



*Minutes of Full Board Meeting  
May 7, 2013*

Community Board 7/Manhattan's Full Board met on Tuesday, May 7, 2013, at St. Luke's –Roosevelt Hospital Center, in the District. Chair Mark Diller called the meeting to order at 6:35 pm after the Secretary confirmed the existence of a quorum.

Minutes from previous full board meeting were **approved:** 27-0-2.

Chair's Report: Mark N. Diller

- Warm welcome to the new board members.
- Thank you to Elizabeth Caputo and all the Board members who helped with the pot luck dinner for new members. The Beacon High School is being re-located. CB7 has a Beacon Building Working Group to help determine how the building should be used. Public Meeting next week May 16<sup>th</sup> at Goddard Riverside. Issues to be discussed include what grades should be served and what types of programming should be incorporated in the new school.
- 94<sup>th</sup> – 100<sup>th</sup> St Pedestrian Safety Group – Thanks to Jeff Peel, Urban Fellow, Ethel Sheffer and our Transportation Committee co-chairs Andrew Albert and Dan Zweig. Jeff is compiling a report from the first community meeting. We are trying to identify areas of concern and conflict, and areas where all street users feel safe, and create solutions that not only solve the existing problems but also serve as best practices beyond that corridor.
- AHVs (After hours variances) are permissions from the Dept of Bldg to perform work outside of regular hours. They are routinely violated and are given too freely. Eligibility is largely self-certified, so even violators can continue get variances. We are working to bring attention to this issue and encourage oversight by DOB. Many thanks to Council Members Brewer and Garodnick for convening working meetings with DoB and others to address these important quality of life issues.
- District Needs Statements is Charter Mandated work. The office is preparing documents for each committee to assist.
- Mark testified at City Council on attempts to introduce legislation to reduce the Community Boards' time to review outdoor café applications. There was a strong attendance from all Manhattan CBs.
- Alberto Cruz (former CB7 member) addressed the Board. He is the new Youth and Senior Director for the West Side Y. Materials on upcoming events on back table. Schedule changes for committees and Full Board were announced. All changes are posted on the CB7 website..
- Please "like" CB7 on Facebook and follow us on Twitter

Community Session

- Peter Arndsten, District Manager, Columbus-Amsterdam BID - Literature on upcoming events is on the back table. Announced various events. Flowers are blooming. Please visit us on northern

Columbus Avenue. One Cup Two Cupcakes, Columbus Avenue between 106<sup>th</sup> and 107<sup>th</sup> Streets, has a new chief baker who came from Soutine Bakery.

- Kelly Carroll, Landmark West! (statement read in her absence) – Concern that the Central Park Conservancy’s proposed renovation of Grand Army Plaza (58-60 Streets at Fifth Avenue) did not fully take into account Hastings’ 1916 vision, and represents another in a series of piecemeal and incomplete renovation efforts.
- Todd Moore, 95<sup>th</sup> and West End Avenue, cyclist – was a professional cyclist. Now recovering from an illness so cycling is the best way to get around, faster and easier than walking. He asked a cab driver about the bike lanes. After the usual complaints, the cab driver said, “I used to be able to drive 50 miles an hour on this road and now I can’t.”
- Iris Soodak Sandow, Columbus Avenue Wines and Spirits – Four years ago Whole Foods requested support for a wine license. Whole Foods offered to partner with the neighborhood stores. They stated in writing that they would supply snacks for local liquor store events and they promised that 25% of employees would be hired from the local community. Whole Foods has now applied for a full liquor license. The State Liquor Authority is required to consider if a new license would serve the community. We are concerned. We do not believe that it would serve the community and there are plenty of wine and liquor stores in our community already.
- Tom DeVito, Transportation Alternatives – new organizer for the group. Tom is in this field because he lost a lot of the vision in one eye and some in the other. Car-centric transportation doesn’t work well for him or for many with similar disabilities.
- TK Zellers, Grow NYC – Organize the green markets. Stop and Swap, a big, free rummage sale on June 1<sup>st</sup> at PS163 All that is left over is donated locally.
- Julie Blackburn, Upper West Sider – supporting Transportation Alternatives. Anything that can make the Amsterdam Avenue more family friendly would be great.
- Ira Gershenhorn – There are no adult play grounds on the Upper West Side. One should not have to join a gym. Consider the needs of all ages when allocating outdoor resources.
- Sharon Pope, NY Society of Ethical Culture - Announced upcoming events. There will be staged readings, \$10 donation with a discussion after. Ethical Culture has a congregational setting with non-theistic services. 11:15 AM services every Sunday.

Manhattan Borough President's Report- Rebecca Godlewicz

- Thanks to new members for attending the orientation.
- The “Start Up” City Conference went well; about the barriers to creating a tech economy.
- East River report came out last week. This is a great model for working with community organizations and Community Boards.
- The BP presented at the outdoor café hearings, BP stands with CBs on the issue.

Reports by Legislators:

Jesse Bodine on behalf of Gale A. Brewer – City Council Member, 6<sup>th</sup> District

- Committee on Civil Service and Labor passed Paid Sick Leave bill on May 6<sup>th</sup> and full bill will be voted on by Council on May 8, 2013.
- Happy to see restorations to community board budgets in the executive budget.
- Full schedule of executive budget hearings on Council website.
- Gov Ops executive budget hearing on May 13, 2013.
- West End Avenue - second phase of designation hearing on May 26, 2013.
- NYCHA infill press conference on May 8, 2013 at 12:30 p.m.
- Food City has decided that it can no longer work with the landlord's organization, so closed its doors at end of April.
- CM Brewer has a meeting with DOITT regarding pay phones. RFP will be coming out this summer.
- Meeting with the Departments of Buildings, Environmental Protection and Transportation on AHVs (after hours variances) is happening soon.
- Commercial bike safety enforcement updates will be provided at transportation committee executive budget hearing.
- LL 33 was signed by Mayor Bloomberg that would require more standardized customer service training for inspectors from City agencies.
- May 9, 2013 Gov Ops committee will hear bill that will allow immigrants to vote in municipal elections.
- Dental van on May 8<sup>th</sup> and 15<sup>th</sup>.
- Open house on May 20<sup>th</sup>.

Reports by Legislative Representatives:

Ellen Louis, Senator Brad Hoylman's Office

- Need to reform corruption in Albany. Introduced two bills addressing these issues.
- UCF has issued an RFI for the two schools in this district. Received confirmation that the agency has to get a special permit. However, the Senator co-sponsored a bill to require ULURP.
- On NYCHAs plan to redevelop sites to build towers on public land, the Senator also wants this to go through ULURP.
- On Homeland Security, the torturing of the bombing suspects, he stands against using torture as unethical and useless.
- Q: Can the Senator support requiring proposed Charter Schools to go through ULURP also? He will look into it.

Ben Schachter, Senator Adriano Espaillat's Office

- Voted on Judge Sheila Abdus-Salaam, the first African American woman on the court of appeals.
- The Senator has pledged support for women's equality gap law.
- Town Hall meeting on housing issues. New regulations are out. May 30<sup>th</sup> at Goddard Riverside.

Paul Sawyer, A-M Linda Rosenthal's Office

- A-M Rosenthal has been working to curb the abuse of AHVs, particularly the weekend and late night work throughout the City. The specific criteria are not being followed. We have a task force on this. Encourage CB7 to work with us on this.
- PS 191 and 199 – Working with the communities of 191 and Amsterdam Houses.



- Testimony on reform of animal care and control. There was a promised infusion of money and now it is to be cut.
- Legislation, radon is getting a lot of attention. Forum coming up at Cooper Union..

Dominic Lee, A-M Daniel O'Donnell's Office

- Sponsoring 2 important education bills.
- Moving to prohibit personally identifiable student information from the schools being available on the Internet.
- Disposition of lands owned by NYCHA should be subject to ULURP

Matt Bitz, NYC Comptroller's Office

- Launched an alternative to the Mayor's budget – the People's Budget. Focuses on revenue generating and cost savings. [www.peoplesbudgetnyc.com](http://www.peoplesbudgetnyc.com). Please vote.
- Asset management pension funds have reached agreements with banks to have claw backs in certain situations.

George Oliver, A-M Richard Gottfried's Office

- Updates are on the table.

Andres Pasmino, State Senator Jose Serrano

- Working with the Democratic Conference in the Senate to put together a package on corruption issues. Sponsored a bill to oversee expenditure of member items.
- Holding constituent hours in Linda Rosenthal's office.

Sheldon Fine, representative on Middle School Task Force – highest new research on middle school achievements report is forthcoming.

Business Session

Housing Committee

Nick Prigo and Louis Cholden-Brown, Co-Chairpersons

**1. NYCHA. Moratorium on the Release of the RFP for NYCHA's Infill Development Proposal at Frederick Douglass Houses.**

Committee co-chairs provided the following overview of the issues and the Committee's work to date:

- NYCHA has proposed to develop 800 new units of housing on NYCHA's property with 20% of such units being affordable housing in order to address chronic underfunding and budget deficits. All of the proposed new buildings are in Manhattan with three proposed for Douglass Houses, which is in CB7's district.
- The Committee began monitoring this issue after a New York Daily News article in February made the public aware of this proposal.
- The Committee has experienced record turnout during its evaluation of this issue and there has been an overwhelmingly unanimous sentiment of community opposition to the proposal.

The Committee has focused on five areas of concern:



- Density – how does NYCHA and the City propose to handle increased density on roads, schools, public transportation, etc. resulting from these proposed developments?
- Construction – Columbus Square was just developed and there is a large concentration of high-rise buildings. How do NYCHA and the City plan to ensure that the proposed construction does not adversely impact the neighborhood?
- Procedural aspects – NYCHA has not conducted a transparent and engaging process. Community engagement has been perfunctory at best.
- Trust – the community does not trust NYCHA, which hampers its ability to implement the project.
- Privatization of Public Assets – is this the right way to address budget issues?

#### BOARD DISCUSSION:

- Will funding gained from this proposal benefit the affected development? NYCHA was unable to make such a commitment.
- Was the decision to locate three sites within Douglass based on availability of land or other issues? It seems that it was purely regarding the availability of land and how it was zoned. Land on the UWS is also more profitable.
- Who owns the land?
- It seems that federal officials should be involved as well. City has very limited role, state and federal have much more control. Congress Member Rangel has been in touch with HUD Secretary Donovan regarding this issue since HUD has to approve the final proposal.
- NYCHA has not been transparent at all throughout this process and has been misleading in their communications with residents. What guarantees that this money will be used to fix Douglass Houses? Most residents are concerned about the domino effect of this development. Moreover, Douglass residents need to be educated about their rights and the goal of this project. HUD was consulted about what their approval process and HUD said they require “touches” with resident presidents and tenant leaders, but not necessarily consultation. There were similar issues with Park West Village, so that experience should be a learning lesson.
- Section 18 of the Federal Housing Act has not been triggered yet. What has occurred until now has not been regulated by HUD. Section 18 is triggered when there is a solicitation and bid through an RFP. NYCHA asserts that they are doing a community service through this iterative process because it is not required by law.
- The resolution should note the Section 18 implications for purposes of clarity. In particular, it should state that the transparent, consultative process was neither transparent nor consultative. In evaluating this going forward, the key issue is who owns the land. This should be a borough board issue. There should be a citywide approach on this.
- This is privatization of public land and everyone’s tax dollars are at stake. This has a huge impact on schools and other neighborhood services. There has not been a public process as bad as this before. There are community health issues with lead at Park West Village and Douglass.
- The two resolutions seem inconsistent. Is possible to reconcile them? One resolution deals with procedural timelines and is about ensuring a proper spirit and conduct of the process. The second resolution asserts that entire process should be thrown out and fully reconsidered.
- Chair acknowledged suggestion that this should be considered by borough board and will make sure the body understands CB7’s concerns, but also noted CB3 may be looking at this favorably.
- Have other big cities that have done this? No, because other major cities have demolished their public housing and then used Section 18 to build towers.



- In relation to the comment that the resolutions seem inconsistent, amend the second resolution in the last line that development of any new revenue sources be dedicated to maintenance of Douglass Houses. Despite concerns about lockbox language and whether it is an effective tool, the resolution should be firm on this point because it strengthens the second resolution.
- This proposal makes sense, but not right now because it cedes the substance.
- Many cities have torn down their public housing and have frequently replaced the rental housing with privately owned housing (i.e., Washington, DC). The movement in public housing is to eliminate forced socio-economic segregation. There are not examples like New York City, but that does not make it un-interesting. It is possible to reproduce our interesting socio-economic mix as proposed here. There may be room to mix the two resolutions.
- While the community understands the need to integrate housing, the bigger concern is that they will forget about the underserved portion of the community. HUD has acknowledged that the process does not need to be so rushed.
- The Chair noted some common threads with proposed school land use issues, central library issues and infill issues is that government is saying that if society wants public uses then someone else has to pay for them. This is problematic.
- People who live in public housing are not limited to low income. One can make a decent income and live in public housing, so people should disabuse themselves of stereotypes.
- Luxury apartments would be built on public space and open space in public housing, leaving public housing residents without these features.
- There is a need for public housing. There is a need to at least consider something that increases affordable housing stock. Supports first resolution so can move the issue forward.

After deliberation, the resolution was adopted.

VOTE: 42-0-0-0.

**2. NYCH. Urging the current infill proposal for the Frederick Douglass Houses be abandoned and calling for a collaborative approach to finding new revenue sources for NYCHA.**

After deliberation, the resolution was adopted.

VOTE: 36-4-6-0.

**Transportation Committee**

**Andrew Albert and Dan Zweig, Co-Chairpersons**

**3. American Museum of Natural History. Application by the Museum to the NYC Mayor's Office for a special events permit to close West 79<sup>th</sup> Street between Columbus and Amsterdam Avenues on July 11 from 7:30 to 8:45 PM, for Manhattanhenge, the alignment of the setting sun with the Manhattan street grid.**

Museum asked for this street closure for Manhattanhenge to assure the safety of the hundreds of people who attend.

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

VOTE: 42-0-0-0.



**4. West End Avenue and West 73<sup>rd</sup> Street. Request for a secondary street naming at the southwest corner of West End Avenue and 73<sup>rd</sup> Street in honor of Madeleine Polayes.**

Speaker: Batya Lewton – Coalition for a Livable West Side

- The Coalition has reconsidered and is not asking for street renaming at this time.
- The resolution was withdrawn.

The co-chairs asked for a vote on the second part of the resolution:

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan request that the Department of Transportation review all secondary street namings every 10 years commencing in 2014 and present said results to CB7 for evaluation.

**BOARD DISCUSSION:**

- The committee conducted comprehensive research that indicates that it is very hard to ascertain information about secondary street names.
- What would the process be after ten years? Would DoT come back for community input or input from the proposing family? The goal is to have DoT take a proactive approach with respect to these renamings.
- During these fiscal times, this is an inappropriate use of government resources.

After deliberation, the resolution was not adopted.

VOTE: 11-21-8-1.

**5. West 67<sup>th</sup> Street (Central Park West-Columbus Avenue.) Request for 2 spaces of “No Standing except trucks loading and unloading”, 8 am - 6 pm, Mon – Fri, on the south side of West 67<sup>th</sup> Street, Central Park West to Columbus Avenue, in front of the ABC loading bay.**

The West 67<sup>th</sup> Street Block Association noticed increased traffic on the street due to ABC’s loading. ABC, DoT and Block Association agreed to take away two parking spaces and make a loading zone that would hopefully reduce double parking.

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

VOTE: 37-0-2-0.

**6. 695 Amsterdam Avenue, New Family Radio Dispatch, Inc. (West 94<sup>th</sup>- 95<sup>th</sup> Street.) Application #B01527 to NYC Taxi and Limousine Commission by New Family Radio Dispatch, Inc. for renewal of their For Hire Base Station license.**

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

VOTE: 40-0-0-0.

**Business & Consumer Issues Committee**

**Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons**

**7. Applications to the SLA for two-year liquor licenses:**

- **235 Columbus Avenue** (West 71<sup>st</sup> Street.) New York Restaurant Group, INC, d/b/a Jalapeno Restaurant.

- **165 West 72<sup>nd</sup> Street** (Amsterdam Avenue.) LD & CJ Corp, d/b/a To be Determined.
- **250 West 72<sup>nd</sup> Street** (Amsterdam Avenue.) Campbell Rest LTD, Emerald Inn.
- **108 West 73<sup>rd</sup> Street** (Columbus Avenue.) Arte Café Corp, d/b/a Arte Café.
- **294 Columbus Avenue** (West 74<sup>th</sup> Street.) 294 Columbus Rest Corp, d/b/a Bocca Di Bacco.

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

VOTE: 42-0-0-0.

**7a. 239 West 105<sup>th</sup> Street (Amsterdam Avenue.) J&K Restaurant Group Inc., d/b/a To be Determined.**

- Applicant has a rear yard that is unenclosed and located next to Five Lamps. Five Lamps has had problems with the community due to its illegal use of such rear yard.
- Applicant voluntarily verbally agreed to not use the rear yard portion. The committee would like this approval in writing.
- The new resolution would be to **disapprove** the liquor license unless the owner includes not using the rear yard in the Method of Operations.
- 

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

VOTE: 42-0-0-0.

**8. 844 Amsterdam Avenue (West 101<sup>st</sup> Street.) Application to the SLA for two-year liquor license by Lesley Zamor To be Formed, d/b/a To be Determined.**

- The committee was waiting for a corporate business name before considering the application further at its April Committee meeting.
- The committee was subsequently notified that the d/b/a would be Kreole Restaurant Group LLC.
- The committee voted unanimously on May 7, 2013 to approve the license.

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

VOTE: 42-0-0-0.

**9. Unenclosed Café Renewal Applications:**

- **302 Columbus Avenue** (West 74<sup>th</sup> –75<sup>th</sup> Streets.) Renewal application DCA #1339241 to the Department of Consumer Affairs by Lenny’s 74th Street, LLC, d/b/a Lenny’s, for a two year consent to operate an unenclosed sidewalk café with 9 tables and 18 seats.
- **474-476 Columbus Avenue** (West 83rd Street.) Renewal application DCA# 1415817 to the Department of Consumer Affairs by Spring Natural Corp., d/b/a Spring Natural Kitchen, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.

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

VOTE: 43-0-0-0.

**10. 384 Columbus Avenue (West 78<sup>th</sup> -79<sup>th</sup> Street). Renewal application DCA# 1190075 to the**



**Department of Consumer Affairs by 384 Columbus Avenue Associates, d/b/a Ocean Grill, for a two-year consent to operate an unenclosed sidewalk café with 20 tables and 53 seats.**

- This is a disapproval without prejudice because the applicants did not attend the last meeting.
- This will be considered by BCI at their May 8, 2013 meeting. It is important to speak on this issue otherwise silence will be seen as assent by DCA.

After deliberation, the resolution to **disapprove without prejudice** was adopted.

VOTE: 38-0-0-0.

**11. 2290 Broadway (West 83<sup>rd</sup> Street.) Renewal application DCA# 1350796/ ULURP# N120345ECM to the Department of Consumer Affairs by Corned Beef Express, LLC, d/b/a Artie's Delicatessen, for a two-year consent to operate an enclosed sidewalk café with 12 tables and 54 seats.**

**BOARD DISCUSSION:**

- Artie's enclosed sidewalk café constitutes the privatization of public space. This is the taking of the sidewalk for minimal benefit. This narrows private sidewalks on Broadway, as does Magnolia Bakery on Columbus. This also favors one type of business over another. Restaurants do not pay the taxes that the land is worth.
- Sheldon Fine indicated that would abstain for a cause because Artie's has been good to CERT team and other CBOs, but understands the sidewalk utilization issue.
- A Committee Co-Chair acknowledged concerns with enclosed sidewalk cafés, but does not believe it is appropriate to isolate one restaurateur, especially since the current owner is not the owner who circumvented policy in order to obtain this. Further, the owner is one that owns two other businesses in the district.
- This is an egregious use of the sidewalk. Construction like this has a negative effect on other restaurants that are setback. CB7 should not ratify these decisions regardless of when they are brought forward.
- Going forward BCI will no longer approve enclosed cafes.
- This is an interesting legal issue in real estate law with respect to encroachment. CB7 would never prevail on the merits.
- If the community is so against the use of space via the enclosed sidewalk cafe, then it would not patronize this business. This is a viable business, but yet every two years CB7 has the same conversation as it relates to Artie's specifically. Artie's is a good community amenity.

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

VOTE: 26-8-4-1.

**12. 2170-2178 Broadway (West 77<sup>th</sup> Street.) New application DCA# 1458748 to the Department of Consumer Affairs by NY 2178 Broadway Operating, LLC, d/b/a On The Ave, for a two-year consent to operate an unenclosed sidewalk café with 4 tables and 8 seats.**

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

VOTE: 34-1-1-0.



13. **173 West 78<sup>th</sup> Street (Amsterdam Avenue.) New application DCA# 1455060 to the Department of Consumer Affairs by Sugar and Plumm (Upper West), LLC, d/b/a Sugar and Plum, for a two-year consent to operate an unenclosed sidewalk café with 20 tables and 40 seats.**

- BCI held off on initial vote because there were concerns raised by neighbors and tenants with respect to Sugar and Plumm's HVAC and potential noise from the café. .
- Members of the Committee met with managers of Sugar and Plumm and went to tenants' apartments to listen to the volume of the HVAC noise.
- One suggestion was that moving the vents to a different direction would minimize the sound. Sugar and Plumm's engineers made such a change to ensure tenants were not impacted.
- Other issues had to do with perceived sound issue from unenclosed café. The applicant agreed that when operating café, the awning would be extended to muffle sound.
- Applicant also made a concession to neighborhood not to extend outdoor café south of lollipop doors, so café would be north of lollipop doors. This was a more favorable outcome than if the City Council were involved because then the applicant would likely have been **approved** for more tables.

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

VOTE: 40-0-0-0.

BCI will hold its third B2B on May 23, 2013 at the N-Y Historical Society.

#### **Preservation Committee**

**Jay Adolf and Gabrielle Palitz, Co-Chairpersons**

14. **132 West 81<sup>st</sup> Street (Amsterdam – Columbus Avenues.) Application #13-9170 to the Landmarks Preservation Commission to alter the facade, demolish the existing rear extension, and construct rear yard and rooftop additions.**

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

VOTE: 36-0-0-0.

15. **14-16 West 83<sup>rd</sup> Street (Central Park West.) Application #14-0743to the Landmarks front areaways, and construct new rear yard addition and rooftop bulkhead.**

- The Chair noted that townhouses often have an "L shaped" bumpout that sometimes creates an airway.
- This application and the preceding one do not create such an issue with a donut. There is more greenspace, etc. that is good for the community.

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

VOTE: 36-0-0-0.

16. **332 West 84<sup>th</sup> Street (West End Avenue – Riverside Drive.) Application to the Landmarks Preservation Commission For a rear-yard extension, roof-top addition, and conversion into single family residence.**



- Issue was whether rooftop addition would be seen from the street. The committee believed it would not be as much of an issue.
- A member asked members who voted against the resolution at the Committee level to share their concerns. The response was that the creation of the airway issue, the rooftop addition was mildly annoying and the use of stucco presented an eye sore.

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

VOTE: 22-2-10-0.

**17. 152 West 88<sup>th</sup> Street (Amsterdam – Columbus Avenues.) Application #14-1525 to the Landmarks Preservation Commission to excavate the rear yard for an underground spa and a small pool.**

- The owners of the home have been consistently trying to redo home. The last iteration was that they would put a pool underneath their home, which was previously rejected. The biggest concerns with the current spa approach related to the noxious smells, size of project, etc.
- LPC approved this, noting that they often approve such things and that loss of trees and noise are not their purview.
- The Chair noted that CB7 has to vote because it has a precedent setting effect if the board does not weigh in on an issue, even if it has already been considered at LPC, which frequently happens.
- Board Discussion
- This proposal is so uncharacteristic with the block and the City. This excavation will undermine two buildings on either side. It may also damage roots of a beautiful flowering tree and other tree roots. This is wholly inconsistent and an abomination.
- Procedurally the committee often gets caught in calendaring void at LPC. The assumption has been that if the committee has reviewed such instances, then it should move forward with full board consideration. It is an uphill battle to get LPC to consider these issues, but the committee will stay focused on this.

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

VOTE: 35-0-0-0.

**18. 311 West 90<sup>th</sup> Street (West End Avenue – Riverside Drive.) Application #13-8564 to the Landmarks Preservation Commission to construct the rear and rooftop additions, replace windows, lower the areaway, and construct a stoop.**

Despite general concerns, this infill would not create a pocket or cramped cul de sac, so the committee supported it. Except for the chimney extension, much of the roof addition would not be seen from the street.

**BOARD DISCUSSION:**

- The ivy feature of the urban landscape being demolished is troubling.
- Ivy gets into brick and can have deleterious effects.



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

VOTE: 34-0-1-0.

**19. 2-18 Columbus Avenue a/k/a 405-415 West 59<sup>th</sup> Street, Church of St. Paul the Apostle. Landmarks Preservation Commission proposed designation of the Church.**

- At a pre-meeting the Committee met to discuss a resolution regarding designation of the Church of St. Paul the Apostle.
- There was no official notice provided by LPC that it would vote on this at a public meeting on May 14, 2013. The public hearing on this was held in 1966.
- The Committee was concerned that there should be a reopened process given length of time that has passed. The committee is not sanguine about the process and will issue a letter to such effect to LPC to ensure that LPC does not conduct such a process in the future.

**Parks & Environment Committee**

**Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons**

**20. Restoration of Grand Army Plaza and plans for the conservation of the statue of General Sherman by Augustus St. Gaudens.**

- This is not specifically in CB7 district, but since it is in Central Park, CB7 felt it was appropriate to weigh in.
- Last time plaza and park area were renovated was 20 years ago. The goal is to increase ADA accessibility, replace lost trees and conserve Sherman monument.
- This is an intersection of preservation and parks because Central Park is a landmark. The Landmarks concerns have been considered in the Parks Committee's vote.

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

VOTE: 37-0-0-0.

**21. Reconstruction of the East 79<sup>th</sup> Street Playground, just south of the Metropolitan Museum of Art including the installation of new equipment, pavements, and site furnishings; and the addition of new plantings.**

**22. Renovation of Adventure Playground, located near 67<sup>th</sup> Street and Central Park West, includes modifications to comply with current design standards and to reinforce or recreate aspects of the original design that have been lost or diminished over time.**

**23. Reconstruction of the Wild West Playground, located near 93<sup>rd</sup> Street and Central Park West, including new equipment, infrastructure, safety surfacing, and site furnishings, while maintaining the existing design concept and overall layout.**

The cost for all three projects would be \$5M, which will be privately funded.

**BOARD DISCUSSION:**

- None of these projects should be voted on without drawings regardless of whether the project is
- The Chair noted that he would ensure that the full board has renderings for similar proposals in the future.



- Several families do not have access to these playgrounds. The equipment is not necessarily accessible, despite stroller access. Playgrounds are extremely important for children with disabilities because those who are confronted with so many challenges get to have all of those barriers removed. This concern should be considered.
- Some equipment is going to be ADA compliant, so planning has taken this into consideration.
- The east accessible playgrounds were prioritized in these renovations.
- The Chair noted that this proposal is on the clock and needs to be voted on by CB7 at this meeting in order for the Board's voice to be heard on this issue.

After deliberation, the resolutions to **approve** were adopted.

VOTE: 34-2-1-0.

Youth, Education & Libraries Committee

Marisa Maack, Chairperson

24. Baseline Funding for Early Learn and OST Programming.

- The NY City Council has restored funds to Early Learn and Out of School Time year after year, but there is no stability in funding and program.
- This creates uncertainty in planning for affected families. The resolution asks for these funds to be baselined, which represents approximately \$200M in the city budget.

After deliberation, the resolution was adopted.

VOTE: 36-0-0-0.

**Present:** Mark N. Diller, Jay Adolf, Andrew Albert, Linda Alexander, Richard Asche, Laura Atlas, Isaac Booker, Elizabeth Caputo, Louis Cholden-Brown, Kenneth Coughlin, Page Cowley, Robert Espier, Miki Fiegel, Sheldon J. Fine, Paul Fischer, DeNora Getachew, Marc Glazer, Phyllis E. Gunther, Meisha Hunter, Joanne Imohiosen, Madelyn Innocent, Brian Jenks, Genora Johnson, Lee Ping Kwan, Blanche E. Lawton, Marisa Maack, Lillian Moore, Gabrielle Palitz, Michele Parker, Nick Prigo, Anne Raphael, Suzanne Robotti, Madge Rosenberg, Helen Rosenthal, Evan Rosing, Roberta Semer, Ethel Sheffer, Jaye B. Smalley, Barbara Van Buren, Thomas Vitullo-Martin, Mel Wymore, Howard Yaruss, George Zeppenfeldt-Cestero and Dan Zweig. **On-Leave:** Elizabeth Starkey. **Absent:** Brian Byrd, Matthew Holtzman, Klari Neuwelt, Haydee Rosario and Eric Shuffler.



**Business & Consumer Issues Committee Meeting Minutes**  
**Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons**  
**May 8, 2013 7:00 PM**

***SLA Application:***

1. **2418 Broadway**, Bukefal LLC d/b/a Cibo e Vino (a/k/a 216 West 89<sup>th</sup>)

Attorney Donald Bernstein, presented with owners Marjan Motamedi and Dragan Ristovski.

Marjan operated a bistro in the west Village for 10 years and lost lease; had commendation letters from building's tenants and clientele. Potential wrinkle – occasional saxophone in the space as background music. One of the building's residential tenants at 216 West 89<sup>th</sup> Street, Gem, said she and her neighbors suffered greatly for seven years because of the previous commercial tenant, Georgia. She was concerned that the applicant might cause the same problems because of the existing HVAC system, which is loud and is not code compliant. She also said the building has seven violations with DoB and that the two other commercial tenants, comprising a Laundromat and West Side Judaica, also have violations. In addition, the building has a new landlord whom she does not trust. Also, she did not see the postings, although the applicants submitted a list.

Expediter Steve Wygoda was at the meeting to present for a different restaurant but knows Marjan and said she was a very good restaurant operator. Mr. Bernstein said the applicant will correct violations related to store space and possibly put HVAC to the roof, if required. He pointed out that the lease requires the Landlord to fix the ventilation system and correct all violations. The applicants will not take occupancy until cleared. In addition, the applicants are installing an Ansul system – regulated by FDNY.

The residential tenant opposes any restaurant because she also said the building has a rodent problem and that the back yard is “an echo chamber” exacerbated by the faulty HVAC systems of the other two commercial tenants. She also pointed out that Georgia's former staff smoked on the stoop of her building. The applicants say they will not allow their staff to do so. Smoking in front of building invades apartments. Mr. Bernstein said the restaurant will have a refrigerated garbage area and applicants will post a sign reminding staff not to use rear yard.

Marc Glazer pointed out that the hours of operation are currently 2 a.m. closing on weekdays and 4 a.m. on weekends.

MND: concerned that commitment to make HVAC meet code is not a guarantee that HVAC will go to the roof.

Donald Bernstein – if can meet code in rear yard, that is sufficient. If noise, can contain.

Linda: surrounding ventilation system does not abate sound.

Marc: may not be able to duct to the roof.

Howard Yaruss: Concern that noise is beyond the applicant's reasonable opportunity to resolve – would require the landlord's consent which applicant cannot control.

Donald Bernstein: need to file application now at SLA. Cannot predict when the landlord will resolve.

Marc: we need to know that the previous problems with the same condition will be resolved.

Marjan: DoB violation for exhaust/HVAC system on file – lease requires Landlord to cure.

Peter Lerch, 216 West 89<sup>th</sup> Street – no objection to restaurant, but concerned about ventilation system.

Prior operator left A/C on all night – cycled on and off all night – disturbing, especially for those near the ground floor. Vent covered hallway windows – that was the violation. Duct was installed too close to other windows. Illegally ducted.



Gem: Landlord filed a certificate of correction – was false report. Concern that false report was filed by previous owner claiming violations were cured.

George: too much information missing on this application. Need to evaluate options/solutions. Propose to hold the application over to have more concrete information.

Linda suggested that applicant reach out to the landlord. Marc recommended disapproval without prejudice pending further information. Information needed going forward: Ventilation system options that will cure the violation and address the noise system, and confirmation that the landlord will implement:

**Committee Agrees to table application 8-0-0-0; non-committee members 1-0-1-0.**

***Unenclosed Café Renewals Applications:***

2. **225 Columbus Avenue** (West 70<sup>th</sup> and -71<sup>st</sup> Streets) Application DCA 0982077 to the Department of Consumer Affairs by Mare Mare, Inc. d/b/a Bistro Cassis for a two-year consent to operate an unenclosed sidewalk cafe with 6 tables and 14 seats.

Well posted and no complaints other than sandwich board must be within footprint of café.

**Committee Approves application 7-0-0-0; non-committee members 3-0-0-0**

3. **261 Columbus Avenue** (West 72<sup>nd</sup> Street) Renewal Application DCA 1111397 to the Department of Consumer Affairs by Gourmet, Inc. d/b/a Columbus Gourmet for a two-year consent to operate an unenclosed sidewalk cafe with 6 tables and 16 seats.

Presented by Manjit Singh, co-owner. Signage well posted and there were no complaints.

**Committee Approves application 7-0-0-0; non-committee members 3-0-0-0**

4. **370 Columbus Avenue** (West 77<sup>th</sup> & 78<sup>th</sup> Streets) Renewal Application DCA#1337067 to the Department of Consumer Affairs by Gari International d/b/a Gari for a two-year consent to operate an unenclosed sidewalk café with 11 tables and 22 seats. Presenting: Steve Wygood and Baba (owner). Signage well posted, no complaints.

**Committee Approves application 8-0-0-0; non-committee members 2-0-0-0**

5. **384 Columbus Avenue** (West 78 & 79<sup>th</sup> Streets) Renewal Application DCA #190075 384 to the Department of Consumer Affairs by Columbus Avenue Associates d/b/a Ocean Grill for a two-year consent to operate an unenclosed café with 20 tables and 53 seats. Presenting: Cordell Hurst, Manager. Signage well-posted, no complaints.

**Committee Approves application 8-0-0-0; non-committee members 2-0-0-0**

6. **201 West 79<sup>th</sup> Street** (Amsterdam Avenue) Renewal Application DCA #1125981 to the Department of Consumer Affairs by Renolata LLC d/b/a Nice Matin for a two-year consent to operate a sidewalk café with 24 tables and 68 seats. Presenting: Todd Michael, GM. Signage well-posted, no complaints.

**Committee Approves application 8-0-0-0; non-committee members 2-0-0-0**

7. **435 Amsterdam Avenue** (West 81<sup>st</sup> Street) Renewal Application DCA# 13877587 357 to the Department of Consumer Affairs by Hospitality Inc. d/b/a Spice for a two-year consent to operate an enclosed sidewalk café with 17 tables and 34 seats. Presenting: Andrew Caraballo, Manager. Signage well-posted, no complaints.

**Committee Approves application 8-0-0-0; non-committee members 1-0-0-0**



8. **450 Amsterdam Avenue** (West 82<sup>nd</sup> Street). Renewal application DCA #1204137 to the Department of Consumer Affairs by EKD Tavern, Inc. d/b/a Dead Poet for a two-year consent to operate an unenclosed café with 5 tables and 11 seats. Signage well-posted, no complaints.

**Committee Approves application 8-0-0-0; non-committee members 1-0-0-0**

9, **466 Columbus Avenue** (West 82<sup>nd</sup> and 83<sup>rd</sup> Streets ) Renewal Application DCA @1318895. Approved to the Department of Consumer Affairs by Blossom Restaurant & Café, Inc. d/b/a Café Blossom for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 16 chairs.

Signage well-posted, no complaints. **Committee Approves application 8-0-0-0; non-committee members 1-0-0-0**

10. **485 Columbus Avenue** (West 83<sup>rd</sup> & 84<sup>th</sup> Streets) Renewal Application DCA#1249725 to the Department of Consumer Affairs by Cilantro West, LLC d/b/a Cilantro NYC for a two-year consent to operate an unenclosed sidewalk café with 9 tables and 18 seats. Presenting restaurateur Oswaldo Gonzales [cilatnony@aol.com](mailto:cilatnony@aol.com). 212-712-9090. He claimed that he was not informed about the meeting in time to post the information. He has agreed to post signage during the week of May 13 with information about the June 4<sup>th</sup> Full-board meeting. **Committee conditionally approves application** pending documentation on the postings before Full-Board, plus photos of his logo on the bike delivery helmets and uniforms: **8-0-0-0; non-members 1-0-0-0**

11. **2799 Broadway** (West 108<sup>th</sup> Street) Renewal Application DCA #1394145 by 2799 Broadway Grocery, LLC d/b/a Cascabel Taqueria for a two-year consent to operate an unenclosed sidewalk café with 21 tables and 44 seats. Presenting was owner Elizabeth Gaudrean ([Elizabeth@nyctacos.com](mailto:Elizabeth@nyctacos.com); 631-418-5904) . Owner posted late because she did not receive email initially, proffered a list of addresses for the postings. Paul Fisher said the sidewalk café looked fine in the past.

**Committee approves application 8-0-0-0; non-committee members 1-0-0-0**

***Re-Apply Café Application:-***

12. **286 Columbus Avenue** (West 73/74 Streets) Re-apply application DCA #1231072 to the Department of Consumer Affairs by Wine and Roses Bar and Cafés, LLC d/b/a Wine & Roses for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats. Cindy Guyer, owner, presenting , [cinguyer@gmail.com](mailto:cinguyer@gmail.com) with expediter Harris Smith. Existing sidewalk café and owner missed paperwork so she had to re-apply.

Siobhan McCarthy, a resident of 30 West 72<sup>nd</sup> Street, complained about restaurant and submitted documents. Complaint claims there is a bench, which owner agrees to remove. Committee asked restaurateur to re-post flyers and attend Full-board with list. Stewart Rosner, resident 200 West 72<sup>nd</sup> Street, is a patron and finds it inviting and subdued. He added it was a good venue for business or a date.

**Committee Approves Application: 8-0-0-0**

***New Unenclosed Café Application:***

13. **949 Columbus Avenue** (West 107<sup>th</sup> Street) – DCA#1463073 to the Department of Consumer Affairs by 949 Columbus Avenue, d/b/a Lura for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats. Presenting was owner Alfred Tollja, [Alfred.Tollja@gmail.com](mailto:Alfred.Tollja@gmail.com). 917-478-8840. Opposed to the application was Fr. Yakov Ryklyn of St. Mary Magdalen Orthodox Church at 70 West 107<sup>th</sup> Street opposes the sidewalk café. He says that people smoke cigarettes and marijuana outside of the restaurant and it has loud music.



Supporting the application was Katie Irwin, resident in building and patron who said the live jazz is offered only from 8 – 11 p.m. on Thursday nights. She feels the restaurant is an amenity. Says owner asks patrons not to smoke and has been conscientious.

**Committee Approves Application** with the following stipulations: Live music ceases after 11 p.m., Monday through Sunday; Patrons will not have access to the rear yard, nor will smoking by staff allowed in that area: **8-0-0-0**

***New Enclosed Café Application:***

14. **269 Columbus Avenue** (West 72/73 Streets) New application DCA #1392078/ULURP #N110352ECM to the Department of Consumer Affairs by 72nd & Columbus Restaurant, LLC d/b/a AG Kitchen for a two-year consent to operate an enclosed sidewalk café with 16 tables and 34 seats.

Presenting: Scott Chilvars, GM, [scotchilvars@aol.com](mailto:scotchilvars@aol.com); 347-934-8201. It is a new application for an existing, 30-year old enclosed sidewalk café in a restaurant that has not been vacant in as many years.

**Committee Approves Application: 8-0-0-0.**

**New Business:**

- Columbus Wine and Liquor, Iris Soudak-Sandow presented.  
Background: Four years ago a group of local liquor stores came before the community board and opposed the Whole Foods application for a wine store. She said that Whole Foods had agreed to partner with five local stores by providing appetizers on a monthly basis and participating with promotions. Ms. Soudak-Sandow has requested that someone from the community board join with local merchants in opposing Whole Foods' application to sell hard liquor at their Columbus Avenue unit by writing a letter or by attending the hearing at SLA for it.
- Reviewed District Needs Statement.
- Discussion of May 23<sup>rd</sup> B2B Networking meeting.

**Present:** George Zeppenfeldt-Cestero, Michelle Parker, Linda Alexander, Paul Fisher, Marc Glazer, Joanne Imohiosen, Anne Raphael, Suzanne Robotti and Eric Shuffler. **Chair:** Mark N. Diller. **Board Member:** Howard Yaruss. **Absent:** Elizabeth Caputo.



**CB7 Preservation Committee Meeting Minutes  
May 9, 2013**

- 1. 135 Central Park West** (West 73<sup>rd</sup> – 74<sup>th</sup> Streets.) Application to the Landmarks Preservation Commission for restoration/replacement of two entry vestibule doors, which flank the main entrance doors.

Peter Mullen of Mullen Palandrani Architects (no website) presenting.

The Langham, built from 1904-7, architects Clinton & Russell. Main entry consists of two central doors with two flanking doors, all originally copper-clad wood, all gently curved at a radius of 20' to match the curving cast-iron vestibule.

The two flanking doors are original, but they are beyond repair as they do not lock properly and are off their hinges. The application is to replace them with new mahogany-core copper-clad doors to match the original designs, replete with curved glass and new locking systems. The reason this application could not be approved at staff level is because it involves work on original doors.

The central doors were replaced with tubular brass doors sometime before the historic district was designated in 1990, and the architect has already received an LPC Certificate of Appropriateness (CofA) to remove them and replace them with mahogany-core copper-clad doors. All four entry doors are intended to look the same.

In 2012, the reconstruction of the entry steps in bluestone and the addition of bronze handrails to the steps was previously approved after an LPC Public Hearing.

**RESOLUTION:**

The Preservation Committee of Community Board 7/ Manhattan believes that the design of the restored side entry doors is reasonably appropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the two restored entry doors. The Preservation Committee commends the applicant on a very clear and thorough presentation.

*Preservation Committee: 5-0-0-0*

*Non-Committee Full Board Member: 2-0-0-0*

- 2. 125 West 75<sup>th</sup> Street** (Amsterdam – Columbus Avenues.) Application #13-1235 to the Landmarks Preservation Commission to alter the areaway and install new walls and railings.



Thomas Vail of Vail Associates Architects (<http://www.vailassociatesarchitects.com>) presenting.

This rowhouse was built in 1900 and is located mid-block b/w Columbus and Amsterdam. The original stoop was removed when the building was converted to a rental property, so the building entrance is several steps down from the sidewalk.

The application is to enlarge the front yard to the farthest extent of the original stoop, which involves excavating the full width of the front yard for an additional 5', leaving 8' of sidewalk. The front wall of the yard will consist of a planter box with an open railing of decorative metal scrollwork, modeled on the existing original metalwork above the building's bay window. The side walls dividing the front yard from the neighboring areaways will consist of brownstone-colored cementitious walls punched through with small squares. The square openings are a detail taken from the stoop of the neighboring 129 W. 75<sup>th</sup> St, which is the only house on that side of the block to have a stoop.

The steps leading down from the sidewalk to the yard are currently four continuous steps, and will be replaced with two pairs of steps separated by a short landing. The additional length of the steps allows for a gently sloped balustrade on one side and a curving, brownstone-colored cementitious knee wall on the yard side, both punched through with square openings to match the side walls. The steps and areaway floor will be paved in bluestone.

All interior and exterior work, including restoration of the brownstone and installation of new mahogany doors, was previously approved at LPC staff level.

**RESOLUTION:**

The Preservation Committee of Community Board 7/ Manhattan believes that the design of the altered areaway, new walls and railings is reasonably appropriate to the historic character of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the alterations to the areaway, new walls and railings.

*Preservation Committee: 5-0-0-0*

*Non-Committee Full Board Member: 1-0-0-0*

- 3. 52 West 76<sup>th</sup> Street** (Columbus Avenue – Central Park West.) Application #14-0283 to the Landmarks Preservation Commission to legalize the installation of security cameras and intercom installed without Landmarks Preservation Commission permit(s), and areaway and stoop alterations completed in non-compliance with Certificate of No Effect 09-0606.

John Woell of Steven Harris Architects (<http://www.stevenharrisarchitects.com>) presenting.



The previous front yard application had been approved by LPC in 2008, but the builder on the project went bankrupt after doing a gut renovation and digging up the front areaway. The current clients purchased the property in 2010 and finished the renovation work, including restoration of a stoop. Both front façade and stoop walls are painted a very light color, almost white. They made some modifications to the approved plan which now need to be approved, post-construction.

Their modifications include changing the material of the stoop steps and areaway planter from painted white cementitious material to bluestone and lowering/enlarging the planter. The planter is generously sized to allow for a newly planted Japanese Maple, and has a pure rectilinear form with no discernible cap or other articulation.

Other modifications relate to lighting and security. Downward-focused wall lights, installed very close to the ground, have been added at both the top of the stoop and at the steps leading down to the areaway. Dome-style security cameras with light-colored back plates have been mounted at the main entry pediment support bracket and on the far wall of the front areaway.

**Public comment:**

Joe Bolanos, co-op president of 34 West 76<sup>th</sup> St, brought up several nearby renovations by the same architect where the final product did not match the proposed plans. In one instance, ornament was supposedly made out of “Styrofoam,” and in another a railing was added during construction. He objected to the non-historical Japanese Maple, as well as to the light color of the house, which he said “stands out like a Q-Tip.”

**Committee Discussion:**

Jay would prefer pendant or sconce lighting at the main entry rather than the wall lights. Blanche found the intercom obtrusive and the planter too large. Miki considered the plainness of the planter to be “jarring.” Gabby thought the lighting was a missed opportunity, the overall coloration to be too light, and the planter box too crisp and monolithic. She suggested an overhanging cap on the planter, much like those in other brownstone front yards.

The architect responded that an overhanging cap would take the planter out of the realm of abstraction and into a “pseudo-historicist” realm. Ping then suggested a horizontal reveal at the joint between the planter sides and top, and the architect said he would consider it. Gabby concurred that a shadow line would be appropriate. Miki still preferred a cap.

**RESOLUTION:**

The Preservation Committee of Community Board 7/ Manhattan believes that the design of the previously constructed stoop alterations, and the previously installed security cameras and intercoms are reasonably appropriate to the historic character of the Historic District. The Preservation Committee of Community Board 7/ Manhattan further believes that the design of the previously constructed areaway, modified to incorporate the Committee’s recommendation to create an articulation between the vertical cladding and



the horizontal cap of the planter box is also reasonably appropriate to the historic character of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the design of the previously constructed areaway and stoop alterations, and the previously installed security cameras and intercoms, with the strong recommendation to articulate the distinction between the vertical surfaces and the horizontal cap of the planter box .

*Preservation Committee: 5-0-0-0*

*Non-Committee Full Board Member: 3-0-1-0*

4. **327 West 76<sup>th</sup> Street** (West End Avenue – Riverside Drive.) Application to the Landmarks Preservation Commission to replace the newels and front handrails with new cast stone pieces.

Paul Golden of Paul Golden Architect (no website) presenting.

This very striking salmon-colored townhouse was built in 1892 and the most recent renovation was in 2005. The architect's client purchased the house in 2011 after the interior had been renovated and decided to restore the exterior, which is brick and terra cotta with a turreted bay window running up the first three floors. The exterior has been cleaned, the terra cotta has been stripped of paint and restored to its original condition, and the brick has been repointed.

The proposal is to recreate the carved brownstone newel posts and handrails at the entrance, which have undergone attempted restoration in the past (stucco patches) and are now deteriorated beyond repair. Using a mold of the original ornament, the replacement pieces will be made of brownstone-colored cast stone, assembled using hidden steel pins and grouted with brownstone-color grout. The unglazed terra cotta balusters supporting the brownstone handrail are in good condition and will be preserved. Restoration contractor is Ivan Myjer.

The architect actually brought in a partial cast of the newel showing how the flaked-off ornament had been recreated in the mold by a sculptor before casting. The committee commended him on the thoroughness of his presentation and the clarity of the documents.

Public Comment:

Andrew Cuthbert of 325 West 76<sup>th</sup> St asked why the brownstone couldn't have been re-carved by an artisan. The architect responded that the brownstone was so deteriorated that it would simply flake.

Committee Discussion:

Page recommended adding mica to the cast stone to give the new elements a slight "sparkle" that Connecticut brownstone sometimes has. She also pointed out that brownstone close to the ground is subject to de-icing salts, dog urine, etc and almost always has to be replaced instead of restored.

**RESOLUTION:**

The Preservation Committee of Community Board 7/ Manhattan believes that the design of the replacement newels and front handrails is reasonably appropriate to the historic character of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the replacement newels and front handrails. The Preservation Committee commends the applicant on a very thorough and well-documented presentation, and on a very comprehensive, sensitive, high-quality approach to this restoration project.

*Preservation Committee: 5-0-0-0*

*Non-Committee Full Board Member: 4-0-0-0*

- 5. 140 West 79<sup>th</sup> Street** (Amsterdam – Columbus Avenue.) Application #13-8160 to the Landmarks Preservation Commission to legalize the installation of windows without Landmarks Preservation Commission permit(s) and establish a Master Plan governing the future installation of windows.

Paul Gregory of Feingold & Gregory Architects (<http://fandgarch.com>) presenting.

The building was built in 1914 and is all rental units. Application is for a window replacement master plan, as well as retroactive approval of previously non-LPC-approved replacement central stair windows.

The original windows were multi-paned, double-hung wood windows painted a light color. The principal bays of windows used an equally-divided tripartite configuration with six-over-six double-hungs separated by thick posts. The central stair window bay and another bay on the end of the façade contained nine-over-nine double hungs. Many of the original windows have been replaced, and all the windows are now painted black.

The master plan calls for all the windows to be replaced with 1-over-1 double-hung assemblies, much like the non-approved windows used at the central stair. Currently many of the tripartite windows are not equally divided and use a “Chicago”-style configuration, where the central window is non-operable and wider than the side windows. The master plan would make all the tripartite windows equally divided, keeping the central panel non-operable.

The master plan takes no position for the placement of window air-conditioning units, which are currently dotted haphazardly across the façade.

Committee discussion:



The architect's argument against restoring the multi-pane windows is that they bring in less light, are more expensive, and are difficult to do with insulated glass units (IGUs). Gabby, Meisha, and Page pointed out that LPC now approves the less-expensive simulated multi-pane windows.

Gabby asked why the proposed master plan allows for keeping the two types of single-pane windows currently existing – the tripartite and the Chicago-style window – instead of making all the windows identical. She pointed out that it would be irresponsible to not try and restore some of the historic look of the building. (It seems that the architect brought the wrong drawing, and that in fact the master plan calls for identical windows.)

Page was concerned about the window panning overlapping with the frame and reducing the clear vision area. The architect responded that the panning from the old replacement windows would be removed so that the new metal replacement windows would be panned only over the original window frames.

Miki objected to the non-historic and non-uniform character of the master plan. "It's continuing the same hot mess."

Meisha pointed out that the proposal neither restores the character of the original building nor enhances the appearance of the building. Even if the new windows are a different material, their a) configuration, b) operation, c) details, and d) finish, as per LPC guidelines, should match the original design.

Mark added that the building's sidewalk bridge has been there for two years at least.

When Ping asked about A/C units and the architect responded that there were no guidelines planned for them, Page brought up precedents in other rental buildings where the window master plan specified a certain size of A/C unit and appropriate installation methods. Meisha also wanted to see the A/C units aligned as part of a master plan.

**RESOLUTION:**

The Preservation Committee of Community Board 7/ Manhattan believes that the design of the previously installed windows, and the proposed Window Master Plan are inappropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the design of the previously installed windows, and the proposed Window Master Plan.

*Preservation Committee: 6-0-0-0*

*Non-Committee Full Board Member: 3-0-0-0*

- 6. 167 West 88<sup>th</sup> Street** (Amsterdam Avenue.) Application to the Landmarks Preservation Commission for a penthouse renovation.



Amelie Rives Rennolds of Amelie Rives Rennolds Architecture (<http://www.arrennolds.com>) presenting.

The townhouse was built in 1925. Its current rooftop consists of a deteriorated 1981 greenhouse addition and a leaky roof membrane. The proposal is to rebuild the greenhouse as a masonry structure with punched windows and doors, covered in light-colored stucco to match the light-colored front of the building. The front of the rooftop addition would be pushed forward 5' and the ceiling would be raised 9". The chimneys will also be raised to meet code.

Photos of the mock-up showed that it would be invisible from the street, as even with the forward extension the addition is set back over 20' from the front façade. Due to a gap on the 89<sup>th</sup> St side of the donut, the rear of the rooftop addition would be visible from West 89<sup>th</sup> St.

**Public comment:**

Page Cowley, 169 W. 88<sup>th</sup> St, pointed out the (previously unmentioned) visibility of the addition from 89<sup>th</sup> St. She disclosed that she shares a chimney with the property, and asked about a party wall easement. Page also objected to the use of stucco, which is unprecedented on the block, particularly light beige stucco which clashes with the brick on the building's rear façade. The owner offered to talk offline with Page and her husband about stucco color and other issues, in the interest of being a good neighbor.

Susan Nickerson, 1133 5th Ave, said that she used to own 167 W. 88<sup>th</sup> St, and revealed that 30-40 years ago a fire started at 169 W. 88<sup>th</sup> that spread to 167. She warned the new owners about this danger.

Upon questioning about the enlargement of the rooftop addition, the owner emphasized that for cost reasons as little would be changed as possible. This, the rear of the new rooftop addition would remain at the same height as the old greenhouse.

**Committee Discussion:**

Gabby commented that the proposed elevations felt too utilitarian.

Meisha wondered if the rooftop deck met the 20% combustible materials limit set by DOB. The architect responded that the drawings were incorrectly labeled, and that only 15-20% of the flooring would be wood.

**RESOLUTION:**

The Preservation Committee of Community Board 7/ Manhattan believes that the design of the renovated penthouse, with modified rear façade stucco color, is reasonably appropriate to the historic character of the Historic District.



THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the design of the renovated penthouse with the modification to the stucco color of the rear (north-facing) façade to a color compatible with the rest of the building’s brick-clad four-story rear façade below.

*Preservation Committee: 6-0-0-0*

*Non-Committee Full Board Member: 3-0-0-0*

## **7. New Business**

Jay suggested that any time a new building or renovation is filed with the DOB, the relevant CBs be notified so they can start the discussion. This would not be a formal statutory procedure, just a notification. On a related note, it would also be good if CBs were given advance notice of RFPs and RFEIs, rather than having to react after the fact and have no recourse but to ask for a second ULURP (as implied during the NYCHA infill discussions).

Updates were provided on two ongoing local preservation hotspots, the Church of St. Paul the Apostle and PS 199. Regarding the church, CB7 will write a letter to LPC pointing out that almost fifty years have passed between the building’s calendaring and its public hearing. Regarding PS 199, it was decided that the committee would gather more information before moving forward with any resolutions.

The committee also spent some time as a group editing and revising the Preservation section of CB7’s FY 2014 District Needs Statement (DNS) in preparation for the FY 2015 DNS.

**Present:** Gabrielle Palitz, Jay Adolf, Miki Fiegel, Meisha Hunter, Lee P. Kwan and Blanche E. Lawton.

**CB7 Chair** Mark. N. Diller. **Board Members:** Elizabeth Caputo, Page Cowley and Howard Yaruss.

**Absent:** Brian Byrd and Thomas Vitullo- Martin.

**Parks and Environment Committee Meeting Minutes  
Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons  
May 20, 2013**

Meeting begins: 7:06pm

Topic 1: New Business

- Lead concerns on West 97<sup>th</sup> street b/t Columbus and Amsterdam, and near Frederick Douglass Houses, JHL and other local designations
  - Public Speaker – Cathy Unsino
    - Marty Rosenblatt has been testing plots in affected region, with certified levels of lead
    - Cathy discussed her meetings with Marty Rosenblatt and petitioning to NYS DOH and DEP for an Environmental Impact Study
    - She requests P& E resolution, or perhaps a joint meeting with HHS, YEL committees that address concerns about lead in the affected area and encouraging CB7 members and constituents to sign on to the petition
  - Mark and the Committee agree that Land Use/YEL/HHS/P&E committees should convene jointly to discuss the issue
  - Mark is also going to speak with Brian Cook, Director Land Use in the BP office who is assigned to CB7, to assist.

Topic 2: Update on Existing Projects

- Stranger’s Gate resolution
  - Penny has checked in with Margaret Forgione and DOT and will follow
- Riverside South/Councilmember Brewer allocated \$2.5 million funds
  - Need to stay on top of Riverside Park staff, hope for a presentation on design progress at June meeting
- Phase 5 of Riverside South Development
  - Michael Bradley (DPR in Queens) will be presenting at an upcoming P&E meeting
- Tavern on the Green
  - Klari spoke with Charles Kloth again. Committee’s conclusion remain the same – appears that the lower priced food options at the new Tavern will be little more than a takeout stand with pre-packaged food and open limited hours. Klari has requested that DPR and concessionaire attend June P+E meeting to discuss what the operations will be like
- Recycling – followup from Ron Gonen (March) meeting and other recycling news
  - Recycling of rigid plastics now allowed throughout NYC – major development as it includes yogurt cups, takeout food containers, CD cases, can all go into the same bins as regular plastic bottles and jugs
  - Plastic bags – discussion of how to recycle them; Borough Board has discussed outlawing them altogether. Other options, like in SF, include a tax
  - Styrofoam ban – no word yet on proposed legislation. Penny will follow up on status



- Riverside South – Pedestrian and bike conflicts
  - CB7 received thoughtful communications from community member Meredith \_\_\_ concerning the various bike path issues, including conflicts at pedestrian crossings; Mark sending letter to John Herrold asking him to implement short-term measures this summer to alleviate; committee discussion included ADA accessibility into Riverside South, and overall park plan
- Damrosch Park – press conference scheduled for May 21 at 12:30pm
  - Lawsuit being filed by New Yorkers for Parks; CB7 is not part of the lawsuit; will report back at June meeting
  - CB7 resolution (June 2012) expresses general dissatisfaction with what has happened to the plantings and overall reduction in community/public use of the park at present; requests that CB7 be notified and given opportunity to provide input when projects like Damrosch renovation are undertaken so community needs can also be represented
- Cigarettes sold on City Property and Cigarette Butt Disposal Idea/Cigarettes in Newsstands
  - Interest among Committee in banning sale of cigarettes at newsstands into a CB7-wide issue, involving HHS, Transportation, BCI if CB7 could influence the legislation
- Playground at PS 166
  - Prioritizing playground as a place for remediation, concerns have been raised about the “Adventureland-ish”ness of the playground. Shula in Gale’s office is following up. CB7 is on record and is continuing to urge immediate renovation.
- Recreation Roundtable meeting /Vehicle Free Central Park
  - Klari to call Caroline Greenleaf for any updates on cross-park bicycle paths and banning motor vehicles..

Topic 3: District Needs Statement preparation and discussion

- Proposal for an online survey informing District Needs Statement – committee discusses
  - Send questions for questionnaire to ES, KN and MD
- Committee will divide up to propose District Needs for FY2014, to send to ES, KN and MD
  - Parks – Evan, Ken, Isaac
  - Environment – Phyllis, Elizabeth C, Elizabeth S

Meeting adjourned approx. 9pm.

**Present:** Klari Neuwelt, Elizabeth Starkey, Isaac Booker, Elizabeth Caputo, Ken Coughlin, Phyllis E. Gunther and Evan Rosing. **Chair:** Mark N. Diller.



**Transportation Committee Meeting Minutes  
Andrew Albert and Dan Zweig, Co-Chairpersons  
May 21, 2013**

1. **969 Columbus Avenue, Special Radio Dispatch Corp.** (W.107<sup>th</sup>-108<sup>th</sup> St) Application #B02228 to NYC Taxi and Limousine Commission by Special Radio Disp. Corp for renewal of their For Hire Base Station License.  
Mr. Queni R. Familia testified that this was a renewal with no changes in operation. There were no known complaints for this operation.  
Resolution to approve renewal was passed by the committee.  
Committee: 7-0-0-0 Non-committee board: 2-0-0-0
2. **981 Columbus Avenue, New Superior Radio Group Corp.** (W.108<sup>th</sup> St) Application #B01768 to NYC Taxi and Limousine Commission by New Superior Radio Group Corp for renewal of their For Hire Base Station License.  
Mr. Queni R. Familia testified that this was a renewal with no changes in operation. There were no known complaints for this operation.  
Resolution to approve renewal was passed by the committee.  
Committee: 7-0-0-0 Non-committee board: 2-0-0-0
3. **Residential Parking Permits – Presentation by Prof. Zhan Guo, NYU Wagner School -**  
Prof. Guo presented an overview of residential parking systems in a variety of cities around the country. In most places, residential parking permits are very low cost and the intent is to exclude vehicles other than those belonging to residents from parking and reduce the time and cruising a resident would do to find a place to park. No other place is quite like New York. The success or failure of a residential permitting system will depend upon establishing clear goals, defining the residential zones carefully, and pricing properly to achieve the intended purpose. Prof. Guo was clear that many things are possible using a permitting system; the success or failure would be very much in the details of the system.  
David Zelman spoke of the need for a system on the West Side and the committee thanked him for bringing this issue to the attention of the board.
4. Request by Transit District One to secondarily name the southeast corner of 60<sup>th</sup> Street and Broadway near the subway entrance at the Trump building for P.O Seraphin Calabrese and P.O Joseph Keegan who were killed in the line of duty at the 59thSt/Columbus Circle subway station in 1980.  
Deputy Inspector Mike Porteus presented. Both officers names would go on the single sign. It was suggested that the street area being designated be called ‘Plaza’.  
A resolution to approve the secondary street naming was passed by the committee.  
Committee: 7-0-0-0 Non-committee board: 3-0-0-0
5. **Newsstand, N/W Corner Broadway and 72<sup>nd</sup> Street** – actual location is somewhat north of 72<sup>nd</sup> St. – about one third up the block. Mr Joseph Zaheer is the applicant.  
Mr. Zaheer testified that they had looked at 10 locations; DCA had approved this one. There was considerable testimony regarding the heavy pedestrian traffic on this block; the prevalence of vendors already in place on this block; and the fact that there were 6



newsstands already within one block of this location. Robert Nadriana from Sam Schwartz Engineering testified that the newsstand would decrease the flow of pedestrians through this area. A resolution to approve the newsstand failed in a committee vote. A resolution to disapprove the newsstand was passed by the committee and the applicant was encouraged to apply for a different location.

Committee: 5-1-1-0 Non-committee board:2-1-0-0

6. **West 68<sup>th</sup> Street Parking** – Removal of alternate side parking and installation of metered parking on W68th St at the four corners between Broadway and Amsterdam Ave. There was testimony from Minister Phil Gobel about his need to continue alternate side parking in the area. Bill Copiak testified that he is a Korean veteran who owns the food truck on the block and it is operated to comply with all regulations. Most testimony had to do with the desire to remove the vendor from the block or from some to keep the vendor on the block to provide a valuable service. There was no evidence of double parking; in fact existing meters in the area often had at least one or more empty spaces showing no need for additional metered parking. The board Chair stated that it would not be good policy to use traffic regulations to fix a perceived vendor problem. A change in the vendor licensing regulations would be the proper venue from which to achieve desired changes in allowable vendor siting and operations. Since this same proposed change in parking regulations had been previously rejected by the full board, without clear evidence of any traffic related change since that decision, the need for finality of the prior full board decision should take precedence and the committee should end discussion.

7. **Newsbox removal** from District 7 -

Committee member Mark Glazer presented his work in attempting to get compliance for newsboxes with the regulations which are part of the law permitting them to be placed on the street. It was found that many newsbox operators do not comply with provisions to have an office or to have a telephone at which to be reached. It was found that DOT was neither enforcing provisions nor removing newsboxes in violation of regulations when required. A resolution was passed citing many violations unenforced, and asking city agencies to remove all newsboxes from district 7 until such time that they can make an effective plan to enforce the regulations of the law permitting their placement on the street and further asking the city council to act to repeal the regulation allowing newsboxes to be placed on the streets of New York City.

Committee: 6-0-0-0 Non-committee board: 2-0-0-0

**New Business** – Tom DeVito – Transportation Alternatives community organizer presented a petition with 250 signatures collected supporting the installation of pedestrian safety measures and protected bike lanes on Amsterdam Avenue.

Meeting was adjourned.

**Present:** Andrew Albert, Dan Zweig, Ken Coughlin, Mark Glazer, Lee P. Kwan, Anne Raphael and Roberta Semer. **Board Member:** Brian Jenks and Howard Yaruss. **CB7 Chair** Mark N. Diller. **Absent:** Lillian Moore and Suzanne Robotti.



**Land Use Committee**  
**Page Cowley and Richard Asche, Co-Chairpersons**  
**May 22, 2013**

- 1. 945 Second Avenue Text Amendment/ ZR Sec. 32-41. Application # N130232ZRM by the Department of City Planning to amend Zoning Resolution Section 32-421. The proposed text amendment would allow non-residential use on the second story of a building in the affected districts constructed after September 17, 1970 if the second story on the date of referral was not occupied by a community facility use, dwelling unit or rooming unit.**

Dominick Answini of the Department of City Planning attended the meeting as an observer to hear the discussion only. Eugene Travers of Goldman Harris, LLC represented the applicant and explained the reason for the text amendment. The restaurant, Crave Fishbar, located at 945 Second Avenue Between 50<sup>th</sup> and 51<sup>th</sup> Street has a lease on a space that cannot be expanded on the ground floor. The configuration of the building does have space available on the second floor, similar to adjoining properties. These properties use the second floor for restaurant use.

This application is to permit second floor retail that meet very specific requirements. The date of referral is May 1, 2013, so no other applications received after this date could benefit from this text amendment.

There followed discussion that generally in support of second floor retail use as there are numerous examples on the UWS, and using the second floor catered to the smaller businesses, which everyone is keen to encourage.

Mark Diller offered that the other affected Boards, CB-2, CB-3, CB-5 and CB-11 waived hearing this application owing to no knowledge of the particular site of neighborhood concerns. He also reported that CB-4 was sensitive to potential harassment issues where this restaurant is located.

No resolution was proposed, as there was no quorum. A Land Use Committee meeting prior to the Full Board on June 4<sup>th</sup> is to take place to prepare a resolution.

- 2. Discussion of the East Midtown Rezoning. The application is available at City Planning's website: [http://www.nyc.gov/html/dcp/html/east\\_midtown/index.shtml](http://www.nyc.gov/html/dcp/html/east_midtown/index.shtml).**

Mark Diller introduced this application to explain why this proposed re-zoning may impact the UWS. Page Cowley circulated an Op Ed from the NNY Times "A Modern City in East Midtown? By Robert A.M. Stern to encourage thought about the impact of the increase in density and development without adequate improvement and modification of the infrastructure in place first. A unique aspect of the re-zoning is that developers will pay up-front for the increased FAR on "Qualifying Sites" – i.e. exceed the base FAR of 15 in exchange for contributions paid to a District Improvement Fund. This seems fair, but the time to implement the improvements could be detrimental and erase much of the character and convenience of the immediate neighborhood.

The following are topics that were raised: Existing narrow sidewalks and pedestrian congestion, Subways passing beneath the site are already at 115% capacity, view corridors changed, height affecting light and



air, air rights transfer provisions would change, alteration of the midtown skyline, parking and potential through traffic restriction. Issues that would have a knock-on effect are: placing more pressure for increase parking at surrounding neighborhoods, idling of vehicles, delays to bus and subways due to over-crowding.

As there is no time constraint, this will be discussed again at the next Land Use Meeting in June. In the interim however, because there is a deadline to state if the proposed zoning will have an impact on adjacent districts, this needs to be stated at the next Borough Board to alert the Department of City Planning. Mark reported that there is a CB-5 and CB-6 Task Force reviewing the proposed application. He will follow up and circulate their responses to the Land Use Committee before the next meeting. The action needed by Land Use and the Full Board at this time is to permit Mark Diller, as the representative from CB7 to state if there is or is no impact to our District.

**3. Planning for CB7's District Needs Statement for Fiscal Year 2015.**

Page will prepare a draft to be circulated among Committee Members for their review and comment.

There being no further business, the meeting was adjourned.

*Respectfully submitted by Page Cowley*

**Present:** Page Cowley, Jay Adolf, DeNora Getachew, Joanne Imohiosen and Roberta Semer. **Board Member:** Elizabeth Caputo and Howard Yaruss. **Absent:** Richard Asche, Sheldon J. Fine, Helen Rosenthal, Ethel Sheffer and Tom Vitullo-Martin.



**Health & Human Services Committee Meeting Minutes  
May 28, 2013**

**I Presentation on United to End Homelessness (UEH).**

Laura described UEH as a broad coalition of advocates comprised of providers, faith-based organizations, other groups who want to create and preserve permanent affordable housing. She pointed out that according to the Dept of the Homeless Daily Report, there are more homeless on the street than ever before, more than 50,000 people. UEH wants elected officials and candidates for public office to include homelessness on their agenda as a priority issue. Particular UEH programs include stemming evictions, prevention of foreclosures, and stemming recidivism. The group also wants to keep people who have been 'housed' in permanent housing. Affordable housing must be factored into all housing development; especially since some subsidy programs (Low Income Housing Tax Credits, for example) do not cover income – rental gaps. Part of affordability is preserving existing affordable housing stock. Building-based subsidy programs, such as Section 8 must also be protected against encroaching market rental forces. (The spike in homelessness is partly attributable to Sandy.)

A recommendation was made that an interagency council be established, to cut across jurisdictional barriers and such as HPD talking to HRA and DHS. Other cities do it, it was pointed out.

What should be CB7's role? One suggestion was to join UEH, but after some discussion, the committee unanimously decided to 'endorse' the coalition's mission. Shelly Fine suggested a resolution\* be recommended by the HHS Committee. Barbara Van Buren added, how do we get NYCHA to rescind their policy of not releasing vacant apartments to the homeless. Robert Espier inserted the reminder that the Housing Committee was vigorously addressing this and other issues regarding NYCHA policies, and that this was another perfect opportunity to join committee on particular agenda items. (Barbara and Madge will follow up with Nick Prigo.)

**ENDORSEMENT OF THE CAMPAIGN OF THE COALITION  
“UNITED TO END HOMELESSNESS”**

By the end of 2012, more than 57,000 people, including 22,000 children, slept each night in City shelters or on the street. The numbers of homeless each night has increased 58% since 2002, and the number of homeless families has increased by 68% over the same period. The lack of affordable housing and the cut-backs in rental assistance have contributed greatly to this. Prioritizing homeless policies and programs is an important factor for the new City administration which will come in with the elections. Little is being said about homelessness in candidate forums. In late 2012, a cross-section of homeless and housing advocates, providers, and faith leaders came together to speak in a unified voice during the 2013 Mayoral campaign, about creating real solutions for their clients, neighbors and friends who are homeless or at risk of becoming homeless. This coalition, United to End Homelessness, has been endorsed by over one hundred groups, such as Coalition for the Homeless, Citizen's Committee for Children, Goddard Riverside, Interfaith Assembly on Homelessness and Housing, Community Service Society, Episcopal Diocese of New York, Harlem United, The Legal Aid Society, Pratt Area Community Council, and United Neighborhood Houses, WSHFSH.

The goal of the group is to make ending homelessness and expanding affordable housing a top mayoral priority. This will be done by attending candidate forums, contacting candidates, and reaching out to the media. There will be no endorsements, but a chance for candidates to share with the voters their plans to end homelessness, and encouragement for them to include it as a priority issue



Be it resolved: Community Board 7 Manhattan endorses the campaign of United to End Homelessness. Approved 6 0-0-0 by committee; 2-0-0-0 by Board members

## II District Needs

The following District Needs were added

- Youth aging out of foster care
- Aging in place communities
- Baseline funding for senior centers
- DFTA: home-bound seniors

Previous District Needs:

- Hunger
- Childhood obesity
- DFTA: case management for isolated seniors
- DHS: permanent affordable housing
- Handicapped accessibility to buildings and services

Discussion ensued on various items, viz: support Club 76 efforts to remain open. This is a perfect example of why all senior centers should receive baseline funding. Efforts should be redoubled to coordinate with the Education and Parks/Recreation on other District Needs items. Along these lines, Toby Horn cited the poor service rendered by Access-a-Ride. Shelly Fine will raise the matter with the Transportation Committee.

## III FRAND (Bob Wyman)

From his research paper titled “Fair, Reasonable and Non-discriminatory Pricing of Medical Services and Products for New York State” (FRAND) Bob Wyman went explained how the ‘Chargemasters’ pricelists used by voluntary hospitals “usually bear little correlation to the actual costs of the services provided” [BW]. These lists have just been published. FRAND would like everyone using the service of a hospital to pay the same price for the same service in that particular hospital. There was considerable Q/A and comments, and the committee ultimately decided that the proposal merited further discussion.

**Present:** Barbara Van Buren, Madge Rosenberg, Laura Atlas, Robert Espier, Miki Fiegel, Sheldon J. Fine, Phyllis E. Gunther, Haydee Rosario and Evan Rosing. **Chair:** Mark N. Diller. **Board Member:** Brian Jenks. **Public:** Laura Jervis, Executive Director, WSHFSH, Bob Wyman, Toby Horn



## Steering Committee Minutes

May 29, 2013

- Meeting called to order at 6:04 p.m.
  - Chair provided kudos to Michelle and George on successful 3rd B2B. Mark and Su were instrumental as usual in getting the word out and soliciting community input. It was suggested that next B2B be considered at the Youth Hostel on Amsterdam and W. 103<sup>rd</sup>.
  - Roberta will work to organize an early evening tour of the NY Historical Society.
1. Resolution at Borough Board re: Senator Hoylman's SLA Bills
    - a. These bills are in the State Legislature that must be passed before June 30 otherwise they would have to be reintroduced next year. The Borough President's Office agreed to accelerate process given that July full board meeting would be too late in case bills are passed this session.
    - b. (a) S3075/A5356 – empowers SLA to include certain terms and conditions in the method of operations for licensed premises (enabling enforcement). The practical effect of this bill is that it would give teeth to concessions made between operator and community board and give SLA power to enforce such concessions. Such concessions would be incorporated into the actual license and SLA would enforce it, instead of requiring Community Boards to take it to the Police Department who may be unprepared to enforce such concessions. It should be noted that the statute still governs
    - c. (b) S3077/A6073 – requires SLA to include on its website information contained in the method of operations for a license premises, allowing ready access to that information for enforcement and other purposes. This bill would require SLA to post liquor licenses, including terms and conditions, available online.
    - d. Resolution would endorse Borough Board resolutions
  2. NYCHA – Update and Next Steps
    - a. Joint CB3/CB7/CB11 strategy meeting
      - i. George – Wednesday, June 5 at 6 p.m. at Community Board 3 to meet for a strategy session about how best to advocate going forward. This would include tenant organizers, Board chairs, community board district managers.
      - ii. CB7 is ahead of other boards because has already passed two resolutions on this issue.
      - iii. Goal of the meeting is to get a unified message that continues push for outreach and push off RFP until learn lesson from failed community engagement.
      - iv. CB3 is the appropriate jurisdiction
      - v. LaGuardia Houses Tenant Association (or just the president) has come out in support of this.
    - b. Land Use, Housing and others – points to include
      - i. DCP has not weighed in on this because have said they will not go through ULURP. It was suggested that the Chair contact DCP Chair Burden to discuss the importance of going through ULURP.



1. It was noted that Senator Hoylman introduced legislation to require this to go through ULURP, which may be a good
  2. The key question is what is the process? It is clear that Section 18 is relevant.
  3. This is state property that being leased with a deed of trust to the federal government. There is no implication of City property.
3. East Midtown Rezoning
- a. Land Use pre-meeting on June 4<sup>th</sup> – whether CB7 should self-identify as an “affected” District enabling a vote at Borough Board
    - i. As footprint of proposal touches multiple community boards, an “affected” board can vote at Borough Board on the resolution regarding this rezoning. Noting that “affected” is a subjective determination.
    - ii. This could affect viability of Landmarks statute given the implications of landmarked buildings being able to sell their air rights.
    - iii. Joint task force is to say “cart is before the horse.” Need robust plan for transit and infrastructure improvements before moving forward with this plan, even it is good.
    - iv. The Chair’s recommendation is to vote consistently with CB5/CB6.
    - v. Land Use Chair Page Cowely noted research she has conducted to date on this issue. This proposal has cascading effect with respect to air quality, sidewalk crowding, energy efficiency,
    - vi. It was noted that base FAR is 15. But in exchange for contributions made to district improvement fund, developer will have ability to build as much FAR as possible. This gives developer much leeway to capitalize on profit, which may result in inconsistent design similar to West Side development. This has raised concerns from architectural perspective.
    - vii. There will substantial effects on sanitation in the district.
    - viii. Question at full board on Tuesday will be whether we will pass a resolution saying we are affected. This needs to happen prior to ULURP reaching Borough President’s office by July 1, 2013.
    - ix. Land Use will have a pre-meeting on June 4, 2013 to consider a resolution about whether CB7 is impacted.
    - x. A member raised what is the downside of not saying we are impacted. The Chair indicated that abstaining is the equivalent of a no vote, which has larger impact. The Chair will work to obtain a copy of the other boards’ resolution so CB7 has a say and understands where the process will go.
    - xi. It was noted that this approach is not anti-development, it is not being executed properly under such a rushed timetable.
    - xii. It was suggested that it may be appropriate for CB7 to issue a specific resolution in opposition to proposal and indicating how it should be effectively implemented.



- xiii. It was noted that this is so similar NYCHA.
- xiv. It was also noted that DCP will release an infrastructure plan, which should have been released before ULURP filed on May 1, 2013.
- b. Concerns raised at Joint CB5/CB6 public hearing
- 4. Cyber-Crime presentation as part of Chair's Report
  - a. Andrew Kalloch – MBPO
  - b. Time for Q&A
  - c. This will be a new approach where Chair will give a condensed report and leave full report outside. This will also reduce some of the public time. This will enable Andrew to give a PowerPoint presentation on cybercrime and who is impacted. Andrew's presentation will last approximately 20 minutes.
- 5. Update on CB7's District Needs Statement for FY2014 and possible online survey
  - a. Moving towards having input by end of June, so that Chair can review and finalize.
  - b. Community Board Manager suggested that all edits to DNS be conducted via tracked changes.
  - c. Online survey – Chair requested that each Committee suggest 1-2 questions for inclusion in an online survey. This will enable Board to have broader community reach. The questions should be submitted by Wednesday, June 5, 2013.
- 6. Schedule Changes:
  - a. June – BCI 6/6
  - b. Full Board 7/9; Transportation 7/24
- 7. New Business
  - a. The Chair noted that committee chairs should indicate whether they need additional members in light of the new members to the board.
  - b. The Chair also noted that consistently absent members have been contacted and will be removed from committee rosters where appropriate. The next step will be to find ways to reengage less participatory members.

Meeting adjourned at 6:59 p.m.