



COMMUNITY BOARD 7/MANHATTAN
Minutes of Full Board Meeting

Community Board 7/Manhattan's Full Board met on Tuesday, April 7, 2015, at Congregation Rodeph Sholom, in the District. Chair Elizabeth R. Caputo called the meeting to order at 6:45 pm after the Secretary confirmed the existence of a quorum.

Minutes from previous full board meeting were **approved**: 30-0-1-0

Chair's Report: Elizabeth R. Caputo

- Congratulated the BCI co-chairs for the latest b2b event at the Folk Art Museum
- Collegiate School; a number of community members have testified on this issue; thanks Land Use and Housing Committees for convening meetings on this issue.
 - o Nick Prego provided a brief update: related to 55 units of affordable housing that had people concerned. City did not tie money to site at 108th street. Will give CB opportunity to come up with creative ways to keep affordable units as close to the original development site as possible.
- Letter and position on zoning proposal regarding affordable housing has been posted to the website.
- Traffic incident on 77th street and Columbus Ave., involving a student returning home from school. A letter has been posted on the website that contains proposals on how this can be addressed.
- New members of the community board have not yet been appointed.

Community Session

Manhattan Borough President's Report, Diana Howard

- Released report encouraging support of street-level retail stores. Report at the back as well and available on the website.
- Not ready to announce CB appointments; hopefully will be done by the end of the week.

Reports by Elected Officials:

Congressman Jerrold Nadler, Manhattan and Brooklyn

- Gave an update on Iran nuclear negotiations and his approach to evaluating the proposed agreement; interested in the question of whether we are better off with than without the agreement, as opposed to the question of whether this is the best possible deal; if sanctions and security are adequate, then believes he will support the agreement.
- Also provided an update on his views re the latest proposed "free trade" agreement and his believe that such agreements do not actually result in "free trade"; discussed the issue of potential arbitration over U.S. state and local regulations.
- Inquiry from Board member related increased funding for public transportation projects in the Northeast.

A-M Linda Rosenthal

- Provided an update on the budget; increased funding for rape crisis programs; more funding for runaway homeless youth; additional funding for NYCHA (\$100 million).
- New Chair of Committee on Alcoholism and Substance Abuse.

A-M Daniel O'Donnell

- Passed budget. Successfully stopped increase in charter school cap and tuition for private schools.
- Got money for Goddard Riverside's Westside SRO law project.
- Continuing as Chair of Corrections Committee; has visited many prisons. Passed bill requiring Department of Corrections to provide mental health discharge planning for inmates re-entering society.

Reports by Elected Officials' Representatives:Marisa Maack, Helen Rosenthal, City Council Member, 6th District

- Coming Monday, Age Friendly Forum soliciting opinions on how seniors can be better served in the neighborhood
- Participatory budgeting is coming up.
- Monday, April 27th, hosting annual town hall at Redeemer Church
- April 30, having free breast cancer screening van on 88th street and Columbus Ave.
- Packets in the back

Sabine Franklin, C-M Mark Levine's Office

- This Saturday is the expo during which all participatory budgeting projects will be revealed.

Brice Peyre, A-M Richard Gottfried's Office

- GENDA bill is priority this year.
- Many free programs on handout to help individuals file their tax returns.
- Pre-K enrollment deadline is April 24.

Peter Ajemian, State Senator Brad Hoylman's Office

- Earth Day open house on April 24th at the District Office.
- East Village Explosion assistance information is available in the back.

David Baily, State Senator Adriano Espaillat's Office

- Voted against linkage of high stakes testing to teacher evaluations.
- Ethics package included disclosure improvements, but the Senator is pushing campaign finance reform.

George Damalas, State Senator Jose Serrano's Office

- Budget enacted last week; read statement from the Senator. Disappointed that DREAM Act and minimum wage were not addressed. Ethics package not sufficient.
- Senator voted no on education portion of the budget.

Laura Atlas, Public Advocate Letitia James' Office

- Suing Staten Island D.A. to unseal documents used in the Eric Garner grand jury.



Dan Campanelli, NYC Comptroller's Office

- Released policy brief called "Time to Deliver; Pregnancy and the Affordable Care Act". Gap in coverage related to pregnancy. Proposed to designate pregnancy as a qualifying event under New York State Law.

Community Session

Jesenia Ruiz

- Regarding Brother Jimmy's plan to move from Amsterdam to move to 82nd street between Amsterdam and Columbus.
- Concerned whether appropriate for a bar to be on that side block instead.

Joseph Claney

- Concerned that movement of Brother Jimmy's would change the atmosphere of the block.

Sheldon Fine

- Provided update on UWS CERT and its activity in response to the East Village explosion.

Bruce Stark

- Beacon Paint and Hardware
- Walkathon sponsored, Saturday night, May 2d; flyers in the back.

Melissa Elstein

- Tree Bed Clean-Up Project
- 4/30 kickoff event; 5/2 Clean-up Tree Adoption
- Spoke on behalf of the W. 80s Neighborhood Association.

Brian Kramer

- The Doe Fund
- Encouraged people to hire individuals who are participating in the Doe Fund. Offered to pre-screen and forward resumes.
- Business cards available in the back.

Rachel Zeuner

- The William F. Ryan Community Health Center
- Provides affordable primary care and support services to medically underserved.
- Two events: hosting American Italian cancer foundation breast cancer van providing mammograms by appointment, information available in the back. Second event is children's health fair at 99th street location, including screenings for adults, information available in the back.

Business Session

For each resolution:

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

*Or edit to read **disapprove**, or delete if it's not an approval or disapproval.*



Transportation Committee, Andrew Albert and Dan Zweig, Co-Chairpersons

Resolution Re:

1. MTA Metrocards:

Co-Chair presented the resolution re equal treatment of refunds for persons with pay-per-ride metro cards.

Board Member comments:

- 50% of the cards in circulation are pay-per-ride
- MTA addressing the issue of a non-refundable sum on certain pay-per-ride cards
- Opposition due to cost of changing programs of machines to permit this
- Want to know cost of re-programming machines through which MTA metro cards are purchased

Co-Chair: current system is time limited because MTA not continuing with the IT vendor which has been providing the software through which metro cards purchased when contract ends in 2019

After deliberation, the resolution to approve was adopted: 30-0-3-1

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

Resolution Re:

2. **150 West 85th Street, Manhattan Country Day School** (Columbus-Amsterdam Avenues.)

Application #1-15-BZ to the Board of Standards & Appeals by Manhattan Country Day School for a variance to allow additional floor area and a vertical extension in order to meet programmatic needs of the school.

Co-Chair presented the resolution

- Man C Day School relocating to former Mannes School
- Want applicant to move roof addition above original Mansard roof back so won't be visible from street
- Applicant has agreed to adjust rooftop mechanical equipment so no longer be visible from street
- This building is NOT landmarked notwithstanding it's in historic district
- At request of cee, applicant has provided further shadow studies re summer and winter solstice days and spring and fall equinox days (i.e., impact of shadows on north side of street, where landmarked buildings are located)
-

West 86 Neighborhood Association

by Norbert Porlein:

- Want to see the changes the applicant is submitting in response to request of CB7
- Therefore CB7 should not take action today
- Drop off traffic will increase once school up to full capacity; not clear as of yet; work needs to be done on that issue
- How will school monitor traffic issues so street is not blocked, so honking of waiting traffic is reduced ASAP



- Block already burdened heavily by Brandeis HS (large high school) on the block: noise, pollution, safety, traffic
- How will safety of block be impacted by more high school students on the block
- Want school to make written commitments as to how these issues will be monitored
- Interested in aesthetic issues

Attorney for applicant:

- Architect had death in family
- As a result there has been a delay in ability to provide the requested information

Co-Chair:

- don't want to vote until all requested information is provided
- calendared for 4/28
- can amend resolution to be conditional approval
- will be discussed at cee meeting on 4/15; community input then when questions answered

Architect:

- Can't shrink classroom size more than already modified without making rooms beneath unusable as classrooms

Board Comments:

- Outdoor graphic to which community objected has been removed
- DSA hearing is 4/28; delay DSA hearing
- If vote contingent upon applicant's submission of information, and vote in favor, the Land Use Cee will obtain the information on 4/15; but what does the full Board's vote mean

Co-Chair:

- Usually don't do things this way
- Have a deadline which we can't change
- If we approve, then agree subject to a 2nd look by the cee, after which cee can ask for reconsideration

Board comments:

- Don't meet standards for A & E

Architect:

- Not delaying DSA hearing; already delayed once

Community comment:

- Creative solution to sun exposure problem should be available; don't rush to vote; disrespectful of community to do so

After deliberation, the resolution to approve was adopted:

A. Physical uniqueness/concitions-unnec hship 24-6-5-0



- B. not applicable
- C. wont alt ess c 30-4-1-0
- D. hship not by o 37-0-0-0
- E. min 23-10-5-0

Business & Consumer Issues Committee, Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

Resolutions Re:

Unenclosed Café Renewal Applications

3. **286 Columbus Avenue** (West 73rd – 74th Streets.) Renewal application # 1231072-DCA to the Department of Consumer Affairs by Wine and Roses Bar and Cafes, LLC, d/b/a Wine & Roses, for a four-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats. Applying because ownership changed.

After deliberation, the resolution to approve was adopted: 34-0-1-0

4. **2607 Broadway** (West 98th – 99th Streets.) Renewal application # 1345744-DCA to the Department of Consumer Affairs by Workhorse Restaurant, Inc., d/b/a Regional, for a four-year consent to operate an unenclosed sidewalk café with 9 tables and 18 seats.

After deliberation, the resolution to disapprove w/o prej was adopted: 34:01:0

Enclosed Café Renewal Applications: Bundling Applications 5-8: 27-4-2-0

5. **200 Columbus Avenue** (West 69th Street.) Renewal application # 1271565-DCA/ ULURP# N110325ECM to the Department of Consumer Affairs by Magnolia Columbus Avenue, LLC, d/b/a Magnolia Bakery, for a four-year consent to operate an enclosed sidewalk café with 15 tables and 39 seats.

6. **2518 Broadway** (West 94th Street.) Renewal application # 1353598-DCA/ ULURP# N140422ECM to the Department of Consumer Affairs by 94 Corner Café Corp., d/b/a 94 Corner Café, for a four-year consent to operate an enclosed sidewalk café with 5 tables and 20 seats.

7. **2636 Broadway** (West 99th – 100th Streets.) Renewal application # 1169442-DCA/ ULURP# N120375ECM to the Department of Consumer Affairs by PS Brothers Gourmet, Inc., d/b/a Indus Valley, for a four-year consent to operate an enclosed sidewalk café with 11 tables and 24 seats.

8. **2787 Broadway** (West 107th Street.) Renewal application # 1147364-DCA/ ULURP #N140427ECM to the Department of Consumer Affairs by Hillview Specialty Food Inc., d/b/a 107th West Restaurant, for a four-year consent to operate an enclosed sidewalk café with 13 tables and 26 seats.

New Unenclosed Café Applications: bundling apps 9-12: 34-0-0-0

9. **311 Amsterdam Avenue** (West 74th – 75th Streets.) New Application #1874-2015-ASWC to the Department of Consumer Affairs by Fusha 311 West, Inc., d/b/a Fusha Sushi Bar Asian Cuisine, for a four-year consent to operate an unenclosed sidewalk café with 15 tables and 32 seats.



10. **320 Amsterdam Avenue** (West 75th – 76th Streets.) New Application #1941-2015-ASWC to the Department of Consumer Affairs by Cactus Pearl, LLC, d/b/a to be determined, for a four-year consent to operate an unenclosed sidewalk café with 18 tables and 54 seats.

11. **489 Columbus Avenue** (West 83rd – 84th Streets.) New Application #1505-2015-ASWC to the Department of Consumer Affairs by Shree Laxmi Cuisine, Inc., d/b/a Savory Indian Cuisine, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.

12. **898 Amsterdam Avenue** (West 103rd – 104th Streets.) New Application #1834-2015-ASWC to the Department of Consumer Affairs by Primavera Mexican, LLC., d/b/a Casa Mexicana, for a four-year consent to operate an unenclosed sidewalk café with 9 tables and 22 seats.

Preservation Committee, Jay Adolf and Gabrielle Palitz, Co-Chairpersons

Resolutions Re:

13. **326 Columbus Avenue** (West 75th – 76th Streets.) Application #16-7189 to the Landmarks Preservation Commission for a window replacement.

After deliberation, the resolution to approve was adopted: 27-1-2-0

14. **33 Central Park West, Ethical Culture** (West 63rd – 64th Streets.) Application to the Landmarks Preservation Commission for a railing restoration at main entrance along Central Park West.

Bd Comment: handrail selection is unsafe f chilg

After deliberation, the resolution to approve as adopted: 19-7-5-0

15. **27 West 67th Street, Apt #5FW** (Columbus Avenue – Central Park West.) Application to the Landmarks Preservation Commission for seven window replacements in apartment #5FW.

These windows (visible from street) on front façade different than others; want these windows to duplicate the others in the building

Window not visible from street on rear façade: want to replace stain glass (not original to building) with clear glass

After deliberation, the resolution to approve was adopted: 30-1-0-0

Steering Committee, Elizabeth Caputo, Chairperson

Resolution Re:

16. Manhattan Borough Board Resolution on City Council Intro 585 setting term limits for community board members.



Chair: In March Steering Committee meeting, the Steering Committee voted in opposition to City Council's intro 585 for term limits for community board members

Board Members reping those in favor of term limits: political corruption problems in NYC; can't assume good people will always be selected to fill CB positions; must ensure turnover; do this with elected officials in NYC; therefore should do so with CB members, too; we are almost always reappointed; exclude from primaries those who are not Democratic in Manhattan; therefore regressive; don't have same-day registration; have to wait 30 days; 21% turnout in last election; too low; reflects fact people excluded from participation in elections; don't have open electoral system; 12 years is enough; can rotate off and return; Bds work better if have changing composition due to term limits; o/wise cronyism and failure to remove people

Board Members reping those in opp to term limits: the BP can decline to reappoint; therefore don't need term limits; also BP himself/herself is term limited; we are volunteers; we are diverse reps of community reps; there is a frequent change in the composition of the Board; therefore criticism of political system doesn't apply to terms limits for Comm Bd

After deliberation, the resolution to approve was adopted: 13-16-1-0

Upon a motion, and without opposition, the meeting was adjourned at: p.m.

Present: Elizabeth Caputo, Andrew Albert, Linda Alexander, Richard Asche, Isaac Booker, Steven Brown, Kenneth Coughlin, Page Cowley, Catherine DeLazzer, Mark N. Diller, Robert Espier, Miki Fiegel, Sheldon J. Fine, Paul Fischer, DeNora Getachew, Matthew Holtzman, Meisha Hunter Burkett, Madelyn Innocent, Audrey Isaacs, Brian Jenks, Genora Johnson, Blanche E. Lawton, Gabrielle Palitz, Michele Parker, Nick Prigo, Anne Raphael, Jeannette Rausch, Suzanne Robotti, Madge Rosenberg, Peter Samton, Roberta Semer, Ethel Sheffer, Mel Wymore, Howard Yaruss, George Zeppenfeldt-Cestero and Dan Zweig. **Absent:** Jay Adolf, Rita Genn, Marc Glazer, Benjamin Howard-Cooper, Joanne Imohiosen, Lee Ping Kwan, Lillian Moore, Klari Neuwelt, Richard Robbins, David Sasscer, Eric Shuffler, Jaye B. Smalley and Polly Spain.



Business & Consumer Issues Committee
Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons
April 8, 2015 7:00 PM

Upon achieving a quorum, the Committee was called to order at approximately 7:00 p.m.

Public Session

Brian Kramer

- Representative of the Doe Fund
- Announced the need to have job placement for individuals. The Doe Foundation is more than just the people sweeping up the street.

Application to the SLA for a two year liquor licenses:

1. **416 Amsterdam Avenue** (West 80th Street.) LWB Hospitality Group LLC, d/b/a Hummus Kitchen.
 - Application arose due to a transfer of Assets. All aspects of the application remained the same.
 - Represented by Mr. Kelly.
 - Told by the Co-Chairs to pull café stansions into the area permitted by CB7.
 - Co-Chair enquired into the enclosure attached to the building.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 2-0-0-0 (Non-Committee Board Members).

2. **215 West 85th Street** (Broadway.) Han Dynasty Upper West Side Corp., d/b/a Han Dynasty.
 - Represented by Michael Ferrari (mf@rvferrari.com)
 - Latest in a chain of restaurants with locations throughout the NorthEast.
 - Restaurant includes an area for private functions.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 2-0-0-0 (Non-Committee Board Members).

3. **982 Amsterdam Avenue** (West 109th Street.) Amity Hall Uptown Inc., d/b/a Amity Hall.
 - Not in attendance

The resolution to disapprove without prejudice was adopted: 6-0-0-0 (Committee); 1-0-0-0 (Non-Committee Board Members).

Alteration application to the SLA for existing liquor license:

4. **100 Columbus Avenue, Avery Fisher Hall**, Lincoln Center Performing Arts and Restaurant Services I, LLC d/b/a Avery Fisher Hall
 - Represented by Tom Dunn (tdunn@lincolncenter.org) and Michael O'Brien (mo'brien@restaurantassociates.com).
 - The bar would be on the West side of the hall.
 - Hours of operation would be from 5 p.m.-7 p.m., seven days a week.

Unenclosed Café Renewal Application:

5. **384 Columbus Avenue** (West 78th-79th Streets). Renewal application #1190075-DCA to the Department of Consumer Affairs by 384 Columbus Avenue Associates, LLC, d/b/a Ocean Grill, for a four-year consent to operate an unenclosed sidewalk café with 20 tables and 53 seats.
 - Represented by the restaurants GM, Stacey Lasporgato (slosporgato@beourquestinc.com)



- May not even be able to have their outdoor café due to scaffolding above the restaurant.
After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 2-0-0-0 (Non-Committee Board Members).

6. **421 Amsterdam Avenue** (West 80th Street.) Renewal application # 1472327-DCA to the Department of Consumer Affairs by B & G Restaurants, LLC, d/b/a Barley & Grain, for a four-year consent to operate an unenclosed sidewalk café with 18 tables and 36 seats.

- Represented by Bruce Kravetz (bruce.n.kravetz@gmail.com)
- Co-Chair requested that the lettering on the delivery vests be increased to a more visible size.
- Although it is a wrap-around café, it is well-arranged.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 2-0-0-0 (Non-Committee Board Members).

7. **2607 Broadway** (West 98th – 99th Streets.) Renewal application # 1345744-DCA to the Department of Consumer Affairs by Workhorse Restaurant, Inc., d/b/a Regional, for a four-year consent to operate an unenclosed sidewalk café with 9 tables and 18 seats.

- Represented by Jody Arenella (lagiarany@aol.com)
- Co-Chair requested that the lettering on the delivery vests be increased to a more visible size.
- No changes to the previous application.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 2-0-0-0 (Non-Committee Board Members).

Enclosed Café Renewal Applications:

8. **200 West 60th Street** (Amsterdam Avenue.) Renewal application DCA #CA0984345/ ULURP# N130357ECM to the Department of Consumer Affairs by Heledona Inc., d/b/a Olympic Flame Diner, for a four-year consent to operate an enclosed sidewalk café with 11 tables and 32 seats.

- Represented by Jorge Pacheco (jorge.nyc@netzero.net)
- At this location since 1999; that is when the enclosed café was originally built.
- Co-Chair requested that the lettering on the delivery vests be increased to a more visible size.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 2-0-0-0 (Non-Committee Board Members).

9. **180 Columbus Avenue** (West 68th Street.) Renewal Application DCA #CA0895625/ ULURP #N130297ECM to the Department of Consumer Affairs by Mafra Restaurant Corp., d/b/a II Violino, for a four-year consent to operate an enclosed sidewalk café with 15 tables and 36 seats.

- Represented by Carmen Ortiz (bocajr@aol.com; info@ilviolinony.com)
- No changes to the application
- President of the W. 68th Street Block Association indicated strong support for the venture.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 2-0-0-0 (Non-Committee Board Members).

10. **2061 Broadway** (West 71st Street.) Renewal application # 1223566DCA /ULURP #N140423ECM to the Department of Consumer Affairs by Café 71, Inc. d/b/a Café 71, for a four-year consent to operate an enclosed sidewalk café with 9 tables and 29 seats.

- Owner requested that the Committee continue to work on the high number of vendors that are located in front of his café.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 2-0-0-0 (Non-Committee Board Members).



11. **368 Columbus Avenue** (West 77th - 78th Streets.) Renewal application DCA# CA1392090/ ULURP #N130381ECM to the Department of Consumer Affairs by Ixhel Corporation, d/b/a Café Frida, for a four-year consent to operate an enclosed sidewalk café with 10 tables and 28 seats.

- No changes to the café renewal.
- Only have a credit card minimum for delivery; reminded that the limit should be posted on the website and with delivery people.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 1-0-1-0 (Non-Committee Board Members).

12. **441 Amsterdam Avenue** (West 81st Street.) Renewal application # 1283643DCA/ ULURP #N140421ECM to the Department of Consumer Affairs by JPS Ventures, Inc., d/b/a St. James Gate, for a four-year consent to operate an enclosed sidewalk café with 5 tables and 16 seats.

- Represented by Siobhan Kenessy (siobhi@aol.com) and Paul Finnegan.
- The Café has been in this location since the 1980s.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 2-0-0-0 (Non-Committee Board Members).

13. **2290 Broadway** (West 83rd Street.) Renewal application #1350796DCA/ ULURP #N140425ECM to the Department of Consumer Affairs by Corned Beef Express, LLC, d/b/a Artie's Delicatessen, for a four-year consent to operate an enclosed sidewalk café with 26 tables and 54 seats.

- Not in attendance

The resolution to disapprove without prejudice was adopted: 6-0-0-0 (Committee); 1-0-0-0 (Non-Committee Board Members).

14. **477 Amsterdam Avenue** (West 83rd Street.) Renewal application DCA #CA0885881/ ULURP #N130342 to the Department of Consumer Affairs by 83rd/Amsterdam Restaurant Corp. d/b/a Hi-Life Bar & Grill, for a four-year consent to operate an enclosed sidewalk café with 6 tables and 16 seats.

- Café in this location since 1984.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 1-0-0-0 (Non-Committee Board Members).

15. **320 Columbus Avenue** (West 75th – 76th Streets.) Renewal application # 0738544DCA/ ULURP #N130296ECM to the Department of Consumer Affairs by 320 Columbus Avenue, Inc., d/b/a Mughlai Indian Cuisine, for a four-year consent to operate an enclosed sidewalk café with 10 tables and 26 seats.

- Not in attendance

The resolution to disapprove without prejudice was adopted: 6-0-0-0 (Committee); 1-0-0-0 (Non-Committee Board Members).

New Unenclosed Café Applications:

16. **375 Amsterdam Avenue** (West 78th Street.) New application # 2621-2015-ASWC to the Department of Consumer Affairs by Risotteria West, LLC, d/b/a Risotteria, for a four-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.

- Represented by architext Frederic Zonsius (fz@fzad.com); risotteria@verizon.net

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 1-0-0-0 (Non-Committee Board Members).



17. **2161 Broadway** (West 76th – 77th Streets.) New application # 3356-2015-ASWC to the Department of Consumer Affairs by 2161 Broadway Bakery, LLC, d/b/a Maison Kayser, for a four-year consent to operate an unenclosed sidewalk café with 12 tables and 23 seats.

- Represented by Lou Ramirez (lramirez@maisonkayserusa.com)
- Has both an enclosed and an unenclosed café.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 1-0-0-0 (Non-Committee Board Members).

Enclosed Café – change of ownership

18. **53 West 72nd Street** (Columbus Avenue.) New application # 459183DCA/ ULURP #N130253ECM to the Department of Consumer Affairs by 53 West 72nd Street Café, LLC, d/b/a Dakota Bar, for a four-year consent to operate an enclosed sidewalk café with 13 tables and 26 seats.

After deliberation, the resolution to approve was adopted: 6-0-0-0 (Committee); 1-0-0-0 (Non-Committee Board Members).

19. **B2B debriefing.**

- **Event went well, although there was disappointment that Microsoft did not turn out a larger crowd at the event.**

20. **Discussion of multi-block street fair time limits and 20% contributions.**

Present: George Zeppenfeldt-Cestero, Michele Parker, Linda Alexander, Paul Fischer, Brian Jenks and Anne Raphael. **Board Member:** Andrew Albert and Mark N. Diller. **Absent:** Marc Glazer, Matthew Holtzman, Joanne Imohiosen and Suzanne Robotti.



Transportation Committee Meeting Minutes
Andrew Albert and Dan Zweig, Co-chairpersons
April 14, 2015

Open questions or comments from the public:

Richard Barr asked about the truck loading zone for P.C. Richards on Amsterdam Avenue between 86 and 87th Streets. The problem is that Fresh Direct trucks park there. He asked if it is possible to change the hours for the loading zones, and also that the Fresh Direct trucks be chased away because the P.C. Richards trucks have to double park. Andrew Albert said that there needs to be more information about the hours that CVS and PC Richards need for loading zones.

Peter Arndtsen reported about Family Day.

1. **Manhattanhenge:** Application to the Mayor's Street Activity Permit Office for street closure of West 79th Street (Columbus to Amsterdam Avenues) for the Manhattanhenge event on Monday, July 13th 2015. Daisy Rodriguez, of the American Museum of Natural History, explained the museum's request to close the street. This will be the third year. There are several days when the east/west street grid lines up with the setting sun. The best places to see this is on the major cross streets. The Museum has created a special program prior to sundown at the Museum. In the last two years of street closings, the NYPD and the MTA have coordinated the changing of the bus route during the short time the street is closed. The resolution: Manhattanhenge is a unique New York experience, therefore be it resolved to permit the closing of West 79th Street from Columbus to Amsterdam Avenues on Monday July 13, 2015. Resolution approved Committee members: 10:0:0:0, non-committee Board members 2:0:0:0

2. **Newsstand on SWC Columbus Avenue & West 93rd Street.** No one came to present their request. Resolution to disapprove without prejudice. Resolution approved Committee members 10:0:0:0, non-committee Board Members 1:0:0:0.

3. Request by the Edward J. Reynolds School (West Side High School) to name secondarily Broadway and West 103rd Street Norman Rockwell Place. Renee Mills, a teacher at the school, explained that the students designed and developed all the materials and the presentation. Norman Rockwell was born in 1894 and lived at 206 West 103rd Street. The presentation by the students included copies of his work, which depicted his dislike of racism and prejudice. The students collected 400 signatures in one day. Thomas Daly, director of the Norman Rockwell Museum in Massachusetts, spoke about how the students had reached out to the Museum and had visited. One suggestion was made to ask the building at 210 West 103rd Street if they would be willing to put up a plaque in honor of Norman Rockwell. Resolution. Norman Rockwell was born and lived at 206 West 103rd Street where he began his career as an artist, yet another example of how Westsiders helped shape the arts/literary world, therefore be it resolved that 103rd and Broadway be secondarily named Norman Rockwell Place. The resolution was approved: Committee members 10:0:0:0, non-committee Board members 2:0:0:0

4. **School Crossing Guards.** Andrew Albert said that there are not enough school crossing guards and they have poor working conditions and poor pay. Crossing guards are hired for ten months and then fired and rehired in September. Resolution: School Crossing Guards are crucial for the safety of young children, therefore be it resolve that CB7/Manhattan strongly encourages the City Council to pass legislation to hire more crossing guards and to ensure that they become full time employees. Resolution approved by Committee Members 10:0:0:0, non-committee Board members 2:0:0:0

5. Open Items:



Dan Zweig and Andrew Albert present a list of items that CB7 has requested of D.O.T. that have yet to be acted on. The list is being finalized, and will be presented to the Committee & Full Board shortly.

6. Sue Robotti presented her thoughts about some items that should be considered, given that Citibike is scheduled to come to the CB7 district. One committee member called for enough enforcement to effectively get bicyclists to stop violating key traffic rules, including riding in the wrong direction, riding on the sidewalk, failing to obey red traffic signals, failing to have a headlight at night, etc. Discussion is expected to continue at future meetings on the rollout of Citibike on the Upper West Side.

Present: Andrew Albert, Dan Zweig, Linda Alexander, Isaac Booker, Ken Coughlin, Anne Raphael, Richard Robbins, Suzanne Robotti, Roberta Semer and Howard Yaruss. **Chair:** Elizabeth Caputo. **Board Member:** Mark N. Diller. **Absent:** Lee Ping Kwan and Lillian Moore.



Preservation Committee
Jay Adolf and Gabrielle Palitz, Co-Chairpersons
April 9, 2015

The meeting was called to order at 6:30 pm by co-chair Jay Adolf, who chaired the meeting. The following items were considered and actions taken.

Re: 341 Columbus Avenue (West 76-77 Streets). Application to the LPC for a new storefront.

Presentation by: Ronnette Riley, architect; Anna Ivascu, project manager.

- Storefront renovation, currently Design Within Reach.
- Building built ca. 1890; no consistent front façade (obscured for years by elevated train).
- Rusticated stone on first floor on side street.
- Existing condition is a tripartite design with door in the center.
- No single consistent storefront design in the area.

Proposal: retain tripartite bay arrangement, but move the entry to the north bay.

- Remove the existing cladding and return to a wood frame around the windows and paneling.
- Re-exposing the transom windows (currently blocked).
- Awnings with an 8-inch skirt drop. Retractable.
- Transom lights in soffits – covered by the awning.
- New, more subtle lights to replace the more modern fixtures currently on the piers.
- Wood panels will meet the sidewalk; no stone plinth/dividing.
- Color of wood is Farrow & Ball Castle Gray no. 92; Awning color is dark grey Kravet Soleil no. 33337-8.
- Denser wood; not pine.

Concern for wear and tear of wood at the base.

A: Expect to wear better than scuffed white stone.

Resolution to approve as submitted. VOTE: 5-0-0-0.

Re:310 West 88th Street (Riverside Drive-West End Avenue). Application to the LPC for two rear horizontal additions and a rooftop addition.

Presentation by: Rogelio CambIasso (CF Studio) and Theodore Bodnar (architect) (Tentatively scheduled for 5/19).

- Dutch colonial style townhouse.

Front façade:

- Replacing windows with wood to match; stained to historic precedent.
- Replace front door; wood with glass panels, similar to existing. Thin double-doors with center long, thin glass panels. Glass not beveled. Color either a stain or brown paint.
- Roof of bay window is a grey painted stone.
- Restore the stoop, corbelling, window surrounds.
- Replacing grey slate at the front.
- Basement and Parlor floors currently covered in stucco – will be raked and restored. Stucco may or may not be original (sandstone typically did not wear well when applied to facades; may be a case of previous stucco application to address deterioration of sandstone).

Rear façade:

- Two additions, one full-width, second set back for small terrace.



- Rear façade is in poor condition, including surrounds to pre-designation new windows.
- Style would be sills and transoms – stained glass transoms will be reincorporated.
- Existing windows include a 2-story tall/thin casement-looking window.
- Proposal to expand to full width on the first 2 floors, to eliminate a small alley cul-de-sac created when the neighbor (312 West 88th Street) created a full-width addition.
- Rear windows on the 3rd and 4th floors are paired 1:1 double-hungs in line with doors below; doors to terraces.

Rooftop addition:

- Set back from rear façade 3-4 feet.
- Set back from front façade by 16'9"
- Not visible from street, largely from existing mansard-like angled roof element (that which will be covered by the grey slate).
- Ceiling height in the rooftop would be appx 8'.
- Slate will match the slate on the companion angled mansard element behind the pitched front element.
- Will extend chimneys on neighboring building.
Additions total 7K SF; FAR would allow 12K.
- Precedent – adjoining building in the row has both a rooftop and rear yard addition.
- Front and rear rooflines – maintaining existing common roof line.
- Visibility – not visible even through the service corridor in the separation between the two large apartment buildings on RSD.
-- lack of visibility not documented.
- Soundproofing and concrete structure for elevator to abate noise.

Mark Fillipelli – 320 West 89th.

- Q: Excavation?
A: Not really – digging out the cellar level to match the infill for the full-width extension.
A: Will be filing a protection plan per engineering requirements for historic structures.

Committee Discussion:

Questions:

- Concern that the non-door windows are doubles when the rhythm on the rest of the rear facades is fairly consistent with pairs of double- and single-widths.
-- reducing to single-width for the non-doors on the 3rd and 4th floors.
- Concern whether increasing the height of the existing extension to the third floor (to create the terrace below the 4th floor) is appropriate.
-- rear facades to the east and west stop below the 3rd floor.
- Would be more appropriate to keep the divided light pattern below the 3rd floor, and then have a different but consistent patten starting at the 3rd floor and continuing up.
- Such a pattern (or pair of patterns) would match the mirror image to the west.

Comments

- Relatively appropriate.
- Small concern about fenestration pattern.
- Not a problem.



- Concern that the extension of the rooftop to the rear will be visible at least from Riverside Drive.
A: Mock-up includes the bulkhead, and applicant has photos of mock-up that show the extension is not visible.
- Believes that it would be visible from the angle of view from RSD.
A: Chimney walls on the existing roof also serve to block visibility.

Jay: Could vote contingent upon additional proof of non-visibility before full Board (and Committee members could also revisit the site to assess visibility)
A: Applicant willing to supply additional evidence.
- Metal railing and circular stair at the rear of the extended rooftop addition expected to be visible from RSD would be a significant issue. A 21st century railing over a 19th Century roof fabric would be problematic.
- Concern about breaking the rhythm re the rear double 1:1 windows.

Resolution to approve front façade, stoop restoration etc. stucco

VOTE: 5-0-0-0

Resolution to approve the rooftop subject to verification that the entire addition to the rooftop structures (including the circular stair and railing) is indeed not visible from the public way.

VOTE: 5-0-0-0

Resolution to approve the rear façade as submitted

VOTE: 3-2-0-0

Re: 316 West 88th Street (Riverside Drive-West End Avenue). Application to the LPC to construct rooftop additions, reconstruct a missing stoop, and excavate the areaway.

Presentation by: Peter Bafitis, Nelson Vega, RKTB Architects.

(Calendared at LPC: 4/21.)

- Proposal to renovate building, restore front façade, and construct rooftop and rear yard additions.
- Returning to single family from MDL.
- Part of a row of 5 buildings, mostly intact.
- Lost its stoop in 1926; proposal to replace.

Front façade:

- Restore/repair sandstone on the basement and parlor levels.
- Replacing stoop.
- Using remaining stoop at building 320 West 88th on block as model.
- Stoop will be rusticated stone rather than flat stucco on the model (believes historic photo shows rusticated).
- Excavating areaway similar to 320 West 88th as model as well.
- Slate mansard-like feature.
- Front door also being taken from 320 West 88th reference property.
-- emulate the rosette detail from reference building to enclose the areaway
- Rooftop addition includes a half-width bulkhead above the 4th floor.
- Adding a skylight on the stair bulkhead to add natural light to stair column below.



- Door: pairs of tall/thin panels – wrought iron/metal with grilles in front of glass (most likely not original at 320 West 88th).
- Will remove the tar from the angled mansard behind the dormer and will restore/replace the grey slate tile.

Rooftop addition:

- Have revised top line of proposed addition to eliminate visibility.
- Railing is beyond the sightline – several feet behind the dormer/pediment.
- Extending the 4th floor from a small penthouse behind the mansard to within 3 feet of the rear façade.
- There will be a 3' step-back from the rear façade at the roof/4th floor. Will distinguish the rear plane from the rear of the rooftop.

Rear Façade:

- New design will carry over punched double-hung windows at the top floor of the main plane of the roof façade – i.e. 3rd floor. East-most punched window will be a single-width door.
- Adding a Juliette balcony with three pairs of French doors with transoms on the Parlor floor.
- New setback above the Parlor floor with three pairs of French doors with transoms (wide French doors without brick between).
- On the 2nd floor the French doors are separated by brick.
- Fenestration on the extended 4th floor will be separated tall/thin French doors.
- Brick surrounds the French doors at each level.

- Visibility studied from the street level – no visibility.
- Q: visibility from RSD through the space between the apartment buildings on RSD.
A: Will review the issue – no slides currently available.

Public Comment: [none]

Committee Discussion:

Questions:

- Front railing looks spindly
A: will consider addition of rosettes to address.

- Concern whether the rear façade really is as non-visible as claimed.
- Caution that visibility should be measured both across the street and from down 100' east and west.
- Also concern about visibility through a space between apartment buildings on Riverside Drive looking directly into the donut.

- Front door (using model from 320 West 88th):
- Concern about use of metal for the door frame surrounding the panels of glass (grille is OK)
A: Would consider wood – could use the same pattern as in 320 West 88th design, but execute it in wood rather than metal.

- Concern about metal grille covering the front door glass panels and transom.
-- better to have the building number on transom without metal grille.
-- Preference for plain glass.



- If grille really is deemed essential for security purposes, and the neighborhood has changed since this building was last reworked, recommendation for a simplified grille patten (thinner, less overwhelming).
A: Will consider.

Rear façade:

- Concern re multi-light French doors on the basement, parlor and 4th floors, but simpler single-light on the 3rd floor.
 - would be better to have the ground and Parlor floor windows to be of a piece (with divided light), and in light of the change made to the proposal after meetings with LPC Staff to replace more ornate window openings with more utilitarian punched windows on the 3rd floor, carry the simpler distinction to the 2nd and 4th floor with single-light.
 - effect would be to distinguish the ground and Parlor floors from rest of the façade.
- A: Agrees.

Resolution to approve, with recommendations:

- Rear façade – simplify the window and door articulation from multi-light to single-pane above the Parlor floor, both for windows and French doors. Will harmonize with the proposed 1:1 single-light on the 3rd floor.
- Front door – paired wood leaf doors with transom with simple glazing, and if grille is deemed essential for security, that grille be simple vertical elements.
- Painted finish on doors and transom.
- Railings at the roof level eliminate the sunflower motifs to be more utilitarian.
- Rebuilding the corbeled brick roof line above the 3rd floor (Applicant agrees to do so).
- Particularly supportive of restored stoop (will need revocable consent from DoT).

VOTE: 5-0-0-0.

New Business:

- Commenting on decalendaring.
- LPC soliciting views on how to deal with proposal to decalendar.
- Meisha to draft a brief statement on how to approach, to be shared with co-chairs and then committee.

- Second-look. Jay working with Helen Rosenthal’s office to draft a bill to require a second hearing whenever there is a material or significant change to the proposal (and to require LPC to make an affirmative finding whether a set of changes are significant).
- Council staff concerned re second hearing.
- Council staff working on definition of significant change (e.g. change in materials, footprint, etc.)
- So Council staff is coming around to support the idea.
- Particularly important with individual landmarks.
- May get an acceptable bill which Helen would then introduce and support.
- CB7 to support via resolution.
- Concern: LPC already aggressively pursued/attacked by REBNY, owners re delays.
A: Would not need to delay, as it would simply change a public meeting to a public hearing.

- Quality and Affordable Housing proposal.
- Scoping hearing at DCP – CB7 via Elizabeth, Mel and Page submitted a series of concerns.



- Concern that there is no direct connection between the upzoning/elimination of contextual zoning and the creation of the senior or affordable housing.
- No model in place to translate the additional FAR to affordable housing.
- Concern for additional pressure on redevelopment of buildings in historic districts – and elimination of contextual zoning would create significant new incentives to aggregate FAR and build above protected fabric.
- CB7 and the Preservation Committee should be prepared with comments when the next phase of the ULURP is before the Board.

Adjournment at 9:05.

Present: Jay Adolf, Mark Diller, Miki Fiegel, Meisha Hunter Burkett and Peter Samton.

Absent: Gabrielle Palitz and Lee Ping Kwan.



**Land Use Committee Minutes
Richard Asche and Page Cowley, Co-Chairpersons
April 15, 2015 6:30 PM**

The following issues were discussed and actions taken.

**1. 150 West 85th Street, Manhattan Country School (Columbus-Amsterdam Avenues.)
Application #1-15-BZ to the Board of Standards & Appeals by Manhattan Country Day
School for a variance to allow additional floor area and a vertical extension.**

Presentation by: Fredrick A. Becker, attorney and Andrew Bartle, architect.

This project was returned for a further review before the Land Use Committee because of certain elements of the design and configuration of the roof top addition. At our March 18th Land Use Meeting, we drafted a provisional resolution recommending approval at the Full Board Meeting provided that certain revisions to the height and set-back of the proposed upper mansard roof, the relocation of classrooms pushed further south on the upper floor plan, as well as some structural re-framing to a primary structural element to minimize the view and height of the proposed addition, still visible above the height of the present copper clad Mansard roof.

Owing to a family emergency, the Architect, Andrew Bartle was unable to make any concessions, in the final design, although he did share our concerns with both the Structural Engineer, Robert Sillman Associates and his client group.

There was a detailed discussion among board members, particularly regarding the appearance and materials of the revised set back and upmost roof facing the street, as the most recent design was constructed of different widths of colored glazing and solid panels. Mr. Bartle gave his rationale as to the design concept stemming from a DNA marker patterning, that he believed had relevance to the diversity and depth of the science program and art space that would be located at the upper levels. Members of the land Use Committee believed the design to be too colorful and not subdued for this particular stretch of the block that contains row houses opposite the school building.

Committee & Board Members comments included the following:

Mark Diller: Very concerned with aesthetics, even though the building is not landmarked, there must be some continuity and recognition of the adjacent architecture. The new elements are incongruous.

Howard Yaruss: Also concerned about the patterning of the roof design.

Pater Samton: Had the Architect considered alternate patterning and alignment of the roof spacing, The new interventions need to be justified, otherwise the new work is in opposition to the character of the neighborhood.

Sheldon Fine: Agreed that some revision to the appearance was a reasonable request .

Jeanette

Rausch: General question to the Committee: Do the aesthetics of a design proposal a criteria that affects the character of the neighborhood?

Various: After many similar comments there was consensus that yes, aesthetics are part of the criteria and could be a factor that defines the character of a neighborhood.

Response: The new components are a way of branding the building to fit the ideals and recognition of the site as a place of learning for children.

Page Cowley: Would it be possible to make the alignment of the new roofing and glazing similar to the standing seam alignment of the existing copper roof? And rather than colored glass, use clear glass that is etched, ribbed otherwise patterned to achieve the same diverse and filtered light effect from the interior? The colored



glass may be best applied to the interior light-well that is not visible from the exterior or from the neighbors' properties.

Richard Asche: The colors do lighten-up the neighborhood.

Peter Samton: The sloping copper roof gives a special character to the top of the building, and makes more of an event at the upper level. The new slope above that could work as well, if it were more subdued in color and calmer.

Public Comments:

The committee was given a petition containing 58 signatures of residents signed between March 3 and March 15th, 2015 that was reported at our previous meeting and submitted for this meeting as well. These signatures were presented in opposition to the increase the height and bulk, including a roof-top extension because these changes will dramatically alter the essential character of the residential neighborhood.

Batya Levin submitted a statement representing the Coalition for a livable West Side also wrote in opposition posing the questions as to why the Manhattan Day School bought the property knowing that the building was not large enough to suit their needs.

Lee Larson, a resident in the neighborhood, submitted a statement in support of the project and would welcome the school and the adaptation to accommodate students, giving more child access to a better education.

As background to the review of the project this evening, the following note to the file must be considered:

On April 7, 2015, Community Board 7/Manhattan found that Findings a, c, d, e were made if the conditions stated in the resolution below were completed by the date of the full board meeting. The applicant did not provide the requested information on or before April 7. The vote of the Full Board was as follows:

- (a) Physical uniqueness/conditions – unnecessary hardship.
While existing conditions and programmatic needs may be a unique in the adaptation and re-use of the building, a revised Statement of Facts & Finding Report (Report) has not yet been submitted to support the revised drawings and explanatory diagrams. Therefore the resolution before the committee relies on the receipt of the revised Report to verify the findings prior to the Full Board Meeting on April 7.
BE IT RESOLVED THAT Community Board 7/Manhattan finds (a) has been met.
Full Board Vote: 24 In Favor 6 Against 5 Abstentions 0 Present
- (b) That because of such physical conditions that the grant of a variance is therefore necessary to enable the owner to realize a reasonable return.
Not applicable to not-for-profits.
- (c) That the variance, if granted, will not alter the essential character of the neighborhood or district.

As there remains considerable concern regarding the street setbacks and the visibility of the upper roof, and the applicant has agreed to consider further modification, in response to neighbors continued opposition to the enlarged design, the Committee has consented to approve this finding, on the condition that there are further modifications to reduce the visibility of the upper Mansard roof.

BE IT RESOLVED THAT Community Board 7/Manhattan finds (c) has been met.

Full Board Vote: 30 In Favor 4 Against 1 Abstention 0 Present

- (d) That the practical difficulties or unnecessary hardship claimed as a ground for a variance have not been created by the owner.



As with Finding (a), while existing conditions and programmatic needs may be a unique in the adaptation and re-use of the building, and that there are practical difficulties inherent in the use and modification of the existing facility as a school, a revised Statement of Facts & Findings Report (Report) has not yet been submitted to support the revised drawings and explanatory diagrams. Therefore the resolution before the committee relies on the receipt of the revised Report to verify the findings prior to the Full Board Meeting on April 7.

BE IT RESOLVED THAT Community Board 7/Manhattan finds (d) has been met

Full Board Vote: 37 In Favor 0 Against 0 Abstentions 0 Present

- (e) That within the intent and purposes of this Resolution, the variance, if granted, is the minimum variance necessary to afford relief.

Provided that the applicant has made further modification to the street front, primarily at the upper roof and that it is set back so as to be less visible from the street, the Committee has consented to approve this finding, on the condition that these modifications and the Statement of Facts and Findings Report and documented and submitted prior to the Full Board Meeting on April 7.

BE IT RESOLVED THAT Community Board 7/Manhattan finds (e) has been met.

CB7 extended the time of compliance to April 15, the date of the next Land Use Committee meeting. However, applicant did not provide the information to the Land Use Committee on that date. The Land Use Committee was presented certain specific revisions to the project that did not include the redesign of the upper rooftop addition. In lieu of the redesign, the Applicant submitted a letter dated April 10, 2015 that stated that no further changes could be made to the rooftop addition due to existing structural conditions. It was reiterated at that meeting that it was not possible to relocate or reduce the size and setback of the roof top addition from 85th Street. There were other changes to the design including a different treatment of the upper roofing material with a painted and variegated spaced roof panels containing both solid panels and colored glass panels. This revised design was the basis for the Land Use Committee to reconsider the previous review of the findings. The new resolution which follows below and will be presented to the May 5th Full Board meeting.

- (a) Physical uniqueness/conditions – unnecessary hardship.
 Motion to approve: THEREFORE, BE IT RESOLVED THAT the Land Use Committee approves finding (a) has been met.
Land Use Committee: 4-3-2-0. Non-Committee Board Members: 0-2-0-0
- (b) That because of such physical conditions that the grant of a variance is therefore necessary to enable the owner to realize a reasonable return
 Not applicable to not-for-profits
- (c) That the variance, if granted, will not alter the essential character of the neighborhood or district

Motion to approve: THEREFORE, BE IT RESOLVED THAT the Land Use Committee approves finding (b) has been met.

Land Use Committee: 4-3-2-0. Non-Committee Board Members: 0-2-0-0



- (d) That the practical difficulties or unnecessary hardship claimed as a ground for a variance have not been created by the owner

Motion to approve: THEREFORE, BE IT RESOLVED THAT the Land Use Committee approves finding (d) has been met.

- (e) That within the intent and purposes of this Resolution, the variance, if granted, is the minimum variance necessary to afford relief

Motion to approve: THEREFORE, BE IT RESOLVED THAT the Land Use Committee approves finding (e) has been met.

Land Use Committee: 4-3-2-0. Non-Committee Board Members: 0-2-0-0

The motion Failed and a second motion was presented that included all four findings, because each finding received the same count. For this vote the resolution is as follows:

Motion to approve: THEREFORE, BE IT RESOLVED THAT the Land Use Committee finds that a, c, d, e and f have not been met.

Land Use Committee: 5-3-0-0. Non-Committee Board Members: 2-1-0-0

2. **361 Central Park West (One West 96th Street). Application to the Board of Standards & Appeals by 361 Central Park West LLC, for the conversion of a vacant, six story landmarked community facility (former First Church of Christ, Scientist) into a 39 unit residential building, which requires waivers of required rear yards, minimum dimensions of inner courts), minimum distance between legally required windows and walls or lot lines) and minimum distance between legally required windows and any wall in an inner court, as well as waivers of § 30-2 and §30-3 of The Multiple Dwelling Law.**

The building is an individual New York City Landmark, and a Certificate of Appropriateness of a series of modifications to the building in order to facilitate the proposed conversion was approved by the Landmarks Preservation Commission (“LPC”) on March 10, 2015.

The project has been heard by Preservation Committee of CB7 regarding the modifications to the exterior facades and the change of use from a worship space to residential condominiums. The project was also heard by the NYC landmarks Preservation Commission, gaining approval after a Public hearing and subsequent Public Meetings, which reduced the amount of new windows to the Central Park facade and with further modification to the north wall new openings and roof top additions and mechanical equipment.

The 39 units are comprised of 11 one-bedroom units, 14 two-bedroom, 11 three-bedroom units, 3 four-bedroom units.

Representing the project for the Owner was Calvin Wong, and Howard Zipser Esq., attorney from Ackerman LLP, and Judith Saltzman, the preservation architect from Li Saltzman Architects, PC., for the project. Gerner Kronick + Valcarcel Architects, PC is the architect of Record for the project and were present, but did not contribute to the meeting. The proposed use requires variances as follows:



361 Central Park West LLC (the "Applicant") has applied, pursuant to §72-21 of the New York City Zoning Resolution ("ZR") and §666 of the New York City Charter, for a variance from the requirements of the Zoning Resolution to permit, within an R10A residential district, the conversion of an existing vacant church building known as First Church of Christ, Scientist into a residential building containing 39 units.

The proposed conversion requires the following waivers of the Zoning Resolution:

- A. ZR §23-40 (required rear yards)
- B. ZR §23-851 (minimum dimensions of inner courts)
- C. ZR §23-861 (minimum distance between legally required windows and walls or lot lines)
- D. ZR §23-863 (minimum distance between legally required windows and any wall in an inner court).

The proposed conversion also requires two waivers of §30-2 and §30-3 of the Multiple Dwelling Law ("MDL") related to non-compliances with minimum light and air regulations.

Mr. Wong described the waivers that are required first followed by a statement quoted from the previous owner, the Crenshaw Christian Center of New York, regarding the condition of the building that compelled them to sell the building because of costs associated with repairing and maintaining the building. Mr. Wong then presented a summary cost analysis of a medical facility as an equal adaptive re-use option to compare to the proposed residential adaptive reuse. The health care facility yielding a loss in the calculation of the rate of return at 6.42%. It was further explained that the only use that would cover the cost of the conversion and yield a minimum rate of return was residential use, which in addition to requiring zoning resolution waivers, now also needed to have additional relaxation from the Multiple Dwelling Law (MDL) because of the reduced number of operable windows for air and light to the proposed 39 units, as there are now 127 windows in total, a reduction from previous proposal, owing the extensive alteration and appearance of the primary facade facing Central Park. This latest design proposal was approved by the Landmarks Preservation Commission for a Certificate of Appropriateness. Mr. Wong confirmed that the majority of the Central Park facade would remain as is.

Hardship and Adaptive Re-use Concerns:

There were many questions raised by the Committee, among these were a general theme of what represented "hardship" as applied to this project. Mr. Zipser responded that the BSA had found with past similar cases that a building built prior to the NYC Zoning Code viewed older properties as having inherent compliance issues and that this fact alone places the building as having a unique hardship. The series of questions that came from the Committee turned to the use, as the proposed use is what is creating the hardships and the requirements for the waivers. Ira Shapiro, stating that he was the Owner's Representative for the project said that they had looked into a similar Use Group 4, Medical Use, as the "as-of-right alternative," but that cost was too high to implement that proposal. *[Note to Committee the Statement of Facts and Findings stated that this use would not require alteration of any of the exterior.]* The Committee also asked if other religious groups were approached. Mr. Zipser stated that the Crenshaw Christian Center had sought other similar groups first but at their last congregation a meeting voted 250 to 3 to de-accession the church building.

Proximity to Adjacent Existing Buildings & Natural Lighting:

The next major topic was the proximity of the alterations Peter Samton and Janette Rausch led this discussion -- the creation of new windows at the western and northern facades. This was explained



by both Mr. Zipser and Ms. Saltzman that these had been reviewed as the minimum openings, and that further internal requirements were needed, which included a provision that the interior illumination was sub-standard and that there was a requirement to provide artificial light with a specific luminance level and foot candles to meet the lighting standards under the MDL. An interior rendering was presented to demonstrate the placement of light fixtures with simulated artificial lighting that will be required. This raised further questions as to the enforcement of this requirement once the condo was sold or sold on later to others, and what would happen if the standard was not maintained. There was no response to this last question.

Note that of the 127 habitable rooms, only 25 are non-complying with regards to air ventilation requirements, and 21 are non-complying in natural light compliance

Cost of the Project and Rate of Return:

This topic generated the most concern initiated by Howard Yaruss. First was a request to explain the analysis and how the value of the property, starting from the purchase price by the previous owner at \$14,000,000 in 2004 with a recent sale price of \$26,000.00 in 2014. The BSA supporting documentation indicates the current property value at \$51,000,000 which is used in the analysis to calculate the as-of-right option that indicates a sub-par rate of return, and the residential proposed use yielding a 100% profit and a far higher rate of return meeting the target rate of 6.42 % considered as sub-par as well for a development project of this type.

Also included in the calculations is the value of unused development rights, presented as 60,000 square feet. Unfortunately, there is nowhere to transfer the development rights, so this should not be included in any economic analysis as this serves only to inflate assumed value.

Page Cowley also spoke to the skewed cost projections, as no value had been assigned to the existing configuration and inherent value of an existing building. The pro-forma BSA cost calculation formula does not consider this as a factor. Further concern was raised that adaptive re-use of buildings, as historical data suggests, is cost effective in recycling buildings as several preservation organizations world-wide have noted in numerous published reports. In New York City, the majority of projects requesting waivers involving landmarked properties are owned by non-profits, which are except from this disclosure. Where non-landmarked or landmarked buildings that are recycled as-of-right in the private sector, data applicable to adaptive re-use is very difficult to obtain, primarily because there is no rationale owing to the competitive nature of development for prime sites in the greater metropolitan region -- and there are numerous successful examples that would be appropriate for comparison here. This also suggests that there is a viable profit for this type of historic building development otherwise, these projects would have failed.

[Note to Committee post meeting: the most financially successful of these types of projects do not factor an escalated property value, do not re-build the entirety of the interior structure, or impose a use that requires extensive waivers or alteration of the exterior and interior. The most logical choice for the reuse of a place of worship is one that can take advantage of the existing space configuration already in place. The level of intervention in the majority of our local situations do not eviscerate the interior and most respect the inherent structural and spatial layout of the original building, or at least make the modifications and inserted new elements in a more cost effective way. A factor that can drive up costs related to the amount of temporary shoring that is required when replacing structural elements and the insertion of higher environmental heating and cooling requirements for heating residential use. Ergo, the argument here is the possibility that this use is not a good fit for this particular building type, one of the caveats stated in The Secretary of the Interior's Standards



for the Treatment of Historic Properties, issued by the National Park Service and administered by the respective State Historic Preservation Offices (SHPO).

In researching this subject further as charged by the Committee, several land use attorneys, realtors and preservation advocates were contacted. The salient facts here that several persons raised regarding cost and demonstration of hardship is that the building is an individual landmark is not a basis for hardship; that the building was offered for sale, marketed and known as an adaptive re-use project, and no prospective religious institution made an offer. Here the "value" that is now attributed to the site is because of the location on Central Park West, perhaps the last property available for alteration over-looking central park. The prize is prime real estate not prime preservation or adaptive re-use. Historic property or building cost is typically lower than a vacant lot, because the asset already exists. Therefore the cost analysis is flawed and other factors should be considered, and perhaps the BSS will reconsider this site differently because of the landmark and its inherent value, not the potential as a typical development site.]

Shelley Fine took up the same line of questions asking if the cost analysis that was presented was the format that is required as "standard" by the BSA. The response was yes. Other committee members including DeNora Getachew, Brian Jencks, Janette Rausch, Peter Samton, and Page Cowley observed that the basis of the calculation as presented appeared artificially high, and that further clarification of both the acquisition cost and capital improvement merited further reconsideration.

The meeting was opened to comments from the community. Rather than attempt to paraphrase comments that were also provided in writing, those submitted at the meeting are attached to these minutes. Other statements are known to have been submitted directly to the CB7 office. In summary the statements presented at the meeting were as follows:

- Tyler Donaldson, member of the Board of 12 West 96th Street, across the street from the church wrote in favor of the project. Although he was not present, his letter was distributed to the Committee.
- Sean Khorsandi, representing Landmark West! stated their opposition to the project and that the waivers be denied.
- Antonia Rossello, Architect and neighbor, wrote about the historic value, including the stained glass, whose attribution may be the *Decorative Stained Glass Company*, located in New York. Her statement questioned the residential use as the only, or best way to save the building, especially a notable individually designated landmark by a notable architectural firm, Carrere and Hastings. Her statement also questioned the action of the Landmark Commission not to defend the landmark status.
- Mr. Lewis, a neighbor, stated that this building was not a good candidate for the 6 waivers requested and required. It is not possible that either hardship or a minimum variance could be achieved and that these alterations will be immeasurably detrimental to the owners and occupants of 370 Central Park West reducing whatever privacy that their building had because of the number of apartments and the contorted plan layout for the condos.
- Susan Simon, also a neighbor, commented on the impact to architectural character as a result of changes in the north wall with windows that will be too close to the existing residential



building creating a "fishbowl effect" with lack of privacy with separation and distance being less than what is mandated by zoning. And lastly that the waivers should be denied as not only the essential character of the immediate neighbors but the quality of life within adjacent properties will be permanently affected.

- Others spoke up remarking that the building was not designed for residential use, the lack of notice regarding interior demolition and noise of removals operation, trash and asbestos abatement, by non-union and possibly un-supervised asbestos removal firm, other general complaints.

The following is a presentation of the wavers requested and the resulting vote of the Committee and Board members that were eligible to vote:

Zoning Variance:

An applicant for a zoning variance must demonstrate that each of five separate findings set forth in the zoning resolution has been met.

Finding (a):

That there are unique physical conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to and inherent in the particular zoning lot; and that, as a result of such unique physical conditions, practical difficulties or unnecessary hardship arise in complying strictly with the use or bulk provisions of the Resolution; and that the alleged practical difficulties of unnecessary hardship are not due to circumstances created generally by the strict application of such provisions in the neighborhood or district in which the zoning lot is located.

Although there are no physical or topographical conditions peculiar to and inherent in the zoning lot, which is flat and rectangular, decisions of the BSA have indicated that difficulties and hardships caused by the size or configuration of existing structures may satisfy the unique conditions requirement of Finding (a). Here, the as built condition would not allow for an as of right residential building due to the absence of a rear yard and minimum distance between legally required windows and walls or lot lines. Accordingly, the only way in which the building could be converted to residential use and comply with the zoning resolution would be to remove a portion of the building. As this is a landmark building, such alteration would be neither permitted nor desirable. The building has not been used as a church for more than two years, because the prior owner found that it was not viable. Nor is the building suitable (or economically viable) as a community facility. For the foregoing reasons, CB7 finds that Finding (a) has been met.

Land Use Committee: 8-0-0-1. Non-Committee Board Members: 1-1-1-1

Finding (b):

That because of such physical conditions there is no reasonable possibility that a development, enlargement, extension, alteration or change of use on the zoning lot in strict conformity with the provisions of this Resolution will bring a reasonable return, and that the grant of a variance is therefore necessary to enable to the owner to realize a reasonable return from such zoning lot; this finding shall not be required for the granting of a variance to a non-profit organization.

CB7 is constrained to find that the "B" finding has been met, based upon the artificial accounting construct imposed by BSA for the purposes of determining a fair rate of return. The calculations made by the developer based upon an artificial purchase price and construction costs, reflect a cost basis which has no grounding in reality and which therefore results in a false result



with respect to rate of return. According to the BSA calculation method the developer is credited with acquisition and construction costs of \$122 million. In reality, the developer purchased the property for approximately \$26,000,000, and will incur construction costs and soft costs of approximately \$40,000,000. The developer projects a net sales price for 39 condo units of approximately \$122,000,000, resulting in a cash profit of more than 100%. In all probability, this understates the developer's actual return on invested capital, assuming the purchase price and construction costs will be borrowed. The developer's return will not be spread out over a period of years, and accordingly, depreciation is not a relevant factor. In real world terms, the issue should be: Is a 100% relatively short term profit, a reasonable rate of return within the contemplation of the regulation?

The financial calculations are flawed and do not consider the landmark status. This fact, which is addressed solely as a liability in the determination of rate of return is not a basis for hardship because the building was offered for sale, marketed and known as an adaptive re-use project is also no rationale for hardship. Here the "value" that is now attributed to the site is because of the location on Central Park West, perhaps the last property available for alteration over-looking central park. The prize is prime real estate not prime preservation or adaptive re-use. Historic property or building cost is typically lower than a vacant lot, because the asset already exists. The undue hardship here is the cost of resolving the non compliance with the Zoning Resolution issue which the applicants states will make it impossible to make a reasonable return. But no hardship of any kind exists in this instance. The proposed residential use simply does not fit the configuration and existing building configuration that the applicant has proposed. The applicant has chosen an inappropriate and expensive option, not the best option for this particular site. Failure of suitability of use that escalates cost is not an undue hardship. If hardship at all it is one created solely by the applicant's inability to work within the constraints of the historic structure and is as a result self-created.

Therefore the cost analysis is flawed and other factors should be considered as the reconciliation of the reasonable rate of return for this site needs to be calculated differently because of the landmark and its inherent value, not the potential as a typical development site. For the foregoing reasons, CB7 finds that Finding (b) has been met.

Land Use Committee: 6-1-0-1. Non-Committee Board Members: 1-1-1-1

Finding (c):

That the variance, if granted, will not alter the essential character of the neighborhood or district in which the zoning lot is located; will not substantially impair the appropriate use or development of adjacent property; and will not be detrimental to the public welfare.

The variance, if granted, would allow for a residential use in a residential district. There would be only minor alterations to the building visible from the street. The addition of new windows in the alley between the building and 363 Central Park West would not alter the essential character of the neighborhood or district or impair the appropriate use and development of the adjacent property. For the foregoing reasons, CB7 finds that Finding (c) has been met.

Land Use Committee: 7-1-0-1. Non-Committee Board Members: 2-1-0-1

Finding (d):

That the practical difficulties or unnecessary hardship claimed as a ground for a variance have not been created by the owner or by a predecessor in title; however, where all other required findings are made, the purchase of a zoning lot subject to the restrictions sought to be varied shall



not itself constitute a self-created hardship. For the foregoing reasons, CB7 finds that Finding (d) has been met.

Land Use Committee: 5-2-1-1. Non-Committee Board Members: 2-1-0-1

Finding (e):

That within the intent and purposes of this Resolution, the variance, if granted, is the minimum variance necessary to afford relief; and to this end, the Board may permit a lesser variance than that applied for.

In view of the physical constraints presented by the existing building and the need for additional windows to accommodate apartments in the building, the variance being sought is the minimum necessary to afford relief. For the foregoing reasons, CB7 finds that Finding (e) has been met.

Land Use Committee: 6-2-0-1. Non-Committee Board Members: 1-1-1-1

Variance Pursuant to Multiple Dwelling Law

The Applicant has also moved pursuant to §666 of the New York City Charter and §277 of the Multiple Dwelling Law for a variance from MDL §277 light and air requirements. In order to grant a variance under the Multiple Dwelling Law, the BSA must find that there are “practical difficulties or unnecessary hardship in the way of carrying out the strict letter of the law, so that the spirit of the law shall be observed, public safety secured, and substantial justice done...”

The requested MDL variances relate to such matters as required distance between windows and adjacent property and required light and air and ventilation. There is no practical way of bringing the building into compliance, and most of the requested variance details are applicable only to a small number of apartments. The apartments are to be marketed as luxury condominiums, and it appears that although the windows may not comply with the letter of the Multiple Dwelling Law, there would be adequate light and ventilation in all units. Accordingly, CB7 approves the proposed variances under §30-2 and §30-3 of the Multiple Dwelling Law related to non-compliances with minimum light and air regulations.

Land Use Committee: 6-1-0-1. Non-Committee Board Members: 1-1-1-1

3. **Updates:**

- Proposed Zoning For Quality And Affordability Text Amendment.
Page Cowley gave a brief summary of the concerns and work of Community Board 7 to date in attending meetings and drafting a letter on this subject that was submitted to the Department of City Planning and all elected officials.
- Collegiate School Modification and Affordable Housing location/relocation.

Page Cowley and Elizabeth Caputo gave a summary of meetings that took place at HPD with representatives from the Borough President’s Office. CB& was represented by our Chair, and Page Cowley from the Land Use Committee and Nick Prigo from the Housing Committee. The goal is to review any other potential sites in our district and present these to HPD in May, with a follow up meeting in June.

These minutes reflect the notes and the memory of the writer.

Respectfully submitted by Page Cowley, co-chair



Present: Richard Asche, Page Cowley, Sheldon J. Fine, DeNora Getachew, Brian Jenks, Jeannette Rausch, Peter Samton, Ethel Sheffer and Howard Yaruss. **Chair:** **Board Member:** Mark N. Diller.
Absent: David Sasscer and Roberta Semer.



Parks and Environment Committee Meeting Minutes
Klari Neuwelt, Chair
April 20, 2015

Meeting Start: 7:05 pm

Item 1: Riverside Park. Presentation by Parsons School of Design on final work at the 102nd Street field house.

In January 2010, the New York City Parks Department commissioned the Parsons Design Workshop to transform a derelict field house in Riverside Park at West 102nd Street into a usable community space. The field house consists of a stone pavilion structure with three curved arches leading to a central bay, with spaces behind the stone walls to the north and south of the central bays. The pavilion originally was a stand-alone structure that was converted to become part of the enclosure of the railroad tracks that bisected Riverside Park until the 1930s, creating a promenade on the upper level even with the roof of the pavilion.

At the meeting, four Parsons students (facilitated by Charles McKinney, the Principal Urban Designer for NYC Parks), presented final design plans for the renovation of the center space of the stone pavilion. The renovation will result in an attractive 1,100 square foot event/meeting space that can be used for parties and other types of gatherings, small concerts, yoga classes, art exhibits and other Riverside Park programming. The space will have reclaimed wood flooring, an electrically-powered heating system, and an acoustic wood-slat ceiling.

The plaza immediately in front of the space will feature moveable wood furniture modules that can be rearranged by the public to create different configurations for seating, a stage area, and other uses. Two people will be able to shift a module. The current contract calls for modules only directly in front of the meeting space, but more modules could be added alongside the adjacent basketball court. The design team is unsure exactly what wood will be used for the modules, but said it will not be pressure-treated, will not be rain forest or other endangered species, and will be of reclaimed wood. To the north of the center space the Parks Department will build a new comfort station that can be accessed both from the plaza and the interior of the new pavilion. The space to the south of the central bays will be converted into storage spaces with a small office. Both spaces to the north and south of the central bays are out of scope for the students' project, and will be completed under a separate contract. The comfort station will be open year-round. The event space, which will have a 74-person capacity, could be rented for private events. The team anticipates that the space will be open for business at the end of August (2015).

Non-committee board member Mark Diller asked if geothermal energy, solar or other renewable energy technologies were possible source of electricity for the space. The team responded that the expense would be outside the bounds of the current contract.

While lacking a quorum for committee action, the committee chair indicated that a resolution in support of the project will be offered from the floor at the next full Board meeting, with the endorsement of the committee and board members present at the P&E meeting.

Item 2: Central Park Boathouse Restaurant Concession.

Alexander Han of the Department of Parks and Recreation's Revenue Division discussed the new Request for Proposals for the Loeb Boathouse Restaurant Concession in Central Park, soliciting comments and



questions as the RFP is drafted. On or about May 4, the Department will be issuing the RFP for a new 15-year license term to begin July 1, 2016. Bidders will have six to eight weeks to respond. Han said that Parks hopes to select the winning bidder by the end of the summer.

Han had visited the committee in February 2015 and he noted that several of our recommendations made at that time will be incorporated into the RFP, including that preference be given to a Boathouse shuttle bus powered by something other than fossil fuels, and that the outside rest rooms be upgraded. Replacement of the current docks will also be a contract requirement.

Asked about the possibility of composting restaurant garbage, Han said it would make more sense to compost off-site but that this would likely require the use of an additional truck going to and from the restaurant, which might offset the environmental gains. Still, he said he would consider the idea. He was also asked about the possibility of encouraging the use of locally sourced produce in the restaurant. A discussion ensued about the precise definition of "locally sourced," but Han noted that the RFP will already contain a catch-all clause giving favorable consideration to environmentally friendly items. At the behest of another Manhattan community board, Han said they are considering adding a preference for local employment to the RFP.

Han said the restaurant currently operates a bike rental concession but that soon Parks will issue a separate RFP for a single bike rental concession to serve all of Central Park and possibly other Parks venues. A committee member noted that the Boathouse is a popular gathering place for cycling clubs setting off on rides, as well as individual cyclists, and asked if there are currently bike racks on the premises. Han said no and that this would not be a part of the concession, but that he would look into having the Parks Department install racks, probably in the parking area.

Han also briefly discussed a likely change in use for the current Parks Department newsstand at Verdi Square, in the north plaza. The newsstand operator is not very successfully competing with a nearby MTA newsstand. Han said the Department is considering repurposing the structure to provide some sort of food service, although access to a water source may be an obstacle. He said Parks is seeking ideas from the public for how this space could be used.

Han concluded by noting that the café at 105th Street and Riverside Park will be reopening soon under the name "Ellington in the Park." The operators of the restaurant "The Ellington" on Amsterdam Avenue at West 106th Street (a/k/a Duke Ellington Boulevard) will be the new concessionaires for the Riverside Park location.

3. Broadway Mall.

Stewart Desmond, a board member of the Broadway Mall Association, gave a presentation on the public art exhibition of five metal sculptures within CB7 by the artist Don Gummer that will be part of the nine-piece Mall exhibition, "Don Gummer on Broadway." Four of the sculptures are existing ones by Gummer and five were newly created for the exhibition, part of his "Haiku Series." Sculptures will be sited at Columbus Circle, 65th and Broadway, 72nd and Broadway (south of the subway station), 96th and Broadway and at 103rd and Broadway. Cost of the installation is funded by Gummer's gallery, William Morrison. The pieces will all be installed by May 4, prior to their official opening on May 15, and they will remain on the malls until the end of October.

While lacking a quorum for committee action, the committee chair indicated that a resolution in support of the exhibition will be offered from the floor at the next full Board meeting, with the endorsement of the committee and board members present at the P&E meeting.



4. Summer on the Hudson.

Zhen Heinemann, director of public programming for Riverside Park walked the committee and meeting attendees through the schedule of free events that will be part of Summer on the Hudson 2015 in Riverside Park. Among the creative new offerings are “Literary Lounge,” “Totally Public Karaoke,” “Silent Disco” (utilizing 700 headphones), “Hoops and Loops,” and “A Celebration of Women and Music.” For the complete calendar of events, visit www.wnyc.gov/parks/soh and follow them on Twitter @summeronhudson Heinemann said they are always looking for ideas for events for future years and will be surveying audience members throughout the summer.

As part of this discussion, the coordinators of the Hudson River Boathouse free kayaking service said that after a winter that was rough on both their dock and their storage containers, they will be opening for the season June 6 and 7th at their location in Riverside Park near West 72nd Street. The Boathouse has also successfully purchased and is installing a replacement for the kayak launch floating dock at its sister location in Hudson River Park in the West 50s, which had been stolen over the winter. Council Member Helen Rosenthal secured sufficient funding to close the gap from a crowd-source campaign.

Venesa Samuda, Deputy Manager of the Gertrude Ederle Recreation Center (between West 59-60th, WEA and Amsterdam) reported that construction is beginning on the Center’s outdoor recreation space. She noted that people failing to pick up after their dogs in front of the Center’s entrance has become a problem and asked for ideas in combating it. Ideas ranged from providing a ready supply of the disposable plastic bags frequently used by pet owners with better manners to signage reminding dog walkers that children use the building to the installation of cameras that could be used for public shaming purposes.

5. Riverside Park South.

Seven artists from the Art Students League presented plans for their sculptures that will be installed as the fifth and final season of the “Model to Monument” art series in Riverside Park South. This year’s theme is “Patterns and Nature.” All the proposals were well received, and sharp-eyed visitors will recognize in one of the sculptures the likeness of a handsome City Council member who represents part of our district. The official opening and walking tour of the sculptures will be June 11. The sculptures are expected to remain on site for approximately a year.

While lacking a quorum for committee action, the committee chair indicated that a resolution in support of the installations will be offered from the floor at the next full Board meeting, with the endorsement of the committee and board members present at the P&E meeting.

6. Update on committee discussions.

Committee member Ken Coughlin noted that Riverside Park has still not remedied the paving problem on the Hudson bike path at about 61st Street that has reportedly sent several cyclists tumbling to the ground. The problem arises because the smooth paving on the Greenway is replaced at intersections with pedestrian paths by individual stone tiles mortared in place by grout. At this location the gap between the tiles is wide enough that a bike’s tires can (and do) get caught in the space between tiles, making the bike unstable. Committee chair Klari Neuwelt suggested that he contact Riverside Park administrator John Herrold directly about this. Coughlin also asked if we knew when the new bike path at the Marine Transfer Station just south of 59th Street would be opened. Neuwelt suggested that he contact CB4, since this is in their district.

7. New business.



Community member Ira Gershenhorn inquired about the process of how some things become part of a council member's budget and others do not, and suggested that the process may not be entirely clear or transparent.

The meeting adjourned at about 10:15.

Present: Klari Neuwelt and Ken Coughlin. **Board Member:** Mark N. Diller. **Absent:** Steven Brown, Meisha Hunter Burkett, Joanne Imohiosen, Madelyn Innocent, David Sasscer and Jaye Bea Smalley.



Steering Committee Minutes
Elizabeth Caputo, Chair
April 21, 2015

After the Chair determined that a quorum was present, the Chair called the meeting to order at 6:37 pm

1. Update on Collegiate/Riverside South, including next steps by CB7

Chair:

- a. HPD wants to meet CB7 reps to discuss locale of affordable housing units to be built with \$50 million provided by Collegiate; meeting will be on 5/7/15;
- b. HPD would like to hear CB7's suggestions for sites other than those on W 108 St;
- c. to date CB7 has information re only those City-owned sites suggested by Furman Center, namely the 96th St substation (west of Broadway), and a site on West 80th Street between Columbus & Amsterdam Avenues

Page Crowley:

- a. We now have a list of all publicly-owned property in CB7's jurisdiction
- b. On 4/23/15 there will be a meeting between reps of CB7 and the BP to discuss the precursor to this situation (i.e., how the regs re calculating Collegiate's obligation to provide affordable housing could now be interpreted such that there is purportedly no obligation running with ownership of the site for the owner to provide 55 affordable units)
- c. One possible explanation could be that affordable units that have come off the rolls (after 20 years) were counted as if they were still on the rolls; this means that Riverside South/Center are now in deficit as to how many affordable units are supposed to be on those sites
- d. CB7 wants the 55 units in question to be permanent affordable housing
- e. CB7 wants to know where and how the \$50 million from Collegiate is going to be "housed" pending usage for the affordable units in question; CB7 wants quarterly reports on the status of these monies
- f. Collegiate said there were 55 units which still had to be built on Riverside South/Center. If a future owner of the Collegiate site is allegedly not obligated to build those units, CB7 wants to know where did those units go?
- g. CB7 wants to know who came up with the \$50 million budget to build those 55 affordable units? How was that budget calculated?

Chair wants CB7 to do what it can to have the affordable units built in or near Riverside South/Center

2. Three new CB7 members

Chair:

- a. 2 were appointed by BP: Tina Branham & Louisa Craddock
- b. 1 was appointed by City Council Member Mark Levine: Christian Cordova)
- c. As a result of Lee Ping Kwan's resignation from CB7, the BP will appoint a 4th new CB7 member
- d. terms for reappointed members and new members will extend from 5/1/15 – 3/31/17
- e. Chair will ask new members for their committee choices but may assign a new member to a committee which needs additional members;
- f. As new members will not be appointed to committees until 6/15, new member in attendance will not be included in the calculation of a committee meeting's quorum; a



committee member who is leaving the committee at the end of 4/15 is counted towards a quorum until 5/1/15

- g. Chair rejected request for committee chair's input prior to CB7 Chair's appointment of a CB7 member to a particular committee
- h. There will be a potluck dinner to welcome new CB7 members on Tuesday 5/19/15
- i. Certain members have asked to switch committees

3. Use of CB7 mailing list for non-CB7 events

Chair:

- a. Many persons (whether on CB7 or not) have been making requests to have announcements of their events sent to CB7 members and to the entire CB7 e-mail list
- b. How do we want our e-mail lists used
- c. What we decide sets a precedent
- d. We should consider whether the subject of the event addresses CB7 issues
- e. The Chair prefers not to send out these fliers/notices if they do not announce a CB7 event or an event supported by CB7
- f. If CB7 sends out some, it may have problems differentiating those it wants to send out and those it does not want to send out
- g. If CB7 sends these announcements out, each recipient may get 100s of e-mails per month for non-CB7 affiliated events

Dan Zweig: Someone who wants CB7 Board members and the audience to know of his/her event can always make an announcement during the public session of the full Board meeting

Gabby Palitz: Can we have a community bulletin board on CB7's website?

Chair: The risk is that some items that will be added to CB7's community bulletin board will be offensive or contrary to what CB7 stands for

Madge Rosenberg: BP & City Council Members already e-mailing lists of events

Gabby Palitz: Someone who wants CB7 Board members and the audience to know of his/her event can always leave his/her literature on the table reserved for distribution of literature

Mel Wymore: CB7 can extend anyone coming onto the CB7 website the option of opting into those included in the e-mail list for recipients of community bulletin board

Su Robotti:

- a. I like idea of people going to CB7 for community information on non-political, free, community-oriented events that are open to all persons
- b. We can send out an e-mail each month with a link to the BP's list of community events

Chair:

- a. CB7 members can e-mail colleagues
- b. If CB7 is supporting an event, the office will send out the notice to the entire e-mail list
- c. Normally, if an event is not a CB7 event or event supported by CB7, the office will not e-mail fliers to CB7 members or full e-mail list
- d. CB7's office will make exceptions in special circumstances



Mark Diller: We can arrange for a passive import for information from BP's website or websites of City Council Members whose Districts fall within CB7 enabling those who import the data to get information via the website(s) from which the information was imported; that way it does not appear that CB7 is supporting the event in question

Chair:

- a. If we are not speaking/acting in our capacity as a CB7 Board member, CB7 members should make it clear that we are speaking/acting as individuals and not reflecting CB7's position on that issue.
- b. We should not list ourselves on an announcement for an event as a CB7 member unless we are speaking/acting for CB7 at that event

4. Attendance policy – proposals and technology

Chair:

- a. CB7 needs to have a procedure which encourages committee attendance
- b. Committee meetings without a quorum create problems
 - i. The 4/20/15 Parks Committee meeting lacked quorum (at that meeting new designs for Riverside Park and Broadway malls were being displayed)
 - ii. As a result an issue which could have been addressed in a committee at a meeting at which community members had the opportunity to air their opinions must be heard at length in the full Board meeting
- c. The issue is how can we alert committee chairs to their members' attendance problems
 - i. Some arrive late and/or leave the meeting early
 - ii. Some don't show up at all
- d. If it's a chronic, CB7 must address the problem
- e. The office will provide committee chairs with 3-month reports indicating who the problematic committee members are
- f. Committee members who miss too many committee meeting, and Board members who miss too many full Board meetings can be removed from the committee and/or CB7
- g. Don't permit meetings to go overly long if unnecessary to do that

Chair of Preservation Committee: Before each meeting, we send our members an e-mail reminding them of the upcoming meeting, and asking that they arrive timely

Chair of Transportation Committee: When CB7 had a Membership Committee, that Committee notified anyone whose attendance was problematic, and gave him/her an opportunity to explain why

CB7 Member: We usually have about 37 persons at full Board meetings in lieu of the 50 Members on CB7

Chair:

- a. Chair & District Manager monitor attendance at full Board meetings and at committee meetings
- b. If an individual is missing too many meetings, the BP wants to know why, particularly because there is so much competition for spots on CB7
- c. Board members who left the full Board meeting on 4/7/15 could potentially have changed the meeting on term limits for Community Board members because that resolution was on the agenda at the end of the meeting vote

5. Street Design Task Force



Ethel Sheffer, who is proposing to revamp the Task Force, is not here; so tabling this discussion; Ethel will make her proposal at the next Steering Committee meeting

6. Request for leave of absence

Marc Glazer and Lillian Moore have requested retroactive 3-month leaves of absence (for health reasons) effective from 3/1/15 – 5/31/15; if either wants an additional 3-month leave of absence, he/she can ask; leaves of absence extend for a maximum of 6 months

The resolution to approve Marc Glazer and Lillian Moore's application for a 3-month leave of absence extending from 3/1/15 – 5/31/15 was adopted: 8-1-0-0 by Steering Committee Members with non-Steering Committee Members voting: 3-0-0-0

7. Review of May full Board agenda

- a. Parks & Transportation Committees will be making their presentations rapidly; as a result, they will be scheduled toward the top of the agenda; because the Parks Committee did not have a quorum at its April meeting, its presentation at the full Board meeting in May will be longer than it would otherwise have been
 - b. Business & Consumer Issues & Preservation Committees
 - i. These committees have recently used computer equipment to project images of the items under discussion
 - ii. There have been lots of expressions of appreciation for these video presentations by CB7 meetings
 - iii. Issues arise if the venue does not facilitate this process or if those upon whom we rely to run the video presentations are not present at a full Board meeting
 - iv. If 50-60 people show up to express their opinions of 361 CPW's application, we should use the 1-minute per person time limit
 - v. Page Crowley: To avoid grumbling by community members who feel strongly but who cannot be allotted enough time for them to feel they have had their say, we can encourage them to go to the hearing at the Board of Standards & Appeals
 - vi. Chair: There is a delicate balance between giving community members the opportunity to speak versus the full Board meeting going on for too long; we have a notice on CB7's website that if a member of the community is coming to speak, he/she can have a written statement distributed to the Board members, but his/her verbal remarks will be limited to only 1-minute/person
 - vii. Mark Diller: Have a representative of each side speak and encourage the others who have appeared to make a remark on that issue say I agree with Mr. Pro or Ms. Con
 - viii. Mark Diller: As part of its government studies project, a group of students from a "transfer school" will be applying for a 2ndary name for West 102nd Street; I am enthusiastic about facilitating these students' presentation
Andrew Albert: Can the Chair put this application close to the beginning of the agenda so students who are making request can go home, or can the Chair make it part of Chair's report?
8. Committee and Task Force reports
- a. Transportation Committee: will be working on Citibike locations; how to prepare for more bikes coming to Upper West Side; & on Dept of Sanitation improving recycling baskets so trash won't spill out
 - b. Land Use Committee (by Page Cowley):



- i. Manhattan Country Day's application to use former Mannes School of Music Building: dispute over the color of Mansard roof
- ii. We are being asked to vote on a zoning change to facilitate more affordable housing based on power point presentation, not the text of the proposed amendments
 1. This is the intersection of contextual zoning, affordable housing and landmarks
 2. We are in danger of having ugly additions just because it enables affordable housing units
 3. Committee will have a study session with Dept City Planning on the planned changes
 4. Committee wants an annotated version of the amended law so it can find provisions as needed
- iii. JHL went to BSA; JHL still has to come back to CB7 for approvals
 1. Page: this is about open space; entire space is considered to be 1 block; public space has to be open to everyone who lives on the block; that is not the case; much public space is on top of 808 Columbus Avenue and other sister new buildings, which space is NOT accessible to others who live on the block
- iv. Su Robotti: Landmarks West is looking at sites of concern where new tall buildings will create shadows; Sunshine Task Force is organizing a meeting to address these issues
- c. HHS Committee (by Madge Rosenberg) will be working on:
 - i. Can we get additional school in District?
 - ii. NORC at Douglass Houses
 - iii. Students sharing apartments with seniors
- d. Housing Committee
 - i. Will hold a meeting elsewhere than the CB7 office but in the District
- e. BCI Committee (by Su Robotti):
 - i. neighborhoods losing laundromats
 - ii. Have to meet with owners of restaurants whose applications for outdoor cafés were previously disapproved
 - iii. What if DCA approves applications notwithstanding quality of life issues
 - iv. Considering revising street fair guidelines; might withdraw requirement that not-for-profit which obtains the permits must share profits with other neighborhood not-for-profits
 - v. We will send an e-mail to all committee chairs to provide info to use so we can tweet more vigorously
 - vi. Need someone to cover for Rich Robbins with video/live streaming when Rich absent
- f. YEL (by Mark Diller): sponsoring a program through which there will be ongoing collaboration among community based orgs providing services for youth (some services provided free, some provided for small fees, etc.)

9. New business

Meeting adjourned at 8:17 pm



Present: Elizabeth Caputo, Andrew Albert, Page Cowley, DeNora Getachew, Audrey Isaacs, Gabrielle Palitz, Suzanne Robotti, Madge Rosenberg, Mel Wymore and Dan Zweig. **Board Member:** Ken Coughlin, Mark Diller, Paul Fischer and Roberta Semer. **Absent:** Jay Adolf, Richard Asche, Brian Jenks, Blanche Lawton, Klari Neuwelt, Michele Parker, Nick Prigo, Eric Shuffler and George Zeppenfeldt-Cestero.



Health & Human Services Committee Meeting Minutes
Madge Rosenberg, Chairperson
April 28, 2015

1. A. K2 and other Dangerous Drugs Project

Robert Espier spoke with State Assembly Member Linda Rosenthal's office regarding new, dangerous drugs (i.e. K2) to address this on-going concern, particular from 4th-8th grades. Rather than criminalization, we would collaborate with the City and elected officials on an informative campaign with the schools to educate the community on the dangers of these drugs. State Assembly Member Linda Rosenthal is also the Chair of Alcoholism and Substance Abuse Committee.

Max Weiss, Constituent Liaison for State Assembly Member Linda Rosenthal was present. Contact: WEISSM@ assembly.state-ny.us. Phone 212-873-6368

Next step: Robert would like to engage Linda Rosenthal before our next May HHS Committee meeting and work with the DOH. He would also like to engage student interns to collaborate on this project. The interns can provide people power, tech design software to unify all the parties.

Miki – We need to do something in a more quantifiable manner.

Shelly

1. Educate ourselves
2. Educate the community – Disseminate information
3. Find out what resources there are that deal with substance abuse

Fern – The Ryan Center has an 8 hr. curriculum on an introduction to mental health and working on these issues. There are signs and you learn how to see them. Fern is a member of the National Council on Behavioral Health and head of the William F. Ryan Center's Mental Health program.

2. New Housing For Seniors in relationship to Aging in Place & Benefits of Students living with seniors

Miki Fiegel spoke about intergenerational housing – where young and older individuals live together (occurring in other countries like Denmark or in the US through in place programs (i.e. Habitat for Humanity).

West Side Federation for Senior and Supportive Housing programs:

- Older seniors living with younger seniors (communal).
- Young people living with seniors in an apartment with a common kitchen and living space and two private sleeping rooms and bathrooms. In this situation, seniors may make dinner for the young people or vice versa.

Next Steps: Miki to identify models that are out there.

3. Genora – Exploring NORC or Senior Center at Douglass Houses

Naturally Occurring Retirement Community (NORC)



There are approximately 800 seniors living in the Douglass Houses.
Can the Ryan Center be involved?
What do the seniors need?

There are self-generated activities at the Amsterdam Houses.
Lincoln Square Neighborhood Center – Executive Director works with the NYC Division of Aging and raises money.

Genora received approval for her packaged goods program at Douglas. This could be a beginning.

Shelly suggested we get a speaker from DFTA to talk about NORC

Madge said that clinical services of a NORC could contribute to the State's goal to reduce hospitalizations by 25%. Fern added that licensing was another key item that would have to be addressed, if clinical services were to be provided. Genora suggested that space for such services would have to be factored into a program design.

Regarding the Senior Center, Genora has spoken with NYCHA for help to establish a food commodity program for Douglas Houses, which will draw attention to the Senior Center. Some other buying programs have been explored, but were found to be too expensive. Many seniors cannot qualify for some buying programs because they may have maximum comes of \$1,265/month, such as Bloomingdale. Miki suggested contacting Ansche Chesed, which has a food buying program.

4. Catherine - Community Schools

- Match local schools with local CBO's to provide services.
- 128 schools are designated in the City; there are 40 so far participating.
- Catherine reached out to DJ Sheppard, who was excited and interested about the prospect of working with CB7 in identifying community schools in District 3.
- There are a few Community Schools in school district 3, but they do not fall within CB7.
- This is a complicated idea, which needs expressed interest from the school and CBO.
- Need the right type of facility.
- Needs to fit DOH guidelines.

Fern mentioned that the new Commissioner of Education favors importing resources to local schools, rather than sending students away from their communities to get needed services.

4. Robert - Deficits in Health Care created by hospital mergers

With respect to his proposal to survey healthcare users and providers on their impression of the level of services resulting from current seismic shifts in hospital-based services. He provided an overview of his proposal, including the deployment of students to conduct the surveys. On this note, at the Committee's suggestion, he contacted Penny Ryan who, in turn, suggested he speak with George Zeppenfeldt who had students under his charge, and may be looking for projects. He did speak briefly with George about the project, and he said that he was still in the process of organizing the students; and Robert said that he would follow up with him on the HHS Committee project.

Madge revisited the conversation with a community resident at the Committee's March meeting. The guest had described the appalling conditions that her [mother] had to endure at the Riverside (formerly



Kateri) Nursing home, and wondered if there were not an advocate to be found anywhere that would monitor services in nursing homes.

The consensus was that although the NYS Dept. of Health has an Ombudsman, and there are other Senior Guardianship programs, in the case of nursing homes the only reliable advocate is a family member. As Shelly Fine put it, *personal advocates get results*.

Present: Madge Rosenberg, Catherine DeLazzero, Robert Espier, Miki Fiegel, Sheldon J. Fine, Rita Genn and Genora Johnson. **Absent:** Audrey Isaacs and Jaye B. Smalley.