

**Full Board Meeting  
Lawrence Horowitz, Chair  
April 2, 2002**

Chair Larry Horowitz called the meeting to order.

**Chair's Report**

Mr. Horowitz announced the Imagine New York workshop on April 29<sup>th</sup> at Goddard Riverside. He invited Board members to a Lincoln Center Development presentation. He pointed out conflict of interest procedures letter in board packets. He announced the resignation of Steve Carbo and welcomed new board members Marlene Guy and Bobbi Katzander.

**Dr. Richard Daines, President and CEO, St. Luke's-Roosevelt Hospital**

Dr. Daines informed the Board and community on the growing changes within the hospital pertaining to community services and specialty services. He felt the links with Columbia Presbyterian Hospital and Continuum Health Partners are critical.

**District Manager's Report**

Penny Ryan announced 10,000 bagpipers would be at 72<sup>nd</sup> Street in Central Park on April 6<sup>th</sup> to give tribute to September 11<sup>th</sup>. She said that alternate side parking enforcement has resume south of 86<sup>th</sup> Street but the northern end of the district is suspended. For upcoming agendas, she encouraged committees to discuss the use of GIS.

**Public Session**

Roni Wattman, Community School Board 3, discussed the \$4 million budget cut this year in District 3, with a total of \$6.5 million over the last 2 years.

Sharon Parker-Frazier announced the loss of teachers, guidance counselors, arts and more due to budget cuts. She urged everyone to talk to elected officials and attend the April 18<sup>th</sup> rally at City Hall.

Joan Jankell, NY Public Library, discussed budget cuts and announced book sale May 3<sup>rd</sup> -5<sup>th</sup>.

Chris Williamson, 79<sup>th</sup> Street Boat Basin, reported that bike and blade traffic on the pedestrian walkway is up 300%, increasing the potential of someone getting hurt. Wants speed bumps.

Ron Kapon, 20<sup>th</sup> Pct. Council, announced the 76<sup>th</sup> Street basketball court in Riverside Park now has 7' hoop. There is a pattern of robberies in community.

Chief Raymond Diaz, Commander, Patrol Borough Manhattan North, announced that the Command has 133 new recruits.

Klari Neuwelt announced the dedication of a park bench in Riverside Park in honor former Riverside Park Administrator Charles McKinney.

Aaron Lowenstein, Council Member Phillip Reed's office, announced the introduction on a bill to increase fines for rat violations and upcoming bike tour of the district.

Jason Haber, Assemblyman Stringer's office, announced a March 21<sup>st</sup> hearing on the tax assessment scandal.

Dan Golub, Assemblyman Gottfried's office, discussed rent stabilization/control laws up for renewal next year. He wants the legislature to move it to this year since it's an election year.

**Borough President's Report**

Blain Roberts congratulated new board members.

## **Reports by Legislators**

Congressman Jerrold Nadler announced a bill was passed to extend disaster unemployment insurance (relevant to 2,500 people, mostly in Manhattan). He expressed his concern for residents and the 14,000 small businesses around WTC. He got the Democratic caucus to support an 80/20 plan (80% from Medicare) for prescription drugs. Governor and Port Authority agree with him on need for rail into city. He spoke about the introduction of a bill to protect against ship bombs.

## **Business Session**

### **Transportation Committee**

#### **Co-Chairs: Andrew Albert and Dan Zweig**

1. Resolution to approve the request by the U.S. Postal Service to the Department of Transportation to change the times on the existing "No Standing 7AM to 7PM, (Authorized Vehicles/U.S. Mail) Except Sunday" signs on the south side of West 68<sup>th</sup> Street, between Columbus Avenue and Broadway, to 5AM to 9 PM Monday-Friday and 5AM to 6PM on Saturdays (instead of 5AM-10PM in original request) to accommodate the carrier operation was adopted: 30-1-0-0.
2. Resolution to disapprove the application to the Department of Consumer Affairs by Saeed Raja to construct and operate a newsstand at the S/E/C of Broadway and West 70<sup>th</sup> Street was adopted: 19-10-4-0.

### **Land Use Committee**

#### **Co-Chairs: Hope Cohen and Richard Asche**

3. Resolution to approve application (#36-02-BZ) to the Board of Standards and Appeals by Frederick A. Becker, Esq., representing Airmid LLC, for a special permit to allow the operation of a physical culture establishment/health club on the second floor of 117 West 72<sup>nd</sup> Street was adopted: 30-0-0-0.
4. Resolution to approve the renewal application DCA#982077 to the Department of Consumer Affairs by Mare Mare, Inc. d/b/a Brucolino at 225 Columbus Avenue, for a five-year consent to operate an unenclosed sidewalk café with 6 tables and 14 seats was adopted: 27-0-2-0.
5. Resolution to approve the renewal application DCA#953473 to the Department of Consumer Affairs by R.S.V.H. Inc. d/b/a Isabella's at 359 Columbus Avenue, for a five-year consent to operate an unenclosed sidewalk café with 28 tables and 72 seats was adopted: 36-0-0-0.
6. Resolution to approve the renewal application DCA#769760 to the Department of Consumer Affairs by First 69<sup>th</sup> Street Realty Corp., d/b/a Westside Restaurant at 2020 Broadway, for a five-year consent to operate an enclosed sidewalk café with 17 tables and 34 seats was adopted: 27-4-1-0.
7. Resolution to approve the renewal application DCA#925987 to the Department of Consumer Affairs by Penang Corp. d/b/a Penang at 240 Columbus Avenue, for a five-year consent to operate an enclosed sidewalk café with 12 tables and 40 seats was adopted: 27-2-1-0.
8. Resolution to approve the new application DCA#1077541 to the Department of Consumer Affairs by Janine's Place Inc., d/b/a Diwan's Curry House at 302 Columbus Avenue, for a one-year consent to operate an unenclosed sidewalk café with 6 tables and 13 seats was adopted: 30-1-0-0.
9. Resolution to approve the new application DCA#1101407 to the Department of Consumer Affairs by Wazoo, LLC, d/b/a Jean-Luc at 507 Columbus Avenue, for a one-year consent to operate an unenclosed sidewalk café with 10 tables and 24 seats was adopted: 30-2-0-0.
10. Resolution to approve the new application DCA#1101424 to the Department of Consumer Affairs by Paper and News Inc., d/b/a Café Con Leche at 726 Amsterdam, for a one-year consent to operate an unenclosed sidewalk café with 5 tables and 19 seats was adopted: 31-0-0-0.
11. Resolution to approve the new application DCA#1102405 to the Department of Consumer Affairs by S&P 66 Inc., d/b/a Lime Leaf at 2799 Broadway, for a one-year consent to operate an unenclosed sidewalk café with 10 tables and 32 seats was adopted: 29-0-1-1.

## **Housing Committee**

**Co-Chairs: Beth Berns and Barry Rosenberg**

### **Joint with Land Use**

12. Resolution to approve the applications by the Department of Housing Preservation and Development to the City Council under the Urban Development Action Area Project for the disposition of 65 West 87<sup>th</sup> Street and 67 West 87<sup>th</sup> Street to the current tenants under the Tenant Interim Lease Program was adopted: 26-0-1-1.

*Present:* Lawrence Horowitz, Chair, Barbara Adler, Andrew Albert, Linda Alexander, Peter Bailey, Dan Cohen, Hope Cohen, Georgette Gittens, Guillermo Gonzalez, Jean Green-Dorsey, Doug Griebel, Phyllis Gunther, Marlene Guy, David Harris, Robert Herrmann, Joyce S. Johnson, Barbara Katzander, Barbara Keleman, Marc Landis, William Meyers, Eric Nelson, Klari Neuwelt, Lenore Norman, Sharon Parker-Frazier, George Price, Melanie Radley, Oscar Rios, Barry Rosenberg, Helen Rosenthal, Hector Santana, Jr., Barbara Van Buren, Thomas Vitullo-Martin, D. Maria Watson, Melanie Wymore, George Zeppenfeldt-Cestero, Robert Zuckerman.

*Absent:* Janet Alvarez, Richard Asche, Annette Averette, Beth Berns, Sheldon Fine, John Howell, Betty Katz, Ethel Sheffer, Elizabeth Starkey, Patricia Stevens, Evelyn Tamarin, Dan Zweig.

**YOUTH COMMITTEE**  
**CO-CHAIRS: PETER BAILEY AND SHARON PARKER-FRAZIER**  
**APRIL 16, 2002**

1. School District #3 budget cuts will be 4 million dollars.

The district office will take a 1.2 million cut with the rest passed on to the 33 schools. The impact includes the loss of staff developers, school aides, paraprofessionals, attendance teachers, Project Arts programs in schools, Bank Street Principal Institute, and after-school sports programs in the middle schools.

2. Library cuts at 15% will be impacted by reduced staff and less operating hours by one day per week. Book orders are also pending, funding for programs being cut and Y.E.P. money is frozen.

3. Lobby Day.

Strong efforts have been made by parents in CSD #3 by visiting city and state elected officials in their city lobbying for the Maintenance of Effort and asking the mayor and governor to raise taxes. This can create new revenue for our public schools. Youth groups have also gone up to lobby in Albany for more after-school funding and Y.E. P. programs.

4. Youth Council.

Grosvenor Neighborhood House held last month's meeting to bring together other youth from other organizations. It was an opportunity for the young people to get to know each other and express how and where they would fit in the community. It was suggested that the attend full board meetings and do a presentation about their youth government activities.

5. Update-Columbia's Independent School.

CB7 resolution is being reviewed by the Steering Committee in comparison with the outline being proposed by Columbia's school officials. There are some discrepancies with the latest proposal, which need to be addressed.

6. Upper Westside High School.

Two meetings have taken place with parents and elected officials of CD7 and CSD #3 to discuss the purpose and mission of developing a community high school. It was suggested to meet with other parents that have already opened their own schools and organizations. A CB7 member also urged that the elected state officials get in contact with the State Education Dept.

*Committee Members Present:* Sharon Parker-Frazier, Guillermo Gonzalez.

*Committee Members Absent:* Peter Bailey, Phyllis Gunther, Patricia Stevens, Evelyn Tamarin, Bob Zuckerman. *Board Member Present:* Hector Santana.

**TRANSPORTATION COMMITTEE MEETING**  
**Andrew Albert and Dan Zweig, Co-Chairs**  
**April 9, 2002**

The meeting was called to order at approximately 7:15 PM. Because the Committee was considering several DOT issues, Margaret Forgione, Manhattan Borough Commissioner, and Jenny Torres, Community Relations, were present.

The following issues were considered at the meeting:

**Item 1. TRAFFIC PROBLEMS AT THE INTERSECTION OF 96<sup>TH</sup> ST. & BROADWAY AND AT 95<sup>TH</sup>/96<sup>TH</sup> ST. EXITS FROM THE WEST SIDE HIGHWAY**

Both locations are confusing and unsafe for pedestrians and cars. The committee brought the problems to the attention of DOT and recommended putting in a “delayed red light” at 96<sup>th</sup>/Bway and new, improved signage at the 95/96 Sts. exits from the highway. Ideally, would like to see them close the 95<sup>th</sup> St. exit.

DOT is going to study the situation and look at accident data and hopefully correct the situations. They will report back to the committee.

**Item 2. INSTALLATION OF BUS STOP SHELTERS ON RIVERSIDE DRIVE.**

The Committee has received many requests from the community (in particular Senior Citizens) for Bus Stop shelters along Riverside Drive. It is not possible to install city bus stop shelters (vender installed and maintained) because the commercial advertising affixed to the shelters is unacceptable along Riverside Park, which is designated a landmark. The Committee discussed the possibility of looking for private funding (a Foundation, Friends of Riverside Park were some suggestions) to put up and maintain the shelters. They would, of course, be of special design to fit in with the area and have no advertising. Several committee members thought we should include both sides of RSD in the project. DOT is going to get us more information about cost of structures, installation and maintenance.

**Item 3. DISCUSSION OF DOT ONE-YEAR PILOT PROGRAM TO PLACE 4-SIDED BOXES DISPLAYING ADS ON 250 PARKING METER POLES.**

A combination of the DOT presentation and questions from the Committee elicited the following information:

- The pilot project will take place in two locations: Broadway, 67<sup>th</sup> St. to 96<sup>th</sup> St. and 3<sup>rd</sup> Avenue, 67<sup>th</sup> St. to 86<sup>th</sup> St. on both sides of the street.
- Each of the 4 sides of the box will be 22 inches long and approximately 6 inches wide and will display commercial advertising.
- The boxes will be maintained by DOT, more specifically by the vender who has been awarded the contract to install and maintain the boxes.
- A notice of the RFP was issued by DOT, 27 proposal packages were picked up at DOT, but, in the end, only 3 responses were received. One of the vendors dropped out leaving the two vendors who were awarded the contracts: Snap Marketing and Park Place Media.
- The city's share of revenue from the ads would go to the NYC General Fund.
- DOT noted that the boxes would contain public service information and fliers.
- They will not accept inappropriate ads, i.e. tobacco, alcohol, political or sex ads.
- DOT guaranteed that after one year, the pilot boxes will be removed and the program will then be evaluated.

Barbara K. asked how this program would affect the muni-meters –DOT responded the muni-meters are installed almost exclusively in Midtown, with a few exceptions (like 72<sup>nd</sup> St.) Elizabeth Starkey pointed out that the boxes will be full of graffiti and stickers in no time, and, even if the vendor cleans up immediately, the vandalism will continue.

-DOT said that if the boxes are not properly maintained by the vender the pilot program will be ended.

Josh Bocian from Gayle Brewers office said the Councilwoman has three main concerns:

1. What will be the criteria for evaluation of the pilot program? DOT said the evaluation will be based on: How the ads fit in as part of the streetscape; Maintenance –how will they hold up?; Community concerns, and Evaluation of revenue concerns
2. How will the public express their views? DOT responded that people could send letters or emails. Barbara K. pointed out that the majority of community residents would not know where to send “letters and emails” and that DOT would have to put a telephone number on the box where people could call and register their feelings about the boxes. DOT said they will have a number to call for maintenance (if someone saw the boxes were defaced in any way) and that they will “try” to figure out a way of also providing a number for comments.
3. What about Landmark areas and buildings? DOT said there was a strip on the east side of Broadway, between 69<sup>th</sup> and 72<sup>nd</sup> that is landmarked and an additional 9 individual landmarked buildings in the pilot test areas. While they could avoid putting up the ad boxes in those locations, the boxes would have to go up someplace else because the vender is guaranteed a minimum of 250 boxes installed.

Alan Flacks expressed his opposition to the pilot project, stating, among other comments, that they would be an eyesore on the street and that DOT should spend their time fixing broken meters instead. He urged the Committee to pass a strong resolution to disapprove putting these ad boxes on parking meters. Elizabeth Starkey followed through by presenting the following resolution:

*Community Board #7 disapproves the DOT pilot project to place advertisements on 250 parking meters on Broadway between 67<sup>th</sup> St. and 96<sup>th</sup> St. and encourages DOT to expand the muni meter installations to other areas on the upper West Side. The resolution passed: 5-0-1-0 (Committee) 4-0-1-0 (public members).*

#### **Item 4. RENEWAL OF PERMIT FOR 97<sup>TH</sup> ST. GREENMARKET**

Gabriel Longholtz spoke on behalf of the Greenmarket. The committee passed the following resolution. Alan Flacks expressed concern that some of the farmers leave the site before 6PM. Gabriel explained that “when the farmers sell out, they go home” and while the official hours are 6AM to 6PM, it is wise to get there as early as possible to get the best selection.

*Community Board #7 approves the application to the Mayor’s Street Activity Permit Office by the Council on the Environment to operate a Greenmarket on the north sidewalk of W. 97<sup>th</sup> St. between Columbus and Amsterdam Avenues, on Fridays from 6:00 AM to 6:00 PM, from May 24<sup>th</sup> to December 20, 2002. The resolution passed: 5-0-0-0 (committee) 3-0-0-0 (public)*

#### **Item 5. RENEWAL OF LICENSE FOR CARMEL CARE AND LIMO SERVICE**

The applicant was present and assured the committee that any violations that were brought up at a previous meeting (at which the 24<sup>th</sup> Precinct met with representatives from all the car and limo services in the area and representatives from the Transportation Committee) were taken care of and promised to

be more vigilant and diligent in the future. This car service has been satisfactorily servicing the area for many years. The Committee passed the following resolution:

*Community Board #7 approves the renewal application #B00256 to NYC Taxi & Limousine Commission by Carmel Car and Limo Service at 2642 Broadway for a For Hire Base Station license. The resolution passed 5-0-0-0 (committee) 2-0-1-0 (public)*

**Item 6. INSTALLATION OF BENCHES IN 5 BUS STOP SHELTERS IN CD7**

After much urging by the Committee, DOT has approved a pilot project for 5 benches in the CD7 area and is asking the Committee for recommendations for appropriate locations. Recommendations will be discussed at the May meeting of the committee.

The meeting was adjourned.

***Committee Members Present:*** Andrew Albert, Dan Zweig, Barbara Keleman, Oscar Rios, Elizabeth Starkey, Barbara Van Buren. ***Committee Members Absent:*** Joyce Johnson, Marc Landis, Klari Neuwelt, Tom Vitullo-Martin.

## STEERING COMMITTEE

Lawrence Horowitz, Chair

April 24, 2002

Mr. Horowitz called the meeting to order at 7:15 PM.

He announced the formation of the Lincoln Center Development Task Force, which will be chaired by Eric Nelson. Members are: Andrew Albert, Richard Asche, Robert Herrmann, Klari Neuwelt, Lenore Norman, and Hector Santana. Issues will be heard at public meetings of the appropriate committees, joint with the task force. All board members are welcome to attend task force meetings.

### **Presentation by Columbia University on development plans in the northern part of CD7.**

Mr. Horowitz explained that the Board is seeking an overall plan rather than dealing with development in a piecemeal way. Mark Burstein, Vice President, Facilities Management, reviewed the four properties in, or being considered for, development.

At **Broadway and 110<sup>th</sup> Street**, the faculty housing and school are in the super-structure phase of construction. Columbia is making the façade more contextual with more traditional residential windows and a palette similar to the Manhasset, which is on the west side of Broadway. A community construction task force meets regularly and the goals for minority, women and local sub-contractors and employees have been exceeded. The renovation of 259 and 253 West 109<sup>th</sup> Street is also underway.

**352 West 110<sup>th</sup> Street** (Manhattan Avenue) is in ULURP. The process has been held up until a lawsuit against the development of community garden sites is resolved. The community has not objected to the inclusion of this garden in the project, and Artemis, the developer, hopes non-disputed sites will be withdrawn from the suit.

The project includes 87 apartments for graduate and post-doc students, 25 large moderate-income condos, ground floor child-care and community facilities, and a community garden. 50% of the building is for community use.

Columbia has a contract to purchase floors 2-15 with 53 apartments in the tower building of **455 Central Park West** (The Towers Nursing Home site, West 105<sup>th</sup>-106<sup>th</sup> Streets) for faculty housing.

Columbia is in discussions on the development of **2700 Broadway** (NEC of West 103<sup>rd</sup> Street) for graduate and faculty housing. There is no agreement to proceed. Columbia wants to participate in the selection of ground floor retail space.

Based on the distance to the campus, Columbia is not seeking properties south of West 103<sup>rd</sup> Street at this time.

The committee reviewed the modifications to the application for the 1926 Broadway public garage permit. The applicant will be invited to make a presentation on the modifications at the May 7 full board meeting.

Discussion of committees' policy-oriented agenda items was postponed.

### Committee/Task Force Reports:

NYC Budget and Capital Planning - Helen Rosenthal distributed an outline of CB7's budget process. The next task is development of the District Needs Statement for 2003. The committee will meet at 6PM on May 7, before the full board meeting. DNS and budget consultations will be included in all committee agendas in May.

Elections Committee - Dan Zweig announced nominations for 3<sup>rd</sup> vice-chair will be taken at the May 7 full board meeting, followed by an election in June. Election committee members will be asked to refrain from commenting on the election results. Following the election, ballots will be available at the board office for review.

Columbia University's admission policies for 110<sup>th</sup>/Broadway school - Eric Nelson, CB7's representative to the Community Advisory Committee, reported that he distributed CB7's resolution and Columbia University's letter of agreement to the Advisory Committee. They were not aware of the documents. He and Mr. Horowitz met with Gardner Dunnam, the director of the new school. Mr. Dunnam does not agree with the provisions in the reso and letter, or that they are binding. Mr. Horowitz appointed Joyce Johnson, David Harris, Hector Santana, Dan Zweig to work with Mr. Nelson on this issue.

RSS Mitigation Proposals - Eric Nelson reported that letters of notification are being drafted by Council Member Brewer's office.

The committee reviewed the May 7 full board agenda and May committee agendas.

Russell Pinsley distributed a document on CB7's review of the TIL buildings. Hope Cohen distributed a response.

The March Steering Committee minutes were corrected to show that Robert Herrmann attended.

There being no further business, the meeting was adjourned.

*Present:* Larry Horowitz, Andrew Albert, Barbara Adler, Richard Asche, Peter Bailey, Hope Cohen, Sheldon Fine, David Harris, Robert Herrmann, Eric Nelson, Lenore Norman, Sharon Parker Frazier, Helen Rosenthal, Ethel Sheffer, Dan Zweig, George Zeppendfelt-Cestero.  
*Absent:* Beth Berns, Dan Cohen, John Howell, Barbara Van Buren, Hector Santana, Melanie Wymore.

**Riverside South Task Force**  
**Ethel Sheffer, Chair**  
**April 30, 2002**

Ethel Sheffer called the meeting to order at 7:15PM. She welcomed the community and the presenters and reviewed the evening's agenda.

**1. Hudson River Water Quality.**

In response to community concerns about sewage-type odors emanating from the Hudson between West 72<sup>nd</sup> and 66<sup>th</sup> Streets, Dennis Delaney, Deputy Chief of Water and Sewer Operations, NYC Department of Environmental Protection (DEP), provided an overview of the combined-sewage system. The system, made up of the sanitary lines, which handle household waste, and catch basins and rain runoff lines, is connected to the North River Water Pollution Control Plant. In heavy rain events, regulators in the system divert sewage, which is combined with rainwater, into the Hudson through outflow pipes. Run off from the Miller Highway goes directly into the outflow lines. Three of the out flows are at West 59<sup>th</sup>, 66<sup>th</sup> (currently being reconstructed as part of Riverside South) and 72<sup>nd</sup> Streets. The diversion to the outflows prevents backup of sewage into basements.

Daryl Cox of Bovis LLC reported that work on the West 66<sup>th</sup> Street outflow would be completed in the fall. The regulator tank is at the Freedom Place intersection, and the 9-foot pipe goes from the tank, under Amtrak, and through the new park to the River. Trump New World is responsible for construction of the RSS infrastructure, which includes this out flow.

DEP approves the combined-sewage system for each phase of construction. The task force will ask DEP for public review of the plans for the next phase of building construction.

DEP's 2000 NY Harbor Water Quality Survey found that the Hudson meets water quality standards. Not all pollutants are monitored, raising questions about the effects of the Miller Highway runoff.

**2. Phase II Park Design (Joint with Parks Committee, Barbara Adler and Robert Herrmann, Co-Chairs.)**

Michael Bradley, Executive Director, Riverside South Planning Corporation, and Jill Kramer, Trump New World, reported on the final design for Phase II of Riverside South Park, West 70<sup>th</sup>-65<sup>th</sup> Streets, along the River. The plan includes waterfront improvements, two north-south circulation paths (a bike path and a 12' pedestrian path), two-timber walkways, reflecting the rail yard history of the site, and a plaza. Riprap will be used along the majority of the shoreline.

The NYC Department of Environmental Conservation is still reviewing the plans and has denied the original plans for overlooks extending 10' into the River and a pedestrian bridge.

The team did not provide design drawings, furniture choices or material samples, but committed to doing so as soon as these are available.

Questions were raised about removal of debris in the riprap, materials to be used for the walkways, regulation of bikers and roller bladders, improvement of furnishings on Pier I, the status of the café at Pier I, and the provision of public rest rooms in the park.

Bill Crain and Reid Super of River Keeper reported no conflict between the park design and the planting of grasses at the River's edge. The plantings would be done after the park is constructed, possibly in Phase II and later in tidal flats of Phases 3, 4, and 5.

**3. Updates:**

**Overall development plans and status of buildings:**

Michael Bradley reported that Building B, West 70<sup>th</sup>-71<sup>st</sup> Streets, will be occupied in October; Building F, West 66<sup>th</sup>-67<sup>th</sup> Streets (26 stories with 354 apartments, 20% affordable), is in construction; Building A

(West 71<sup>st</sup>-72<sup>nd</sup> Streets) will go into construction at the end of 2002; and Building G (West 65<sup>th</sup>-66<sup>th</sup> Streets) is being designed.

With the construction Building A, the connection between Riverside Drive and Riverside Boulevard must be made. The 72<sup>nd</sup> Street Henry Hudson Parkway off-ramp will be removed. Trump New World's traffic consultants have given a study to the NYC Department of Transportation for its review.

**Award of mitigation funds**

Josh Bocian, Council Member Gale Brewer's office, reported that decisions on the mitigation fund for youth, senior and employment programs have been made and notifications should go out soon.

**Other Mitigations**

Jill Kramer agreed to provide the task force with an update on all of the mitigations and affordable housing requirements that are part of the RSS Restrictive Declaration.

With no further business, the meeting was adjourned.

Board Members Present: Ethel Sheffer, Barbara Adler, Dan Cohen, Hope Cohen, Klari Neuwelt, Phyllis Gunther, Barry Rosenberg.

**Parks, Cultural Affairs and Libraries Committee**  
**Co-Chairs: Barbara Adler and Bob Herrmann**  
**April 11, 2002**

Called to order by Co-Chairs Barbara Adler and Robert Herrmann at 7:10PM.

1. Presentation by the Department of Parks and Recreation and the Riverside Park Fund on the design for the reconstruction of the Soldier's and Sailors Plaza and stairs (Application #023720 to the Landmarks Preservation Commission). Mr. David Bruner the landscape architect for the Project was the lead presenter with Mr. KC Sahl, the Riverside Park Administrator.

Presenters discussed history, rationale/criteria of the materials that were chosen for this reconstruction, with history, durability as well as the matching of existing elements being significant factors. Detailed discussion as well as pictorial presentation of the City Hall bench that has been selected. Discussion of type and location of new Yellow Wood trees as well as placement of chess and checkers tables to a more suitable southern end of the plaza. Timetable was best-case construction to start in the Spring 2003, total budget of \$1.2 million. Resolution passed 7-0-0 with the public members voting 1-0-0.

Whereas, the proposed design for the reconstruction of the Plaza and the West 88<sup>th</sup> Street stairs from the Soldiers' and Sailors' Monument on Riverside Drive between 87<sup>th</sup>-89<sup>th</sup> Streets is tastefully thought out and consistent with the feeling of the Riverside Park; and

Whereas, the design strives to create a sense of place that is unique, while creating a greener setting for the monument than it currently has, by enlarging the planting areas and adding four trees; and

Whereas, the details for the Plaza have been well chosen, such as the use of granite members to create a design that is filled with hexagonal pavers; the Hoof Bench (aka City Hall Bench) designed in 1902 for the City Beautiful Movement; moving the chess tables away from the Yeshiva across the street, so that players are no longer in danger of students' stray balls hitting them; and the addition of a water fountain; and

Whereas, the budget of \$1 .2 million, which includes design, construction, a \$100,000 endowment for maintenance, 10% overruns etc., and is a partial donor/partial capital project with its funding already in place, though construction will not begin at least until next spring; and

Whereas, the stairway leading to the dog-run below will receive new treads and handrails,

Be it Resolved that Community Board 7/Manhattan APPROVES the proposal by the Department of Parks and Recreation.

2. New Business. Brief informal presentation by Mr. Deley Gazinelli, the Director of the Contemporary Art Foundation for America. They seek to in the future have a non- permanent sculpture park of major artist/works such as Botero and Calder in Riverside Park. Committee encourages the Director to make a formal presentation in the future when the plans were more advanced.

Minutes submitted by Doug Griebel.

*Committee Members Present:* Barbara Adler, Bob Herrmann, Linda Alexander, Phyllis Gunther, Betty Katz and Doug Griebel. *Committee Members Absent:* Dan Cohen, Joyce Johnson, Bob Zuckerman. *Board Members Present:* D. Maria Watson.

**Land Use Committee**  
**Co-Chairs: Richard Asche and Hope Cohen**  
**April 17, 2002**

**1. 517 Columbus Avenue**

Anna Kaloderas, corporate secretary, presented the renewal application for an unenclosed sidewalk cafe.

The Committee adopted the following resolution:

*BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application DCA# 812902 to the Department of Consumer Affairs by Re Spec Corp., d/b/a Jackson Hole at 517 Columbus Avenue (West 85<sup>th</sup> Street), for a five-year consent to operate an unenclosed sidewalk café with 25 tables and 48 seats.*

Committee Member vote: 3-0-0-0 Board Member vote: 1-0-0-0

**2. 2061 Broadway**

Alexander Zarwi, owner, presented the renewal application for an enclosed sidewalk cafe.

The Committee adopted the following resolution:

*BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application DCA# 1009280 to the Department of Consumer Affairs by City Bites LLC, d/b/a City Bites at 2061 Broadway (West 70<sup>th</sup> Street), for a five-year consent to operate an enclosed sidewalk café with 9 tables and 29 seats.*

Committee Member vote: 3-0-0-0 Board Member vote: 1-0-0-0

**3. 428 Amsterdam Avenue**

Jim Lynch, general manager, and Tom Kiernan, manager, presented the renewal application for an unenclosed sidewalk café. In response to information from the Committee that there is a letter of complaint from a neighbor about noise from the establishment (not specifically the café) and that the 20<sup>th</sup> Precinct has concerns about noise from the establishment, the applicants agreed to work with the 20<sup>th</sup> Precinct to address any outstanding noise issues. The applicants pointed out that the café already closes at 11pm and that the establishment requires café patrons to purchase food as well as drink. Doug Griebel suggested that the applicants make further efforts, including sound-proofing the exit area and reminding patrons (e.g. with handouts) to keep the noise down when exiting the establishment.

It was discovered that the plans filed with the Community Board are erroneous; they violate CB7's requirement that a café be no greater than 9 feet in depth and they do not reflect the actual smaller configuration of the current café. The applicants agreed to provide correct plans, showing a 9-foot depth and associated corrected tables (8 rather than 16) and seats (22 rather than 34).

The Committee adopted the following resolution (one-year renewal):

*WHEREAS the applicant has agreed to continue to observe a café closing time of 11pm; and  
WHEREAS the applicant has agreed to continue to require café patrons to purchase food as well as drink; and*

*WHEREAS the applicant has agreed to work with the 20<sup>th</sup> Precinct to address any outstanding noise concerns; and*

*WHEREAS the applicant has agreed to change the configuration of the proposed sidewalk café to 8 tables and 22 seats and to reduce its depth to 9 feet, and has agreed to submit to Community Board 7/Manhattan plans revised to document this change and stamped by the NYC Department of Consumer Affairs;*

*THEREFORE BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application DCA# 1039396 to the Department of Consumer Affairs by Amsterdam Avenue Brother Jimmy's LLC, d/b/a Brother Jimmy's at 428 Amsterdam Avenue (West 81<sup>st</sup> Street) for a one-year consent to operate an unenclosed sidewalk cafe with 8 tables and 22 seats*  
Committee Member vote: 4-0-0-0. Board Member vote: 0-0-1-0

#### **4. Committee planning discussion with guest Council Member Gale Brewer**

##### **A. Air rights over public buildings**

CB7 has been concerned for some time about the possible sale of development rights over P.S. 191 to a private developer. Specifically, the community has been concerned that those rights may be needed for P.S. 191's own growth. More broadly, there is concern about sale of such rights throughout the city. This could preclude growth of public structures for public purposes. It would also bring about an urban fabric built up far more densely than originally contemplated in the city's planning and zoning.

Council Member Brewer reported that a developer has in fact purchased partial air rights over P.S. 191, following the Board of Education's (BOE's) finding that there would be no educational need for further development there. However, the Uniform Land Use Review Procedure (ULURP) required for disposition has not been initiated, and she does not expect it to be in the foreseeable future. Among other complications, the BOE may not exist long enough to complete the sale and collect the proceeds.

Discussion of broader issue, including fire houses and police stations as well as schools. Russell Pinsley raised the question of City-owned residential buildings. Selling development rights for such structures could be a mechanism for providing affordable housing.

Hope Cohen opined that the broader issue is significant enough to warrant specific legislative action by the City Council. It is not unreasonable to say that such transfers are completely unacceptable from a public-policy point of view. At the very least, the Council should require that applications for such transfers define and demonstrate the public benefit to be derived from the sale. Moreover, the Council should define an appropriate process for public and community input and comment. Larry Horowitz suggested that legislation should define geographical boundaries permissible for such a transfer.

##### **B. Inclusionary housing**

'Inclusionary housing' [ZR II.23-90 through II.23-94] is a mechanism whereby developers receive an 'automatic' development bonus for providing 'lower income housing' either as part of the development itself or off-site. The application process is administered entirely by the Department of City Planning (DCP) and does not require any input from Community Boards, City Council, etc. (However, the applicant is required to submit a 'lower income housing plan' to the Department of Housing Preservation & Development (HPD) and to provide a copy of the plan to the Community Board. This plan addresses issues such as tenant selection and long-term management of the housing)

CB7's concerns about this program have ranged from the appropriateness of the bonus formulas, to the question of whether off-site housing is indeed 'inclusionary' (as opposed to 'exclusionary'), to the planning implications of any kind of automatic development bonus.

Council Member Brewer reported with some amazement that the City Council has never held a hearing on this topic. Because CB7 has highlighted inclusionary housing as an issue of concern and significance, that situation will now be remedied. Mr. Horowitz offered CB7's assistance in gathering data for the hearing.

### **C. Enclosed sidewalk cafes**

Enclosed sidewalk cafés are structures erected on the public sidewalk by private businesses in return for payment of a fee to the City. The permit is issued to a particular restaurant operator, and technically the structure should be removed when that operator stops operating. (For that reason, it is not legal to remove the building's exterior wall when constructing an enclosed sidewalk café.) In reality, however, structures are difficult and expensive to remove, and over time landlords view enclosed sidewalk cafes as part of the rentable restaurant floor area.

Although there is divided opinion on the Board concerning the value of enclosed cafes, there seems to be unanimity about the need to prevent such structures from remaining vacant for more than the couple of months needed to transition from one operator to another. The Board has discussed the possibility of some kind of bond to be posted by the landlord that could cover removal of the structure. In addition, something needs to be done to prevent the removal of building walls when these structures are erected.

Council Member Brewer was intrigued with the bond idea and expressed optimism that the Council could pursue such an approach. More broadly on the question of sidewalk cafes, she told the Committee that there is great interest in streamlining the application process, requiring applicants to deal with only a single City agency rather than the several required now.

### **D. Newsboxes / street furniture**

Council Member Brewer confirmed that the proliferation of newsboxes is a major constituent concern (second only to school funding in telephone calls to her office). Several competing drafts of legislation are currently pending. Council Member Brewer believes that Council Member Eva Moskowitz's legislation will proceed; she will provide CB7 with the draft legislation and keep us informed on the process.

On the broader question of street furniture, Council Member Brewer reported that the Uniform Street Furniture Franchise may soon be resurrected as a means to provide public toilets, bus shelters, etc.

Ms. Cohen pointed out that there is even more 'stuff' on the sidewalk that needs to be considered when trying to address sidewalk clutter, pedestrian mobility, etc. Public pay telephones are franchised by the Department of Information Technology & Telecommunications (DoITT), newsstands are licensed by the Department of Transportation (DOT), sidewalk cafes are permitted by Consumer Affairs, fruit stands are policed by DOT (but without any fees!), etc. There needs to be coordination of agency jurisdiction. D. Maria Watson suggested that a sidewalk 'czar' be appointed in DOT to coordinate all sidewalk uses. Council Member Brewer agreed to look further into the issue.

The Committee and Council Member Brewer agreed to continue to work together on these issues. CB7 will provide whatever district-based information it can to Council Member Brewer to support appropriate enforcement and legislative action on the issues, and Council Member Brewer will include CB7 in the inter-agency and Council process to the extent appropriate and feasible. All agreed that a closer, more proactive working relationship with DCP should be pursued.

## **5. Recent CB7 action on an Urban Development Action Area Project (UDAAP) application**

Mr. Pinsley raised the question of whether Community Board 7 / Manhattan violated its by-laws in considering an Urban Development Action Area Project (UDAAP) application by HPD for disposal of City-owned property under the Tenant Interim Lease (TIL) program. The by-laws (IV.A.4) require that "standing committee hearings held under ULURP require attendance by twenty percent of Board membership or seven Members, whichever is greater." Mr. Pinsley attested that both the January and the February committee

hearings (Housing Committee, issue joint with Land Use) had fewer than seven Board Members in attendance.

Ms. Cohen explained in response that UDAAP applications are not the same as ULURP applications. There is no charter-mandated role for the Community Board with regard to a UDAAP application. Whenever CB7 holds hearings and comments on a UDAAP application, it is a purely informational procedure from the point of view of the City agency applicant. On ULURP applications, however, the Board is required by the NYC Charter to make either a positive, negative, or neutral declaration.

There being no further business, the meeting was adjourned.

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**Land Use Committee Members Present:** Hope Cohen, Doug Griebel, Betty Katz, Lenore Norman, D. Maria Watson. **Land Use Committee Members Absent:** Linda Alexander, Richard Asche, Peter Bailey, Melanie Radley, Ethel Sheffer.

**Board Members Present:** Larry Horowitz, Bobbie Katzander.

**Public Members Present:** Batya Lewton, Michael Pawel