



COMMUNITY BOARD 7/MANHATTAN
Minutes of Full Board Meeting
October 2, 2013

Community Board 7/Manhattan's Full Board met on Wednesday, October 2, 2013, at Goddard Riverside Community Center in the District. Chair Mark Diller called the meeting to order at 6:37 pm after the Secretary confirmed the existence of a quorum.

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

Chair's Report: Mark N. Diller

- We start on a somber note, there were stabbings in Riverside Park, our thoughts are with the victims and with those who came to their aid.
- The Alamo Draft House will not be opening at the landmark Metro Theater on Broadway at West 99th Street, which is disappointing news. CB7 worked hard to clear the way for this project which required several special permits and clearance. We will renew our search for a good use for this landmark building and to enliven the retail experience on this stretch.
- The New York State Department of Health conducted a hearing to receive testimony on the appropriate scope of an Environmental Impact Statement (EIS) for the proposed project for West 97th Street at PS 163 on September 17th. CB7 delivered testimony on various aspects of the project's impacts, including the release of toxins believed present at the site, transportation, and community facilities. Thank you to Vice Chairs Elizabeth Caputo and Roberta Semer for testifying with me. And thanks to the many Board colleagues who testified or attended.
- The next BCI "B2B" business-to-business marketing and networking event will take place at the Youth Hostel on 103rd and Amsterdam on October 29th. Thanks to the committee for a great team effort.
- CERT recruiting is underway, further information the CB7 website. With thanks to Shelly Fine.
- Planning is underway to use an urban fellow to study resources and programs for children and young adults in our District. Last year's Fellow was instrumental in advancing our Pedestrian and Circulation Safety working group. YEL and others were involved in mapping out research ideas.
- Pedestrian and Circulation Safety Working Group – this is the last call for comments. Please use the link on our CB7 website.
- Unsightly News boxes – Marc Glazer's good efforts are so far frustrated. The DoT is unable or unwilling to provide effective relief. The current law makes it functionally impossible to remove moribund and unsightly news boxes. The Chair will work with the Chair-elect to create a working group to implement next steps. Anyone interested please see Marc or me.

- The Playground on West 89th Street redesign is stymied at the Design Commission. They are pursuing alternatives to get PDC to put it on the agenda.
- Bruce Stark’s fundraiser for Guiding Eyes for the Blind, a former neighbor of the month honoree, will be held this Saturday evening at MS 44 O’Shea Yard.
- Date changes for committee meetings were announced. Please check the website for updates.
- Tonight is my last night Chairing CB7 Full Board meetings. This has been an extraordinary experience with too many people to thank. I have been delighted to speak on behalf of so many leaders in our community.
- Many thanks to the executive board members: Roberta Semer, Elizabeth Caputo, Marc Glazer, Miki Fiegel, Dan Zweig, Su Robotti, DeNora Getachew, and Louis Cholden-Brown.
- Thanks to all the committee chairs: Marisa Maack, Richard Asche and Page Cowley, Gabby Palitz and Jay Adolf, Nick Prigo and Louis Cholden-Brown, Klari Neuwelt and Elizabeth Starkey, Madge Rosenberg and Barbara van Buren, Andrew Albert and Dan Zweig, and George Zeppenfeldt-Cestero and Michele Parker.
- Thanks also to the Working Group Chairs: Ethel Sheffer, Roberta Semer.
- Special Committee Chairs: Shelly Fine and Evan Rosing.
- Thanks to the electeds and their staff, they are amazing partners in our work.
- Our District Office Staff Jesse Nieves and John Martinez.
- Not last but best, my mentor, confessor, and therapist Penny Ryan.

Community Session

Lei Xi – Shen Yun seeks to preserve traditional Chinese culture and arts. Chinese culture was systematically eradicated in China when she was a child in China.

- Sean Donovan, 10 West 93rd Street - Surrounded by Columbia Prep. Recently DoT created a no parking-school zone in front of our building. This is improper and they use it for valet parking for the parents. They have taken away our parking and now have moving cars there.
- Pascal DuBois, NYC Hanes, CUNY School of Public Health - 3,000 New Yorkers have been randomly selected to be included in a voluntary study to measure the health of the average New Yorker. Please participate if you have been randomly selected. The information leads directly to new policies for health improvement in New York.
- Pierre Vallet, 159 West 74th Street - Complained at BCI last month about Josie’s restaurant producing exhaust smell. There has been improvement, though it’s not yet perfect. There are so many restaurants along Columbus you can no longer smell the park.
- Brenda Levin, Extell Development Company - Thank you to Mark for being a great Chair.
- Jane Thompson- regarding 732 WEA - We want to keep your consciousness raised about the hideousness of sliver buildings. On our building we are now being faced by scaffolding on the north wall making a complete mess and they have done no work for a

month. West 96th Street is in danger of townhouses being torn down and windows of existing buildings being blocked. This builder has many violations.

- Roberta Roden, regarding 732 WEA - This construction has gone on 8 ½ years. They have never cleaned or protected us from toxic dust. 15 garbage bins on the street are uncovered. They do not have liability insurance, the policy expired. The daily noise of concrete mixers must be very distressing to the children in the school next door.
- Bob Wyman – Fracking ban is not good enough. Thank you for your support of Clean Heat program working to get rid of oils #6 and #4. Air quality tests from last winter indicate NYC is cleaner than it has been in 50 years. We need to ban any construction that uses fossil fuel. Question: our building wanted to go to gas. Could not, so went from #6 to #4. Response: Please ask your landlord to go to #2. The problem with gas is that high pressure gas lines need to be installed on streets that don't have them.
- Jennifer Zarr, new library manager at St. Agnes Library - We have many events. Please come to our book sale, the selection is excellent.
- Alan Flacks, West 100th Street - Despite the years we've crossed swords, Mark, you've been fair and good to work with.
- Richard Barr – The New York State Theater is part of Lincoln Center and we taxpayers have paid for it. David Koch gave \$100mm to renovate the theater and asked it be named for him. I would like CB7 to pass a resolution objecting to the name change because his politics are objectionable to me.
- Eric Shuffler, PTA 199 - We've had some traffic problems and we've worked with CB7 and neighbors and then DoT. Finally we have curb extensions and it has much alleviated the problem. Thank you from the grateful 199 community.

Manhattan Borough President Scott Stringer

- Congratulated Helen Rosenthal as the next Council Member for the 6th District.
- Congratulated CM Gale Brewer as the 27th Manhattan Borough President.
- Thanked community because as last 7+ years during his tenure, Boards have worked hard to be important counterweight to development in the borough.
- Presented a proclamation to Mark Diller who has served with great distinction as an activist for every part of the West Side. Noted that successor will have great shoes to fill and Mark has been a shining light in the community. Proclaimed today, Wednesday, October 2, 2013 as Mark Diller appreciation day.

Reports by Legislators:

Gale A. Brewer – City Council Member, 6th District

- Thanked Mark Diller for his outstanding service.
- 10/22/13 – West End Avenue Historic District (2nd of 3 sections) Council Land Use vote will take place. Usually takes place at 11 a.m. at 250 Broadway. This will only be a vote, not a hearing. Took into consideration the Board's recommendations.
- The runoff election on October 1, 2013 cost taxpayers \$69 per person to vote. There is a bill to implement ranked voting locally including military and absentee voters.

- With sequestration, shutdown and general cuts, HPD has to cut \$35M from its Section 8 program. HPD has decided that some people in Mitchell Lama must downsize as a way to meet the budget.
- Rats – there are ways to deal with this. Residents are able to work with Dept. of Health to better handle garbage storage and collection to reduce this
- Electronics recycling October 6 outside the Beacon Theatre.
- October 20, 2013 11 am. – 3 p.m. there will be free bike helmet giveaway.
- First Wednesday of the a month C-M Brewer’s free housing clinic at Goddard-Riverside.
- Working on a long list of bills would like to see passed before the end of her term that has submitted to Speaker Quinn.

State Senator Brad Hoylman

- Thanked Chair Diller for his service to the board and leadership in the community.
- Noted that Governor Cuomo signed bill he co-sponsored with A-M Dick Gottfried regarding urgent care centers. This bill emanated from a pop-up of these urgent care centers after St. Vincent’s closed. This bill would regulate them in a hybrid form so patients know what to expect when accessing services in this manner.
- Informed public about a forum his office is hosting titled Frackonomics on October 3, 2013 6p.m. – 8 p.m. at SBA Theater located on 23rd Street between 8th and 9th Avenues. The purpose of this forum is to discuss the myths of the economic benefits of hydrofracking. Debra Rogers will discuss why hydrofracking is not the economic benefit people purport it is.
- Noted that his office will be providing free flu shots on October 16, 2013.
- Commended Board on West End Avenue Historic District expansion. Followed the Board’s lead in this regard, as well as the lead of other local elected officials.
- Acknowledged this is Jared Chausow’s last meeting as representative for his office. Thanked him for this service to the office.
- Congratulated Helen Rosenthal on winning the primary election for Council District 6. Looks forward to working with her in this new capacity.

State Senator Jose Serrano

- It’s been a pleasure to work with Mark. I appreciate your insights and look forward to working with you in a future capacity.
- Because of re-districting I suddenly have a large parcel of the Upper West Side to represent. This will be an exciting next few years.
- I passed out a new board report.
- Senator Hoyleman and I testified in support of the West End Historic District. The cultural integrity of our neighborhood is important to me.
- I will be pushing very strongly for campaign finance reform. I believe the changes made with City Council campaign finance reform were successful.
- I will push for member item reform. Individual allocations of legislative grants have been taken away from individuals.



Sheldon Fine announced that on Sunday, October 27 at Young Israel Synagogue will offer free flu shots for all.

Reports by Legislative Representatives:

David Bailey, State Senator Adriano Espaillat's Office

- Working on select bus service and ending subsidies for luxury buildings.

Paul Sawyer, Assembly-Member Linda Rosenthal's Office

- Thank you, Mark, for your service on the Board.
- Free breast cancer screening, and free flu shots. Dates in the flyer on the back table.
- Working with the Apthorp residents to minimize the very significant changes the roof addition will have.

Dominic Lee, Assembly-Member Daniel O'Donnell's Office

- Having a legal clinic and winter health service day. Flyers on the table in back.

Election of Board Officers for 2013-14

Evan Rosing, Chair, Elections Committee

- Chair of Elections Committee provided instructions regarding how Community Board members should cast their ballots noting that each board member should vote for one candidate for chair, up to two candidates for vice chair, and up to two candidates for co-secretary. Indicated that must sign ballot on the back next to the round number in order for vote to be effective.
- Candidates seeking office were provided five minutes to present an opening statement on why each is seeking election.
- Voting and counting of votes proceeded in accordance with the bylaws. No objections or concerns were raised before, during or after the voting.
- Chair of Elections Committee presented the results at 9:33 p.m:
 - Elizabeth Caputo – Chair
 - Marc Glazer, 1st Vice Chair; Su Robotti, 2nd Vice Chair
 - DeNora Getachew and Brian Jenks – Co-Secretaries

Business Session

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

1. Request for a secondary street naming of the northeast corner of West 77th Street and West End Avenue in honor of Miles Davis, who lived at 312 West 77th Street.

Although there is no objection to the placement, a plaque cannot be placed on the 312 West 77th Street until all outstanding LPC violations are resolved. The committee will revisit this issue once the violations are resolved or in ten years, depending on which occurs first. The ten year reevaluation is relevant to all secondary street renaming.

Community Comment:



- Ellen Gottesman, a Columbia student, provided testimony on behalf of Shirley Zafirav. She presented Miles Davis' history on the Upper West Side and provided context as to why requested in October 2010 for such recognition for Miles Davis.

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

VOTE: 31-1-2-0

2. Request for a secondary street naming of the northeast corner of West 97th Street and Amsterdam Avenue in honor of Ariel Russo, who lived on the Upper West Side. Ariel Russo was tragically killed, and her grandmother severely injured, when an SUV speeding to evade the NYPD, was unable to complete a turn onto West 97th Street from Amsterdam Avenue and crashed into the pair as they were walking to school.

Community Comment:

- Sophia Russo, mother of Ariel Russo, spoke about the significance of a secondary street naming for her deceased daughter and bringing closure to a tragic and sad event. She thanked CB7 for the opportunity to speak.
- The family is speaking with the City Council to outlaw police chases in school zones.

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

VOTE 34-1-0-0

Preservation Committee

Jay Adolf and Gabrielle Palitz, Co-Chairpersons

3. **2211 Broadway, aka 390 West End Avenue, The Apthorp** (West 78th-79th Streets.)
Application

#143727 to the Landmarks Preservation Commission for rooftop addition to the Apthorp.

The Preservation Committee made a rare exception allowing the applicant to offer a 20-minute presentation. Residents who are in opposition have designated speakers who will present their case in a similar twenty minutes. This approach is in the interest of efficiency and hopes that those who support views previously expressed will simply indicate such support, which will be duly noted in the record.

Applicant's Presentation:

- David West, one of the architects on the project who has been working on Apthorp enlargement, provided the presentation. The plan is to take some 5 apartments on the 12th floor to convert them to new duplex enlargements located primarily on West End Avenue (the westernmost and least visible portion of the building).
- A fact sheet was provided to the public summarizing the major components of the proposal and a slideshow was displayed and discussed.
- The centerpiece is the new two-story penthouses on the WEA elevation, connected through corner hybrid connectors to the existing loggias/pergolas/pavilions on the north and south elevations.



- The design plans to use all Indiana limestone and bright copper for roofs and non-reflective glass for the windows.
- The project goal is to be referential to existing building without being replicative.
- Height of new structures intentionally designed to be the same height or lower than that of the existing loggias/ pergolas/ pavilions.
- Will replace current roofdeck with a new roofdeck for tenants on the eastern (Broadway) side of the building.
- Newly added cooling towers will remain on the eastern (Broadway) side roof.
- Studied visibility extensively and believes it passes the test of minimal visibility from the public way.
- Built a complete mock-up that is presently on the roof that shows that it is a tiny speck from the far west. Presenter discussed the various angles of visibility.
- The courtyard is an exterior space, which is presumably included in Landmark. In courtyard, there is more visibility mostly of the 14th floor.

Opponents of the Project:

Joe Winogradoff, representative of new condo board, has lived in Apthorp since he was born.

- The building pergolas have great views of the City and access to July 4th fireworks when conducted on the West Side. This area would be taken away via the project. Entire upper perimeter of the building was also accessible.
- The footprint of expansion is far wider than applicant purports.
- The mock-ups/smoke stacks were added to the pergolas on the Tuesday after the Preservation Committee meeting. The mock-ups are much more visible the further you walk away from the building. They will be butting up against the pergolas on the 79th street side.
- A key feature of the Apthorp is the transparency of the pergolas, which is a clear, thought out design element. The current mock-up does not make clear what will occur on the courtyard side of the building because they lack tops. The courtyard is an integral element of this building.

Mark Weinbaum – Co-Chair of Apthorp Condo Board.

- Provided historic perspective of the Apthorp courtyard. Two features of particular note – rectangular courtyard and the pergolas. The courtyard was an aesthetic centerpiece that provided central light and air for the building. Pergolas enabled residents to have a panoramic view.
- Designated a landmark in 1969. No objections by owners to the designation.
- In designating as a Landmark LPC noted that courtyard was integral component.
- In 2008, LPC reaffirmed this position when sponsors attempted to put HVAC units on the roof. LPC conditioned approval of the HVAC units on the grounds that addition could not detract from sightlines nor obstruct tenants access. LPC also rejected changing from electric to gas and narrowing the driveway.



- The rationale for CB7 Preservation's disapproval of current application was predicated upon the lack of visibility resulting from the construction and final structure.
- For residents and guests the courtyard is a special iconic space similar to the Dakota, Ansonia and Belnord.
- There is no reason the sponsors should tamper with the structure. It is inconsistent with the LPC designation.

Tony Smith – resident of Apthorp and leader of Apthorp residents' association

- Asked members of public who were at CB7 meeting in opposition to the proposal to raise their hands, so that Board could see the impact their decisions would have.
- The courtyard and sight lines is a unique architectural element that will forever disappear with this addition, if approved. The arches will never been seen or used as intended. The courtyard is unique, others exist, but none as large and distinct with symmetry balance as the Apthorp.
- It was never designed to be consistent with the proposal contemplated here.
- Urged the Board to save this landmark.

Mark Meyers – journalist who writes on arts and architecture.

- This is ruinous architecture.
- Will impose an eyesore from Riverside Drive, West End Avenue and Broadway.
- It was designed to be special, not a half-finished construction.
- Even in relation to federal landmark designation, rooflines matter.
- Insertion of hulking eyesore diminishes visual value and is equivalent to tearing a building down.
- Asked Board to listen to their heart and not do the unthinkable.

Additional Community Comments:

Arlene Simon, Landmark West!

- Expressed Landmark West!'s unqualified opposition to the addition.

Josette Amato, West End Preservation Society, Executive Director

- Group is opposed to this project.
- The scope will overwhelm its Italian Renaissance beauty.
- The addition will hover over courtyard like a dark cloud.
- By design and function, this is meant to enable breezy area and views.
- This detracts from historic district.
- Asked Community Board to disapprove this project.

Batya Lewton, Coalition for Livable West Side

- Absolutely opposed.

Board Discussion:



- Preservation Committee Co-Chair Palitz thanked everyone for a great process despite differing and difficult positions. Recapped work to date, explaining that the committee voted to disapprove the rooftop addition because the bulk and massing primarily impacted the visibility in the courtyard. The interior of the courtyard is where greatest concerns lie. The current iteration is particularly troubling.
- Co-Chair Adolf observed that the Apthorp was designated as individual landmark as a whole in 1969. The courtyard is not itself an individual landmark. There is a body of thought that no rooftop additions should be allowed on an individual landmarked building, but the landmarks law actually permits rooftop additions and actually contemplates such additions to individually landmarked buildings. There is nothing inherently impermissible about such additions. In fact, there are many in the historic district.
- Q. Regarding the alleged change to the mock-up the day after the Preservation Committee meeting?
Applicant: The photomontages and computer mock-ups are accurate, but believe that there were changes to condenser units and fans to make them completely hidden.
- Q. Were changes made to the mock-up?
Applicant: “It is possible” that this occurred.
- Q. How many square feet can be added to the building?
Co-Chair Adolf: The Apthorp is allowed approximately 70,000 square feet of which they are seeking to use 16,000 square feet now. The remainder will be dedicated to the condo association.
- A board member who was a dissenting vote at the committee level explained his vote: There are rooftop additions on Upper West Side, including in his building the Belnord. The violation of the skyline of mechanical additions, etc. is part of character of NYC. This should not be reason to turn the request. The question is the impact on the historic structure. Such board member thought it was reasonably appropriate and that there was some, but minimal viewing from outside. Such board member does not believe that transparency of the pergolas will be compromised. All of the copper filling on roof will have to be replaced. The Belnord started a project four years ago that will likely go on for two more years. It will take a lot of attention and money, but will also bring attention to money. Believes there are benefits to landmarked buildings to such a rooftop modification. There is no getting around the imposition in the courtyard.
- Another board member explained why casting a dissenting vote: While the committee often approves projects with modifications/conditions, that was not an option in this case. There is no conditional voting in the minority once a majority takes a disapproval position. Does not believe there is any real question of visibility from the public way, which is the standard from LPC when they assist visibility. The applicants had done extensive shadow studies at the request of the committee. So any assertion to the contrary regarding diminution of light is untrue. While location of common roof space is being changed, there will be additional space.



- A board member explained the majority disapproval position: Ada Louise Huxtable is not against all additions, just insensitive ones. Rooftops can be economically beneficial to the building. The Apthorp is a special creature and should be treated as such. The committee did not vote against a rooftop addition in general, but instead against the specific one tonight.
- A board member noted that there are three issues with the appropriateness of proposal. One is how additional bulk will be seen from the public way. This is first landmark consideration. It is not minimal because you can see the red. The second area has no additional bulk and does not change the mass of the building. The pergolas are the strongest argument in favor of disapproval. There are many sightlines that will be so significantly changed. The resolution should go further on this point. Such board member thus offered a friendly amendment to reflect this. Regarding the courtyard, CB7 has seen an explosion in number of rear yard additions to brownstones mostly, even if there is no public visibility. Courtyards are significantly akin to rear yards that often have to consider. Agrees with board members who dissented that courtyard addition is appropriate, but this issue can go either way.
- Co-Chair clarified that the facts do make clear the importance of the daytime transparency. If could setback the 14th floor further, would gain substantial skyline.
 - The board member subsequently withdrew friendly amendment.
- Chair of the Board applauded disapproval because it is the correct vote here. Does not offer any change to resolution. Highlighted that question is whether the architecture of the addition, handsome or not, belongs here. Portions of the addition visible within the Courtyard are deeply troubling. If donut in historic district is something that we pay attention to, then courtyard of one of iconic building deserves at least similar treatment. Differ a little bit with committee on pergolas in that the use of the pergolas will inevitably affect their transparency, and the sense of lightness that informs the otherwise monolithic massing on the north and south elevations, and because the alternating patterns of smooth and rusticated fabric, together with the pergolas and the varying patterns of fenestration create a sense of the whole that one could argue was greatly distorted by the infill, but on balance believes the Committee's resolution gets it right and is proud to support.
- A board member highlighted relevant experience in this regard. Rarely does community get such a unique type of structure. Certain buildings deserve certain type of review, regardless of the legal parameters. If this goes forward, it will obscure features of the building. Believes architects can come up with something less invasive. Agreed with another board member that glass is not transparent and will change appearance on the building. Believes this is an admirable attempt to add to the building, but the proposal needs work. Supports application as presented.

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

VOTE: 35-2-0-1



4. **1 Riverside Drive (West 72nd Street.)** Application #14-5757 to the Landmarks Preservation Commission for Replacement of an exterior hatch exit with a staircase leading to the cellar.

- Co-Chair of Preservation corrected the board package materials in that there was one abstention at the committee level.
- The new stairway will be faced with limestone to match the façade, and the railings will match the existing window guard patterns

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

VOTE: 37-0-0-0

5. **135 Central Park West (West 73rd – 74th Street.)** Application #147161 to the Landmarks Preservation Commission for proposed amendment (Docket #136667) to the top of a "historic" entry gate at rear entry to The Langham.

- This application involves changing top of wrought iron at rear entry of building.
- Owners have taken huge steps to restore this.

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

Vote: 36-0-0-0

6. **211 Central Park West #21-22E (West 81st – 82nd Street.)** Application to the Landmarks Preservation Commission for replacement of windows and terrace doors in Apt. 21-22E.

- Project involves replacement windows and terrace doors on 21st and 22nd floors of the Beresford.
- Preservation Committee voted to disapprove because the original design of the building has very consistent single casement windows all throughout. Originally there was a similar pattern, but this has changed.
- This is quite visible from the park. Building could not find master plan, which would have likely addressed this more holistically. Some of the original penthouse doors have been modified and it is a dramatically noticeable difference.

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

VOTE: 36-0-0-0

7. **128 West 82nd Street (Columbus – Amsterdam Avenues.)** Application #135726 to the Landmarks

Preservation Commission for the installation of a window in the rear façade as part of an approved gut renovation of the existing rowhouse.

- Applicant seeks to install window in rear façade of an existing rowhouse.
- The committee worked with the applicant to secure agreement on modifications to the plan to harmonize the fenestration and make it more appropriate.

- A board member asked how does LPC take the proposed modifications into consideration.
- Co-Chair noted that this case is not a make or break before obtaining LPC approval, but instead a recommendation.
- Other Co-Chair noted that in the case of conditional approval the owner would have to agree before committee approves the application and the committee then goes down to LPC to testify regarding the importance of the conditional approval or disapproval.

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

VOTE: 37-0-0-0

8. **514 West End Avenue** (West 85th Street.) Application to the Landmarks Preservation Commission for a penthouse expansion.
- Co-Chair noted that this is a penthouse expansion. This is a small rooftop addition and it is minimally visible from Broadway. The committee believed that this was reasonably appropriate.
 - Co-Chair noted that this was a great design and too bad only the owners would get to view it.

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

VOTE: 35-0-1-0

9. **272, 274 & 276 West 86th Street** (Broadway – West End Avenue.) Application #14-3539 to the Landmarks Preservation Commission for rooftop and rear yard additions.

Co-Chair provided an overview of the position that involves three limestone buildings on west side of W. 86th right before the bus stop. Four aspects:

1. Restoration on front façade and replacing doors, etc. Committee was generally favorable to this with suggestion that change doors. Gave strong recommendation to architect to go back and find doors consist with the historic district.

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

VOTE: 37-0-0-0

2. Rooftop addition, which spans top of the three facades. These are setback from front façade at same distance as addition at 276. If stand directly across street on W. 86th it is not visible, but if go east or west then it becomes proportionally more visible than expected. The roofdeck was described to the committee as being occupied by new residents of the addition. At LPC, the presenting architect switched position to say could not occupy it. If would be inhabitable then would have to have three ladders for code access purposes. This is definitely viewable from the street. Resolution from committee was to disapprove the application.

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

VOTE: 35-0-1-0.



3. Rear yard expansion would essentially against the back façade infill the depth between the existing dog legs and back of the existing buildings. Committee was ok with this, except wanted more delineation between new infill and existing structure. LPC supported this approach.

Board Discussion:

- Concern with the Board moving in the direction of approving these rear yards. When someone purchases a historic building, they know what they get and should not just allow individuals to add square footage and impact air and light, etc. of the rear yard.
A: LPC has become more sensitive to what happens in the donut. This donut in reality does not exist because it backs up against a high rise building.
- The unusual thing about this application is that the existing dog legs only went 70 feet in to the lot. Normally they go 80-82 feet, beyond where the zoning would enable the applicant to build.
- Is the original existing extension 1, 2 or 3 stories? Concerned is open space in the rear yard.
A: It is 2-3, but they are not going above the existing dogleg.
- The past is coming to haunt the board. This is a pattern that predicted would happen that is increasingly occurring.

Resolution is to approve the rear yard addition with two conditions: require a clear setback of the infill from the existing extension façade to demark where the new and historic fabrics are located, and to preserve punched windows at the top floor of the rear façade to be consistent with rear yards.

After deliberation, the resolution to approve the rear yard addition **failed**.

VOTE: 18-14-5-0.

A substitute resolution to disapprove the rear yard additions due to the incursion on the rear yards by the infill was moved and seconded.

After deliberation, the resolution to **disapprove** the rear yard addition was **adopted**.

VOTE: 25-6-5-0.

4. Excavation of a portion of the rear yard and creation of cellar infill into the rear yard. The result would be a cellar space with a full-height opening onto a 10 (later 20) foot space between the fenestration and the rear lot line. The excavated area would be planted with the use of free-standing planters.

The committee never reached consensus.

Board Discussion:

- A board member proposed a resolution to disapprove, which was properly seconded.



- LPC has no jurisdiction over cellars because not visible from the street and it does not affect the donut, except from a topology perspective. It has no impact on character of building.
- The rear yard characteristic is still relevant even if underground. It should be made clear that this is a landscaped area and not for construction.
- When there are additions to the ground floor the owners experience rear flooding because these are usually below soil level.

Community Comment:

Batya Lewton - Opposed to cellar expansion because it will be used as living space.

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

VOTE: 31-1-5-0

5. **189 Columbus Avenue d/b/a Vive La Crepe** (West 68th – 69th Street.) Application #147724 to the

Landmarks Preservation Commission to legalize an existing storefront.

- Co-Chair explained that this is a narrow infill for a storefront. They are installing three glass panes that can be opened quickly. This is a legalization of the existing storefront.
- Committee voted to approve as reasonably appropriate.

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

VOTE: 37-0-0-0

6. **313 West 74th Street** (West End Avenue – Riverside Drive.) Application #142013 to the Landmarks

Preservation Commission for legalization of a rooftop addition.

- The application is styled as a legalization because LPC issued violations.
- Applicant presented evidence that the conditions had been in place long before the historic district, and that it was recent permitted renovations that gave the impression that the footprint of the existing structure had changed when it had not.
- Structure in question is not visible from the street (although other bulkheads not a part of the application are visible, and existing and appropriate).

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

VOTE: 33-0-2-0

7. **250 West 77th Street, dba Belleclaire Hotel** (Broadway – West End Avenue.) Application to the

Landmarks Preservation Commission for replacement and restoration of the storefront new signage and lighting.

- WITHDRAWN.

**Health & Human Services Committee****Madge Rosenberg and Barbara Van Buren, Co-Chairpersons**

8. Risk to the exposure of Radon.

- Co-chair provided history on radon noting that it is the second leading cause of cancer aside from smoking. World Health Organization has stated that exposure to radon over certain level is hazardous.
- A-M Rosenthal and Senator Diane Savino have focused on this issue and sponsoring legislation to address this. The legislation attempts to ensure monitoring and mitigation of radon by State Legislature, City Council and local agencies to inform health policy going forward.

Board Discussion:

- Q. Is there current danger from gases coming in to the city?
Committee member: Professor from CUNY school of public health indicated that much of gas now is coming from Gulf Coast and by time it gets here it is usually below WHO recommended levels.
- New York City already has criteria about appropriate radon levels.
- The real concern with radon is the impact of this if fracking were permitted.
- A board member noted that gas from Texas is substantially less intense than what would come from shale.
- This is separate and distinct from hydrofracking conversation. This is about getting a sense of the current levels of radon in our airspace, etc. it is hard to determine what gas is coming from where. A-M Rosenthal's legislation would help understand effects of gas from Marcellus Shale.
- Q. Is there is a clear and present danger regarding radon gas now?
No, this is what the legislation contemplates.
- Is there a fiscal impact associated with this bill?
The legislation is being reworked now, which is why the Committee did not outright support the proposed legislation in its resolution. It was recommended that manufacturers should take on issue of mitigation. This may raise consumer cost, but it was not definitive.
- Simplify the resolution to encourage council and state government to monitor current and future dangers of natural gas when it enters the City. Radon is a very serious gas in mountainous areas around here, especially in New Jersey. The gas itself is radioactive. Presumably it is all around. The cure is put in permanent ventilation. Believe resolution would take moderate approach.
- There is valid concern on the issue of whether it can permeate our air and building.
- This resolution is moderate.
- Friendly amendment to the last whereas clause to remove the clause relevant to alternative energy sources.

A board member does not believe this is not friendly because it was a consistent concern of the community.

After deliberation, the resolution was adopted.

Vote: 31-2-0-0

9. The New York City Health and Nutrition Examination Survey (NYC HANES).

- Board member noted that the HANES study was done in 2004. The last time this survey was conducted in 2004 the survey included 3000 residents and it resulted in many health reforms, including banning smoking on beaches.



- Many community boards have already expressed their support for this.

After deliberation, the resolution was adopted.

Vote: 28-0-1-0

Parks & Environment Committee

Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons

10. NYC Council Bill No. 1135-2013, which would require that retailers charge a minimum of ten cents for carryout bags.

Parks Co-Chair noted that C-Ms Brewer, Dickens and Mark-Viverito, who represent CB7, all are co-sponsors of this bill.

- The bill would require a ten cents surcharge on all plastic and paper bags distributed at grocery stores and other vendors.
- Many states and municipalities have implemented this type of legislation. Accordingly, New York City studied the impact on consumers based on experience of other municipalities.
- This bill would provide an exception for takeout that may spill or be messy. Bags for fruit or vegetables would not be included. There are also exemptions for pharmacies and those using food stamps.
- The bill contemplates significant education about the new surcharge and phase-in for penalties.
- The merchant would retain the ten cents charge. This was further clarified that if the state or municipality kept the ten cents, there is concern that there could be litigation that this could be treated as a tax.

Board Discussion:

- This is analogous to bottle bill where the merchant could keep some portion of the proceeds because the merchant had to process the recyclable. In this case, the merchant has a reduced cost.
- The co-chair noted that there is a social engineering aspect here.
- Very opposed to this proposal. This is double tax for the purchase of the bag and when purchase bags for garbage. Low and middle income individuals are going to hurt from this. Should use Zabar approach that should be given a reward if bring their bags.
- This is an economic boon to the merchants.
- Those who live in high rise buildings are at a disadvantage because they need the bags to discard garbage. This is a tax on apartment dwellers.
- Merchants get advertising and marketing value out of consumer using their bags. The issue is the store getting the profit.
- In San Francisco they charge for bags, this is not a good idea for tourism.
- Californians are better citizens because forced to do so by law. Another disadvantage is that people use the recyclable bags to take out their recyclables.
- There is a huge amount of waste that goes on for paper and plastic bags. The experience is that this approach works.
- This is a regressive tax.



After deliberation, the resolution was not adopted.

Vote: 9-17-4-0

- A board member proposed a resolution to oppose the bill as written and to withdraw, which was properly seconded.
- A board member proposed a motion to table the resolution to the following meeting.

After deliberation, the resolution to table was adopted.

Vote: 20-7-1-0

Business & Consumer Issues Committee

Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

11. **483 Amsterdam Avenue** (West 83rd Street.) Application to the State Liquor Authority for a two-year liquor license by Nicky Meatballs, Inc, d/b/a Polpette.

- A Co-Chair provided background on the liquor license request and presented the committee's motion to approve.

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

VOTE: 28-0-1-

12. Unenclosed Café Renewal Applications:

- **313 Amsterdam Avenue** (West 75th Street.) Renewal application DCA# 1471902 to the Department of Consumer Affairs by Baby Oliver, LLC, d/b/a Piccolo Cafe, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 24 seats.
- **359 Columbus Avenue** (West 76th – 77th Street.) Renewal application DCA# 0953473 to the Department of Consumer Affairs by 359 Columbus Avenue, LLC, d/b/a Isabella's, for a two-year consent to operate an unenclosed sidewalk café with 28 tables and 74 seats.
- **568 Amsterdam Avenue** (West 87th – 88th Street.) Renewal application DCA# 1273996 to the Department of Consumer Affairs by Mermaid 88, LLC, d/b/a The Mermaid Inn, 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: 25-0-1-0

13. **522 Columbus Avenue** (West 85th Street.) Renewal application DCA# 0895505 to the Department of Consumer Affairs by Barjer Corp., d/b/a Firehouse Restaurant, for a two-year consent to operate an unenclosed sidewalk café with 11 tables and 29 seats.

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

VOTE: 24-0-1-0

14. **414 Amsterdam Avenue** (West 80th Street.) New application DCA# 1471611 to the Department of Consumer Affairs by 4SK-414 Amsterdam Avenue LLC, d/b/a Pinkberry, for a two-year consent to operate an unenclosed sidewalk café with 5 tables and 11 seats.

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

VOTE: 26-0-0-0

**15. Enclosed Café Renewal Applications:**

- **2020 Broadway** (West 69th Street.) Renewal application DCA# 0769760/ ULURP# N110004ECM to the Department of Consumer Affairs by First 69th Street Realty Corp., d/b/a Westside Restaurant, for a two-year consent to operate an enclosed sidewalk café with 17 tables and 34 seats.
- **300 Amsterdam Avenue** (West 74th Street.) Renewal application DCA# 1218880/ ULURP# N120359ECM to the Department of Consumer Affairs by American Specialty Foods, Inc., d/b/a Josie Restaurant, for a two-year consent to operate an enclosed sidewalk café with 11 tables and 27 seats.
- **502 Amsterdam Avenue** (West 84th-85th Streets.) Renewal application DCA#1146560/ ULURP# N120361ECM to the Department of Consumer Affairs by Romagica, Corp., d/b/a Celeste, for a two-year consent to operate an enclosed sidewalk café with 4 tables and 10 seats.
- **2483 Broadway** (West 92nd- 93rd Street.) Renewal application DCA# 0916146/ ULURP# N120331ECM to the Department of Consumer Affairs by Hussien Environment, Inc., d/b/a Cleopatra's Needle, for a two-year consent to operate an enclosed sidewalk café with 9 tables and 16 seats.
- **2787 Broadway** (West 107th Street.) Renewal application DCA# 1147364/ ULURP# N120346ECM to the Department of Consumer Affairs by Hillview Specialty Food Inc., d/b/a 107th West Restaurant, for a two-year consent to operate an enclosed sidewalk café with 13 tables and 26 seats.

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

VOTE: 19-6-0-0

16. 441 Amsterdam Avenue (West 81st Street.) Renewal application DCA# 1283643/ ULURP# N120344ECM to the Department of Consumer Affairs by JPS Ventures, Inc. d/b/a St. James Cafe, for a two year consent to operate an enclosed sidewalk café with 5 tables and 16 seats.

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

VOTE: 26-0-0-0

Steering Committee**Mark Diller, Chair**

17. Request for a leave of absence.

Elisabeth Starkey is on medical leave. Request to extend leave of absence.

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

VOTE: 26-0-0-0

Motion to adjourn approved via unanimous consent at 11:04 pm

Present: Mark N. Diller, Jay Adolf, Andrew Albert, Linda Alexander, Richard Asche, 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, Matthew Holtzman, Joanne Imohiosen, Madelyn Innocent, Brian Jenks, Genora Johnson, Lee Ping Kwan, Blanche E. Lawton,



Marisa Maack, Lillian Moore, Klari Neuwelt, Gabrielle Palitz, Michele Parker, Nick Prigo, Anne Raphael, Suzanne Robotti, Madge Rosenberg, Helen Rosenthal, Evan Rosing, Roberta Semer, Ethel Sheffer, Eric Shuffler, Barbara Van Buren, Thomas Vitullo-Martin, Mel Wymore, Howard Yaruss, George Zeppenfeldt-Cestero and Dan Zweig. **On-Leave:** Elizabeth Starkey. **Absent:** Laura Atlas, Meisha Hunter, Haydee Rosario and Jaye B. Smalley.

**Business & Consumer Issues Committee Meeting Minutes
Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons
October 9th, 2013**

Tavern on the Green - West 66th Street at Central Park

Application for an on-premises license (SLA)

Presenters: Katy Sparks – Executive Chef; Jim Caiola and David Salama

Also presenting – expeditor Marc Glazer

George:

- Did site visit
- HVAC system uses glycol – greatly reduces sound. Multiple small fans instead of one big one.
- HVAC will have a surround to hide equipment and to baffle sound.
 - HVAC is being installed by NYC, not the applicant
 - All HVAC is being relocated from the roof to the ground to restore sight lines and reduce sound.
- Interior under construction.
- Assessed restrooms – ADA compliance appears in order.
- Bars – 2 for customers and staff serving.
- One bar is outdoors – customers.
- Other bar is inside – service bar for waiters serving patrons in dining area.
- No large signs on CPW – may use the current modest-sized signs.
- Private party room – for catering events.
- Sound: Ambient music in the courtyard and in the restaurant.
- Application notes both live and amplified music.
- Will have live music for special events and private parties.

Applicant

- South terrace – is the space between the take-away window and the south wing and the transverse road.
- Garden is the area between the circular drive and the north wing.
- Applicant notes that the private parties are expected to be in the south wing. “Try” to keep the live music inside.
- Courtyard expected to be a la carte dining.

Chef

- Focus is on accessible fine dining
- Values of local sourcing and range of price points.
- South wing will have two elements – private party space that can double as overflow for a la carte, and the take-away offerings.

Board Questions and Comments:

- Prior operators had music in outdoor spaces other than the occasional tent parties (not part of this application) – music could easily be heard in apartments across the street.

A: plan is not to have live music outdoors – could be the case that someone wants to rent out the courtyard (Parks Department may want it). Not going to be a regular thing.

- George: Need clarity in the method of operation.

A: Can't limit private parties like weddings to not having live music.

A: Will aim to steer parties to keep the music in the inside portion of the South Wing, but cannot promise that there will never be a circumstance in which there would be live or amplified music outdoors.

A: 7 am (take-away window) to 1 am; 10:30 (brunch) to 1 am on weekends.

- More flexibility on weekends in terms of sound and hours than during the workweek.
- Must be mindful that this is an urban residential neighborhood in which sound carries readily.
- Cannot have amplified sound outdoors after 10:00 pm any day of the week.

A: Have been discussing these noise issues with Parks and the City for years, so well aware of restrictions and limitations.

A: License agreement prevents amplified music outside past 10 pm.

A: Parks license agreement has limits on sound requirements.

Community Comments and Questions:

Martha Mendelsohn – 55 CPW

- Out of the question to have live music until 1 am.
- Past issues have included raucous drunken partiers leaving the space.

A: previous operator rented out to party promoters – not their plan. Intent is to operate a predominantly a la carte dining experience.

A: Inheriting the bad reputation of the previous operator.

Fred Mendelsohn – 55 CPW

- Applicants seem like nice people.
- Noise is noise. Why can't all music be all indoors? Intrudes both on Park experience as well as residential units across the street.



- Prior experience – police never able to stop prior promoters when sound excessive or continued past 10 pm.

Steve Farinelli – 55 CPW

- First anyone has heard that the south terrace would be used for outdoor functions.
- That terrace is not shielded in any way – direct sound line to 55 CPW.
- Original plan was that there would be no outdoor parties on south parties – not helping.
- Would actually be better to have music in the courtyard where the walls would direct the sound away from CPW.

Nancy Blitzer 75 CPW

- Noise from prior operations – times when one could barely hear anything either on ground level and at 12th floor.

Robin Lewis – 55 CPW

- Try, there is no try – must abide by 10 pm.

A: will commit to stopping amplified sound by 10 pm; will try not to have outdoor amplified music at all, but cannot commit to that.

Peter Hurwitz –

- Seeing outdoor serving spaces that were not used in the past.
- Told that the footprint would be a contraction

A: Old Tavern held 1250 inside and 300 outside; new Tavern holds 300 inside and 500 outside.

A: North terrace – could wait outside – no outside amplified music except Courtyard.

A: Huge construction to pay back – need to use all possible spaces.

- Circle in front of the building – expanded for tour buses.

A: Used for a drop-off.

- Concern about tables outside the building on terrace on the north side – never had tables served outside in that area.

A: Previously was an addition to the building used as gift shop and other uses.

A: Needs outdoor space.

- Concern that cannot read a book in an apartment.

Russell Aaronson – CPW

- Understands of concerns of neighbors



- Community also looking forward to this restaurant

Steve Harris – 2109 Broadway/Ansonia

- If let amplified music outside all over UWS, will have many unhappy neighbors.
- Illegal vendor on Broadway plays music without end.

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

VOTE: 8-0-0-1; non-committee 1-0-0-0.

489 Columbus Avenue (West 83rd Street) (currently Lenny's)

Application for an on-premises license (SLA)

Gene Anton, Esq. 775 Park Avenue, Suite 255, Huntington, NY 11743

Abishek Sharma – operator

- Will operate a second Swagat restaurant (Also have Swagat at 411 Amsterdam).
- Good track record at Amsterdam Avenue location.

Will provide list of postings.

- 11 am to 11 pm
- No outdoor space.
- Same menu as Swagat – affordable.
- Light background music only.
- Venting out the back of the building – into the donut garden.

Brendan McFeely, 60 West 84th.

- Only ducted to the roof of 1-story addition in the rear of a 5-story walk-up. Concern for difference in odors between bagel store and Indian restaurant.
- Otherwise supports the application and looking forward to the new restaurant.

A: Will comply with code re odors (which may have changed since Lenny's took occupancy).

After deliberation, the resolution to approve was adopted.

VOTE: 9-0-0-0; non-committee 1-0-0-0

229 Columbus Avenue (West 70-71) – Pomodoro Rosso

Renewal - Unenclosed café.

- Posting was adequately done.
- Need a larger sign on the delivery bikers

After deliberation, the resolution to approve was adopted.

VOTE: 9-0-0-0; non-committee 1-0-0-0

355 Amsterdam (West 77th) – Chirping Chicken



Renewal - Unenclosed café.

Wrap-around to West 77th Street.

- Adequate posting
- Still see problems with bike delivery re riding on sidewalks etc. – but much improved from previous years. Applicant agreed to revisit rules of the road with delivery personnel.
- Need bigger lettering on delivery bike vests.
- Renewal – no new issues.
- Wrap-around – but the café aligns with obstructions on the sidewalk so not as much of an encroachment as a typical wrap-around.

After deliberation, the resolution to approve was adopted.

VOTE: 9-0-0-0; non-committee 1-0-0-0

424 Amsterdam Avenue (West 80th Street) – Café Con Leche

Renewal - Unenclosed café

- In continuous operation for 21 years – no issues.
- Posting was adequately done.

After deliberation, the resolution to approve was adopted.

VOTE 9-0-0-0; non-committee 1-0-0-0.

428 Amsterdam Avenue (West 80-81) – Brother Jimmy's

Renewal – unenclosed café.

Presented by: Steve Wigoda

- Posting done well – on eye-catching yellow paper.
- No issues.

After deliberation, the resolution to approve was adopted.

VOTE: 9-0-0-0; non-committee 1-0-0-0

467 Columbus Avenue (West 82-83) – Blue Caravan

Applicant did not appear

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

VOTE: 9-0-0-0; non-committee 1-0-0-0

473 Columbus (West 83) – Assaggio now d/b/a Citron

Renewal – unenclosed café.

- Posting adequately done – using name of current d/b/a, not the prior name.
- No issues.

After deliberation, the resolution to approve was adopted.

VOTE: 9-0-0-0; non-committee 1-0-0-0

513 Columbus (West 84-85) – Cotta

Renewal – Unenclosed café.



Presented by Steve Wigoda

- Posting was adequately done.
- Delivery photos in order.
- Need to make identification on delivery vests larger.
- No issues.

After deliberation, the resolution to approve was adopted.

VOTE: 9-0-0-0; non-committee 1-0-0-0.

1018 Amsterdam (110th) – Bistro 1018

Renewal – unenclosed café.

Wrap-around to Cathedral Parkway/West 110th.

- Fewer tables and chairs actually in use than are permitted.
- Wide sidewalk – café footprint Well away from the curb and leaves ample room on the sidewalk.
- Posting adequately done.

After deliberation, the resolution to approve was adopted.

VOTE: 9-0-0-0; non-committee 1-0-0-0

441 Amsterdam Avenue (West 81st) – St. James Gate

Renewal: ENCLOSED café

- Posting was adequately done.
- Distinguish enclosed café (on Amsterdam frontage) from small unenclosed café on the West 81st Street side.
- No issues or complaints.
- No interior wall inside the café – if removed enclosed café, would need to rebuild a façade.

After deliberation, the resolution to approve was adopted.

VOTE: 9-0-0-0; non-committee 1-0-0-0

414 Amsterdam (west 80) - Pinkberry

New unenclosed café application.

- 5 tables/11 chairs to replace benches against façade.
- No wait service – just using café for consuming what is purchased inside.
- Concern of neighboring lingerie shop – cleaning outdoor tables. Does not want detritus accumulating from patrons.
A: staff will have to clean – assuming compliance
- Impress upon owners need to maintain the cleanliness of the café space.
- Concern about a fabric banner hanging over the sidewalk from a tree to the façade.
A: Will remove.
- Will use a rail/fencing to enclose the area.



- Concern whether a Pinkberry has an equivalent need to that of a restaurant for outdoor space to attract patrons. Traditional restaurants claim a need to have outdoor space to attract patrons, but uncertain at best whether the same would apply to a frozen yoghurt shop.
- Example of McDonald's at 104th Street – has outdoor seating without waiter service.

After deliberation, the resolution to approve was adopted.

VOTE: 9-0-0-0; non-committee 0-0-1-0

New Business:

B2B 10/29/13

- Sharing links for culinary schools – committee members to contact schools and invite career services reps
- Following up on food.
- Coordinating exhibitor tables – ACA insurers looking for space.
- Will check in on RSVPs a week or two before the event.
- Speaker Andrew Rigie will be a draw – problem is that restaurants will be serving at the time of the event, so it may be hard for proprietors to participate.
- Ken Biberaj willing to help promote among other restaurants.

Steve Harris – Ansonia 2109 Broadway

- Beacon Theater – marquee now turns off at midnight, and have reduced intensity of the light after sundown, so it is less intrusive.
- Might be worth speaking with the Beacon Theater to learn how they regulate the intensity.
- Then should develop criteria or standards in advance so can address concerns rather than asking for
- Concern for sidewalk vendors in front of Ansonia.
- All tables are operated by a single licensee, should check whether they are paying taxes, giving W-2s, etc.

Adjourn: 9:05

Present: Michele Parker, George Zeppenfeldt-Cestero, Linda Alexander, Elizabeth Caputo, Paul Fisher, Marc Glazer, Matthew Holtzman, Joanne Imohiosen and Brian Jenks. **Chair:** Mark N. Diller. **Absent:** Anne Raphael, Suzanne Robotti and Eric Shuffler.



Preservation Committee
Jay Adolf and Gabrielle Palitz, Co-Chairpersons
October 10, 2013

1. **2 West 64th Street** (Central Park West.) Application to the Landmarks Preservation Commission for construction of an ADA Ramp.

Presented by: Skip Boling, AIA, Boling Architect, 11 West 30th St, and Richard Van Deusen, 110 West 90th St, trustee of the Society for Ethical Culture and chair of its building committee.

Not yet calendared at the Landmarks Preservation Commission (LPC).

- To be constructed on the West 64th Street façade.
- Ramp will run over an existing open grating leading to the basement. Therefore the ramp material will be perforated to allow light and air through.
- Received waivers from the Mayor's Office for People with Disabilities for the pitch of the ramp (not enough room for a 1:12 ADA-compliant slope) and the smaller than 5' turnaround at the top landing.
- Materials: Limestone to match the façade on the slope's parapet; granite on the base that the ramp sits on. Stainless steel railing along the ramp inside the limestone parapet.
- Bronze and glass rail on the turn-around to contain the entryway. Removing existing steps that lead straight up to the entrance door. Square pattern along the top of the bronze railing on the glass structure to emulate the square patterns on the entrance doors and certain window details.
- Grating for surface of the ramp – captures light from the light well below the existing sidewalk.
- Removing steps heading straight in to the entrance door with steps on one side (west) and ramp on the other (east).
- Moving cheek walls astride the main entrance doors to create additional space for the run of the ramp. Cheek walls will be the same size, but will be closer together.
- Railing on other entrances will match the stainless steel on the parapet ramp. Replacing painted wrought iron.

Committee comments:

- Stainless steel does not match anything on the façade, so would prefer painted wrought iron, unless the budget would allow for bronze everywhere.
- Recommend simplifying the details on the current bronze rail.
- Railings should be all of one material, whether bronze or another.
- Strong preference for bronze, even over wrought iron.
- Ornamentation/detail on the glass retaining feature actually detracts from the existing decoration of the façade.
- Recognize and appreciate need for ADA compliance – and recognize the need for some compromises along the way.



- No objection to making all railings bronze, but concerned about distinction between appropriateness of design and proposing alternatives.
- Concern is that the visual impact of the different materials.
- Would prefer if the handrail supports were to line up with existing elements.
- Proposed resolution: Approve conditioned upon all railings being a single material, either bronze or painted wrought iron (and not stainless steel), and with a strong recommendation that the railing above the glass retaining structure be simplified.

Committee: 5-0-0-0. Non-committee: 1-0-0-0.

2. **48 West 73rd Street** (Columbus Avenue.) Application to the Landmarks Preservation Commission for an access ramp leading to the building entrance.

Presented by: Mary Dierickx, Mary B Dierickx Architectural Preservation Consulting, 125 Cedar Street.
Not yet calendared at LPC.

There is an existing ADA ramp and landing, with a black tubular metal handrail, leading to the Starbucks coffee shop on the corner of West 73rd and Columbus. The main resident entrance to the building is further in on 73rd St, on a landing three steps up from the sidewalk. Currently there is a white brick planter between the ramped entrance to the Starbucks and the resident entrance to the building. Neither planter nor entrance landing are original to the building.

The project is to remove the resident entrance landing, the planter, and the railing of the Starbucks ramp. A new resident entrance landing would be constructed out of poured-in-place concrete, and a slight ramp – also made of poured-in-place concrete - would connect the resident entrance landing to the Starbucks entrance landing. A new black metal handrail with vertical balusters at 4” on center would be installed along the entire length of the two ramps and the Starbucks landing.

Committee comments: it is a shame to lose the planter.

RESOLUTION to approve the new steps, ramp, and handrail as minimally appropriate to the historic character of the district.

Committee: 5-0-0-0. Non-committee: 1-0-0-0.

3. **294 Columbus Avenue, aka 100 West 74th Street.** Application to the Landmarks Preservation Commission to replace storefront infill and install louvers, lighting and signage.

Presented by: Michael Gadaleta of MG New York Architects, 11 Broadway.
Not yet calendared at LPC.

Proposal is to remove the existing storefront of the former shoe store, which is set back behind the structural columns, and create a new storefront for a local chain restaurant. The new storefront would be set in front of the



structural columns, with wood pilasters covering the columns and running up over the fascia above the storefront, all the way to the cornice line of the storefront. Folding mahogany-and-glass doors would be inserted between the pilasters at ground level.

Above the doors would be a horizontal band of aluminum louvers. Above that, a horizontal wood fascia with signage above the main entrance doors. Above that, wood paneling with light sconces set between the pilasters. The sconces are nautically-inspired exposed lightbulb fittings in an antique brass finish. All non-glass surfaces on the storefront would be painted a dark gray.

There is no kitchen in the restaurant, as the owner also owns Arte Café around the corner and can prepare food there. The proposed restaurant is mostly for small plates and drinks.

Community comments:

Patrick Malloy, 54 West 74th St. How many doors? Will they be open all the time? Worried about noise. Answer was that all code-compliant acoustic treatment.

Committee comments:

Ping – the gray is too dark and trendy, why not leave the grain of the wood exposed?

Gabby – the fascia with the light fixtures feels out of place because that horizontal band is normally where the signage is.

RESOLUTION to approve as submitted.

Committee: 5-0-0-0. Non-Committee: 1-0-0-0.

4. 250 West 77th Street, dba Belleclaire Hotel (Broadway – West End Avenue.)
Application to the Landmarks Preservation Commission for replacement and restoration of the storefronts, new signage and lighting.

Presented by: Matt Markowitz, Matt Markowitz & Associates, 501 5th Ave.
Originally calendared at LPC for 10/22/2013, then postponed to a future date.

The application is for a storefront master plan for the Broadway façade of the hotel, which contains some existing retail. When this project was presented at a previous committee meeting, the committee objected to having a secondary entrance to the hotel in the middle of the glass storefront. The new proposal eliminates the hotel entrance, so that the entire Broadway ground floor façade is retail storefront.

The architect's explanation for why the building's original rusticated stone base was removed and replaced with metal-and-glass storefront is that the construction of the subway required the raising of the sidewalk along Broadway, which led to the removal of the stone.

Committee comments:

Ping – the glass storefront, even if it dates to the 1950's, is completely inappropriate to the historical character of the building.

Tom – it is important to respect the historical development of the building, not to try and force it to go back to its original state.

Jay – Ping, the damage is already done. Are you proposing that the original storefront be reconstructed, or that there be stone piers? Ping: not necessarily.

Blanche – the proposed storefront does seem too delicate for the stone above. It should have more "heft."



Gabby – the storefront just seems generic and cheap, similar to generic storefronts throughout the city. Does not benefit a landmark such as this.

Tom – would prefer more articulation in the storefront, some ins and outs at the entrance, with lighter verticals instead of thickened piers at the columns. Looks like one big store.

Mark – it's a missed opportunity, but not necessarily inappropriate.

Public comment:

Rupert Radcliffe, 305 West 78th St, community member. Does not like the design, too generic and too much glass.

What is the future retail mix of the building? Even if the old mix (Big Nick's, etc) was aesthetically objectionable, it had a messy vitality.

Christian Bray, community member. This building deserves better, the proposal is incredibly cheap-looking.

RESOLUTION to approve as minimally appropriate.

Committee: 2-3-0-0. Non-Committee: 1-0-0-0. Resolution fails.

RESOLUTION to disapprove the storefront as inappropriate to the architectural character of the building above, in terms of rhythm, materiality, and overall *gravitas*.

Committee: 4-0-1-0. Non-committee: 0-0-1-0.

5. **107 West 82nd Street** (Columbus Avenue.) Application to the Landmarks Preservation Commission for a rooftop addition.

Presented by: Arpad Baksa, Arpad Baksa Architect, 99 Wall St.

Originally calendared at LPC for 10/22/2013, then postponed to a future date.

Building is about 100' in from Columbus Ave. Project involves two top-floor units and two rooftop additions by two different architects, however only one architect presented.

The façade material is stucco with aluminum-and-glass storefront infill. On the side elevation, which is very visible due to the low building next door, the party wall façade will be continued up as stucco to match, with the overall effect of a large blank wall. Most of the wall hides a stair behind, with an extended fin wall portion towards the street containing the newly extended chimneys. The facades facing the side court will be continued up as brick and punched windows to match.

Photos of both physical mockup and rendered mockup were presented. The architects were very forthcoming about when the rooftop additions are visible from surrounding streets.

Public comments:

Karen Kitz-Clancy, 107 W. 82nd St. Wondering if the addition is more than the 30% allowed for a penthouse.

Architect's response is that it does not meet the legal definition of a penthouse – it is actually an additional story.

Gita Steiner-Khamsi, 111 W. 82nd St. if this addition is built, will it use up the allowable buildable roof floor area for not only this building, but the two matching buildings next door (same zoning lot)? Architect's response: there are 4300 buildable sf on the roof, we are only using 1200 sf.

Marina Sheriff, 15 W. 81st St. Please consider the roofscape of the block. Because of the unique site, the addition is highly visible.

Jake Cooney, 107 W. 82nd St. Question about the fin wall with the chimneys, whether it cuts into the front sky exposure plane. Would want some kind of articulation in the wall, perhaps a slot. Answer: it does cut into the front setback, but because it is mechanical it is a permitted obstruction per code.



Committee comments:

Tom – if the building is converting to gas, it would be prudent to build in the smaller, stainless-steel gas-ready chimneys. Would prefer a detached chimney structure rather than the extended wall. Also, why is the inner court façade fenestration different from what is below. Answer: because there is a closet behind.

Jay – something about that wall...

Ping – should we clad the party wall addition in something more contrasty? Answer: Because the building is an OLT (Old Law Tenement), LPC strongly recommended keeping the same material as what is below.

Gabby – this addition feels natural and unobtrusive. “More of the same.”

RESOLUTION to approve as proposed. Architect noted that LPC requires two resolutions, one for each addition.

Committee: 5-0-0-0.

- 6. Budget Priorities.** Finalization of the committee’s proposed priorities for the NYC Capital and Expense Budgets for Fiscal Year 2015. CB7’s priorities will be decided at the October 30th Steering Committee meeting.

Expense budget: more money for Landmarks, due to the increased size of the historic district. More money for the online LPC component.

Capital budget: Does the office need renovations?

- 7. New Business.**

Tom: would want to see renovation projects in context, as part of a whole-building plan. This way economic considerations can factor into our decisions.

We should also formulate what we want from LPC, turn it into a resolution, and circulate it.

Jay: Gabby and I agree. There are procedural recommendations we want to ask the new LPC leadership when they come in.

Tom on behalf of Miki: views above street level? Should we consider them? Jay: de facto, we do. But to try and codify it would be too expansive. Committee members present:

Present: Jay Adolf, Gabrielle Palitz, Lee P. Kwan, Blanche E. Lawton and Thomas Vitullo- Martin.

Chair: Mark N. Diller. **Absent:** Miki Fiegel and Meisha Hunter.



Transportation Committee Meeting Minutes
Andrew Albert and Dan Zweig, Co-Chairpersons
Tuesday, October 15th, 2013
Goddard Riverside Community Center, 593 Columbus Avenue at 88th Street

1. West 95th Street – Request by the Friends of West 95th Street to install Bishop’s Crook lampposts on the block between Central Park West and Columbus Avenue- Presented by David Lopez of West 95th St, this proposal is to replace existing Cobra style lampposts with more stylish, older style Bishop’s Crook lampposts on the block. The wattage and light cast from the replacement lamps will be the same as those they are replacing. This project, estimated at about \$100,000 in cost, has already been funded in the budget by the Borough President, Scott Stringer.

Resolution to **approve**: *Committee: 7-0-0-0 Non-committee board: 2-0-0-0*

2. Amsterdam Avenue Street Redesign -

A resolution composed and reviewed prior to the meeting only by a self-selected five member bike lane advocate group on the committee was presented and read to the full committee and to the public at large. Resolution attached.

Many people from the public spoke in favor of the Amsterdam Street Redesign for a variety of reasons including: Amsterdam is dangerous – a redesign is needed to make it safer; there is too much speeding; bike commuters feel scared on Amsterdam; 4 traffic lanes should be cut to 3 as best way to slow traffic-there have been a 1000 injuries; pedestrians need more help to cross the busy avenue; will increase commercial rents and sales as well as safety; most dangerous thing is biking on Amsterdam; reduce parking for out of state license plates; 8 children have been killed – one on Westside; will provide a lane for emergency vehicles;

Many people from the public spoke against the redesign proposal with the bike lane for a variety of reasons including: problems with curb access for moving vans and for handicapped; on Columbus when trucks make deliveries, cabs stop, etc., the Avenue is often reduced effectively to a single travel lane; there is a need for parking with supply already reduced by Columbus Ave redesign; Amsterdam is a truck route; would like to see potholes filled and speed bumps in place first; Columbus is hardly used by general public – has counted 6 per day on lane other than delivery bikes; commutes by car no alternative possible – needs parking; there are other means for safety – enforcement – use holistic approach to traffic control (signal timing?); safety statistics presented are not reliable; no input from Fire Dept. and MTA regarding slowing of emergency and mass transit vehicles; 81st and Columbus – business at newsstand and at florist has been killed by bike lane; bike lane on Columbus underutilized – much more study needed; traffic study should be done first – problem with moving traffic already on Amsterdam with 4 lanes – 3 would make it worse; a ‘seasoned’ citizen is against inappropriate bike lanes, misbehaved biking, and rude bike riders; should not reduce lanes on a statutory truck route; was stuck in an ambulance on Columbus Ave – 55 minutes 91st to 57th St – bus takes much longer now on Columbus Ave.; the bike lanes are dangerous, mother is terrified of the bikes in the bike



lane on Columbus; traffic on Columbus is a problem – reducing the number of lanes on Amsterdam will make traffic very bad.

Other questions/suggestions: Trucks should make late night deliveries; bikes should be licensed; make street safer – with or without a bike lane; notice for meeting about a large issue was insufficient; bike lanes are not just for bicycles but for segways, too; wide stroller is inconvenient on public transportation – but a bike trailer in a bike lane is fabulous; downtown, bikers and Citibiker riders are more respectful; what is the cost to make street changes including a bike lane?;

Committee discussion: Ask for a plan; DOT always does a study; DOT said in a meeting that this could be done; driving is discretionary for a lot of people; potholes will never be filled; there will never be enforcement; we are only asking for a study; when asked for a proposal, DOT never studied Columbus at all when presenting their original plan; traffic on Columbus has slowed to a crawl since bike lane was implemented; we should ask for a study of all avenues – not just Amsterdam; in practice, how effectively can a bike lane be used as an emergency lane?

Resolution to ask DOT to conduct and present a study on a street redesign for Amsterdam Avenue was approved: Committee: 7-0-3-0 Non-committee board: 1-0-2-0

3. Update on newsracks – Marc Glazer reported on continued efforts –

Despite proof of non compliance by newsrack operators, DOT has not removed abandoned newsracks. DOT asserts that they send fines to the owners, but they are never paid. A reading of local law 36 clearly permits their removal under these circumstances.

CB7 will be organizing a task force to assist in proof of non-compliance efforts.

4. Budget Priorities – The committee’s list of items was discussed and modified as follows:

Capital Budget:

The committee agreed to add language to pedestrian count-down timers capital request as follows:

Count-down timers also enable drivers to estimate better how much time remains before they will be required to stop. Many drivers, previously feeling the need to speed up when seeing the flashing red hand, will not need to speed up when given measured time and will easily cross the intersection at normal speeds with a count of 5 or above. Drivers observing the count will not be surprised by a quick signal change to yellow and red due to the advance notice provided by the countdown winding down. Countdown timers save lives.

Expense budget:

The committee asked NYPD for more traffic enforcement officers to increase enforcement of traffic rules.



Present: Andrew Albert, Dan Zweig, Ken Coughlin, Mark Glazer, Lee P. Kwan, Lillian Moore, Anne Raphael, Suzanne Robotti, Roberta Semer and Howard Yaruss. **Chair:** Mark N. Diller. **Board Members:** Isaac Booker, Elizabeth Caputo, Marisa Maack and Michele Parker.



Youth, Education & Libraries Committee Meeting Minutes
Marisa Maack, Chairperson
October 17th, 2013

Ella Ver, Fund for the City of New York Planning Fellow

Ella presented her final plan for creating a usable and interactive database on education and youth services issues in CB 7.

She will organize her project around the population of two elementary schools, two middle schools, and one service provider organization to assess services available.

It was decided that PS 145 and PS 199 will serve as elem models and MS 54 and Hudson Honors as the middle schools. The 63rd st YMCA will serve as the service provider organization.

She will create a GIS database that can be added to over the years and we will incorporate Open Plan as a way to include the youth community

Ella will attend YEL mtgs and update the committee each month on progress and get feedback.

Budget Priorities

No new priorities were identified but rather an emphasis on our continuing concerns on both the capital and expense sides of the budget.

Adjourned 8:30pm

Present: Marisa Maack, Isaac Booker and Blanche Lawton. **Absent:** Paul Fisher, DeNora Getachew, Helen Rosenthal and Eric Shuffler.