

July 2011 Full Board, Committee, and DSC Minutes

COMMUNITY BOARD 7/MANHATTAN Minutes, Full Board Meeting, July 5, 2011

Community Board 7/Manhattan met on Tuesday, July 5, 2011, at the School at Columbia, 556 West 110th Street, in the District. The meeting was chaired by Mel Wymore, CB7's chair, who called the meeting to order at 6:45 pm. The following topics were discussed and actions taken.

Approval of minutes from previous full board meeting.

VOTE: 26-0-2.

Chair's Report – Mel Wymore:

- Gale Brewer helped restore CB baseline funding (so won't need to be restored every year).
- District Needs Statement: committees engaged; welcome input from community. Nearing completion.
- Elizabeth Caputo and the Outreach group building a Facebook page for CB7. September launch.

Announcement of Nominations of Board Officers for 2011-2012 – Dan Zweig, Chair, Elections Committee

- Nominations at September meeting for board officers (1 chair; 3 vice chairs; 2 secretaries).
- Nominations will be closed at the September meeting if a complete slate is nominated.
- By-laws provide term limits for chair only; could be amended.

Reports from Legislators and Elected Officials:

Richard Gottfried – Assembly-Member, 66th District:

- Rent regulation passed with no reductions in protections and some small improvements.
- Gov. Cuomo provided strong support for certain rent protections.
- Hydrofracking – pressure used for natural gas extraction liquids creates risk to NYC drinking water.
- Gov. Cuomo lifting much of Gov. Paterson's moratorium on hydrofracking - Major mistake.

Daniel O'Donnell – Assembly-Member, 69th District:

- Chairs Ethics Committee. Passed broader ethics law (should be stronger). Awaiting Gov's signature.
- Marriage Equality enacted (lead Assembly sponsor). Enormous amount of effort to keep coalitions together. Faced significant opposition. Proud moment personally and a proud moment in our history.

Linda Rosenthal – Assembly-Member, 67th District:

- Rent regulation passed. New law strengthened some protections (wanted more).
- Gov Cuomo provided limited support, made best deal available. Important to thousands in District.
- DHCR to get more resources, and will have authority to take action. Chronically understaffed.
- DHCR certification required before LL can pass on capital improvement costs; longer amortization.
- Hydrofracking – Assembly bill delays permits until 2012. Senate did not pass. Need EPA report.
- Call for hearings. Gov. Cuomo allowing only written comments.

Scott M. Stringer – Manhattan Borough President:

- Hydrofracking issue – DEC committed to protecting NYC watershed. BP's office cataloguing risks.
- Frack drilling is dangerous anywhere; nothing less than full ban is required.
- Recommends Israeli approach – cannot allow need for resource to drive unsafe methods for extraction.
- Can't look at EIS alone – must bring the issue to a hearing in New York.
- Marriage equality – congratulations to electeds for passing.
- Budget baseline for CB's restored, but CBs have not had a budget increase in years.
- Budget dance between Mayor and Council based on ideological one-upmanship. Need consensus.

- Unconscionable not to bring revenue enhancement to our City. We need to be more vigilant.
- Community-based planning - Mel done a great job bringing issues to the Borough Board.

Gale Brewer – Council Member, 6th District:

- Capital budget funded Riverside Branch Library renovations, new roof for AMNH, Riverside Park comfort station near tennis courts, Met Opera, renovation of Dante Square Park, New-York Historical Society, Lincoln Center, Ballet Hispanico, 17 schools (mostly technology needs)
- Operating budget – saved teacher layoffs (but will still have larger class sizes), hope to save 6-day library service, saved child care slots, restored CBs baseline (thanks Penny Ryan, Noah Pfefferbilt).
- Working on No 6 oil boiler replacement, PCB removal in schools.
- Supporting local food initiative – Council to visit farms for sourcing for schools, gov’t procurement.
- Change in M104 bus schedule postponed until September (thanks to Andrew Albert).
- Riverside Park South – Speaker budgeted \$2.5MM for RSPS – does it include lighting.

Richard Asche: appreciates Gale staying for CB7 business session discussions.

Helen Rosenthal: appreciates restoring CB baseline; concern about loss to education baseline.

A: D3 alone cannot affect Citywide education budget dysfunction.

Varun Sanyal – Council-Member Inez Dickens’ Office:

- Sponsored bill through Gov’tal Operations committee to institute uniform food metrics system – to ensure local, healthy food at all levels of production, processing and distribution in or through NYC.
- Survey: DoE food sourced from other states/countries; unknown ingredients (allergy implications).

Mel Wymore: Thanks to C-M Dickens for continued support for CB budget.

Ben Schachter – State Senator Adriano Espallat’s Office:

- Proud to vote for Marriage Equality. Celebration in Washington Heights with BP Stringer.
- Rent regulation renewal passed and strengthened – voted “no” to show bill should have gone further.
- Testified at LPC in favor of 2nd phase of WEA Historic District expansion.

Jared Chausow – State Sen Tom Duane’s Office:

- Elated to pass Marriage Equality (Senator Duane the lead Senate Sponsor).
- Did not pass – add gender identity expression to be added to list of protected categories – more to do.
- Killed upstate bill to legislatively overrule the J51 ruling preventing decontrol (e.g. Stuyvesant Town).

Public Session:

Joan Bondell – West Side Walkers:

- Objects to plan to allow cyclists to ride on sidewalks in Central Park; already cross at 72nd and 103rd.
 - Benches line path proposed for bike use. Set up for disaster.
- A: Parks committee has heard; Dep’t of Parks has no plan in works.
A: Transportation committee will consider at its 7/12 meeting.

Jane Thompson:

- Construction site at 732-34 WEA – conditions steadily getting worse over last 2 years.
- Concern that accumulated water will undermine adjacent buildings.

Peter Arndtsen – Columbus-Amsterdam BID:

- 7/27 and 8/24 – history tours of neighborhood, including “Old Bloomingdale.”

George Zeppenfelt (CB7):

- Thanks to elected for Marriage Equality Law passage. Congratulations.

Eric Dirnbach – Sweatshop-Free UWS:

- Campaign to improve workers’ conditions and help businesses that try to do the right thing.
- Publishing guide to businesses that pledge to support workers’ rights.
- New owners of Saigon Grill fired activist workers, brought in phony straw-man union.

Mark Diller (CB7):

- Blood Drive 7/26 11-5 at Beacon Hardware, 77th-78th on Amsterdam. Desperately needed in summer.

Business Session

Business & Consumer Issues Committee

Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

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

- **70 West 68th Street**, (Columbus Avenue.) Second Wind Restaurant LLC, d/b/a “To be determined”.
- **2350 Broadway** (West 85th Street.) BT Restaurant Enterprises LLC, d/b/a “To be determined”.
- **429 Amsterdam Avenue** (West 80th Street.) VAI UWS, LLC, d/b/a VAI Restaurant.
- **474-476 Columbus Avenue** (West 83rd Street.) Spring Natural Corp., d/b/a “To be determined”.
- **447 Amsterdam Avenue** (West 81st Street.) Anemonas Rest. Corp., d/b/a Amsterdam Diner.

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

VOTE: 37-0-1-0.

2. 410 Amsterdam Avenue (West 80th Street) Application to the SLA for two-year liquor license by 410 Amsterdam LLC, d/b/a Tolani.

- Applicant working to address neighbor concerns about noise in back yard.
- Applicant will notify neighbors of events in back yard; has agreed to limit hours of service.

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

VOTE: 35-1-1-0.

3. 45 West 81st Street (Columbus Avenue) Application to the SLA for two-year liquor license by 410 Calle 8, LLC, d/b/a Calle Ocho.

- Mel Wymore negotiated with community and applicant to work out a compromise.
- Resolution: disapprove unless negotiated changes added to applicant’s method of operations.
- Steven Anderson – 51 West 81st Coop and Neighborhood Association – 81st Street appreciates involvement of Mel and community to make this better.
- Shelly – why disapproval?
- A: Appropriate to disapprove – agency may only see the approval and not the stipulations.

VOTE: 37-0-2-0.

4. 240 Columbus Avenue (West 71st Street) Application to the SLA for two-year liquor license by “To be formed by Greg Hunt”, d/b/a “To be determined”.

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

VOTE: 34-3-3-0

New Enclosed Café Applications:

5. 240 Columbus Avenue (West 71st Street) New application DCA# 1397232 to the Department of Consumer Affairs by “To be formed by Greg Hunt”, d/b/a “To be determined”, for a two-year consent to operate an enclosed sidewalk café with 12 tables and 40 seats.

Chairs’ Introduction.

- Site was formerly Victor’s Café and Penang – enclosed café has been vacant for many years.
- Applicant would need to renovate the existing structure; site is located in a landmark district.
- Committee approved the application – would benefit the community to have a viable tenant.

Public Comment:

Greg Hunt – Applicant:

- Lifelong neighbor. Walked past eyesore for 5 years. Wants to invest in our community.
- Will create 40 jobs. If got rid of café, would kill application.
- Cafes make neighborhood lively and safer.
- He is the mom and pop we want in our neighborhood.

Donald Bernstein – Attorney for Applicant:

- Originally applied for wine bar at 25 CPW: CB7 supported; residents defeated on zoning issue.

- Applicant trying again – found space that needs to be rescued.
- Formerly ran Amsterdam Billiards – another successful local business.
- Not creating a new café – previously used by Victor’s, Penang.
- More than 10’ of sidewalk clearance e.
- Must approve now – delaying a vote will kill the project.

Jan Levy:

- Many other active uses on the block between 71-72. No lack of vitality in the area.
- Troubled that applicant not identified at committee.
- Applicant claims will lose financing if resolution adjourned to September.
- Concerned that paperwork promised by applicant has not been delivered.

Barbara Adler – Executive Director, Columbus Ave BID:

- Dilapidated building; eyesore for years. Homeless current occupy alcoves. Landlord MIA.
- Building owned by wealthy clothing designer who lives in Spain and is impossible to reach.
- Previous tenant removed building façade to create the café well before Landmark District certified.
- If removed café, building would have no front façade.
- Endorsed by Ronnie Eldridge. Would get a mom and pop business instead of another chain

Board Discussion. One or more CB7 members expressed one or more of the following points:

- This site has been a vacant for many years. While an operational enclosed café is preferable a vacant one, having an unobstructed sidewalk is the goal.
 - Enclosed cafes supposed to be taken down when no longer used – this site is an extreme example/
 - Unfair to other businesses to leave such an eyesore for many years. Also site is a narrow sidewalk.
 - Landlords take no action on vacant cafés as a means to attract new tenants.
 - Approving application after long abandonment of café will negate any effort to remove vacant cafés.
 - Enclosed café is a subsidy for restaurants that other small businesses cannot enjoy – unfair.
 - Only way to get rid of vacant cafés is for landlord to do so – but landlord has incentive to retain, becomes a permanent addition to building.
 - This café is a monument to the failure of City Agencies to deal with the issue – cannot allow another.
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- One of the oldest enclosed cafés in the area; was built before technology allowed easy removal.
 - Unfair to discuss policy issues on the back of one applicant. Should develop policy off-line.
 - Community knows this applicant, who graciously bowed out of another site to end controversy.
 - Applicant has a good track record, will contribute needed tax revenue at a time of crunched budgets.
 - If deny this application, café will remain an eyesore for another 5 years.
 - Application supported by Council Member – makes sense to approve.
 - In a bad economy, creating 40 jobs should be the end of the discussion.
 - A “no” vote will preserve the status quo, i.e. an eyesore with no hope of remediation.
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- Procedural concern re committee approving application without seeing final plans.
 - Concern re using full board meeting for discussion that should take place at a committee meeting.
 - Concern that LPC implications not presented when asked to approve café.
 - Concern that CB7 is being asked to vote on this application prospectively, as ULURP clock has not begun to run. Concern over potential inconsistent votes – should vote only once on site on all aspects.
 - Not just that this one café is in the wrong place. Becomes important for future of use.
 - Consideration of revised resolution to approve subject to submission of properly stamped plans.
 - Government should strive for predictability; this approach is arbitrary, defeats local investment.

Motion: To refer the application back to committee.

VOTE: 19-19-3-0.

ROLL CALL VOTE: 19-21-1-0. Motion to refer to committee failed.

After deliberation, the original resolution to approve the application was adopted.
VOTE: 22-13-5-0.

6. **519 Columbus Avenue** (West 85th Street.) New application DCA #1395448 to the Department of Consumer Affairs by De La Fontaine, LLC, d/b/a “To be determined”, for a two-year consent to operate an unenclosed sidewalk café with 21 tables and 42 seats.

After deliberation, the resolution to approve the application was adopted.
VOTE: 33-1-2-0.

7. **938 Amsterdam Avenue** (West 106th Street.) New application DCA# 1387898 to the Department of Consumer Affairs by 938 Amsterdam Avenue Restaurant, Corp., d/b/a Amsterdam Tavern, for a two-year consent to operate an unenclosed sidewalk café with 3 tables and 12 seats.

After deliberation, the resolution to approve the application was adopted.
VOTE: 33-1-2-0

Unenclosed Café Renewal Application:

8. **485 Columbus Avenue** (West 83rd–84th Streets.) Renewal application DCA# 1249725 to the Department of Consumer Affairs by Cilantro West, LLC, d/b/a Cilantro, for a two-year consent to operate an unenclosed sidewalk café with 9 tables and 18 seats.

After deliberation, the resolution to approve the application was adopted.
VOTE: 28-1-2-0.

Preservation Committee

Lenore Norman and Gabrielle Palitz, Co-Chairpersons

9. **1 West 67th Street** (Central Park West.) Application to the Landmarks Preservation Commission for an alteration of an existing parapet.

After deliberation, the resolution to approve the application was adopted.
VOTE: 34-0-0-0.

10. **269 Columbus Avenue**, d/b/a Columbus Tavern (West 72nd-73rd Streets.) Application to the Landmarks Preservation Commission for legalization of a canopy.

After deliberation, the resolution to approve the application was adopted.
VOTE: 34-0-0-0.

11. **305 West 78th Street** (West End Avenue.) Application to the Landmarks Preservation Commission for a new dormer addition in the roof.

After deliberation, the resolution to approve the application was adopted.
VOTE: 34-0-0-0.

12. **51 West 83rd Street** (Central Park West-Columbus Avenue.) Application to the Landmarks Preservation Commission for a 3-story horizontal enlargement at the rear of the building and a 1-story penthouse addition within the required front and rear sightline setbacks from public thoroughfares.

Chairs’ Presentation:

- Project includes a rear yard addition, rooftop addition, and front façade restoration.
- Front – restoring façade, adding a new wood door.
- Penthouse addition with a stucco surface (color of terra cotta).
- Rear façade extended to 30’ on ground, parlor and 2nd floors. Will reuse brick on side of extension.
- Rear façade steel frame with large wood and glass windows.
- Top floor large open window with door to terrace formed by extension.
- Rear yard excavated for interior/exterior pool that runs to within a few feet of rear lot line.

- Committee suggested modifications – voted to approve with the following recommended changes:
- Adding a cornice over front door to emulate those of neighboring buildings.
- Adding more greenery to rear yard.
- Rear top floor windows to emulate 3 traditional windows rather than large picture window.

Community Comment:

Leslie Feder:

- Back yards should be uniform – brick, regular windows. Changes should conform to the character.
- Proposal is modernist Bauhaus, which is architecture designed to disrupt traditional forms.
- Feels strongly that back yards are an important part of what historic districts should to protect.

John Morris - lives on block:

- Block has had a lot of renovations, most in character, but this one is contrary to character.
- Rear yard has a huge, imposing façade, and will impact greenery enjoyed by all.
- Pool will affect houses on both sides of donut.

Morton Duggan, Owns building on 83rd Street:

- Pool and modern rear façade are inconsistent with the appearance and character of an 1873 building.
- Windows should not be walls; rear façade is just a window; does not belong in an historic district.

Jonathan Peters, 40 W 84th – overlooks applicant:

- Proposal will deprive neighbors of character of well maintained rear yard open space.
- All rear facades are brick – glass and steel out of character.
- Interruption of roof lines on nos. 49, 51, 53 – among oldest on block.
- Establishes disastrous precedent. Not appropriate to character of building, back yard, or District.

Jonathan Stewart:

- Agrees with recommending cornice over front door; should also replace missing lintels.
- Pool – digging will be disruptive. House collapsed on UES due to similar digging.
- With rocks in the backyard as big as a car, should do additional dig test in middle of yard.
- Noise of pool parties next door is not in keeping with character, or plans for retirement.

Richard Scofield, 40 W 84th Street (behind this lot):

- Proposal is incongruous. Pool, tennis courts all out of character. Does not make sense in this place.

Eric Zahlar, 40 W 84th Street:

- Opposition tempered by belief that people should be able to do what they want.
- Vertical metal windows and “garage door” access to indoor pool require deserve scrutiny.
- Blocking light and space on either side. Believes glass might help – light.
- Loss of greenery will threaten migratory birds who return to that space each year.

Giles de Pardon, Architect for project:

- Donut interrupted many times – many extensions and many large buildings.
- Not untouched, not historic. Current building has large windows that are not historic.
- Construction disruption is unfortunate but inevitable.
- Re new façade, should set off new from old rather than recreate old look in new context.

Board Discussion:

- Concern about amount of change to the rear façade, and the coloration.
- Can be a good thing to have different architectural expressions in the donut.
- LPC is very casual about what happens in the rear of the building. CB7 must push this concern.
- Sweeping series of changes. Worried that beautiful design still encroaches too much.
- Friendly amendment accepted – committee suggested changes to become condition to approval.
- Concern that committee suggestions be conditions – committee rejected conditioned approval.
- Appropriateness – not all changes must be consistent with historical precedent.
- Design innovative and found appropriate. Materials were appropriate.

- Concern that this façade is similar to one CB7 disapproved recently on West 81st Street.
- Re concern, the West 81st Street rear façade was visible from the Street.
- Time for CB7 to make a bold statement about alarming encroachment in donut.

After deliberation, the resolution to approve the application failed.

VOTE: 19-14-5-0.

ROLL CALL VOTE: 19-15-5-0.

After deliberation, a replacement motion to disapprove the application also failed.

VOTE: 19-17-2-0.

Transportation Committee

Andrew Albert and Dan Zweig, Co-Chairpersons

13. **234 West 109th Street, PS 165.** Request to the Department of Transportation by PS165 for a playstreet on West 109th Street, Amsterdam Avenue-Broadway, 10:30AM- 1:30PM, on school days for two years during construction at the school.

-- Proposal to close 109th Street between Amsterdam & Broadway for up to 2 years so that PS 165 students may have recess during the period that their yard is compromised by construction.

Elizabeth Ellis:

- Concern re effect on parking, particularly those who need access to cars for work/school outside NYC.
- Parking on RSD not an option due to renewed rash of break-ins.
- Concern – neighboring blocks not informed.
- Should reopen as soon construction is completed.

Chairs' Responses:

- Principal will have staff to ensure that those who need to leave can get out.
- Will not have to move the car for alternate side.
- Accepted friendly amendment – permission to terminate when construction is completed.

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

VOTE 36-0-1-0.

Land Use Committee

Richard Asche and Page Cowley, Co-Chairpersons

14. **Fordham University.** Minor modification to the special permit related to transparency to new buildings at Amsterdam Avenue & West 62nd and West 60th Streets.

- Applies to ground floor only -- Varying glass requirements (0% on 60th, 70% on Amsterdam, 50% on 62nd) – can't build that tall with that much glass on Amsterdam.
- Change is to make a consistent 60% glass all the way around

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

VOTE: 37-1-0-0.

Parks & Environment Committee

Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons

Joint with Youth, Education and Libraries Committee, Mark Diller, Chair.

15. **PS87** (West 77th Street, Columbus-Amsterdam Avenues.) Department of Parks & Recreation's proposed design PS 87 courtyard and adjacent sidewalk renovation.

- Parks collaborated with the school and neighborhood communities – broad support.
- Request that summer work be maximized to cause the least disruption possible to the school.
- 77th Block Assn approved the plans.

After deliberation, the resolution to support the proposed plans was adopted.

VOTE: 36-0-1-0.

16. **Central Park.** Department of Parks & Recreation's Request for Proposals for a horseback riding concession in Central Park.

- Stealth RFP by Parks to allow a trailer with horses for group riding in Central Park.
- Will result in largely inexperienced riders on bridle paths for \$50-125 per hour.
- Since Claremont stables closed, minimal use of bridle paths by horses – joggers and pedestrians.
- Policy concern re allowing a few to pay a lot to use bridle paths. Other parks still allow horses.
- RFP for 7 years. Cannot modify RFP once circulated and bid upon.
- Concern re cruelty to animals confined in hot trailers without stable, food, water.
- Bridle path not suitable for horses any more – like concrete.
- Regrettable loss of horse riding as a West Side amenity.
- Need more than an ad hoc concession – should plan for a complete solution.
- Public came to support at committee.
- Needs more review by public.

After deliberation, the resolution was adopted.

VOTE: 30-2-1-0.

Adjourn: 10:35 pm

Respectfully submitted by Mark Diller, co-secretary.

Present: Mel Wymore, Jay Adolf, Andrew Albert, Linda Alexander, Richard Asche, Elizabeth Caputo, Hope Cohen, Kenneth Coughlin, Page Cowley, Mark Darin, Mark Diller, Tila Duhaime, Robert Espier, Sheldon J. Fine, Paul Fischer, Marc Glazer, Jennifer Gomez, Phyllis E. Gunther, Joanne Imohiosen, Ulma Jones, Blanche E. Lawton, Lillian Moore, Klari Neuwelt, Lenore Norman, Gabrielle Palitz, Michele Parker, Nick Prigo, Anne Raphael, Oscar Ríos, Suzanne Robotti, Haydee Rosario, Helen Rosenthal, Gabriella Rowe, Roberta Semer, Eric Shuffler, Elizabeth Starkey, Barbara Van Buren, Thomas Vitullo- Martin, Cara Volpe, George Zeppenfeldt-Cestero and Dan Zweig. **Absent:** Issac Booker, Brian Byrd, Louis Cholden-Brown, Miki Fiegel, Victor Gonzalez, Marisa Maack, Madge Rosenberg and Ethel Sheffer

Transportation Committee Meeting Minutes
Andrew Albert and Dan Zweig, Co-Chairpersons
July 12, 2011

Joint with Parks and Environment Committee

Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons

1. W 96th St. Subway Station.

Resolution to approve ULRP 100122 MMM. Application to the Department of City Planning by the Department of Parks and Recreation and Department of Transportation for changes to the City map. Approving changes already made.

Vote: Committee: 5-1-0-0. Board members 3-0-0-0

2. Report by Stan Solomon on documentation of curb cuts conditions>

Major problems:

a) Asphalt surface deterioration , b) Cracks in concrete c) Missing asphalt layer(s) on a street to equalize its surface with the level of the ramp on the sidewalk.

Q: How often are sidewalk ramps inspected by Department of Transportation (DOT)? Josh (DOT liaison): It has been contracted out... but DOT will issue a violation to property owners who are responsible for the sidewalk in front of their property including the corner quadrant (where the ramps usually are).

Any possible violations can be reported to 311 specifying it's a DOT issue. Also, community can report it to the Community Board office, as Board Chair added, and DOT will be notified.

Joint with Parks and Environment Committee

Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons

3. Shared-path pilot in Central Park:

Update by Carolyn Greenleaf, Community Relationship Manager at Central Park Conservancy (CPC)

Decision has been made to explore shared paths in the north section of Central Park (CP) due to less complicated issues than in the south section. Other than utilizing the road at 102nd Street, a shared path will be put on trial south of the 97th Street. transverse, because it is not a heavily used path. It will be designed to be a utilitarian path for crossing from point A to B, not for recreation. Some rules for the shared path: Biking at walking speed, yield to pedestrians at all times, and at a point of heavy usage crossing the East drive possible dismount sign. Input welcome from all users. Target date was June, but now realistically, will try for early September including all signage. It is a shared and not divided path. CPC is not an enforcement agency but will have volunteers to advise all users on requested way of use, and to observe any issues for record and improvement.

Discussion:

— Walking speed was questioned - it will be noted by CPC, and they are accepting concerns from all users.

— At the level of 72nd Street bike path is E-W only, due to the existing one-way vehicular traffic. Question (Q): Public needs a two-way bike lane there - (CPC:) when car traffic is canceled it would be possible.

— Discussion on stopping traffic for trial period during this summer, which all Community Boards around CP have voted for, but was rejected at the level of DOT officially. Why? Some say to gather data? Trial of having no cars in CP would do exactly that.

Public:

— Member of the public who commutes on a bike with his son regularly also prefers the choice for shared path south of 97th Street transverse and points out the need to patch it up, further states that connection 5 Av.- East

Drive is a trouble part, lined with fences, and that since it is heavily used asks if any signs will be used to instruct pedestrians teaching them to interact with bike riders - (CPC:) no signs envisioned specifically for that purpose but there will be outreach to users of the path, people to people, and will be watched carefully – if too many problems potentially a dismount zone.

— 102nd Street path is used in two directions. Why is there a need five blocks away for another?
(CPC:) 1- wants to try shared paths, 2- The heaviest use will be in the mid side of the Park (80-90's)

— Parameters for measuring success? - (CPC:) this is not a scientific project but success will be determined by feedback from people using the path.

— How to report problems? (CPC:) people outreach will record problems.

— At 106th Street path – connected loop drive to CPW without complaints; at 102nd Street. CPC applauded for connecting it to Fifth Av. with bridal paths.

— A lot of blind spots (shrubbery) on paths; request for bikers to slow down.

— It is a problem using pedestrian walkways to solve the commuting needs of bikers. Roadway at 96th Street. that is used by police precinct to park their cars should be used, also bikes should be walked on these paths.

— There will be a lot of rental bikes in the Park and if we want to allow their riding on pathways – it will be very hazardous especially if on all paths.

— Reckless riding exists but recreational riders would not use that shared path since they won't be able to ride fast. 77 people killed by cars in NYC since January, none by cyclists.

— What is the law on the issue “no bikes on CP paths”; CPC not familiar but it is a general rule.

— In 1982-3 there was a rule that no vehicles, of which bikes were one variety, should be allowed on CP paths

— 40-year resident of community complains about groups of leisurely walking pedestrians and strollers obstructing bike lanes when they have designated pedestrian walkways parallel to bike lane.

Committee discussion:

— Attention should be paid to 72nd Street. cross park route.

— Safety committee of CPC is trying to propose pavement markers on the drives.

— CP is not a static Park; referred to book “People in the Park” which goes through history, shows how Park adapts to how people live throughout the years;... looks at the ways the Park serves the needs of the community, and that the needs are changing – The Park is not static.

— Personal opinion: no bikes on park paths, wants you to feel and be safe...no bike lane striped on the street is safe....bikers and pedestrians on one path – should not exist... on top of it all, community voted to take vehicles out of park...

— There was always a demand that CP be opened for traffic; these requests come not from park users but from those who want to pass through... walking speed too slow, that seems like an end of effort to accommodate park users, but to accommodate others... heavy biker use of pedestrian paths now... committee member on pedestrian path brushed by biker coming from behind... no good use to cut new roadways for transit through CP, all should be through transverses, not as they exist now but they could be changed.

— Board committed to data driven analyses / decisions, expecting more data for next report.

— DOT should look to use transverses.

4. CIVITAS presentation on news-racks.

News-racks started 1984 with USA Today, spread ... 2002 DOT got power to... law weakened so that publishers can self...(regulate?), can place their rack and then inform DOT... most are dirty, ugly misplaced, obstacles to pedestrians, not used, violations report to 311 or to them (Civitas). Have sent letters to Council member J. Vacca requesting oversight hearing. DOT working on new design for news-racks...who will pay/ no answer... publishers pay about \$25 per box.

Discussion

- Experience of the Committee member : spent 3 times 40 minutes with 311 with not much result, also 311 only takes one complaint for one location, so they do not allow pressure, there is no strength in numbers... wants a way to facilitate applying pressure with number of complaints; a website to upload pictures of violations...
- Council member Brewer wants to know what do we (community) want, what kind of legislation: Want DOT to have the power of permits issuing and power of enforcement (without waiting for complaints), so that publishers have to ask for a permit first, not as is to put a box where it pleases them and then just inform DOT .
- Perhaps it is better to have Department of Sanitation in charge of enforcement (removal) those racks that violate the regulations, more efficient, quicker, less costly
- Design should be standardized one unobtrusive color without any markings - if one publisher withdraws his publishing another can use the same without anyone incurring any cost of a change (if there are logos on the box). Recognition of publication will be by displayed first page in transparent window of the news-rack.

CIVITAS will send all of its findings/recommendations to the Board office to be put on the Board's website, and CIVITAS asked the Committee to support oversight hearing with the City Council and to renew the resolution regarding news-racks.

Committee voted: 7-0-0-0 and Board Members 1-0-0-0

including the statement that these news-racks, boxes, are safety hazard and that advertising on them should be limited or dropped, and that they be standardized.

5. District Needs Statement for FY 2013.

Members will add; specifically, add countdown timers at lights.

6. Draft CB7 Core Principles.

Guiding principles for the Board while working on issues; reflects our values as we see them today.

Present: Andrew Albert, Dan Zweig, Ken Coughlin, Mark Darin, Ulma Jones, Blanche Lawton, Lillian Moore, Anne Raphael, Oscar Rios and Roberta Semer. **Absent:** Tila Duhaime

Business and Consumer Issues
July 13, 2011

Co-Chairs: George Zeppenfeldt-Cestero and Michele Parker

Present: Michele Parker, George Zeppenfeldt-Cestero, Marc Glazer, Linda Alexander, Paul Fisher, Anne Raphael, Elizabeth Caputo, Joanne Imohiosen, Eric Shuffler.

Applications to SLA for a two-year liquor license

1. **143 West 72 West Street (Entity to be formed, d/b/a To be Determined.)**
Robert Kremer, rob212@gmail.com, owner presenting. Intends to open bar with kitchen in the former OTB space towards the end of September. Mr. Kremer did not previously submit plans to CB7, including hours of operation, has not incorporated or begun work on property. He did point out that he was an experienced operator had once owned a Japanese restaurant on Fulton Street called Shogun and has a CO for the space. Committee could not make a decision because applicant had not submitted paperwork to the District office prior to the meeting. Committee will meet with applicant 15 minutes prior to September Full Board meeting, pending complete paperwork be submitted to the Board office in time for review. Application postponed.
2. **52 West 72nd Street (Columbus Avenue).** 52 West 72nd Street Café LLC, d/b/a To be determined. Presenting was Phuman Singh, Phumans@gmail.com, current owner, and his new partner Jennifer Klein, JenniferKleinNYC@aol.com. Application to transfer liquor license to new entity that includes Ms. Klein as partner. There will be no food deliveries. Motion to **approve** the application: 9-0-0-0
3. **2161 Broadway (at 76th Street)** FLB Viktoria Corp. d/b/a Fratelli La Bufala
Presenting was attorney Alan Gardner, ajgard@agardnerlaw.com with restaurant's U.S. representative, Lorenzo Aragona, laragona@gmail.com. The restaurant will have 75 seats and maintain the same footprint as the former restaurant, Niko's Bar & Grill. The new owners have several restaurants in Italy and one in Miami, Fl. Committee chair implemented a sight visit and determined that signage was appropriately posted. Motion to **approve** the application: 9-0-0-04.
4. **175 West 90th Street (actual address 635 Amsterdam Avenue (corner 91st Street, representing building address)** Applicant is Casa 91 LLC d/b/a Blockheads. Presenting was Ken Sofer, owner, ken@blockheads.com. Committee members made sight visits and applicant submitted list of postings. Restaurant will have outdoor seating, but only within the building line so application for outdoor sidewalk café will not be required. Restaurant will have 45 interior seats. There will be bicycle messengers with full gear, including helmets and identifying clothing. Bicycles will be stored in the building. Motion to **approve** the application: 9-0-0-0; 0-0-0-0

New Unenclosed Café Applications

5. **2799 Broadway (West 108th Street)** New application DCA#1394145 to the Department of Consumer Affairs by 2799 Broadway Grocery, LLC d/b/a Cascabel Tacqueria for a two-year consent to operate to unenclosed sidewalk café with 21 tables and 44 seats. Presenting was owner David Chiong, David@nyctaco.com. Committee made sight visit and found signs posted appropriately. Bicycle messengers are fully outfitted with helmets and identifying clothing. Motion to **approve** the application: 9-0-0-0

Unenclosed Café Renewal Applications

- 6. 413 Amsterdam Avenue** (Between West 79th and 80th Streets). Renewal Application #DCA136587 to the Department of Consumer Affairs by Flagship S.B. Amsterdam NY, LLC d/b/a Saravana Bhavan for a two-year consent to operate an unenclosed sidewalk café with 11 tables and 22 seats. Applicant did not show up, nor did a representative. Application was denied without prejudice to come before the board in the future. 9-0-0-0

Enclosed Café Renewal Application:

- 7. 441 Amsterdam Avenue** (West 81st Street). Renewal application DCA#1283643; to the Department of Consumer Affairs by JPS Ventures, Inc. d/b/a St. James Gate. Siobhan Hennessy, siobhi@aol.com, manager, presenting. Asking for two year consent to operate an enclosed sidewalk café with 5 tables and 16 seats. Only walking delivery. Did not post notices and Committee advised applicant to post 14 days prior to the Full Board meeting.
Motion to **approve** the application: 9-0-0-0

8. New Business

Discussion of District Needs statement and participation in Sidewalk Café Working Group, July 27.

Meeting adjourned.

Preservation Committee Meeting Minutes
Lenore Norman and Gabrielle Palitz, Co-Chairpersons
July 14, 2011

1. **163 West 87th St.:** Application to LPC for roof-top addition, rear yard additions and window replacement. Applicant was represented by Ron Eng and Heather McKinstry of Formactiv Architecture Design and Technology PC.

a) Windows: Applicant proposes to replace all front facade windows with same configuration: 1 over 1. Windows will be aluminum-clad wood frame, painted black. The front door (probably original) will be re-finished. The transom will be replaced with one of similar design, with insulating glass.. The front facade will be power washed and patched where necessary.

b) Rear yard extension: The current extension is 17' wide and four stories high. The proposal is to reconfigure the extension by making the lowest 2 stories full-width and 31' back from the rear yard lot line. The top 2 stories (2d and 3rd floors) will be 26' back from the rear yard lot and partially cantilevered over the bottom 2 stories. The masonry will be grey stucco with full width windows and doors on the lower 2 levels . If possible the brick on the rear facade will be saved. The windows on the rear facade and sides of the new extension will be aluminum clad wood windows, painted battleship gray.

c) Rooftop addition. The proposal is for a 600 sq. ft. stucco addition also grey w/ aluminum clad wood windows. There is a small triangular portion of a chimney extension minimally visible from the street.

The owner of 161 W. 87th St.(Joseph Trachtenberg) was present and represented by Susan Eberle. He did not object to the proposal but was primarily concerned with structural issues regarding his bulkhead which apparently encroaches about 6" on to the applicant's property. Applicant's architect agreed to be in contact w/ Mr. Trachtenberg to work out any structural issues.

Alicia Taylor who identified herself as a local architect and preservationist commented on building department processes and expressed skepticism that applicant's proposal would be approved in a timely manner.

During committee discussion some suggested that the applicant might consider painting the stucco a color more in keeping w/ the brickwork. The committee also recommended that the applicant consider more extensive "greening" of the rear yard.

A resolution to approve the application carried 6-0-0-0.

2. **285 CPW:** Application to replace 1 interior courtyard window of Apt. 8N. Applicant was represented by Mark Faulkner of Standard Architects. There is no visibility from a public way but the matter was not approved at staff level at LPC because the window is considered "special". The window is being replace with a fixed louvered window to provide ventilation for a 4-zone condenser being installed in a utility closet being constructed from the foyer which currently contains the window. The window will be bronze to match the existing courtyard windows. Committee discussion established that this was less intrusive and less noisy than the alternative of 4 separate "through the window condensers" which might save the window but which would require lowering of the ceilings within the apt. All agreed that the proposed window was "ugly" but the rear courtyard currently contains a hodgepodge of ugly windows and is not visible from a public way.

A resolution to approve the application carried 4-2-1-0

3. **327 CPW:** Application by Park West condominium for window replacement master plan approving one over one double hung windows for replacements. Applicant represented by David Mann, Architect. Since the designation of the UWS historic district LPC approval has been granted for all replacement windows to be dark bronze, one over one double hung. 100% of the windows have been replaced w/ such windows. Despite that, a staff person at LPC in re the latest application, is requiring six over six double hung windows for the first time. A week earlier, a different staff person had approved one over one double hungs. No discussion was required to conclude that LPC's action was inconsistent. (The architect did inform the committee that in the past the condominium had allowed a choice of 2 windows: one w/ narrow mullions. The committee felt the wider mullions were more appropriate.

A resolution to approve the master plan w/ one over one double hung anodized bronze windows, with the wider mullions carried 7-0-0-0.

Minutes prepared by Jay Adolf

Present: Lenore Norman, Gabrielle Palitz, Jay Adolf, Brian Byrd, Mark Diller, Marc Glazer, Blanche Lawton. **Absent:** Miki Fiegel

**Community Board 7/Manhattan
Steering Committee Minutes
Mel Wymore, Chairman
July 19, 2011**

The Steering Committee of Community Board 7/Manhattan met on Tuesday, July 19, 2011, at the District Office, 250 West 87th Street, in the District. Mel Wymore, CB7 chairman, presided. The following topics were discussed and actions taken.

1. Rear Yard – Open Space/Donut Preservation (presented by Lenore Norman and Evan Mason)
 - Met 3 weeks ago at BP's office. Seeking City Council legislation to preserve open spaces.
 - Approaching from a regulatory perspective - establish tax incentive to remove concrete.
 - 53K acres of residential open space in NYC; 2K in Manhattan.
 - Difficult to map/study precisely -- satellite imagery not fine enough to do a study.
 - Legislative solution re preserving/enhancing green spaces rather than seeking LPC protection.
 - Eliminating hardscape reduces runoff and preserves rear yard character.
 - Legislation to require a permit to lay concrete. DoB permit already required to remove it.
 - Efforts to engage Dep't of City Planning have been ineffective.
 - Environmental rather than landmarks approach. Benefit environment and preservation interest.
 - Requiring runoff management requires zoning text amendment; no enforcement.
 - Cost of the tax incentive should be compared with savings of diverting water from treatment.

Resolution Proposed to endorse tax credits.

- Concern over use of limited sustainability funds. Should include green roofs in incentive.
- Friendly amendment accepted: change "tax credit" to "incentives" to allow flexibility, and reference incentives advocated by C-M Brad Lander as being apt and effective.

After deliberation, the resolution supporting enacting incentives to preserve open spaces was adopted.
VOTE: 12-0-0-0.

2. Public Pay Phones (presented by Elizabeth Starkey)
 - Problem of abandoned/defaced/inoperative public pay phones (both private and Verizon).
 - Cannot get info/statistics on how many pay phones are used over year or given period of time.
 - Shake Shack – Danny Meyer managed to get rid of offensive pay phone on Columbus Avenue.
 - CB4 has struggled with this issue, especially along 9th Avenue – formed task force.
Resolution Proposed re Siting of payphones and related issues.
 - CB4 passed same resolution now presented to CB7.
 - Seeks City Council oversight, with CB involvement, in selection of sites for pay phones.
 - Seek to scale down advertising while still providing source of revenue.
 - Concerns with large ad-driven booths include refuges/storage for criminal activity.
 - Agency (DoITT) let out concession contract without community input - mistake.

- Concern that the wrong Agency has jurisdiction. DoITT not able to assess or keep up with impact on the street.
- All street/sidewalk should be governed by a single agency -- DoT, not DoITT.
- City should incorporate phones in next contract for other street furniture (e.g. include pay phones with bus shelters) – get ad revenue; allow for coordinated planning and input on implementation.
- Placing phones in bus stops enhances safety: predictable location for emergency phone.

After deliberation, the resolution to support the pay phone initiatives was adopted.

VOTE: 12-0-0-0. Non-Steering: 2-0-0-0.

3. CB7 Outreach Update (presented by Elizabeth Caputo)

- Working on Facebook page for CB7.
- Linking material on CB7 website with FB page to make a consistent presentation.
- Launch planned for September. After launch, can evaluate other platforms (e.g. Google+).
- FB is a natural extension of outreach. Missing connections among groups that do not respond to our current outreach. Those demographics already use FB and will not need lead time
- Will connect with people on FB that will not reach otherwise.
- Very important for influential people to “like” it and recommend it to their “friends.”
- Exciting possibilities for promoting small businesses in the District through our FB site.
- Thanks to Liz and committee for a job well done.

4. Recording Full Board Meetings and posting on web

- School group offering to video record FB meetings.
- Concern that video recordings may influence behavior (positively and negatively).
- Transparency controls over concerns.
- Concern about storing recordings - length of time, use of bandwidth.
- Management issue re reluctant participants, over-eager participants (both public and CB7 members). May need to provide at least the public (and possibly CB7 members) with an off-camera alternative to participate in public meetings.
- Concern re public's ability to edit and repost.

5. Religious Holiday Schedule

- 2011-12 list of holidays that require adjustment of scheduled CB7 meetings.
- Includes holidays not accommodated in the past, thanks to Council of Jewish Organizations.
- BP’s office allows flexibility to individual CBs based on affected populations.

6. DNS – work in progress

- Data box and narrative submissions due; some committees already completed their sections.
- Louis working on editing/compiling while in Israel.
- Acceptable to leave blanks for data considered useful but still not known.

7. Core Principles

- Aim for discussion at September Full Board – hopefully leading to a vote.

- Next step is for the urban planning working group to discern ways to measure progress/metrics around impact.
8. Budget Consultations
- Calendar available re meetings with Borough commissioners (in September and October).
 - Chance to see Agency's views of policy priorities.
 - Key questions submitted by CBs in advance – agency comes prepared to respond.
 - Held at OMB – 75 Park Place.
 - 4 City Council members (including Melissa Mark-Viverito) initiated a pilot for “Participatory Budget” process – putting up \$1MM each from discretionary funds, inviting proposals for how to spend – and then funding the “winning” proposals.
9. Proposed Neighbors of the Month
- Stark Brothers/Beacon Paint in September – facilitate word on their annual fundraiser.
 - Kathy Lanoix – “mayor” of 107th Street in October.
 - Stan Solomon – facilitated survey of handicap accessible ramps in southern district in November.

Updates:

- Small Business – at BCI and at Land Use – proposed DCP zoning re limiting size of storefronts. Transparency, size limitation, bank limits
- DCP does not want to continue through urban renewal zone. Wants 87th Street limit for pilot.
- Wrote to DCP summarizing comments received; expect ULURP in the Fall.
- SRO working group – meets monthly with elected and block assns. Looking for real data, trying to get HPD, DHS to work together. Need program for sustainable permanently affordable housing.
- Trying to craft exception to allow some budget hotels to continue to operate, with greater compliance and oversight, with affordable housing as a component.
- Neighborhood groups continuing to battle for SRO tenants.
- Columbus Avenue traffic – DoT promised data this month; Gale's office will independently collect data but still need DoT results.
- Tree Pits – CB4 and CB7 most successful in getting community members to adopt tree pits in Columbus Ave bike lane. Some businesses and individuals have adopted. Next step is to compile groups in CB4 and CB7 to compare notes on what grows well/poorly. Focusing on upper 90s. Jacquie Morrison adopting the one next to her late husband's alternate street naming site. Water to maintain gardens is a big problem.

Adjourn 8:45 pm.

Present: Mel Wymore, Andrew Albert, Page Cowley, Mark Diller, Miki Fiegel, Marc Glazer, Lenore Norman, Elizabeth Starkey, Barbara Van Buren, and Dan Zweig. **Board Members:** Mark Darin and Sheldon Fine. **Absent:** Linda Alexander, Richard Asche, Louis Cholden-Brown, Victor Gonzalez, Klari Neuwelt, Gabrielle Palitz, Michele Parker, Madge Rosenberg and George Zeppenfeldt-Cestero.

Land Use Committee Meeting Minutes
Richard Asche, Page Cowley, Co-Chairs
July 20, 2011

1. Discussion of Land Use Committee's contributions to MCB7's District Needs Statement for FY2013. The committee reviewed co-chair Page Cowley's initial responses to DNS information form. DNS is due to the Department of City Planning by August 1.
2. Discussion of draft proposed "Working Principles for Envisioning Manhattan's Upper West Side"
 - a. Adopted language change suggested by Preservation Committee for second paragraph under "Land Use and Preservation"
 - b. Added paragraph on good design and selection of building materials
 - c. Added paragraph calling for considering building design in its entirety and not just as viewed from the street

There being no further business the meeting was adjourned.

Present: Richard Asche, Page Cowley, Hope Cohen, Roberta Semer, Tom Vitullo-Martin

Board Chairman: Mel Wymore

Absent: Jay Adolf, Sheldon J. Fine, Joanne Imohiosen, Helen Rosenthal, Ethel Sheffer