assemblyman O'Donnell's office said he was looking into these issues on the state level, and would share any further information with the Community Board.

In addition, the following resolution was introduced:

WHEREAS, there is a need for understanding and oversight of proliferating cell phone antennae and base stations; and

WHEREAS, there is fear in the community about the health effects of this proliferation, without clear studies answering their concerns; and

WHEREAS, the City Council has legislation pending to address this issue, including

-a study of the long term effects of living and working near cell phone installations

-oversight hearings

-maintenance of records including alteration permits

BE IT RESOLVED THAT we urge the City Council to proceed with this legislation; and

BE IT FURTHER RESOLVED THAT the Commissioner of Health and Mental Hygiene be urged to conduct a study of potential health hazards of cell phone antennae and base stations as soon as possible.

Committee: 3-0-0-0. Members: 2-0-0-0.

2. Planning activities and timetable to achieve the committee's goals for the year.

There followed a discussion of goals for the next few meetings, with help from public members Lani Sanjek and Art Springer. It was clear that the needs were many, and our level of knowledge was low. In looking at items that may be affected by budget cuts, Child Health Clinics and School Health services were seen to be in danger. Due to the lateness of the hour, it was agreed that we would have to wait until next month to do extensive planning, but that we would have some basic information in those areas for the meeting. We would also take a look at the impact of plans to de-institutionalize disabled New Yorkers.

It was hoped that at a future meeting we'd be able to have Judy Wessler, Director of the Commission on the Public's Health System, speak about the uninsured in New York, and what was being done to meet their health needs.

Committee Member Present: Barbara Van Buren, Deborah Gobble-Lewine, Barbara Keleman. Committee Members Absent: Annette Averette, Peter Bailey, Jean Green-Dorsey.

Additional CB 7 Members Present: Hope Cohen, Elizabeth Starkey

Submitted by Deborah Gobble-Lewine

Land Use

Minutes will be uploaded as they become available.

January 13, 2004 Transportation

Item 3. Proposed closing of the Miler Highway 72nd Street off-ramp.

Margaret Forgione, Manhattan Borough Commissioner, David Wallack, Deputy Commissioner, Naim Rasheed, Office of Project Analysis and SEQR, Maurice Bruet and Jenny Torres represented the NYC Department of Transportation (DOT). Commissioner Forgione distributed and reviewed copies of the findings on which the decision to close ramp are based, and responded to questions.

- DOT made the decision based on the 1992 Riverside South Final Environmental Impact Statement (FEIS). Department's attorneys determined that when the developer asks, DOT had to make a decision.
- DOT reviewed alternatives from community groups and elected officials. None of them worked.

- DOT cannot require the developer to speed up the build out of Riverside Boulevard. 2011 is the estimated completion date.
- DOT has not considered a northbound exit between West 59th and West 72nd Streets. The department has ways to get emergency vehicles onto the highway.
- DOT did not ask for data or study traffic on Riverside Drive between West 72nd and West 79th Streets because the volume did not warrant further study.
- Parking will be prohibited on West End Avenue from West 70th to West 59th Streets during rush hours (southbound in AM and northbound in PM) to facilitate the flow of traffic. West End Avenue will be able to handle displaced traffic. DOT will provide number of affected parking spaces. Citywide signal timing for pedestrians will be maintained.
- FEIS and updated counts by DOT and Philip Habib, the developer's traffic consultant, considered the two phases of the project (West 72nd to West 64th Streets completed by 2006 and West 64th to West 59th Streets by 2011) and factored in other development in area from West 72nd to West 57th Streets. Found no change in impacts identified in 1992.
- DOT did not do origin and destination studies for the off-ramp.
- DOT did not study M79 bus layover or the impacts of the Rotunda roadway reconstruction, scheduled for 2012. Few road closures are expected with the reconstruction. The 79th Street exit ramps are substandard.
- Left turns from the West 79th Street exit northbound onto Riverside Drive are prohibited, but drivers continue to turn. It is not a high-accident location. DOT will work on any safety issues related to the intersection.
- Schedule and phasing: West End Avenue mitigations (as required by the FEIS) and approval of the developer's plans for the removal of the off ramp must be completed before the ramp is closed. Closure could be in 2004 if conditions are met. Developer pays for mitigations, ramp removal and the connection.
- ConEd is working on opening the northbound lane adjacent to its facility on West End Avenue between West 65th and West 66th Streets.

Eric Nelson questioned whether DOT was required to make the decision or had discretion, and asked who actually made the decision. The fact that the developer had to make an application to DOT for permission implies that the department had discretion to approve or disapprove. DOT will have attorneys attend a committee meeting to explain.

State Assemblyman Scott Stringer disputed DOT's statement that the FEIS assumes the ramp closure. The FEIS did not conclude the ramp had to be closed. Asked the developer to attend a meeting and requested DOT to do a complete traffic study.

Mr. Nelson drafted the following resolution, which was adopted: Committee 6-0-0-0; Board Members 6-1-0-0. Mr. Albert asked for the sense of the room, which was 15-1-0 in favor.

WHEREAS, late on Friday, January 9, 2004, the New York City Department of Transportation ("DOT") approved a request by Hudson Waterfront Associates,

developer of the project commonly known as Riverside South (the "Developer"), for the closure of the 72nd Street off-ramp from the Miller Highway, and

WHEREAS, DOT failed to appear before, or otherwise meet with, the community until January 13, 2004, four (4) days after such approval was granted, rather than before the matter was determined (so that the community's views could be properly taken into account), and

WHEREAS, there is substantial disagreement as to whether the applicable final environmental impact statement (FEIS) required the closure of the off-ramp, or merely identified closure as an option, and

WHEREAS, DOT has not committed to awaiting the completion of a series of actions in addition to certain West End Avenue traffic mitigation measures – including particularly: (i) construction and completion of the full length of Riverside Boulevard (through to 59th Street); and (ii) improvement of the West Side Highway's 79th Street (northbound) off-ramp – before the 72nd Street off-ramp is closed, and

WHEREAS, the necessity of closing the 72nd Street off-ramp, but even more importantly, the necessity of closing it now, merely because of the imminent completion by the Developer of its Building "A" (between 71st and 72nd Street at Riverside Boulevard) – rather than in 2011 or whenever, if ever, the balance of the Riverside South Project, and the remainder of Riverside Boulevard, are completed – is in substantial doubt, and

WHEREAS, DOT's action, and particularly its taking of such action now, appear to be simply an accommodation of the Developer, even if that is not actually the case,

BE IT RESOLVED THAT Community Board 7/Manhattan:

(a) opposes the Department of Transportation's grant of approval of the closure;

(b) urges DOT to immediately withdraw such approval;

(c) recommends that any further consideration of the matter be postponed until the balance of the Riverside South project, and particularly Riverside Boulevard, are completed; and further

(d) urges the Department of Transportation to reconsider the traffic, parking and quality-of-life effects of the 72nd Street off-ramp closure in a much more comprehensive way, including specifically in face-to-face consultations with the community, before the matter is ever considered again.