



**Full Board Meeting Minutes
February 7, 2012
Congregation Rodeph Sholom**

Community Board 7/Manhattan met on Tuesday, February 7, 2012, at Congregation Rodeph Sholom, 7 West 83rd Street in the District. The meeting was chaired by CB7 Chair Mark Diller, who called the meeting to order at 6:40 pm. The following topics were discussed and actions taken.

Approval of minutes from previous full board meeting

Upon motion moved and seconded.

Vote: 29-0-1.

Chair's Report-Mark Diller

- The CB7 Annual Report to the Borough President for 2011 is due in the middle of March; please be advised that discussion of 2012 Goals + 2011 Accomplishments will be on February committee agendas
- Follow-up on sliver building resolution in November: presented it to BSA in January whose response mirrored the approach used by our Land Use committee
- Proposed storefront rezoning still coming up, held well-attended hearing and topic will be reassumed this month in joint meeting. Special thanks to Chairs and Ethel Sheffer.
- "Alphabet soup initiative" will seek to establish CB7 glossary to clarify acronyms, committees are asked to prepare a list of their most common acronyms for submission

District Manager's Report- Penny Ryan

- The Department of Buildings issued at partial stop work order at 732 West End Avenue for concrete that did not pass quality tests. The contractor may not pour any concrete until DOB accepts remediation plans for the immediate condition and for work going forward that are certified by an independent NYS registered engineer. This could take 2-3 weeks. We continue to be in communication with agencies, the public school across the street, the neighbors, and elected officials through an informal coordinating group. C-M Brewer, A-M Rosenthal & CB7 have asked DOB to verify that the building and the construction practices are sound and that all outstanding fines have been paid.
- Fashion Week at Lincoln Center begins on February 9. Working with C-M Brewer, DEP and the Mayor's Office to mitigate generator noise and emissions, load-in and load out noise, and sanitation concerns.
- Asked the city agencies, Fordham and Glenwood to increase lighting and improve paving on temporary construction sidewalks on Amsterdam Avenue and on West 62nd Street.
- Did walkthrough with local resident of rat infestation locations at West 83rd and 88th Streets in Riverside Park. Park staff coming up with plan for abatement, garbage collection, rat-resistance trash receptacles, and community education. Working with the Department of Health on rat problems on the park blocks in the west 90's.

Community Session

- Jessica Low- All Stars program has offered afterschool performing program for inner city youth free of charge for over 30 years. Business leadership, theatre program and talent shows throughout city. Always looking for professionals to mentor participants in business program.
- Rebecca Donsky- New York Public Library, Bloomingdale Branch. AARP doing free taxes every Friday 10AM-2:30PM. Senior activities Wednesday at 3PM and Thursdays at 2:30PM and yoga on Thursdays at 6PM.
- Roberta Roden- Resident of 736 West End Avenue. Curious about whether 732 WEA has retail use. 108 complaints, 67 violations (25 open). Also made complaints to DEP, DOT, DOHMH, OSHA, FDNY, NYPD and political groups. There is toxic groundwater at site. September accident on site knocked down 4-foot wall and left debris in adjoining terrace.
- Judith Ackerman, 736 West End Avenue - Witnessed deterioration of quality of life for neighbors. Residents are contracting asthma, headaches, breathing problems and hearing damage. Asbestos has been released and accumulates on building edges. Traffic snarling caused by trucks and cranes.
- Iлона Peterson, 736 WEA- Has concern regarding the handling of violations. Concrete test cylinders failed compression test. Foundation concrete violations dating back to August but hearing was delayed until December at which point they received fine. Concerned about self-certification procedures. Many violations dismissed.
- Jane Thompson, 736 WEA - Windows in 736 up to 8th floor have been bricked up. There is no space between construction site and 736; this is a security risk and the site has been left unlocked on occasion. Have called 311 repeatedly and they only occasionally send inspectors who often find additional violations. Have trouble finding ECB hearing; only occasionally allowed to testify and are not considered participants by system.
- Jeff Hale, 736 WEA- At least 3 senior citizens in the Williams Residence have died in last year from respiratory problems. QOL around West 96th Street has been getting worse; city has turned area into extended onramp for highway, it is dangerous to walk and overcrowded.
- John Frisch- Have been watching health of friends deteriorate. Don't believe developer is acting in good faith. Lives of children who attend school across street are put at risk. Landlords of neighboring buildings are in cahoots. Rules in place aren't sufficient.
- Mel Wymore- New initiative called Carbon Squeeze seeks to reduce carbon footprint as a community. Will compete with others in reducing carbon footprints and hold a series of community meetings. First is a presentation by Paul Reale on February 27. Let's have the UWS lead the way on this issue.
- Olive Freud- Reminder of 3/11 Fukushima accident. Need to recognize that this can happen at Indian Point and shut it down. Insufficient windows in new developments, glass walls require operating the entire HVAC mechanism, which is energy inefficient.
- Peter Arndtsen, Columbus Amsterdam BID - Calling attention to January/February events calendar and Spring restaurant guide, including new halal restaurant and a bakery. Thank you to Transportation Committee for presentation on creating slower speed streets.

Manhattan Borough President's Report - Rebecca Godlewicz

- Thanks to all who attended State of the Borough.
- Seeking to pass new tax plan in line with Cuomo plan that would lower taxes for families earning below \$300,000 and individuals under \$200,000.
- "Rooftop Revolution" will put solar panels on public schools.

- Repeatedly expressed his opposition to Stop and Frisk.
- Submitted testimony to BSA against the proposed sliver building at 207 West 75th Street.

Reports by Legislators

Gale Brewer – City Council Member, 6th District

- Trying to stop a proposed sliver building at 207 West 75th Street.
- Sample ballot available on Board of Elections site for the first time.
- West-Park Presbyterian Church's new boiler is in and working
- Beacon Theater and the Tony Awards are working with the high schools in the area.

A-M Daniel O'Donnell - 69th Assembly District

- Sent letter regarding Jewish Home Lifecare. When we cleared some of our urban neighborhoods with bulldozers tall buildings were created with open space. The letter asks City Planning Commission Chair, Amanda Burden, to take up the zoning issue that tonight's discussion about JHL addresses. This is not a unique issue.

Reports by Legislative Representatives

- Paul Sawyer, A-M Linda Rosenthal's Office - SCRIE resolution coming out of Housing Committee regarding accessibility. Held hearing on Department of Finance administration of program; have been working with department on corrective steps. Starting 3/8, 3-7 pm will be holding SCRIE clinic w/ DOF and HPD to answer questions. Co-sponsoring minimum wage increase.
- Jared Chausow, Senator Tom Duane's Office - Redistricting proposal was released that will disenfranchise voters. MCD7 would no longer be in the district. Loss of CB7 would be huge to the Senator. Call on Governor to veto. Support establishment of independent commission. Did way in with opposition to BSA on 207 West 75th Street. NYSERDA has incentive program for various energy savings programs.
- George Oliver, A-M Richard Gottfried's Office- Health Committee passed 15 bills recently.
- Ben Schachter, Senator Adriano Espaillat's Office - Happy that we will continue to represent UWS. Been working on tenant protection unit announced in State of the State. Introduced legislation to increase minimum wage to \$8.50 and will be sponsor for Stringer tax plan.
- Linda Wood Guy, State Senator Bill Perkins' Office - The Senator stands with the community on JHL. The community should make the decision and elected officials should be led by the community. As-of-right development has not included public input and doesn't allow the public to direct its own community. As-of-right does not mean, whatever I want.
- Cynthia Doty District Leader 69th AD Part A - Co-chair of participatory budgeting for CD8, C-M Melissa Mark-Viverito's district. Will be holding neighborhood assemblies this month to review proposals that will be on ballot on March 25 at the American Youth Hostel.

*Business Session***Steering Committee****Mark Diller, Chair****Joint with Land Use Committee****Richard Asche and Page Cowley, Co-Chairpersons, and****Health & Human Service Committee****Madge Rosenberg and Barbara Van Buren, Co-Chairpersons**

1. **125 West 97th Street, Jewish Home Lifecare** (Columbus-Amsterdam Avenues.) Request by JHL, in relation to their proposed development of a new skilled nursing facility at 125 West 97th Street, for certification by the Department of City Planning to the Department of Buildings, pursuant to Section 22-42 of the Zoning Resolution, that none of the findings in that Section that would require a special permit exist in MCD7.

Before Board and public comment Mark Diller read the resolution.

Questions/Comments from the Board:

- If the resolution passes in the form proposed and City Planning agrees and doesn't certify, then the next step would be for the JHL to apply for the special permit. What are the standards for granting the special purpose? Response: We enter the full ULURP process. This would trigger an environmental review, which is one of the community requests.
- This applicant has an extraordinary history with this Board. Why is the resolution so bare bones? We should call for ULURP.
- Because JHL has been given the OK for expansion in their current location, why are we still debating this issue? What is the weight of that approval to expand? (Certificate of Need from State Dept of Health) Shouldn't JHL have to show cause for abandoning existing location? Response: We are charged with focusing on the resolution on this vote.
- What is before us was put in place when there was a proliferation of such facilities. If the Board votes as the committees did, then the Board is asking the Department of City Planning to require a special permit for the citing on this building. Then, ULURP process would begin. The Board is asked to act on this item. If the Board wishes to say more, beyond the resolution reflecting the concerns of the community, we don't know if City Planning would take that into consideration.
- With 250 people in the room our job is to do what is technically appropriate but this is presented in a very bare bones manner. It's appropriate for Community Board 7 to acknowledge the weight of the community. We should have an added page with community comments.
- In the joint committee meetings, we divided the discussion into two parts, the resolution and the broader issues. In the interest of time we need to respond to City Planning. A supplemental letter could compile our own views. This development is too much, too soon with no review.
- This is a very narrow and controversial decision we need to make. Any wishy-washiness on our part might allow this thing to go through. Letters have gone back and forth for six years and we have a huge history here.

Public Comment

Mr. Diller asked all who wanted to speak about issue to stand. An overwhelming majority of the room stood.

The following people from the community spoke. (Comments are summarized below). Speaking against: Winifred Armstrong, Patricia Loftman, Cathy Unsino, Dean Heitner, Eileen Salzig, Emily Margolis,



Batya Lewton, Roger Logan, Kathie Schlüssel, Hillel Hoffman, Douglas Woodward, Cheryl L. Strong, Kyle Brandon, Albina De Leio, Sarah Wood, Nancy Seklir, Ralph Seliger, Arlene Schimmel, Nydia Leaf, Steve Koulish, Arnold Young, Jean Green Dorsey, Bruce R. Piatt, Lois Hoffmann, Gary Hennion, James Langford, Arno D. Young, Paul S. Bunten, Gerald Sider, Carrie Reynolds, Avery Brandon.
Speaking for JHL: Ed Wallace, Bruce Nathanson, Elise Wagner, Rachel Fredman.

- Three years ago requested that the building proposal go through ULURP. It is affecting the whole neighborhood. The concept of as-of-right was for smaller projects. This size project should not qualify for as-of-right.
- Greenhouse Model would dictate lower buildings and access to the community and the out-of-doors. The project now would limit the staff. The building limits the business plan to 12 residents per floor. Because of the building plan they would be stuck with a limit of 12 in perpetuity. Create a state-of-the-art program that could be replicated nationally.
- Chetrit, the parking lot owners, promised that one of the parking lots was to become a tree filled green space and the other lot was to be a playground. Both parties have misrepresented their intentions.
- The new facility will have off-street garbage and a new garden, which no other nursing home has. The new facility will have 100 fewer beds with no room for expansion if needed.
- Scarcity is defined as "inadequate supply." Of course there is a scarcity of open land. Nearly all is in an enclave south of our area. The new building will increase the traffic on the street and large trucks that will be dangerous. There is no good reason to move, they planned a Greenhouse Model in the last facility.
- There are technical deficiencies in the application. The Board has the opportunity to require a review of all the community resources. Either pass a broader resolution or include a letter. ULURP would review harmoniousness with the neighborhood, traffic, environment – a full analysis and the community deserves it. That is what ULURP would require.
- Safety of the building – average age of patients is 86-years-old. As a flight attendant trained annually on safety procedures. Trying to get a senior out of the 22nd or 24th floor of a building under emergency circumstances is nearly impossible.
- Park West Village voted to oppose.
- The Atria and The Esplanade are both assisted living facilities and should count as health care facilities.
- The owner of the parking lot was seeking to put up residences and is blocked on that location by the zoning. By selling (swapping) with JHL he circumvents the no more residences on the block. But JHL residents are residents.
- Please be a Community Board, not a Real Estate Board.
- Building on the parking lots will cause at least 12 more trees to be cut down. There is no parking in the neighborhood. The JHL presentation was disingenuous in claiming there is no parking problem. The height of the building will cast a shadow ruining light and plants.
- Hundreds of millions of dollars will be given to JHL in mortgages. It is designed like a prison.
- Whole Foods already uses this street for their food delivery and trash removal trucks. The street is too small for the trucks we have now. The noise goes on all night.
- There is not adequate space to build a high rise safely on the street next to an elementary school. You can not dynamite safely close to children. When recent construction occurred in the neighborhood the dynamiting created cracks in nearby buildings. There is a flow of water under the building that will cause water damage. A crane error dropping a beam or cement buckets need



only a 5 degree arc to end up going through the roof of the school. The penalty for a mishap would be catastrophic.

- What consideration is being given to the respiratory and auditory assault on the children? The building is not noise proof or dust proof. 35% of all kids have asthma already. The children will incur long term damage.

JHL Representatives:

- Please have an open mind. Staying at original site is not feasible. Urge the Board to focus on the three technical findings and consider the intent of the directive. JHL will leave behind more land than they will occupy. There is more that can be done by working together.
- JHL opens doors to all in community regardless of race and religion. The average age is 85 and most are on Medicaid. Putting in a new application for a certificate of need. It will have state of the art rehabilitation. Construction planned for in first quarter 2013 through 2016. Lowered the total height by 50 feet. Moved daycare to another location so that the van traffic will not clog the street.
- Finding B “Scarcity of land” intended to achieve a balance of land uses. It will take over a parking lot. Moving a nursing home from one location to another cannot create a scarcity. Oversaturation is not an issue. There are 48 vacant lots in MCD7.

Board Comment

- The reason JHL got a zoning carve out was to update the its building. It has not been made clear why the old space is unfeasible.
- The scarcity issue: the language does not state that this creates a scarcity. Instead it simply asks about scarcity. I thought we would have heard from community-based groups who might want to indicate interest.
- Needs a larger review process than as-of-right. There is no way to justify that there is a scarcity of land for community purposes. City Planning will determine that there is no scarcity. We need to be impartial. There has been no community organization that has tried to buy this land.
- Believe that there is a scarcity of land. This vote gives City Planning a chance to look at the community and the issues as a whole.
- A promise was made to put park and playgrounds on the parking lots. This speaks to scarcity.
- We need to reconsider the as-of-right issues. When a large building is coming into a community, the public should have the right to speak .
- The responses from JHL to the Board questions were not thought out or not responded to. Clarify the logic behind the vote from the committee. Response: as one of those who abstained it was because the issue is so incoherent. This section of the Zoning Resolution should have been retired years ago. JHL has made a mess over the past years in this community. This community came together and negotiated for two years and JHL got a carve out from other political connections.
- The zoning is archaic. City Planning’s representative was at the committee meeting and acknowledged that it is not clear.
- The numbers on open space will be double checked.
- General community purposes is not a defined term.

After deliberation, the resolution was adopted.

VOTE: 37-0-4-0

Health & Human Services Committee

Madge Rosenberg and Barbara Van Buren, Co-Chairpersons

2. Manhattan Borough Board resolution on NYPD’s Stop and Frisk Program.

- 0.13 percent of those stopped had weapons.
- The cost to the community is enormous and has dubious constitutional basis.
- 80% of stops are black and Hispanic youths. This is a matter of racial profiling.

Board discussion

- Why is marijuana included in this resolution? Because in a stop and frisk the marijuana becomes displayed and is then a misdemeanor.
- Agree with reforming stop and frisk. The marijuana paragraph does not belong in this resolution.
- It’s not well thought out. If one person on the committee changed his/her vote, it would have not passed.
- The process of arrest for even a small amount of marijuana is onerous and can end up in one’s public profile (even when it was not supposed to) and inhibits the ability to get into college or get aide.
- Request that the resolution language be strengthened. Voting for the resolution and to empower Mr. Diller to attempt to add language Sheldon Fine drafted. Changes are underlined.
 - Therefore be it resolved that the NYPD must take steps to reform stop and frisk practices immediately to address the racial disparities and constitutional concerns raised by the Southern District Court of New York – by implementing certain measures, which may include increasing the accountability for precinct commanders through CompStat; providing new training at the Policy Academy to make stops more constitutional and less confrontational; and by exploring proven alternatives to stop and frisk, like the “call-in” approach Page 2 pioneered by John Hay Professor David Kennedy, which has reduced violent crime by up to 60% in cities such as Boston, Chicago, and Los Angeles; and
 - Be it Further Resolved that the United States Department of Justice should partner with New York City and the NYPD to launch an investigation into how stop and frisk is used in New York to determine whether racial profiling remains a problem and, if so, determine what steps should be taken to address such problems and improve the implementation of stop and frisk practices, including whether the Department of Justice should appoint a special monitor...(continues as proposed.)
- Think of your children and grandchildren. Friends and acquaintances have been stopped and lost their federal school loans.
- This discriminates and disenfranchises black and Latino youths.
- Mr. Diller should abstain at Borough Board with an explanation.

After deliberation, the resolution, as amended, was adopted.

VOTE 33-7-0-0

Land Use Committee, Richard Asche and Page Cowley, Co-Chairpersons

Joint with Parks & Environment Committee, Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons

3. **Zone Green Text Amendment.** ULURP Nos. N120132ZRY. Citywide zoning map and text amendments that seek modernize the Zoning Resolution to remove impediments to the construction and retrofitting of greener buildings.

Board Discussion



- 40-foot bulkheads and 50- foot wind turbines “as of right” create a problem.
- Our district is contextually zoned. I have not seen nor do I have knowledge of buildings of any height in our district with bulkheads that begin to approach a height of 40 feet. Therefore, I propose that a variance be required when developers propose to build bulkheads exceeding 25 feet.
- This is the first opportunity to speak on sustainability and green in our community.
- Allows solar panels to be put on roofs as-of-right

After discussion, the proposal was amended to: Endorse green zoning, with more discussion of bulkheads and wind turbines at the next full board meeting.

VOTE 32-0-0-0

Parks & Environment Committee

Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons

4. Central Park Conservancy on the proposed reconstruction of the Tots Playground, located near 67th Street and Central Park West, adjacent to the Adventure Playground.
5. Central Park Conservancy on the reconstruction the North Harlem Meer landscape, shoreline, and playground.

After discussion it was agreed to bundle the vote for 4 and 5. The resolutions to approve the applications were adopted.

VOTE: 35-0-0-0

Preservation Committee

Lenore Norman and Gabrielle Palitz, Co-Chairpersons

6. **173 West 78th Street, dba Sugar and Plumm**, (Amsterdam Avenue.) Application to the Landmarks Preservation Commission for replacement of the existing storefronts, installation of new signage, new fabric awnings, decorative exterior lighting, installation of new display windows in previously existing openings.

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

VOTE 32-5-0-0

7. **101 West 87th Street** (Columbus Avenue.) Application # 126926 to the Landmarks Preservation Commission to alter the facade and to install a marquee.

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

VOTE: 37-0-0-0

Housing Committee

Nick Prigo, Chairperson

8. Resolutions Re Senior Citizen Rent Increase Exemption (SCRIE):

- A) To make improvements to administrative practices;
- B) To change the way social security income is treated in calculating eligibility.

After discussion, it was agreed to bundle the vote for 8 A and B. The resolutions were adopted.

VOTE: 32-0-0-0

**Business & Consumer Issues Committee****Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons****9. Unenclosed Café Renewal Applications:**

- **2020 Broadway** (West 69th Street.) Renewal application DCA# 1308014 to the Department of Consumer Affairs by Tapas Food and Wine, Inc., d/b/a BarCibo Enoteca, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 22 seats.
- **249-251 Columbus Avenue** (West 71st – 72nd Street.) Renewal application DCA# 1103658 to the Department of Consumer Affairs by CMR, Corp., d/b/a Gitana, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 19 seats.
- **267 Columbus Avenue** (West 72nd – 73rd Streets.) Renewal application DCA# 1072082 to the Department of Consumer Affairs by Classic Food, Inc., d/b/a Sido Falafel & More, for a two-year consent to operate an unenclosed sidewalk café with 3 tables and 6 seats.
- **441 Amsterdam Avenue** (West 81st Street.) Renewal application DCA# 1283635 to the Department of Consumer Affairs by JPS Ventures, Inc., d/b/a St. James Gate, for a two-year consent to operate an unenclosed sidewalk café with 3 tables and 8 seats.
- **442 Amsterdam Avenue** (West 81st Street.) Renewal application DCA# 0953744 to the Department of Consumer Affairs by 442 Amsterdam Restaurant Corp., d/b/a Gin Mill, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 14 seats.
- **2340 Broadway** (West 85th Street.) Renewal application DCA# 1000314 to the Department of Consumer Affairs by Broadway Desserts. LTD, d/b/a French Roast, for a two-year consent to operate an unenclosed sidewalk café with 21 tables and 48 seats.
- **517 Columbus Avenue** (West 85th Street.) Renewal application DCA# 0812902 to the Department of Consumer Affairs by Re Spec Corp., d/b/a Jackson Hole, for a two-year consent to operate an unenclosed sidewalk café with 25 tables and 48 seats.
- **584 Amsterdam Avenue** (West 88th - 89th Streets.) Renewal application DCA# 1247422 to the Department of Consumer Affairs by T.B. 584 Amsterdam Rest. Corp., d/b/a Bodrum, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 24 seats.
- **2450 Broadway** (West 90th – 91st Streets.) Renewal application DCA# 0940252 to the Department of Consumer Affairs by Carmines Broadway Feast, Inc., d/b/a Carmine's, for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 22 seats.
- **2665 Broadway** (West 101st – 102nd Street.) Renewal application DCA# 1189644 to the Department of Consumer Affairs by Kieffer & Norell, LLC, d/b/a Picnic Market Cafe, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 23 seats.
- **2737 Broadway** (West 105th Street.) Renewal application DCA# 1109932 to the Department of Consumer Affairs by The Westside of Broadway Rest Group Inc., d/b/a Toast, for a two-year consent to operate an unenclosed sidewalk café with 15 tables and 30 seats.

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

VOTE: 36-0-0-0

Enclosed Café Renewal Application:

10. **180 Columbus Avenue** (West 68th Street.) Renewal application DCA# 0895625/ ULURP# N110267ECM to the Department of Consumer Affairs by Mafra Restaurant Corp., d/b/a II Violino, for a two-year consent to operate an enclosed sidewalk café with 15 tables and 36 seats

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

VOTE 26-6-4-0.

***New Unenclosed Café Application:***

11. **474-476 Columbus Avenue** (West 83rd Street.) New application DCA# 1415817 to the Department of Consumer Affairs by Spring Natural Corp., d/b/a Spring Natural Kitchen, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.

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

VOTE: 36-1-0-0

New Enclosed Café Application:

12. **247 West 72nd Street (Broadway – West End Avenue.)** New application DCA# 1379700/ ULURP# N110190ECM to the Department of Consumer Affairs by My Most Favorite 72nd St. Corp., d/b/a My Most Favorite Food, for a two-year consent to operate an enclosed sidewalk café with 10 tables and 27 seats.

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

VOTE: 22-10-4-0

Transportation Committee, Andrew Albert and Dan Zweig, Co-Chairpersons**13. DOT Weekend Walks Program - Manhattan Valley Family Days.**

Application to the NYC Department of Transportation by the Columbus Amsterdam BID for street closures on

Amsterdam Avenue from West 106th -110th Streets on four Sundays, May 6th and 20th and Sept 9th and 16th, from 11am-5pm (set up and breakdown 9am-6pm.)

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

VOTE: 32-1-0-0

14. Making West 59th Street one-way westbound.

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

VOTE: 36-0-0-0

15. Banning smoking in sidewalk cafes.

- BCI Committee requested it be sent to their committee for review.
- HHS Committee will discuss again also.
- Please consider including bus shelters.

Pre-Meeting at 6:10pm:**Transportation Committee, Andrew Albert and Dan Zweig, Co-Chairpersons****DOT Weekend Walks Program - Manhattan Valley Family Days.**

Application to the NYC Department of Transportation by the Columbus Amsterdam BID for street closures on

Amsterdam Avenue from West 106th -110th Streets on four Sundays, May 6th and 20th and Sept 9th and 16th, from 11am-5pm (set up and breakdown 9am-6pm.)

After deliberation, the committee adopted a resolution to approve the application:

Present: Mark Diller, Jay Adolf, Andrew Albert, Ian Alterman, Issac Booker, Brian Byrd, Elizabeth Caputo, Louis Cholden-Brown, Hope Cohen, Kenneth Coughlin, Page Cowley, Mark Darin, Robert Espier, Miki Fiegel, Sheldon J. Fine, Paul Fischer, Marc Glazer, Phyllis E. Gunther, Joanne Imohiosen,



Ulma Jones, Blanche E. Lawton, Marisa Maack, Lillian Moore, Klari Neuwelt, Gabrielle Palitz, Michele Parker, Nick Prigo, Oscar Ríos, Suzanne Robotti, Haydee Rosario, Madge Rosenberg, Helen Rosenthal, Evan Rosing, Gabriella Rowe, Roberta Semer, Ethel Sheffer, Eric Shuffler, Barbara Van Buren, Cara Volpe, Mel Wymore, George Zeppenfeldt-Cestero and Dan Zweig. **On-Leave:** Lenore Norman. **Absent:** Linda Alexander, Richard Asche, Anne Raphael, Elizabeth Starkey and Thomas Vitullo- Martin.



Business & Consumer Issues Committee Meeting Minutes
Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons
February 8, 2012

Unenclosed Café Renewal Applications:

1. **61 Columbus Avenue** (West 62nd Street.) Renewal application DCA# 1190070 to the Department of Consumer Affairs by West 62nd Operating, LLC, d/b/a Rosa Mexicano at Lincoln Center, for a two-year consent to operate an unenclosed sidewalk café with 14 tables and 28 seats. Represented by Doug Griebel
COMMITTEE APPROVES 4-0-1-0. 2-0-0-0.

2. **373 Amsterdam Avenue** (West 78th Street.) Renewal application DCA# 1416326 to the Department of Consumer Affairs by Sagi Restaurant Corp., d/b/a Francesca La Vela Cucina Italiana, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 16 seats. Represented by Mike Kelly
COMMITTEE APPROVES 4-0-1-0. 2-0-0-0.

3. **480 Amsterdam Avenue** (West 83rd Street.) Renewal application DCA# 1307588 to the Department of Consumer Affairs by 480 Rest Amsterdam, Inc., d/b/a Soldier McGee, for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats. Represented by Mike Kelly.
COMMITTEE APPROVES 5-0-0-0. 2-0-0-0.

4. **566 Amsterdam Avenue** (West 87th – 88th Street.) Renewal application DCA #1312628 to the Department of Consumer Affairs by Jos Hospitality Group, LLC, d/b/a B. Café West, for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats. Represented by Skel Islamoj.
COMMITTEE APPROVES 5-0-0-0. 2-0-0-0.

5. **245 West 104th Street** (Broadway.) Renewal application DCA# 1187714 to the Department of Consumer Affairs by Broadway 104, LLC, d/b/a Café Du Soleil, for a two-year consent to operate an unenclosed sidewalk café with 18 tables and 36 seats. Represented by Nadine Cheverux.
COMMITTEE APPROVES 5-0-0-0. 2-0-0-0.

Enclosed Café Renewal Applications:

6. **320 Columbus Avenue** (West 75th Street.) Renewal application ULURP #N110328ECM/DCA# 0738544 to the Department of Consumer Affairs by 320 Columbus Avenue, Inc., d/b/a Mughlai Indian Cuisine, for a two-year consent to operate an enclosed sidewalk café with 10 tables and 26 seats.
APPLICANT DID NOT SHOW. NO VOTE WAS TAKEN.

7. **2791 Broadway** (West 107th – 108th Street.) Renewal application ULURP #N110327ECM/DCA# 0735569 to the Department of Consumer Affairs by Indian Foods International, Inc., d/b/a Indian Cafe, for a two-year consent to operate an enclosed sidewalk café with 15 tables and 52 seats. Represented by Chantel Maih.
COMMITTEE APPROVES 5-0-0-0. 1-1-0-0.

Applications to the SLA for a two-year liquor licenses:



8. **349 Amsterdam Avenue** (West 77th Street) BT Restaurant Enterprises LLC, d/b/a To be determined. License to include rear courtyard enclosed café. Represented by Larry Belene and William Tracy.

COMMITTEE APPROVES 6-0-0-0. 2-0-0-1.

9. **380 Columbus Avenue** (West 78th Street) LEM Uptown LLC, d/b/a 78 Below. Represented by Frank Pallillo and Michael Shey

COMMITTEE APPROVES 6-0-0-0. 2-0-0-0.

10. **2427 Broadway** (West 89th Street) Candle West LLC, d/b/a Candle West Café. Represented by Jay Pearson and Bart Potemzo

COMMITTEE APPROVES 6-0-0-0. 2-0-0-0.

11. **1900 Broadway** (West 65th Street) TS3 Hospitality, d/b/a The Smith. Represented by Jeff Lefcourt.

COMMITTEE APPROVES 6-0-0-0. 2-0-0-0.

12. **2756 Broadway** (West 106th Street) Five Lamps Corp, d/b/a “To Be Determined”. Represented by Peter Kink and Andy Mc Cord.

Applicant shall not serve alcohol in the rear courtyard until café application is filed and approved.

COMMITTEE APPROVES 6-0-0-0. 2-0-0-0.

New Unenclosed Café Application:

13. **2178 Broadway** (West 77th Street.) New application DCA# 1418144 to the Department of Consumer Affairs by Serafina 77 West, LLC, d/b/a Serafina, for a two-year consent to operate an unenclosed sidewalk café with 58 tables and 115 seats.

COMMITTEE APPROVES 5-0-1-0. 0-1-1-0.

14. Manhattan Borough Board resolution in support of reforms to improve public and police access to details of SLA licenses.

COMMITTEE APPROVES 6-0-0-0. 2-0-0-0.

15. Banning Smoking In Outdoor Cafes.

WHEREAS, Smoking is currently limited to 25% of the total number of seats in any unenclosed cafes; and

WHEREAS, Smoking is already prohibited in any unenclosed café that contains any awnings; and

WHEREAS, Smoking is also already prohibited in any unenclosed café that contains any umbrellas; and

WHEREAS; Regular patrons of many restaurants will often choose the restaurant to frequent based on their smoking preferences when selecting to dine in an outdoor cafe

WHEREAS; Restaurant operators currently have the discretion in allowing or disallowing smoking in unenclosed sidewalk cafes not covered by the aforementioned restrictions;

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan votes to continue the policy of allowing individual restaurant owners to determine whether to permit smoking in the areas of their unenclosed sidewalk cafes not prohibited by the aforementioned restrictions.



Present: George Zeppenfeldt-Cestero, Michelle Parker, Elizabeth Caputo, Paul Fisher, Marc Glazer and Joanne Imohiosen. **CB7 Chair** Mark Diller. **Board Member:** Ian Alterman. **Absent:** Linda Alexander, Ulma Jones, Anne Raphael and Eric Shuffler.



**Preservation Committee Meeting Minutes
Gabrielle Palitz and Lenore Norman, Co-Chairpersons
February 9, 2012**

Presentation by the Department of Design & Construction on the design for the restoration of the Tavern on the Green building.

Presentation made by Elizabeth Moss, architect for the Parks D & C, Betsy Smith, Ass. Com. for Marketing, Parks Dept. Also, Eric Boorstyn, Assoc. Com. Parks Dept, and Doug Blonsky, Pres. Central Park Conservancy.

Parks is spending \$10,000,000 to restore the Tavern on The Green building. The objective is to return the building to one which is more in keeping stylistically with the original sheepfold while at the same time returning it to a more user friendly restaurant usable by all parks users as well as visitors. The building was built in 1871 as a sheepfold with dirt floors. There have been several conversion of the space, including a 1934 conversion to a restaurant, 1940's more renovation including the addition of a cocktail lounge, 1970's the building turned its back on the park with the addition of the Crystal room which engulfed the courtyard. In 2009 the Crystal room was removed.

As the original building emerged, it was noted that much damage had occurred over time. The slate roof and copper gutters were replaced, brick repair in kind has been done and mold mitigation has been done. Also, the building was not ADA compliant

The proposed building will look a lot like the earliest building with the addition of the cocktail lounge; the east-facing courtyard will be a dining space, not a parking lot. Parks says that this will allow the building to be more interactive with the Park. Also, public restrooms will be clearly available to the public.

The work done by Parks is only the restoration of the core and shell. The new vendor, when chosen, is responsible for the design and the work on the interior.

Public Comment: Ann Matthews: concerned about noise and lack of parking lot.

Committee Debate: The question is "what does Parks want from CB7?" They appear before LPC on 2/21. Comments from committee: fenestration not the best choice. Asks for another layer. Glass pavilion as presented could be more sensitive. It is seen as an intrusive glass box. Cocktail lounge not appropriate. Most of restoration is in keeping with CB7 goals and rest of existing building. Concern that usage will evolve into a catering space.

Resolution: THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the final design of the restoration of the Tavern on the Green building. The Committees strongly recommend that the design of the new glass "pavilion" be more responsive to and integrated with the original building's architecture and massing.

Joint Preservation and Parks and Environment Committees: 8-0-1-0

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

2. 12 West 68th Street (Central Park West.) Application # 12-4278 to the Landmarks Preservation Commission to demolish a rooftop addition constructed without Landmarks Preservation Commission permits, and alter the facade and construct a new rooftop addition.

After LPC ruled new, illegal rooftop addition must be removed; new owner is applying to put on a new rooftop addition rebuilt with brick, articulated cornice line which aligns with 14 W 68th St, aluminum and glass windows and skylights. Addition minimizes exposure to street but, is still visible.



This is half the size of the preceding structure. It has zinc cladding in rear with French doors.

Public Comment:

Christina Pena from Landmarks West!: not appropriate. Has negative impact on landmarked Des Artistes. Position of building on lot makes any addition inappropriate to the site.

Richard Perl: lives in Des Artistes. His apartment faces proposed addition. Fears loss of light and privacy. Architect responds there is minimal impact to only 1 or 2 apartments.

Committee is concerned about light at night emanating from rooftop, the amount of glass proposed and the fact that it breaks the sky plane.

Resolution to Approve: THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the demolition of the existing illegal rooftop addition, the façade alteration, and the construction of a new rooftop addition.

Vote: 3-2-0-0 Non-committee members: 0-2-0-0

3. 5 West 70th Street (Columbus & Central Park West.) Application to the Landmarks Preservation Commission for a roof top addition, replacement windows for street facade and rear yard addition

Presented by Architect Pablo Jendretzki.

Multiple dwelling units being returned to single family residence. This is a major renovation which includes removing the rear extension, changing random windows to fenestration of a regular pattern, replicating front windows with matching double hung wood windows, replacing rear windows with casement aluminum, windows, rebuilding the extension while at the same time moving the rear wall out by 4 feet. A rooftop addition would be added to ½ of the roof. It is not visible from the public way. Also the cellar and rear yard are being excavated to accommodate an indoor swimming pool. The rear yard will be pavers with planters. The addition will be brick and the penthouse would be stucco.

No public comment. Committee comment: more modulation would be nice.

Resolution to approve: THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the roof top addition, replacement windows for street facade and rear yard addition.

Vote: 5-0-0-0 Non-committee members: 2-0-0-0

4. 240 Columbus Avenue, Cafe Tallulah (West 71st Street.) Application to the Landmarks Preservation Commission for façade alterations, removal of the existing non-historic stucco murals to be replaced with a new wood storefront and door.

This is to be Café Tallulah in old Victor's Cuban restaurant space. 71st Street façade will be replaced with wood store front and new front entrance. The egress door on Columbus which is now centered on the existing enclosed café would move to the north end of the café. Wood detail on the mullions of the glass store front will be added where applicable.

Public Comment: Greg Hunt owner read letter of support from Columbus Ave BID.

Resolution: THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the storefront alteration.

Vote: 5-0-0-0

5. 447B Amsterdam Avenue, dba Blondi's Hair Salon (West 81st – 82nd Street.) Application to the Landmarks Preservation Commission to replace the existing storefront and entrance.

Presented by William Alicea AIA

Existing old canopy and security gates would be removed. No new canopy. Existing detail band above storefront would be exposed. Glass windows would start 1 foot above sidewalk as it was in the 1940's.



Windows are aluminum with a dark brown finish. Entrance would be centered. Signage will be lettering on glass.

Resolution: THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the storefront alteration.

Vote: 5-0-0-0

**7. 6 West 94th Street, Columbia Grammar & Preparatory School (Central Park West.)
Application to the Landmarks Preservation Commission for alteration of the entrances at 26 and 28 West 94th Street, installation of a new entrance canopy, and restoration of the facades of 20 through 30 West 94th Street buildings.**

Presented by Peter Sampton AIA

Columbia Grammar has 6 brownstones on 94th St which are joined together. The opening for the lower school is both very narrow and dangerous as well as not being ADA compliant. Proposal would create a wider entrance from an existing wide window opening, make a safer number of stairs and create a ramp. New window to replace the existing narrow door, located to the west of the new, enlarged doorway. There would be a new glass canopy which is designed as a half circle mimicking the round topped windows of the brownstones. The entrance would be in line with the stoop line of other buildings on the block. There would also be 2 planters alongside the new stairs, simple black metal railings along the sidewalk stoop-edge line. Besides the entrance, they propose to remove the grey paint on the buildings and restore the brownstone facades of buildings 20 through 30 West 94th Street. The buildings railings would be painted black. The group of buildings also needs cornice restoration which will also be done. The stairs and ramp would be grey granite. The canopy is a rigid frame held in place by 3 cables.

Committee comments: the new window to the right of the entrance should be the same size as others in the group's first floor, making it a shorter double hung window not one larger window with a single pane of glass. Also, it was suggested that the canopy be lowered a bit both to add more protection from the elements and to not block the window directly above the entrance.

Resolution: THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves as modified** the entrance alteration and canopy installation **approves as proposed** the façade restoration.

Vote: 5-0-0-0

7. 322 W 87th Street (West End Avenue-Riverside Drive.) Application # 12-7629 to the Landmarks Preservation Commission to construct a new stoop.

Presented by Bhavesh Shah AIA

Proposal to replace stoop which was demolished sometime before 1940. The house was built in 1889. This was a 3 family house. It is now a 2 family and owner need access to parlor floor. The rental unit would enter under the stoop. The proposed stoop would be in line with others on the block. It is a straight line stoop made of cast limestone base and rusticated brownstone. Iron railing painted black with floret design copying existing iron work window box under large front window. There are 3 steps going down into the basement. New entry doors would be historically similar to those in the neighborhood and painted



white. A new, polished nickel light placed on either side of front door. The glazed fixed transom above the front door will have the house number done by affixing a sticker.

Resolution: THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the construction of a new stoop:

Vote:5-0-0-0

8. Committee discussion of CB7's 2011 Report to the Manhattan Borough President.
No changes to accomplishment and goals previously discussed.

Respectfully submitted,
Miki Fiegel

Present: Gabrielle Palitz, Brian Byrd, Miki Fiegel, Mark Glazer and Blanche E. Lawton. **CB7 Chair** Mark Diller. **Board Member:** Joanne Imohiosen. **On-Leave:** Lenore Norman. **Absent:** Jay Adolf. **Park & Environment Committee:** Klari Neuwelt, Phyllis E. Gunther, Suzanne Robotti and Evan Rosing.



Housing Committee Meeting Minutes
Nick Prigo, Chairperson
February 13, 2012

Discussion:

- 1. We Will be Considering Adding a Co-Chair to the Committee**
- 2. SCRIE Update**
 - a. Should we choose to, we can write a custom “cover letter” (one to appropriate Albany people, one to appropriate city level people)
 - b. Louis will be drafting these letters
- 3. Review of Letter to NYCHA Regarding “Right-sizing”**
 - a. Marisa and Susan encourage supporting Assemblywoman Rosenthal’s position.
 - b. Nick suggests recommending pursuing a critique of “right-sizing” policies to force people out of developments. Clarification provided by Rosalba Rodriguez, Councilmember Brewer’s office, and Paul Sawyer, Assemblywoman Rosenthal’s office.
 - c. Committee agrees to the following:
 - i. Send support letter
 - ii. Add our own questions
 - iii. Research Rules with Mark Diller
- 4. Follow-up to Occupy Our Homes Presentation**
 - a. No further action on our end
- 5. NYCHA Desired New Funding Paths:**
 - a. Billboards
 - b. Pay 30 percent of income but has cap; 27 percent of tenants do not pay the full amount
 - c. Market rate commercial spaces
 - d. Should NYCHA put cell phone towers on these buildings
 - e. Nick Prigo will research potential advocates on both sides of the issue, including the pros and cons of location specific funding.
- 6. Legislative Check-in:**
 - a. The SCRIE hearings that the committee was supposed to attend was cancelled
 - b. The legislative priorities by the Tenants & Neighbors and Rent Control committees illustrated the differences in the MBR confusion. Committee is working with seniors organizations to help grow the coalition.
 - c. Ben Schachter from Senator Espaillat’s office discussed impending budget cuts, including Neighborhood Preservation and Foreclosure Prevention programs. Has asked us to address the issues before March Full Board. Nick Prigo is circulating Senator Espaillat’s letter.
- 7. Review of the Annual Report to Borough President: Deadline March 23, 2012**
 - a. Includes District Needs Statement, Budget and Committee Goals.
 - b. Accomplishments
 - i. Worked on taxes
 - ii. Working to develop ongoing conversations with NYCHA
 - c. Goals
 - i. Look at NYCHA Financing opportunities
 - ii. Address NYCHA under occupancy strategies
 - iii. Maintain high-level of legislative engagement
 - iv. Increase data collection and communications project



Present: Nick Prigo, Linda Alexander, Louis Cholden-Brown, Marisa Maack, Oscar Rios, Suzanne Robotti and Cara Volpe. **Absent:** Robert Espier and Lillian Moore.



**Transportation Committee Meeting Minutes
Andrew Albert and Dan Zweig, Co-Chairpersons
February 14, 2012**

Metropolitan Montessori School - 325 West 85th Street

A discussion of the safety problems affecting students and parents at the school was held. Several parents of children at the school spoke about their concerns with their children coming and going to the school, located on West 85th Street between West End Avenue & Riverside Drive. These concerns include: crossing at 85th & Broadway, 86th & Broadway, 85th & West End, 86th & West End, motorists not paying attention to pedestrians in crosswalks, a UPS truck frequently parked on West End Avenue obscuring the views of oncoming vehicles, and other problems. Lisa Sladkus, of the Upper West Side Streets Renaissance, proposed some changes which would help the situation. These changes include: a) daylighting (removal) of 8 parking spaces
b) Leading pedestrian indicators (LPI's) at 85th & West End Ave, 86th & West End Ave, Broadway & 86th Street, & Broadway & 85th Street.

Resolution

After discussion, a resolution approving these proposals was adopted by the committee.

Vote: Comm: 6-1-2-0. NCB: 3-0-0-0

Ascension School Play Street

Tony Vellela, of West 107th Street, as well as several neighbors on the block, appeared to complain of the ongoing problems with the Ascension School playstreet. Ongoing problems include excessive noise, the inability to get Access-a-ride vehicles onto the block during playstreet hours, the expected winter hiatus which has not materialized, etc. After much discussion, the Committee recommended a trial of the playstreet on 108th Street, Amsterdam Avenue to Broadway, pending approval by DOT & the 24th Precinct.

Resolution

CB7 recommends to NYC DOT & 24th Precinct, NYPD, that a month-long trial of the Ascension School playstreet be adopted on 108th Street, Amsterdam Ave to Broadway, as soon as approval is received from the two agencies.

Vote: Comm: 7-2-0-0. NCB: 2-0-1-0

Traffic Study
With the pending move of the JHL Facility from West 106th Street to West 97th Street, and with an outline of a study by RSG Consultants, the group selected by the Coalition for a Livable West Side, in conjunction with Park West Village residents, it was agreed that a somewhat larger study area for the traffic study should be initiated, given the development and existing problems within the area bounded by West 95th Street, West 100th Street, Central Park West to the Hudson River. Andrew & Ethel have discussed these issues, and Chair Mark Diller has agreed to put together a small group to discuss the traffic study, as well as seek funding for the initiative. This will be done shortly.

West 68 Street

Due to ongoing issues with food vendors on the block of West 68th Street between Amsterdam Avenue & Broadway, Bruce Vapnitsky is proposing accessory meters be installed on both ends of the block, as a method of removing the food vendors that are currently on the block. Mr. Vapnitsky contends that among the food being vended is pizza, at a price undercutting the pizza parlor on the block. It also appears to be the only block in the area without meters. After discussion, no action was taken. Committee members will visit the block to ascertain its length, and outreach should be given to the block before deciding on the



installation of meters. This will be voted on at the next transportation committee meeting, scheduled for March 13.

West Side Transportation Study

The study, undertaken by DOT, will likely be unveiled at a large public meeting on the West Side sometime in April. Prior to that, DOT is meeting with some stakeholders to gauge opinion before releasing the study.

E-bike update

Ian Alterman of the 20th Precinct Community Council told the committee that motor-assisted bikes are considered illegal by the police department. The presence of speedometers on the electric bikes makes them illegal as well. Several food establishments, as a condition of employment, are requesting delivery personnel to have their own e-bikes!

Beacon Organization proposals for West 109th Street

Paul Proulx & Philip Winn (urban designer) made a presentation for several streetscape changes for West 109th Street-Amsterdam Ave to Broadway. These include: curb extensions at both the Amsterdam Avenue & Broadway ends of the block, a mid-block curb extension, additional teacher parking in front of P.S. 165, speed bumps (already approved by DOT), and additional school bus parking. Several tenants of the block came to speak against Beacon, and the proposals, as it would remove somewhere between 24 and 46 parking spaces, depending on what was approved. After much discussion, it was agreed the committee will visit the block, particularly during times when the school buses are present - 8:00-8:15 A.M., and 2:40 P.M. to witness the congestion problems.

New Business

- D. Zweig - Crash test statistics
- Dan will ask Penny if she can get statistics from the 20th & 24th Precincts. If this is not possible, we will ask our Councilmembers to try to get these statistics.
- P. Arndtsen - a 20 mph district for CB7? Peter is asking if DOT will give CB7 a 20 mph district, and proposed one for Manhattan Valley. DOT has said that the Upper West Side is not one of the places they are anticipating would get the lower speed limit.
- D. Zelman - the Trader Joe's loading zone on 72nd Street has the bus stop further west, so trucks at the corner of Broadway are obscuring pedestrian's visibility of eastbound traffic on 72nd Street as they attempt to cross to the north side of 72nd Street.

Present: Andrew Albert,

Dan Zweig, Ken Coughlin, Mark Darin, Ulma Jones, Blanche Lawton, Lillian Moore, Oscar Rios and Roberta Semer. **CB7 Chair** Mark Diller. **Absent:** Anne Raphael.



Land Use Committee Meeting Minutes
Richard Asche and Page Cowley, Co-Chairpersons
Joint with Business & Consumer Issues Committee
Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons
February 15, 2012

Richard Asche, co-chair, Land Use, read the proposed resolution, with the addition of two amendments.

1. Straw vote on resolution, previously done.
2. Discussion.
 - A. Linda Alexander opposed including Columbus Avenue
 - B. Marc Glazer agreed and began proposing an amendment
 - C. Tom Vitullo-Martin concurred and said pulling out the individual landmarks and historic districts from the proposal.
 - D. Richard Asche attempted to clarify by saying the use could apply within two years. The amendment, he said, is designed to preserve.
 - E. Jay Adolf, asked if they subdivide do they lose the ability to combine forever. Suggested many landlords would opt to leave a large space vacant and wait for a large-use tenant, rather than decrease the size of the store.
 - F. Mel Wymore discussed outreach and complimented the people involved in the preparation. Doesn't believe the Columbus Avenue BID, alone, will be able to "police" the area.
 - G. Ethel Sheffer said there is a partial survey on Amsterdam that showed the majority of small businesses support the zoning proposal.
 - H. Ian Alterman said he believed a compromise could be achieved by excluding the BID section.
 - I. Mark Diller said he concurred with Mel Wymore and he wanted to keep Columbus Avenue in the amendment as a "model."

**Resolution to exclude Columbus Avenue from the resolution:
5-7-1; 0-5-2-0. Resolution fails.**

Discussion ensued, speaking: Tom Vitullo-Martin, Ethel Sheffer, Mark Diller said the "universe is small" and our resolution calls for coordination.

Jay Adolf added a comment about the Landmarks issue and said it should be the first to review and be the final word. Laura at CP responded that Landmarks would supersede CP.

**Resolution to exempt individual landmarks from the amendment:
2-9-2-0; 1-3-2-0. Resolution Fails.**

Discussion on "grandfathering."

Tom Vitullo-Martin discussed the lack of clarity in the timing and said both provisions will basically force buildings that have to appear before LPC to reconfigure the storefronts, which will be a long, time consuming process. Feels the grandfathering provision should be at least two years, starting at submission of the plans to LPC.

Shelly Fine said there should not be an empty store front for two years and the earliest "time starter" should be as soon as possible. CP said that amending the two-year time period is



out of scope and, therefore, moot. Shelly Fine said we should also make the recommendations, but add the issue of a landmark building. Jay Adolf was confused about “out of scope.”

Resolution to remove the grandfathering out of the conditions and putting it in our wish list.

11-0-1-0; 4-0-1-0. Resolution carries.

Discussion on ability to expand. Linda Alexander says limiting property owners could still choose to bring in chain businesses as an expedient recourse and cited East 86th Street in the 1970s as a comparable zoning plan that had a negative effect on the neighborhood. Ethel Sheffer said she wants some sort of process to weigh in. “However, what has just been stated by CP that the approval for an expansion could take six months to a year and we need to find if the process can be modified and shortened. We should go with the authorization process.” Mark Diller added, the successful stores that are trying to expand are directly benefiting from the vibrancy of the business. “Forethought and planning could get you there and the current plan could benefit having learned from the 86th Street model.”

Barry Dinerstein of CP said the approval process cannot take less than six months and indicated the first stop-gap would be the CB, followed by the review by CP. There is a process called “Certification,” which could be a much quicker process. There are some certifications that would still require CP review, which would inherently lengthen the process anyway.

On the case of the findings, CP would have to specify the issues. Ethel Sheffer suggested three alternative, i.e., (1) provide an authorization in 120 days; (2) if CP does not provide authorization within 120, the landlord gets to choose the tenant as of right; (3) certification just for this district and provide the findings. Shelly Fine says allow expansion up to 60 feet and proposed an amendment.

Roberta Semer asked whether CB7 got input in the certification process and the answer from CP was no. Jay Adolf said an extra expansion, whether 60 or 75 feet, could be authorized within a certain time frame.

Mel Wymore said the suggestions were undermining the nature of the resolution.

Resolution to vote on an amendment that an existing business be granted an ability to expand, but when vacating, the space cannot be grandfathered:

6-4-3-0. Motion failed

Substitute, by Sheldon Fine:

Proposed expansion by existing commercial tenant may be granted as of right, up to 60-feet of frontage, as of right, but beyond that size, an authorization be required.

4-6-1. Motion failed.

Tom Vitullo-Martin believes we are discouraging the growth of businesses. Ethel Sheffer suggested going back to the original resolution, specify it’s only our district and make the authorization process shorter, limited to 120 days.

Resolution to change current resolution by eliminating the expansion language (page 1; paragraph 3)

8-2-4-1; 3-1-1-0. Resolution carries.

Resolution to thank CP in the language.



Tom Vitullo-Martin brought up discussion of a DOB standard language in the documents. Laura from CP said DOB defines criteria for street front presence, includes signage and separate egress.

Resolution to add language about a dividing wall: Motion failed.

Resolution to approve proposal with amendments.

11-2-0; 3-0-3

Present: Richard Asche, Jay Adolf, Sheldon J. Fine, Joanne Imohiosen, Helen Rosenthal, Roberta Semer, Ethel Sheffer and Tom Vitullo-Martin. **Business & Consumer Issues Committee Present:** George Zeppenfeldt-Cestero, Michelle Parker, Linda Alexander, Paul Fisher, Marc Glazer and Joanne Imohiosen. **CB7 Chair** Mark Diller. **Board Members:** Andrew Albert and Phyllis Gunther. **Absent:** Page Cowley and Hope Cohen.



Youth, Education & Libraries Committee Meeting Minutes
Gabriella Rowe and Marisa Maack, Co-Chairpersons
February 16, 2012

Dawn Phillip, staff director for the New York Lawyers for the Public Interest and an attorney with their Environmental Justice Program, briefed the committee on NYPLI's work on contaminated school sites.

School Construction Authority (SCA) is responsible for all aspects of physically setting up a new school, whether it be a brand new building or a leased site on an existing space.

SCA is a state entity and has oversight procedures for new schools but not for leased sites.

Newly acquired property has to go through and EIS, the City Council and community boards and is regulated by the Public Authorities Law.

SCA does not interpret leased sites to fall under the same oversight procedures.

Leasing program is very large and is growing and Comptroller and CC members concerned that there is no real oversight.

NYPLI is working on a bill to close the loophole in NY State law that allows SCA to exempt leased sites from environmental review and also working on a Disclosure Bill in CC. Currently have to FOIL any requests on leased sites, info not publicly available.

NYPLI would like to see CB input in school siting process and asking for support of disclosure bill when its ready.

Creating a technical manual and toolkit for parents, schools and CBs as a guideline to questions that need to be asked, issues that should be raised with DoE and SCA, remediation methods, etc.

Tool kit should be ready in Fall.

Will invite back when Manual is ready and legislation is further along.

Updates:

MCB 1 and MCB2 are interested in coordinating action around changing Parks Dept ball-field permit regulations to insure that public school teams and neighborhood children get priority. Marisa will meet with them Feb 29th to discuss further. Parks Committee is involved in process and has approved.

PS 166 will present a plan before Parks & Environment Committee on Feb 23 to 'remediate' their yard for safety reasons.

There was some confusion whether DoE had exercised the option to build out the 15K sq ft at Riverside Center but it was confirmed next day.

CEC middle school committee proposed a resolution to incubate a middle school in MLK building starting 2013 and then move it as a 6-12 into the Beacon high school building when Beacon moves to its new location on 43rd Street. There was some discussion on how to proceed as a committee in discussions on use of Beacon space. Will invite Yael Kalban of Manhattan portfolio planning to March committee meeting and have a larger community discussion in April on the space. Invite CCHS, CEC, Presidents Council, and current Beacon parent coordinator.

2011 Report to MBP:

Review of 2012 goals and 2011 accomplishments. Members will email addition to list of goals for vote at March meeting.

Meeting adjourned at 8:30 pm.

Present: Marisa Maack, Gabriella Rowe, Isaac Booker, Brian Byrd, Paul Fisher and Cara Volpe. **Absent:** Haydee Rosario, Helen Rosenthal and Eric Shuffler.

Parks & Environment Committee Meeting Minutes
Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons
February 23, 2012

1. Update on rat Infestation in Riverside Park, alongside Riverside Drive, especially between West 83rd St. and West 91st St.

This is a follow-up discussion of community complaints about rat infestation in RSP originally heard at the December 2011 committee meeting. Penny Ryan, CB7 District Manager, reported on CB7 efforts to coordinate response to the problem by the NYC agencies, including DPR/RSP and DOHMH and community efforts to work with building owners and supers to reduce rat access to bagged garbage on the street. A walk-through with all parties on Jan. 27, which was cancelled due to unavailability of DOH representative, will be rescheduled. Mary Hogan, who initially brought the attention of the committee and board to the problem, reported that she had not seen baiting of rat traps in RSP since December meeting, that she had noted that rat boroughs were monitored and filled in, and that she was working with her neighbors, asking them to report every rat appearance to 311: "See a rat; say a rat." Penny said that rat complaints to 311 went to the agency, DOHMH, who would eventually send complaints to CB7. It was the opinion of the community members that the rat problem was a RSP problem, not a "street" problem. John Herrold, administrator of RSP, admitted that rats were an ongoing problem, despite efforts to control which included baiting traps and smashing boroughs. Rats proliferate in park, feed on food waste left in the park by park users, move from one section of the park to the next, i.e., when boroughs are smashed. He reported that the Riverside Park Fund, of which he is the president, will spend \$30,000 to replace the mesh garbage cans with special rat-proof cans, each of which cost \$850. These new cans will be placed in the playgrounds, near dog runs and at park entrances. Park users need to be educated with signage about leaving food waste in the park and also about feeding pigeons and squirrels in the park, which ends up attracting rats. He reported that RSP has only 1 licensed exterminator. The committee requested a follow-up report.

2. Continued discussion of a proposal for a secondary entrance to the 72nd St. dog run from the sidewalk along 72nd St., west of RSD

The committee had heard an initial presentation of this proposal by Olive Freud at its December 2011 meeting. Further discussion was postponed to the February meeting in order to solicit input from Floral, the volunteer group that manages the dog run and neighbors/users of the dog run and to hear reaction from RSP, re: cost, landmark concerns about breaking through exterior stone wall around RSP. Nina _____, president of FLORAL, explained FLORAL's relationship to dog run and RSP management and the group's objection to a secondary entrance to dog run, off 72nd St. The dog run was opened in 1995, after years of working with RSP personnel and neighbors. The dog run is completely funded and maintained by FLORAL who spend approximately \$10,000/year on upkeep of the dog run, including replacement of surface material in dog run which cuts down on dust and smell, and provision of free poop bags to encourage dog owners to clean up after their dogs. In addition, FLORAL's members have worked extensively to upgrade the landscape around the dog run. FLORAL opposes a secondary entrance to the dog run primarily because it would compromise the ability of dog owners to monitor the behavior of their dogs and to anticipate the comings and goings of other dogs and could contribute to fighting among the dogs as well as a potential problem of escaping dogs. Randy Vaughn, a co-owner of the Chatsworth, the apartment building directly across from the dog run, also spoke against the proposal for a secondary entrance. He had been involved in the community negotiations leading up to the establishment of the dog run. He recalled that the site of the dog run had been moved north and west to accommodate concerns from neighbors about dust and barking dogs. Putting another entrance to the dog run directly across the street from the Chatsworth would revive those concerns. Additionally he pointed out that there was no safe place to cross 72nd St. in order to gain access to the proposed alternative entrance from the south. John Herrold, in response to concerns about dogs urinating around the Eleanor Roosevelt statue, on their way to the dog run, creating horrible stench around the statue, promised to have RSP personnel hose down the area on a regular basis.

John also updated progress on measures to improve lighting on the bike path from 62nd St. to 70th St by installing

various colored lights (white, yellow and red) on 3 ft. brackets along the bike path. The brackets are being manufactured by RSP personnel, using federal funds.

3. Presentation by PS 166 PTA on proposed changes to adjacent playground to address safety concerns.

P.S. 166 is an elementary school located on West 89th St., between Columbus and Amsterdam Ave. Adjacent to the landmarked building, to the east, is a playground, known as Playground Eighty-Nine. This playground, managed by DPR, was originally opened in 1967 and is open to the community after school hours. Designed as an “adventure playground” by Paul Friedberg, it underwent extensive renovations in 2000 which included new play equipment with safety surfacing, plantings, fencing and a semi-circular amphitheater near water spouts. The renovation retained certain features of the “adventure” playground concept, including a sloping, serpentine play area delineated by Belgian blocks, set in sand. This area and the Belgian blocks are the focus of the parents’ and the community’s safety concerns. There was a site visit on January 27, 2012, attended by CB7 Chair Mark Diller, YEL co-chair Marisa Maack, P&E co-chair Elizabeth Starkey, CM Gale Brewer, from DPR and various PS 166 parents and school administrators, including Angela Olden-Mamiolo, Acting principal of PS 166.

Christine DiPasquale, co-president of the PS 166 PTA, presented the safety concerns on behalf of the school community which have already caused numerous accidents and incidents. The safety issues mainly result from the sloping Belgian block surface surrounding the play area. The blocks are set in sand. Over the years, they have presented an uneven, shifting surface, with irregular spaces between the blocks. In addition, there are many missing blocks.

In addition to the tripping hazard, the Belgian blocks make snow removal by snowplow almost impossible so that the playground was not usable for two months last winter after a snowfall. Unlike other elementary schools on the UWS which have both a playground with age appropriate equipment, as well as a larger playground for sports and ball games, this playground is the only play area for the older students. (There is a smaller playground behind the school for kindergarten children.) The parents reached out to Council Member Brewer, as well as MBP Stringer, Parks and CB7, for assistance in remediating the safety concerns before more serious accidents occur.

A very preliminary plan was shown to the committee, created by John Dennon, one of the concerned parents. It would raise the elevation of the “pit”, thus eliminating the sloping sides defined by the Belgian blocks. It would leave the amphitheater intact, making necessary repairs to its structure and it would preserve the large trees, fencing and elements of the water feature. The tentative estimated cost of the remediation was thought to be \$250,000.

Prior to the committee meeting, the parents posted signs advising the neighboring community of the purpose and location of this meeting. Steve Koss, a community member who lives across from the playground, spoke in favor of the changes and of the need to keep the character of the playground suitable for younger neighborhood children after school hours and on the week-ends, with preservation of the water features and play equipment and elimination of the hazardous conditions.

A resolution approving the concept of the remedial measures to address safety concerns was approved by the committee. Vote: 5-0-0-0 (committee members); 2-0-0-0 (non-committee CB7 members).

Present: Elizabeth Starkey, Klari Neuwelt, Isaac Booker, Elizabeth Caputo, Ken Coughlin, Mark Darin and Evan Rosing. **Board Member:** Mark Diller, Chair; Mel Wymore and Marisa Maack. **Absent:** Phyllis E. Gunther, Suzanne Robotti and Tom Vitullo-Martin



**Manhattan Community Board 7
Health & Human Services Committee
Madge Rosenberg and Barbara Van Buren, Co-Chairpersons
February 28, 2012**

Guest Speaker on Comprehensive Single Payer Insurance Plan for NYS

Kate Robbins, HealthCare - Now! Health Care for the 99%

Ms Robbins explained that she represents advocates for Rep John Conyers' HR676 (2004), which proposes a federal affordable healthcare plan. HealthCare – NOW! & Healthcare for the 99% are directing their energies toward state-based Single Payer Plans, and they are monitoring Vermont's Single Payer Plan as a good road map for such a plan.

Some features of the HCN and the Vermont single payer Green Mountain Plan were outlined by Ms Robbins. Hawaii is close to a single payer initiative. The Vermont plan has been passed, and the thrust of these plans is that they are comprehensive and publicly funded. They will also save millions of dollars and create thousands of jobs. They are both alternatives to corporate ownership and control of comprehensive health insurance for the majority of Americans.

Ms Robbins thanks the HHS Committee and expressed her wish to remain in the discussion by MCB7 on this issue. We are awaiting Dick Gottfried's plan for NY State.

Smoking Restrictions to be voted on resolution from Steering Committee.

Jewish Home Life Care (JHLC)

The matter of JHLCs proposed move from 106th Street to 97 Street is still unresolved. Haydee Rosario provided some background on the move plan, as a participant in the discussion historically and as a tenant of a property at 105th Street that would be effected by JHLC plans. Property owner will propose to CPC that the carve-out from the new zoning for the 106th Street change back to the zoning requirement, no longer affording a carve out on that property.

Haydee also expressed her appreciation for HHS Committee member Sheldon Fine for his push at a recent meeting, that JHL conduct its deliberations on their plans with the community-at-large, rather than just with their advisory council. We are back on track with the original zoning for the project, as she put it.

94th Lantern Group Residential Program

Why has Lantern Group decided to provide services to the St. Louis on West 94th Street rather than having services provided by Fountain House, as was promised to the community during approval hearings? This is being explored with the Council Member Brewer's office.

Ideas for HHS Committee agenda to stem/stop budget cutbacks

Madge Rosenberg named items listed at an earlier meeting and asked for volunteers.



- Monitoring legislation and actions at municipal level [ROBERT ESPIER, BARBARA VAN BUREN]
- Preventive healthcare opportunities and needs in the community including exercise (EVAN ROSING)
- Immigration services updates (HAYDEE ROSARIO)
- Domestic Violence [ROBERT ESPIER, HAYDEE ROSARIO, MADGE ROSENBERG]
- Senior Directory [PHYLLIS GUNTHER, SHELDON FINE, MADGE ROSENBERG]
- Smoking Cessation [JAMES BASSER-not a committee member]

In addition to the importance of resolutions, we agreed, were board and committee actions in support of city-wide coalitions, legislation.

Present: Barbara Van Buren, Madge Rosenberg, Phyllis E. Gunther, Haydee Rosario and Evan Rosing.

Absent: Ian Alterman, Robert Espier, Miki Fiegel and Sheldon J. Fine.



District Service Cabinet Meeting Minutes
Penny Ryan, Chair
Wednesday, February 22, 2012, 9:30-11:00AM

Welcome to:

Captain Jessica Corey, Commander, Central Park Precinct,
Captain Luis Despaigne, Commander, PSA#6, and
Chandler, son of Caroline Bragdon, born on January 26, 2012.
Best wishes and greatest appreciation to Leah Donaldson, DOB, who is moving to South Carolina.

Mayor's Office, NYPD, DEP

Follow-up on Fashion Week. Finished Thursday last week. There were noise issues with some of the generators; violations issued. There were no late night parties, and the whole venue ran very smoothly. A load-in load-out issue continues from the last fashion week, but is the best alternative to date. CB will work with DEP and the Mayor's office on the generator noise issue.

DDC/ConEd

Update on construction and Water Tunnel work in the Lincoln Square area. ConEd not moving forward yet, but Fordham work will begin soon.

311

Update on October agency recommendations and liaisons. No agency representative at the cabinet meeting knows their 311 inter-agency liaison contact. CB7 will continue to request interagency liaison contact information.

DOT

- West Side Traffic Study. Final draft report is out, link on cb7 website.
- Shared bike program. Still reviewing station locations. There will be a public workshop; CB7 will post on our website when DOT gives the date.
- Bench program. No firm numbers yet; CB7 may get approximately 20 when they begin installation.
- DOT has mobile speed boards that monitor the speed of cars and informs drivers the speed at which they are driving. This self-monitoring by drivers helps slow down traffic. CB7 or local precinct can request through the DOT Manhattan Borough Commissioner's office.

DOB

Bicycles rentals in public parking garages and West 60th Street. Review of last year's locations. Any information give to DOB on illegal bike rentals in garages is helpful. Inspections of accessory garages operating as public garages: 808 Columbus Avenue (97th-100th Streets), No update.
Construction Update: 732 West And Avenue is under a partial stop work order for CEU-low compression strength test results. There is a stop all concrete placement order. To correct condition they must have a peer review plan.

NYPD

- Majors, quality of life, 311 and traffic stats.



- 20th Pct 28day 1.3% down in crime; QL no chronic complaints, addressing normal QL issues regarding vendors, especially book vendors; need legal bureau to enforce book vending.
- Status of traffic flow on Riverside Boulevard since the 72nd Street connection opened and enforcement of double parking regulations on taxis and black cars in the AM and at noontime.
- Black cars – done several operations and will continue parking enforcement. 159 summonses issued to taxis.
- Electric bicycles: Must be registered with DMV and have insurance and license.
 - Assisted bicycles (Motorized bicycles with an attached motor and transmission used either to power the vehicle unassisted, or to assist with pedaling.) are not legal in NYC. Word will be going out to restaurants owners.
 - State senate's office will look into historical legislation.
- The precinct is enforcing speed limits on Columbus, Amsterdam and Broadway.

24th Pct.

- Update: Youth violence around Joan of Arc complex and Wise Towers – There is a community forum on March 1st.
- Crime is up; a burglary suspect was arrested, since then, there have been no burglaries in the 24th precinct.
- Bike summonses up 50%. GL still up.
- YTD accidents and injuries were down, but up within the 28 day period. NYPD can issue summonses for bicycles nit in bike lanes.
- There is no major accident prone location as defined by NYPD, but most accidents happen around 96th Street, Broadway to Riverside Drive.

PSA#6

- 28 day is down by 2 crimes, 8 to 10, mostly in Douglass Houses; most of those are domestic violence.
- Wise towers had two crimes, gun point robbery and felony assault.
- Youth violence – there are two crews: The Columbus Ave Gunners (UWS) and the Money Comes First (Harlem). Eighteen members in Manhattanville were arrested. There have been no gang incidents since December 4, 2011.
- The forum on March 1, 2012 by the DA's Office on Gang and Youth Violence, will discuss alternative things for them to do.

DSNY

Basket and recycling thefts and arrests. 152 violations issued.

DOHMH/DPR

Rodent abatement in Parks' properties, including Verdi and Straus parks, Bway Malls and tree pits. There is a severe rat problem in the Broadway Malls; Parks is constantly baiting.

Agency Reports.

Goddard – basement of 61 West 87th Street is now the permanent location for the Outreach program. Hope count data will be available in March. Mt. Pleasant is supposed to close stairs.

FDNY – all fires and stats are down, probably due to good weather. Slow winter.



DA's Office: February is violence awareness month. Teen dating violence is a form of abuse that often goes under the radar.

NYPD Transit District #1 – snatching electronic devices is still a problem.

HRA – Chaz Crowder, new community coordinator liaison to CB7.

Present: Penny Ryan, District Manager, John Martinez, Asst. District Manager; Bill McKeon, NYPD TD#1; Det. Vassallo, J. Clarke, LT Roysel, PO D. Seievel, PO J. Connors, 20th Pct; John Pellegrinelli, FDNY; DI Nancy Barry, PO Steve Jones, Joe Mania, 24th Pct; Bill McKeon, NYPD Transit #1; Det. Ramos, NYPD PSA6; Leah Donaldson, DOB; Josh Orzeck, DOT; Rebecca Godlericz, MBPO; Chaz Crowder, HRA; Humberto Galarza, DEP; Paul Evans, Parks; Rasheed Odom, DSNY; Joe Taranto, CM Mark-Viverito; Joseline Minaya, DA's Office; Jared Chasow, Sen. Tom Duane; Ben Schecter, Sen. Espaillat; Jesse Bodine, CM Brewer's Office; Pat Richardi, Con Ed; Kristen Oates, Goddard; Marjorie Cohen; Peter Arndtsen, Columbus-Amsterdam BID; Rich Juliano, Monica Blum, Lincoln Square BID; Barbara Adler, Travis Craw, Columbus Ave BID, Judith Ackerman, Ilonna Pederson.