

Full Board Meeting
Helen Rosenthal, Chairperson
November 7, 2007
Jewish Home & Hospital

Ms. Rosenthal called the meeting to order at 7:10 pm.
Minutes from previous full board meeting were approved: 32-0-0.

Chairperson's Report: Helen Rosenthal

- Recognized out-going Chairman Sheldon Fine, who will carry on as Chairman Emeritus, and congratulated him and Ethel Sheffer on their Community Builder Awards from *West Side Spirit* newspaper.
- A Memo of Understanding between Lantern Group and St. Louis Hall Tenant Association is in draft stage.
- Reviewing current Committee assignments
- Reviewed CB7 By-laws regarding scheduling public and business sessions during full board meetings and conditions under which minority report can be issued by Board members.

District Manager's Report: Penny Ryan

- District Service Cabinet and Borough Service Cabinet focusing on the new Manhattan Consortium outreach to street homeless.
- Continuing paperless distribution of board materials.
- Adding link on website for 311 neighborhood statistics.

Special Election for Co-Secretary

Dan Zweig, Chairperson, Elections Committee, announced that Hope Cohen decided not to serve as co-secretary.

Jeff Siegel was nominated and elected unanimously by show of hands; paper ballots to be officially counted for confirmation. *Vote: 32-0-0.*

Public Session

- Kathy Chambers, head of Greenmarket - provided updates on 3 markets in CD7.
- Margaret Huffman, Manager of 97th Greenmarket – market will be open Wednesday before Thanksgiving.
- Sam Stein (SCIU) researcher at 32BJ - Concerned about Fordham University Lincoln Campus development and has hired engineer to do a study; drafted petition to President of University. Chairperson Rosenthal directed Mr. Stein to speak with Land Use Co-Chairperson Page Cowley for updates and information.

Reports from Elected Officials' Representatives

- Matt Bitz, Council Member Inez Dickens' office - 2 pieces of legislation: PWV blasting and upcoming hearing at Housing & Building Committee and Conflict of Interest Board rule regarding long versus short form compliance.
- Michael Kaplan, Assembly Member Richard Gottfried's office– In favor of further due diligence regarding Congregation Shearith Israel's application to BSA for a variance.

- Shane Seger, Assembly Member Daniel O'Donnell's office - 3 community events: flu shots on 10/3 at Grace United Methodist Church at W. 104th Street, 10 am-1 pm; Tenant Clinic for people with housing issues Nov. 29th; Coat drive with NY Cares through December.
- David Chang, State Senator Tom Duane's office - Oct. 25th Town Hall meeting was successful; John Jay College of Criminal Justice construction bordering CB7 & 4—college seeking after-hour work permits for next 20 weeks on Saturday & Sunday—if constituents affected negatively call office.
- Micah Lasher, Congressman Jerrold Nadler's office - local elected officials sent letter re 79th Street/Riverside Drive traffic issues and 72nd Street ramp closing; predatory development of brownstones on WEA.
- Ede Fox, Councilmember Melissa Mark Viverito – Encourage public to attend second hearing November 29th on proposed blasting legislation; Citizens Energy program for low/modest-income people meeting on Nov 28th, 7-9 pm, location TBD, to introduce new entrants to program and to administrators who run program. Call office for details.
- Mike Meade of State Senator Eric Schneiderman's office - testifying against MTA fare hike.

Manhattan Borough President's Report

Jessica Silver – DOB did not agree with the MBP's zoning analysis for new development at Park West Village. BP Stringer will continue to pursue issue. New application for Community Board membership will be available soon.

Legislators' Reports

- Assemblymember Linda Rosenthal - Legislation for improved workers' conditions for nail salon workers; will be testifying at MTA against fair hike; Medicare Forum for seniors on November 8; working with Transportation Alternatives and with them will be submitting recommendations to the Dept of Transportation; community meeting on Red Cross site at Amsterdam and 66th on November 19th at PS 199 at 6:30 pm.
- Councilmember Gale Brewer – Presented proclamation from City Council to Shelly Fine in recognition of his distinguished service as chairman of CB7.

Business Session

Land Use Committee

Richard Asche and Page Cowley, Co-Chairpersons

Joint with Transportation Committee

1. 108th Street Garages (Amsterdam-Columbus Avenues.) The resolution to approve applications C080066HUM and C080067HAM to the Department of City Planning by the Department of Housing Preservation & Development A) to amend the Cathedral Parkway Urban Renewal Plan to facilitate the disposition of three parking garages on the north side of West 108th, and B) to subdivide Site 3 into five sites, compatible with existing uses: three commercial, one residential, and one open space was adopted: *35-0-1-0*.

-Peter Arndtsen, Director, Columbus-Amsterdam BID - given the possibility of congestion pricing, requested HPD to look at public ownership and keep options open with garages for future.

Joint with Housing and Transportation Committees

2. 100 West 93rd Street, Leader House (Columbus Avenue.) The resolution to approve

A) Application M 920493(C) ZAM to the Department of City Planning by Leader House Associates requesting modification of the West Side Large Scale Development to allow a two-story enlargement at the base of the existing 29-story residential building for commercial and community facility uses; and

B) Application N 050402 ZRM to the Department of City Planning by Leader House Associates requesting an amendment of the Zoning Resolution, Section 78-06, relating to the utilization of permitted floor area for commercial or community facilities uses for parcels located at least 50 percent within C1-9 or C2-8 Districts in a LSRD within an urban renewal plan that has expired was adopted, was adopted: *35-0-0-0*.

CB7 Member Ulma Jones - Concerned about plan for sidewalk and lack of small store sub-divisions. Requested District Manager follow up on status of request for a newsstand on that corner.

CB7 Member Elizabeth Starkey - Concerned with importance of future applications coming to CB7 prior to City Planning; Land Use Co- Chair Asche has met with City Planning representative.

Parks & Preservation Committee

Klari Neuwelt and Lenore Norman, Co-Chairpersons

3. West-Park Presbyterian Church (Amsterdam Avenue and West 86th Street.)

The resolution to approve the request to the Landmarks Preservation Commission to hold a hearing on the proposed designation of the church as a NYC landmark was adopted: *24-4-1-1*.

- Susan Sullivan & Lauren Jacobi (Friends of West Park) supported CB7 resolution based on architectural and cultural significance.
- Revered Robert Brashear, pastor of West-Park, opposed CB7 resolution; concerned that landmark status will impose financial hardships.
- Bill Traylor, Richman Housing, opposed CB7 resolution; plans are contextually appropriate.
- Momette Brodsky, Nina Musinsky, John Morgan and Frederick Lauter (Friends of West-Park), Sarah Landow (NYU & Landmark West!), Dr. Ken Kelner, Bruce Simon, Herbert Broderick for Dr. Barbara Michaels, Marie Warrick, Ira Matetsky (Gamfer & Shore LLP) spoke in favor of resolution
- Marta Ivory, Jim Nedelka, Angela Willey, Mary McNamara (Presbytery of NYC), Holly Nadelka (West-Park Church), Peter Arndtsen and Reverend Karpen (St Paul & St. Andrew Methodist Church), Laura Jervis, Marc Greenberg (Interfaith Assembly), Hope DeRogatis, Father John P. Duffell (Church of Ascension) spoke against the resolution.
- Hunter Armstrong (Landmark West!) spoke in favor of the resolution; presented petition with 300 signatures
- Rudy Van Daele (Life Sport Gymnastics) neutral but has had a favorable experience.

Board question: was height of tower discussed at all in context of designation? If designated, church would have to make an application to LPC to make changes to building facade.

4. 12 West 72nd Street (Central Park West.) The resolution to approve the application to the Landmarks Preservation Commission for window replacement was adopted: *25-0-1-1*.

Strategy & Budget Committee

Helen Rosenthal, Chairperson

5. The resolution to approve CB7 Priorities for the Fiscal Year 2009 NYC Capital Budget was adopted: *27-0-0-0*.

6. The resolution to approve CB7 Priorities for the Fiscal Year 2009 NYC Expense Budget was adopted: *27-0-0-0*.

Transportation Committee

Andrew Albert and Dan Zweig, Co-Chairpersons

Unenclosed Café Renewal Applications:

7. 229 Columbus Avenue (West 70th-71st Street.) The resolution to approve renewal application DCA# 1186113 to the Department of Consumer Affairs by Flej, Inc., d/b/a Pomodoro Rosso, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 16 seats, was adopted: *24-0-0-1*.

8. 424 Amsterdam Avenue (West 80th-81st Street.) The resolution to approve renewal application DCA# 1075283 to the Department of Consumer Affairs by Café Con Leche, Inc., d/b/a Café Con Leche, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 18 seats, was adopted: *24-0-0-1*.

9. 2298 Broadway (West 83rd Street.) The resolution to approve renewal application DCA# 1082469 to the Department of Consumer Affairs by Chung Cheung Corp., d/b/a Neo Japanese Restaurant, for a two-year consent to operate an unenclosed sidewalk café with 18 tables and 35 seats, was adopted: *24-0-0-1*.

10. 364 West 110th Street (Columbus Avenue.) The resolution to approve renewal application DCA# 1039389 to the Department of Consumer Affairs by Spoonbread, Inc., d/b/a Miss Mamie's, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats, was adopted: *25-0-0-1*.

Enclosed Café Renewal Application:

11. 477 Amsterdam (West 83rd Street.) The resolution to approve renewal application DCA# 0885881 to the Department of Consumer Affairs by 83rd Amsterdam Restaurant Corp., d/b/a Hi-Life Restaurant, for a two-year consent to operate an enclosed sidewalk café with 6 tables and 16 seats, was adopted: *21-3-0-1*.

Greenmarket:

12. The resolution to approve the request by Greenmarket at Tucker Square, Broadway-Columbus at West 66th Street, for signage that will allow truck parking on the Broadway side during the Thursday & Saturday markets, was adopted: *22-4-1-0*.

- Kathy Chambers, Dir. of Operation of Greenmarket - Parks Dept. allows Greenmarket trucks to park at muni-meters throughout days of markets; requesting signage to prevent other trucks from parking.

Peter Jenkins requested that MTA fare increase be put on the next Transportation Committee agenda.

Business & Consumer Issues Committee

George Zeppenfeldt-Cestero, Co-Chairperson

13. 487 Amsterdam Avenue, the resolution to disapprove a renewal application to the NYS Liquor Authority for a 2 year license by Homer's World Famous Malt Shop, was adopted: *26-0-0-1*.

14. 505 Columbus Avenue, the resolution to disapprove a new application to the NYS Liquor Authority for a 2 year license by 505 Columbus Avenue – trade name to be determined, was adopted: *26-0-0-1*.

The meeting was adjourned at 11:30 pm.

Respectfully submitted by Liz Samurovich, Co-Secretary

Present: Helen Rosenthal, Barbara Adler, Linda Alexander, Jeffrey Bank, Page Cowley, Alberto Cruz, Miki Fiegel, Sheldon J. Fine, Sonia Garcia, Rosa Gonzalez, Victor Gonzalez, Phyllis E. Gunther, David Harris, Lawrence Horowitz, Benjamin Howard-Cooper, Blanche E. Lawton, Johnette Murray, Eric Nelson, Klari Neuwelt, Lenore Norman, Gabrielle Palitz, Michele Parker, Anne Raphael, Luis O. Reyes, Oscar Ríos, Madge Rosenberg, Liz Samurovich, Ethel Sheffer, Jeffrey Siegel, Charles Simon, Elizabeth Starkey, Barbara Van Buren, Thomas Vitullo-Martin and Dan Zweig. **Absent:** Andrew Albert, Richard Asche, Hope Cohen, Islande Dupoux, Josh Feldman, Robert Herrmann, Chaumtoli Huq, Ulma Jones, Bobbie Katzander, Barbara Keleman, Daniel Meltzer, Sharon Parker-Frazier, Melanie Radley, D. Maria Watson, Melanie Wymore and George Zeppenfeldt-Cestero,

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Steering Committee
Helen Rosenthal, Chairperson

November 27, 2007

Ms. Rosenthal called to meeting to order at 7:00 PM.

1. “Green Committee”

Melanie Wymore and Elizabeth Starkey present the following vision for the proposed “Green Committee”:

Proposition: Establish a standing committee of CB7 to develop and manage discussions, programs, and activities related to environmental health and sustainability.

Proposed Actions:

1. Research environmental initiatives that could help UWS and New York City.
2. Develop and articulate CB7’s position on environmental health as it relates to land use, transportation, parks, health, commerce, and education.
3. Conduct outreach and education on environmental programs that engage citizens and community groups.
4. Develop and present regular, short presentations on sustainability to CB7 and community at large.
5. Act as a conduit for community groups to collaborate around

sustainability issues.

6. Maintain a webpage on CB7.org with links and proactive suggestions.

Proposed Timeline:

1. Assemble committee December 2007 - January 2008
2. Conduct research February 2008 – March 2008
3. Develop position statements March 2008 - June 2008, On-going
4. Hold regular public meetings March 2008, On-going
5. Post website January 2008, On-going

Top 8 Green Actions:

1. Use public transportation whenever possible
2. Use energy star appliances and compact florescent bulbs
3. Wash clothes in cool water
4. Keep car tires properly inflated and avoid idling (if you have to use a car)
5. Use reusable bags for shopping or reuse plastic and paper bags.
6. Buy local produce
7. Buy in-season produce
8. Buy in bulk when possible

The committee will coordinate with PlaNYC2030 and with CB7's standing committees. The proposed committee was approved unanimously.

2. Ms. Rosenthal proposed the creation of a working group to consider the effects of new construction/development on the retail fabric, especially small businesses, of the neighborhood and community facilities, schools, infrastructure. Jeff Bank and Andrew Albert have agreed to co-chair the "Impact of new developments on small local business and the community working group" (name under consideration).

3. Ms. Rosenthal distributed a draft list of CB7 Committee members and records of committee members' absences from January-October 2007. She requested comments/changes on assignments by Friday and offered to work with co-chairs on improving attendance.

4. Committees' expected work/issues for 2008 (3-6 month timelines requested)

The committee co-chairs gave the following updates on their current work.

- Youth, Education & Libraries – Planning a forum with CEC and President’s Council on school space needs and DOE’s capital plan; Mayor’s DOE control ends in 2009, looking at governance issues and how community boards can help.
- Housing – Continuing work with NYCHA developments; asking HPD for status of Tenant Interim Lease, Mutual Housing Association, 80/20 and other subsidized programs in CD7; looking at protection of elderly who face evictions and rent regulations.
- Health & Human Services – Following up on Lantern Group; addressing increasing hunger, isolated elderly; Department of Homeless Services’ policies, street homeless outreach, domestic violence, and the Atria.
- Business & Consumer Issues - Reviewing multi-block street fair applications and applications to the SLA.
- Board Development – seeking ways to enhance board meeting process and streamline meetings. Going to full board meetings of other Manhattan boards.
- Strategy & Budget – Working on District Needs Statement, NYC Budget, and some new initiatives.
- Parks & Preservation – Researching how other cities address religious institutions and preservation, addressing buildings slated for development, LPC process, RSPS development, recycling in parks and district parks.
- Transportation - Working on Park West Village traffic and transportation issues, 96th Street subway renovation impact, 96th Street/Broadway intersection, bus reroutes, 79th Street/RSD, west side traffic study, guidelines for unenclosed cafes, telephones on congested sidewalks, need to increase/decrease garages in new developments, congestion pricing.

5. New CB7 website

DoITT is helping community boards develop websites using the www.nyc.gov templates. CB7’s initial version should be available in December. Board members are asked to review content of www.cb7.org and send suggestions to the board office.

6. OMB budget cut letter.

The Office of Management & Budget informed community boards that their budgets will be cut by 2.5% in FY08 and 5% in FY09. Mr. Rosenthal circulated a letter from her and District Manager Penny Ryan to Mark Page, OMB director, which outlines the dire impacts of the proposed cuts. Steering members signed a copy of the letter, and

Andrew Albert offered to deliver it to Mr. Page at an upcoming meeting. Ms. Rosenthal proposed having all members sign a copy at the December full board meeting.

7. Borough Board Report: update required for 2007.

Copies of CB7's Annual Report to the Manhattan Borough President were distributed. (A copy was sent to each Steering Committee member by e-mail. Report is available at www.cb7.org.) The 2007 report will be due in March 2008.

There being no further business, the meeting was adjourned.

Present: Helen Rosenthal, Barbara Adler, Andrew Albert, Linda Alexander, Jeffrey Bank, Alberto Cruz, Victor Gonzalez, David Harris, Bob Herrmann, Lenore Norman, Luis Reyes, Madge Rosenberg, Jeffrey Siegel, Elizabeth Starkey, Barbara Van Buren, and Dan Zweig. **Absent:** Richard Asche, Page Cowley, Klari Neuwelt, Liz Samurovich, Charles Simon, Melanie Wymore and George Zeppenfeldt-Cestero.

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Strategy and Budget Committee

The committee did not meet in November.

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Youth and Education Committee

Luis O. Reyes and Alberto Cruz, Co-Chairpersons
November 15, 2007

The meeting was called to order at 7:10pm.

Overcrowding in Public Schools

Luis presented information from Class Size Matters; including a Task Force they've created to study the issue of overcrowding. Shelly Fine plans to be a member of the Task Force.

Luis discussed the new developments going up at Riverside South and the possibility of a new public school on-site.

Marty Barr, past Vice President of the School Education Council, spoke about the overcrowding issue in District Three. He said that the Department of Education looks at our District as a whole and because they believe we are under-enrolled in the

northern part of the district, they are less interested in our overcrowding problems in the southern part of the district.

Marty further said that in his conversations with Chancellor Klein and Kathleen Grimm that they are unconvinced there will be increasing number of public school children from the new developments going up in the District.

Marty said that Larry Wood is trying to collect District-wide data on demand for and the capacity of the public schools; and Marty is also in conversations with Gary Barnett (the developer of RSS) on the issue of building a new school on site.

PS 199

Christine Annechino, representing the PS 199 PAC spoke.

She said that the PS 199 enrollment is 592 with a capacity of 596. PS 199 is on the first two floors of the building and the MS Center School is on the 3rd Floor.

Christine gave an excellent presentation and distributed a map showing PS 199 with the seven new developments going up now. She said that they are working with the CEC and President's Council to get additional information on capacity and potential students in the District; the information will be available at the end of 2007. City Councilwoman Gale Brewer is working with the group as well.

Christine asked for the Community Board's assistance in understanding the "variances" that developers need to get from the City to build their buildings as the developers want. After a discussion of "variances" we asked her to develop a list of things that PS 199 could need and pass it along to us and Councilwoman Brewer. She will attend the developer/construction meeting on November 19th.

Public playgrounds in Public Schools play yards.

Luis said that PS 9 now has a public playground in its play yard. City Councilwoman Gale Brewer was able to convince the Mayor include 290 more sites in his NYC 2030 Plan.

Shadowbox Theater

The Executive Director spoke about their youth services and after-school programs. They also spoke about their need for permanent space. They perform at Symphony Space as well as in the public schools. Their history is with the Westside Bloomingdale Family.

The Shadowbox Theater Executive Offices are in PS 75 with their early childhood classes.

They are worried about the loss of funding because schools are cutting back on their arts programming.

Present: Alberto Cruz, Luis Reyes and Helen Rosenthal. **On-leave:** Johnette Murray. **Absent:** Islande Dupoux, Benjamin Howard-Cooper, Michele Parker and Sharon Parker-Frazier.

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Andrew Albert and Dan Zweig, Co-Chairpersons

Meeting called to order at 7:08 P.M. by co-chair Dan Zweig

207 West 96th Street (Amsterdam Avenue).

Father Kena spoke for the church. After much discussion, it was determined that with construction on 96th St Broadway subway station, the needed spaces could be a problem on 96th St. Being that spaces directly in front of the church entrance were more customary, it was decided that Amsterdam Ave would be the better location at this time. When subway construction is completed and use of parking areas for this purpose on 96th St ceases, the placement of these spaces could be revisited.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the request by the Franciscan Friars of Holy Name Church to the Department of Transportation for two "No Parking" spaces in front of the church entrance on Amsterdam Avenue to allow easy and timely access to the church's vehicles for unscheduled ministerial calls.

Committee: 7-1-1-0 Public 2-0-0-0

100 West 106th Street (Columbus Avenue).

Carlos Heras spoke for U. C. Columbus Radio Dispatch. No changes reported.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application #B01397 to NYC Taxi and Limousine Commission by U.C. Columbus Radio Dispatch, Inc. at 100 West 106th St. for a For Hire base station license.

Committee: 6-0-0-0

Re: 969 Columbus Avenue (West 107th-108th Streets)

Gary Gelan spoke for Special Radio Dispatcher. No changes reported.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application #B02228 to NYC Taxi and Limousine Commission by Special Radio Dispatcher at 969 Columbus Avenue for a for Hire base station license.

Committee: 6-0-0-0

2537 Broadway (West 95th Street), Symphony Space

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the request of Symphony Space to the Department of Transportation for two "No Parking" spaces on the south side of West 95th St, immediately west of Broadway.

Committee: 6-0-1-0

2418 Broadway (West 89th Street)

There is opposition to this expansion from tenants of 216 West 89th Street, the apartment building that encompasses the bake shop. Some issues are: garbage placement, presently on 89th St; sidewalk cleaning; compressor and air conditioner noise; patrons tying pets to café partitions; bake shop employees using apartment house entranceway for (coffee/smoking) breaks. Owner has made efforts to alleviate these concerns. She will speak to the trash collection company about placing bags on Broadway for pick-up; a timer has been placed on compressor to start at 7:30 A.M. Residents ask that compressor not turn on before 9:00 A.M. Employees will be told not to use doorway of 216 West 89th Street for smoking breaks. One resident who had complained about compressor noise at an earlier meeting came to state that Georgia's had responded and limited the noise and the hours of use making a marked improvement. It was asked that neighbors take note over the next two

weeks before the CB7 full board meeting to see if mitigating actions were actually being met.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the petition to Modify Consent DCA# 1172236 to the Department of Consumer Affairs by Three Friends, LLC., d/b/a Georgia's Bake Shop, for a two-year consent to operate an unenclosed sidewalk café with 11 tables and 26 seats, an expansion of the existing 5 tables and 14 seats.

Committee: 5-3-1-0 Public: 0-2-0-0

427 Amsterdam Avenue (West 80th-81st Streets)

Rob Callahan spoke on behalf of J&K Corp. Plan presented was in line with CB7 guidelines.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the new application DCA# 1265442 to the Department of Consumer Affairs by J of K Corp., d/b/a Momoya Restaurant, for a two-year consent to operate an unenclosed sidewalk café with 9 tables and 17 seats.

Committee: 8-1-0-0 Public: 0-0-1-0

949 Columbus Avenue (West 106th-107th Streets)

Rob Callahan spoke on behalf of 949 Columbus Ave Corp. The revised plan presented was acceptable and within CB7 guidelines. Earlier operation of the café was due to incorrect advice by an advisor. The owner has ceased café operation until approval is received. Mr. Neil Hurwitz spoke favorably of the café and its operation.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the new application DCA# 1268384 to the Department of Consumer Affairs by 949 Columbus Avenue Corp., d/b/a Voza, for a two-year consent to operate an unenclosed side walk café with 4 tables and 8 seats.

Committee: 8-0-1-0 Public: 0-0-1-0

1900 Broadway (West 63rd Street)

Elaine Reyes stated that there were no changes from the prior application.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application DCA# 0895613 to the Department of Consumer Affairs by Coastal at Lincoln, Inc., d/b/a Josephina, for a two-year consent to operate an unenclosed sidewalk café with 17 tables and 35 seats.

Committee: 7-0-0-0

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1900 Broadway (West 63rd Street)

Desmond Tech stated that there were no changes from the prior application.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application DCA# 1134053 to the Department of Consumer Affairs by Sushi A Go-Go, Inc., d/b/a Sushi a Go-Go Restaurant, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 24 seats.

Committee: 7-0-0-0

1018 Amsterdam Avenue (West 110th Street)

Michael Leuck stated that there were no changes from the prior application.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application DCA# 1133929 to the Department of Consumer Affairs by

Skipwell Corp., d/b/a Bistro Ten Eighteen, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 26 seats.

Committee: 7-0-0-0

302 Columbus Avenue (West 74th Street)

Robert Calahan stated that there were no changes from the prior application. BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application DCA# 1184619 to the Department of consumer Affairs by 302 Columbus Avenue, Inc., d/b/a Lenny's, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.

Committee: 8-0-0-0

513 Columbus Avenue (West 85th Street)

Sal Perillo stated that there were no changes from the prior application. There were complaints about noise disturbing neighbors until early hours of the morning. The owner stated that his managers were supposed to cut off the sound earlier than described. He will give his attention to resolving this problem and asked that if there is a problem with operation that people please call him directly, even at 3 in the morning if that is when the problem occurs so he can take remedial and immediate action. Neighbors were asked to monitor Swanky's operation between this meeting and the full board meeting for improvement. The application states that the café is 10 feet deep, in violation of CB7 guidelines. It appears there may be a mistake either on the form or for all cafés on the block. Linda Alexander will measure the cafes on the block to determine their actual depth. Sal Perillo measured his café and reported back that it was in fact 9 feet in depth, the sidewalk was 19 feet wide and there was 10 feet of clearance. The figures on the application appear to be incorrect.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application DCA# 1167803 to the Department of Consumer Affairs by RLS Inc., of NY, d/b/a Señor Swanky's, for a two-year consent to operate an unenclosed sidewalk café with 28 tables and 57 seats.

Committee: 6-3-0-0

2724 Broadway (West 104th Street)

Robert Calahan stated that there were no changes from the prior application.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the renewal application DCA# 1132659 to the Department of Consumer Affairs by Hot Bread of 104th Street Inc., d/b/a Hot & Crusty, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 30 seats.

Committee: 6-1-0-0

333 West 86th Street, the Atria (West End Avenue-Riverside Drive)

Discussion of Atria's drop-off and pick-up zone. Residents of West 86th Street object to the granting of the No Standing spaces and further object to the method of Atria's use of the granted privilege. The building is owned by Cambridge Development. James Guinett, a physical training instructor for Atria was present to represent Atria. Facts presented: There are 158 elderly tenants in the Atria program plus 51 or 53 rent stabilized units rented and independent of the Atria program. About 15 of the Atria residents use wheelchairs. The 16 passenger bus used by Atria is about 15 feet long. Atria requested space directly in front of the building to be able to park the bus or their town car to load and unload for seniors' trips.

Though CB7 had intended that 2 spaces of No Parking 7 days a week 8AM to 5PM be approved, due to error with the source unclear, a No Standing regulation of 46 feet in length was put into place 7 days a week 24 hours a day. Though there are also other issues to be resolved, it was clear to the committee that No Standing was the proper regulation, but that the 46 foot length was excessive and the 24 hour imposition was not as intended. In case this could not be resolved administratively, the committee passed the following resolution to seek to correct variance in the current regulation from that which had been originally intended.

The following facts and concerns were taken into consideration in arriving at our conclusion:

The originally installed special parking zone for the Atria was not installed as intended by the original approval of this board, and more specifically.

The installed length of 46 feet is considerably longer in length than the 30 feet that was needed or that CB7 intended.

The 24-hour regulation posted was also not what was needed or what CB7 intended.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** and asks for an immediate change of the previously installed special zone for the Atria to "No Standing Except Buses Loading and Unloading 8 A.M. -5 P.M., 7 Days a Week" and that the zone be reduced to 30 feet in length.

Committee: 8-1-0-0 Public: 1-1-0-0

Additional issues and discussion:

- The size of the No Standing area is excessive.
- The Atria is not a licensed assisted living facility for the elderly. It is simply an apartment building with a number of elderly tenants. Other nearby buildings also have elderly tenants and do not get special parking privileges.
- Atria does not use the spaces as intended. The spaces go empty while Atria double parks their vehicles, apparently attempting to use the bus to reserve other parking spaces for other vehicles. Ample photographic evidence was shown to the committee.
- Buses are left idling for long periods of time.

The above issues and others will get a further hearing at a future meeting to determine if the No Standing privilege should be continued at all. The Atria was not able to defend its operation at this meeting since the representative in attendance was not knowledgeable in these areas. It was asked that the Atria provide a knowledgeable principal at the next hearing or they would forfeit their right to be heard before action was taken. Given the broad range of issues, the Atria issue may next be on the agenda of the Transportation, Health and Human Services, Housing, or some joint committee meeting arrangement to be determined shortly.

New Business.

Public committee member Peter Jenkins proposed that a resolution he brought and read to the committee regarding the proposed MTA fare increase be taken up. This resolution will need some vetting with our absent co-chair and MTA expert. If time is extremely critical, this will be taken up at either the steering committee or as a committee caucus before full board and then at the full board. Otherwise it will be on the agenda of the next transportation committee meeting.

Meeting adjourned at 11:04 P.M.

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Business and Consumer Issues Committee
George Zeppenfeldt-Cestero and Madge Rosenberg, Co-Chairpersons
November 14, 2007

1. New Application to NYS Liquor Authority for 768 Amsterdam Avenue.

Application filed to NY State Liquor Authority for Tucumana Corp., doing business as the La Rural Bistro, located at 768 Amsterdam Avenue (West 97th Street.) Applicant, Michael Murakhovsky, filed for a new NY State Liquor Authority License for 768 Amsterdam Avenue, DBA La Rural Bistro. The new establishment has 95 seats available (75 restaurant seats and 20 bar seats). The applicant currently owns two restaurants, Café Frida, 368 Columbus Avenue (West 78th Street) and Café Ronda, 249 Columbus Avenue (West 72nd Street).

Resolution:

BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** the application to the State Liquor Authority by 768 Amsterdam Avenue, Tucumana, doing business as (d/b/a) La Rural Bistro, unless the following stipulation is added to their method of operation in their SLA application, that they will close their windows and doors by 11:00 pm, and an effort will be made to keep the sidewalk clear of smokers and noise. There is also no objective to the applicant extending the hours of operation at 768 Amsterdam Avenue, DBA La Rural Bistro, to 11:30 pm weekdays and 12 midnight on weekends.

Committee Vote 5-0-0-0 Public Vote 1-0-0-0

2. New Application to NYS Liquor Authority for 903 Columbus Avenue (West 104th Street.) Columbus Valley Restaurant Corp. Application for new license was disapproved for no show.

Resolution to disapprove.

Committee Vote: 5-0-0-0 Public Vote: 1-0-0-0

3. New Application to NYS Liquor Authority for 982-984/988 Amsterdam Avenue.

Application filed to NY State Liquor Authority for Amsterdam Avenue Restaurant, LLC. doing business as (d/b/a) the Village Pour House located at (108th – 109th Streets). Applicant Sean McGarr, filed for a new NY State Liquor Authority license for 982-984 Amsterdam Avenue, dba Village Pour House. The applicant currently owns a Village Pour House at 11th Street and 3rd Avenue, East Village for approximately 14 months with no negative quality of life history. This new establishment would have 74 seats (44 restaurant seats and 30 bar seats). Also present at the BCI meeting was applicant's business partner, Michael Sinenksy, Bruno Gioffre (attorney for the new establishment), and Joseph Abbruzzese, the head of security. The applicant provided the committee with a package that included letters of recommendation supporting the applicant. It also included the restaurant's menu, layout and a spray foam insulation pamphlet for the soundproofing to be installed. The restaurant is expected to be open in February 2008. Members of the community speaking on this applicant included:

- E. Oliveras, resident at 200 West 109th Street, has been disturbed by the noise from former establishments there due to improper sound proofing.

- L. Fields, resident at 987 Amsterdam Avenue, is concerned with the high drug activities and fights that have occurs near and in front of the former establishments.
- J. Sabez, resident at 989 Amsterdam Avenue, is concerned with the past history of loud noise in front of the establishment and from the patrons.
- E. Tachibana, resident at 989 Amsterdam Avenue and Melinda Koster, resident at 200 West 109th Street, had similar concerns
- A. Mehlman, resident at 200 West 109th Street, is concern of the noise both from inside and outside the premise.
- Arthur, resident at 200 West 109th Street, is concern with the courtyard noise.
- K. Sealise, resident at 140 West 109th Street, suggested security guards be available for internal drug trafficking.

Resolution:

BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** the application to the State Liquor Authority by 982-984/988 Amsterdam Avenue, Amsterdam Avenue Restaurant, LLC, dba Village Pour House, unless the following stipulation is added to their method of operation, in their SLA application, that they will close their windows and doors by 11:00pm, and an effort will be made to keep the sidewalk clear of smokers and noise. Soundproofing would be installed and the owner would verify the effectiveness by visiting tenants at 200 West 109th Street

- The neon light sign will not reflect into apartments and the area would be well lit.
- There will be full-time licensed security staffs from 5:00pm to 2:00am on weekdays and 4:00am on weekends. The security staffs would also ensure no drug trafficking activities both within or front of the premises. Joseph Abbruzzese, Head of Security, will provide his cell phone number in case of any concern the community has with the establishment.
- Security cameras are provided both within and in front of the establishment.
- Retractable awning will be installed in the entire distance of the frontage of the establishment to reduce the lighting, noise and cigarettes smoke.
- Backdoor would always remain closed except for deliveries.
- Applicant's attorney has appeared at a November 13, 2007 "500 Foot Hearing" of the NYS Liquor Authority and informed the BCI Chair that there was no objection to the applicant.
- Recognizing the long history of drug trafficking, noise and resident complaints to owners operating at the location, this applicant agrees to be an active member of a Community Advisory Council (CAC) spanning 96th-110th Streets. Peter Arndtsen, Executive Director of the Columbus/Amsterdam Business Improvement District (BID) has volunteered to chair the council. The CAC members would include the applicant, a CB7/BCI member (Rosa Gonzalez), residents, owners of businesses, and community leaders. A monthly meeting would be held to discuss the quality of life issues resulting from restaurant/bar operations in the community.

Committee Vote 6-0-0-0 Public Vote 1-0-0-0

4. New Application to NYS Liquor Authority for 2418 Broadway.

A new on premises application for Georgia's Bakery. (West 89th Street). The applicant plans to apply for a wine license only. The applicant has previously appeared before the BCI Committee. She stated that she posted visible flyers within adjoining buildings at: 201, 205, 210, 215, 216, 250, and 251 West 89th Street. The bakery hours of operation are 8:00am – 8:00pm from Monday to Saturday and

7:00pm on Sunday. Applicant stated if liquor license get approved, the closing hours would be extended to 10:30 pm on weekday and 11:00 pm on weekends.

- Ms. Jem, resident at 281 West 89th Street, opposes the liquor license application due to the noise from the bakery equipment, lack of communication between the owner and the tenants, employees and customers from the bakery sitting in front of her building and the late hours of operation of the bakery.
- J. Skurnik, resident at 216 West 89th Street, has been disturbed by the noise that the air conditioner/compressor makes and the vibration of the pipes on the side of the building.

The applicant has resolved the following issues based on her previous appearance at the BCI committee:

- Has put a timer on the air conditioner due to the noise complaints. The automatic shutoff time is at 9:30pm. The applicant has agreed to start the timer at 8:00am to and shut off at 10:00pm instead of 5:15am to 9:30pm.
- Has double bagged the garbage to avoid leaks
- There will be no amplified music
- An effort will be made not to block the egress at 216 West 89th Street
- Using pressure cleaning of the sidewalk at 89th Street every other day.
- The garbage is now picked up from Broadway entrance
- Provided a list of existing bakeries that have and/or requesting liquor license. These bakeries are Bouchon, Ruth's Bakery Café, La Flor Bakery, Payard Bakery, Bouley Bakery, Magnolia Bakery and Fauchon Bakery.

Resolution:

BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves the application without prejudice** to the State Liquor Authority for a wine-only liquor license due to the lack of submission of an application. Applicant has been informed that at her next Committee hearing she must submit a completed application, including the method of operation.

Committee Vote 5-0-0-0 Public Vote 1-0-0-0

Present: George A. Zeppenfeldt-Cestero, Rosa Gonzalez, Ulma Jones, Ann Raphael, Madge Rosenberg. **Board Chairperson:** Helen Rosenthal.

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Parks and Preservation Committee

Lenore Norman and Klari Neuwelt, Co-Chairpersons

**There were two meetings in November 2007. Minutes for the November 8, 2007 meeting follow.*

**November 1, 2007
B'Nai Jeshurun**

Lenore Norman opened the meeting by describing its purpose: to hear public testimony in order to help the Parks and Preservation Committee determine whether or not CB7 should recommend that the Landmarks Preservation Commission consider the West Park Presbyterian Church for potential designation as an individual landmark. Klari Neuwelt added that the landmark designation being considered was only applicable to the building's exterior.

Presentations were made both in support of and opposing landmark designation.

First, support for landmark designation was presented by members of Friends of West Park (FoWP), an organization that has worked for the past five years to try to preserve the church structure in an effort to support its landmark designation. Susan Sullivan Co-Chair of Friends of West Park introduced the presentation, briefly describing the significant social and political contributions West Park Presbyterian has made to the Upper West Side since the later portion of the 19th century, as well as the significant architectural contribution the church structure makes to its neighborhood and to the broader Upper West Side community. FoWP Board member Mosette Broderick, Director of Urban Design at NYU briefly supplemented the introductory remarks. Then FoWP board member Lauren Jacobi, PhD candidate at the Institute of Fine Arts, began the more in-depth presentation of her research, presenting greater detail about the architectural heritage of the building's Richardsonian Romanesque style and its two architects – Leopold Eidlitz and Henry F. Kilburn. She also discussed further the cultural and social contributions made by West Park Presbyterian Church over the years within the Upper West Side as well as within the broader context of New York City. These two factors (architectural and cultural significance) provide ample justification to support landmark designation of the church, exemplifying the “socially redemptive power of architecture”: This two-pronged argument is presented in the two-page paper co-authored by Mosette Broderick and Lauren Jacobi in October 2007, included within the folder of handouts submitted in conjunction with the presentation.

The few committee questions focused on the current conditions of the existing structure, given that the building has been surrounded by scaffolding for a number of years now. While the overall physical structural stability is good, the facade's masonry cladding is in disrepair, with some pieces of stone having fallen off.

Next, opposition to landmark designation was presented by Robert Brashear, Pastor of West Park Presbyterian Church, a congregation of approximately 100 members. He began his remarks by observing that a church is “a community of people called to a common purpose”, and that the church building is “a physical asset to be used to fulfill the mission and goals of the ministry”. He described the path that led the church to pursue plans to sell off and develop part of its site (the “church house” aka the Eidlitz structure) in order to raise the needed funds to preserve, repair and restore the church sanctuary building while also providing the congregation with the resources to continue the important work of its ministry. The pastor stated that landmark designation would thwart these efforts, in part because inadequate resources could be raised beyond funds to preserve the building structure itself. Bill Traylor, President of Richmond Housing Resources (the developer) then presented more of the details of the redevelopment plan, pointing out that the latest design reflects a compromise in response to earlier criticisms by the community. Demolition of the church house at the eastern end of the site allows the design to effect a contextual transition between the tan brick, boxy rectangular 1920's apartment buildings to the east with the richly rusticated red church structure on the corner. The new housing proposed (80% market rate, 20% affordable units for Upper West Side families, not just for seniors as originally proposed) now has a single entrance for all tenants, and the masonry cladding has replaced the earlier non-contextual glass tower on 86th Street. Klari pointed out that the purpose of tonight's hearing is to decide whether or not to recommend that LP consider West Park for landmarks designation, not to assess the new design of the developer's proposal.

Committee and Board member questions to the presenters ranged from wanting to understand more clearly why the church was opposing landmark designation; what future protections would exist/ be upheld and guaranteed by the congregation to protect the remaining portion of the historic church structure if it is not landmarked (given that there have already been two prior attempts to raze the structure); greater detail on some of the actual costs needed to restore the building; ; how the members of the church congregation feel about plans to alter their sanctuary; etc.

Following the two presentations and committee questions, public testimony was heard. Approximately 21 members of the public spoke (perhaps one-third to one-quarter of all those present). Of those speaking, 12 expressed support, 6 expressed opposition, and 3 stated no position.

Following the conclusion of public testimony, the Committee and other Board members discussed the matter further, concluding with a *resolution that CB7 support a recommendation that the Landmarks Preservation Commission hold a Public Hearing with regard to the potential designation of the West Park Presbyterian Church as an individual landmark. Resolution approved.*

Committee vote: 8-1-0-0. Non-committee Board\ member vote: 5-0-0-0.

The meeting concluded at 9:25 pm.

*Meeting minutes submitted by Gabrielle Palitz
November 3, 2007*

Present: Lenore Norman, Klari Neuwelt, Page Cowley, Miki Fiegel, Sheldon Fine, Phyllis Gunther, Blanche Lawton, Gabrielle Palitz, Jeff Siegel. **Board Members:** Madge Rosenberg, Charles Simon, Elizabeth Starkey, Tom Vitullo-Martin. CB7 Board Chairperson Helen Rosenthal.

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Date: November 8, 2007

1. 325 West End Avenue (West 75th Street). Application To The Landmarks Preservation Commission For A Rooftop Addition (Terrace Installation).

The following facts and concerns were taken in to account in arriving at our conclusions.

The Parks & Preservation Committee of Community Board 7/Manhattan believes that, in light of the constraints that appear to be beyond the control of the applicant, the proposed terrace installation is reasonably appropriate to the historic character of the building and of the Historic District;

The Parks & Preservation Committee **approves** the proposed terrace installation at 325 West End Avenue, but recommends that the applicant use less reflective metal elements than the stainless steel in the proposal.

Committee Members: 4-2-0-0.

2. 101 West 77th Street (Columbus Avenue). Application To The Landmarks Preservation Commission For A Rooftop Addition.

The following facts and concerns were taken into account in arriving at our conclusions.

The Parks & Preservation Committee of Community Board 7/Manhattan believes that the proposed rooftop addition is reasonably appropriate to the historic character of the building and of the Historic District.

The Committee believes that the restoration of the 8 brick chimneys along the perimeter of the roof at the cornice is a desirable restoration.

The architect for the applicant assured the Committee that the stucco façades of the rooftop addition will be painted in a color matching the brick color of the building's primary façades.

The Parks & Preservation Committee **approves** the proposed rooftop addition at 101 West 77th Street.

Committee Members: 6-0-0-0.

3. 44 West 87th Street (Columbus Avenue—Central Park West). Application To The Landmarks Preservation Commission For Installation Of Windows And A Lift At The Front Of The Building.

The following facts and concerns were taken into account in arriving at our conclusions.

The Parks & Preservation Committee of Community Board 7/Manhattan applauds the applicant for a sensitive restoration of the façade of this building, including the proposed restoration of the slate roof and of the stoop and the installation of new wood windows, and for minimizing the visual impact of the proposed lift.

The Committee believes that the proposed alterations are appropriate to the historic character of the building and of the Historic District.

The Parks & Preservation Committee **approves** the application for the installation of windows and a lift at the front of the building at 44 West 87th Street.

Committee Members: 5-0-0-1.

Re: 101 West 77th Street (Columbus Avenue.)

Parks & Preservation Committee Vote: 6 In Favor 0 Against 0 Abstentions 0 Present

The following facts and concerns were taken into account in arriving at our conclusions.

The Parks & Preservation Committee of Community Board 7/Manhattan believes that the proposed rooftop addition is reasonably appropriate to the historic character of the building and of the Historic District;

The Committee believes that the restoration of the 8 brick chimneys along the perimeter of the roof at the cornice is a desirable restoration;

The architect for the applicant assured the Committee that the stucco façades of the rooftop addition will be painted in a color matching the brick color of the building's primary façades;

The Parks & Preservation Committee **approves** the proposed rooftop addition at 101 West 77th Street.

Committee Members: 6-0-0-0.

Date: November 8, 2007

Re: 44 West 87th Street (Columbus Avenue—Central Park West.)

Parks & Preservation Committee Vote: 6 In Favor 0 Against 0 Abstentions 0 Present

The following facts and concerns were taken into account in arriving at our conclusions.

The Parks & Preservation Committee of Community Board 7/Manhattan applauds the applicant for a sensitive restoration of the façade of this building, including the proposed restoration of the slate roof and of the stoop and the installation of new wood windows, and for minimizing the visual impact of the proposed lift;

The Committee believes that the proposed alterations are appropriate to the historic character of the building and of the Historic District;

The Parks & Preservation Committee **approves** the application for the installation of windows and a lift at the front of the building at 44 West 87th Street.

Committee Members: 5-0-0-1

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Housing Committee

Victor Gonzalez and Charles Simon, Co-Chairpersons

Minutes will be uploaded as they become available.

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Health and Human Services Committee

Barbara Van Buren and Madge Rosenberg, Co-Chairs

November 20, 2007

Kristen Edwards and Joe Hallmark, Manhattan Outreach Consortium (Goddard Riverside 212 595 3066)

Randolph Quezada, NYC Department of Homeless Services (212 361 7976)

Randy Quezada describes DHS programs to “end homelessness, not hide it.”

- A. Emergency intake of homeless families with minor children
- Family must provide housing history to Temporary Housing Office in the Bronx between 9am and 5pm.

- Family is provided with 10 days of conditional housing while DHS determines eligibility to stay in transitional housing nearest the youngest child's school.
- If family is rejected because DHS feels they have somewhere to stay with family or others, they are given legal and social counseling, but no shelter.

Randy had no figures on how many people were rejected for housing, or data on the qualifications of the people who made the decisions about suitability of available housing. (He indicated that if there were family or friends who had space, but didn't want the applicant to live with them, DHS workers would mediate and try to change their minds.) He agreed to check his office for this information and send it to the Committee at the CB7 office.

B. Work advantage New York

This is another program which DHS has developed to reduce homelessness. Applicants for the program must be currently in the shelter system.

- Someone in the family must work 20 hours per week and family receives public assistance.
- City will pay rent for one year. Family must save 10-20% of the amount of the rent. City will match the year's savings.
- If salary improves, City will continue the subsidy to encourage job advancement.

C. Fixed Income Advantage

- If you receive SSI and cannot work, City submits Section 8 for permanent subsidy.
- Candidate must come from a shelter .

D. Children's' Advantage

- Mom should stay home with children and not work.
- Permanent housing with Section 8 is given.

No data were available on how many people were able to take advantage of these programs. Randy will also send these data to the Committee.

DHS can be taken to court if housing is refused.

Kristen Edwards, director of Manhattan Outreach Consortium, as of Sept 1, coordinates the following agencies for targeted outreach, street-to-home model, working as a single point of access to the housing system.

The Bridge	145th Street North
Center for Urban Pathways	110 to 145 th Street
Goddard Riverside	West 59 th – 110 th Street
Lenox Hill	East 59 – 110 th Street
Common Ground	42 nd – 59 th Street
Urban Pathways	14 th – 42 nd Street
John Hus House	Below 14 th Street

From September 1 to November 1, 2007 the consortium brought in 200 people, found 53 placements and 6 permanent housing placements. They have a 15-1 case

to worker ratio. Many clients are mentally ill or addicted and need supportive housing.

Joe Hallmark manages the Goddard Riverside catchment area for targeted outreach. He works repeatedly with individuals who want to stay outside to win their confidence, list them on the registry and bring them to shelter. From 40 cases he has placed eight in transitional housing and three people in permanent housing. The program responds to 311 calls within two hours. This has been a problem because of the time needed to follow-up the homeless identified in nightly out-reach. Urban Pathways has had particular problems.

The Committee will follow this program, particularly as to what happens when they run out of transitional housing.

Present: Madge Rosenberg, Barbara Van Buren, Barbara Keleman, Luis Reyes. Joyce Goodman from Assemblyman O'Donnell's office; Tom Robertson from the Ryan Health Center.

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Land Use Committee
Richard Asche and Page Cowley, Co-Chairpersons
November 19, 2007

ITEM

1. **6-10 West 70th Street (Central Park West.)** Application to the Board of Standards & Appeals by Congregation Shearith Israel for a variance to waive lot coverage (R8B & R10A portion), rear-yard-interior lot (R8B & R10A portion), building & base eight setback (R8B portion), and rear setback (R8B portion) in order to construct an 8-story (plus penthouse) mixed-use building.
 - A. The meeting was called to order by Helen Rosenthal and chaired by Richard Asche and Page Cowley. This was the second meeting on this application. The meeting agenda was presented to explain the format and protocol to permit Board and Committee members to discuss the project resulting in a resolution. Notes had been distributed to Committee and Board members prior to the meeting to use as a guide.
 - B. An overview of the project was presented by Shelly Friedman, the land use attorney for the project. This summarized the status of the project since the Community Board last reviewed the project prior to submission to the New York City Landmarks Preservation Commission (LPC). Mr. Friedman gave a summary of the planning and zoning issues that affect the project and the variances that are required to achieve the design as approved by the LPC. This was followed by a brief presentation of the architectural design by Ray Dovell of Platt Bayard Dovell & White using a PowerPoint and a model to illustrate why the variances are needed and where they are located with respect to the R10A and R8B portions of the site.
 - C. These variances are currently being considered by the Board of Standards & Appeals (BSA) which has received a response and clarifications to the BSA letter

(dated October 12, 2007). The project is now calendared for a hearing on November 28 at 1:30 PM, 40 Rector Street, 6th Floor Hearing Room "E".

- D. The modifications to the proposed development included the following:
- Eliminated the upper penthouse thereby reducing the height by one floor.
 - The terracotta was substituted for brick in a similar color and no terracotta would be used on the facade.
 - The cornice line of the new building was lowered to align to the adjacent apartment house to the west.
 - A vertical spandrel was added at the entrance to emphasize the corner rather than a transition from glass to brick over the cantilevered entrance
 - A column was added below the vertical spandrel element.
- E. Before inviting members of the public to make their comments, Richard Asche reviewed the work of the Committee relating to this matter regarding the "findings" that need to be met to achieve hardship the members of the public were invited to make comments. The topics are summarized below:
- Setting precedent using whereby non-profits use undeveloped air rights as an "economic engine" to fund projects rather than by conventional internal means.
 - Inappropriateness of the condos constructed at the expense of the neighborhood.
 - Closing up of lot line windows on the adjacent property for condos – both on the party wall and at the adjacent courtyard.
 - Filling in rear yards at the expense of the community.
 - Were the condos necessary?
 - Concern with the taking of rear yards and variances for rear yard setbacks, blocking light and air to adjacent properties.
 - Lack of environmental concerns as no shadow studies conducted to illustrate impact to adjacent row houses.
 - Excessive height.
 - Height of cooling tower, water tower and elevator housing above the penthouse.
 - Alignment of the cornices of the new building and the immediate neighbor.
 - Inappropriateness to the landmark.
 - Issue of need relating to the condos as the project can be built without them
- F. There followed a series of questions to the applicant by Committee and Board Members. There was brief discussion regarding how to arrive at a resolution and the format that the Resolution should take. It was agreed that each of the four findings, as they relate to non-profit organizations would be voted on their merit. The following are the results of the Committee and Board resolution:
- **Finding A** – "... that there are unique physical conditions inherent in the particular zoning lot; and that, as a result of such unique physical conditions, practical difficulties or unnecessary hardship arise;"
 1. **Lot Coverage:**

Land Use Members: In favor- 7, Opposed - 0, Abstained – 0, Present not voting – 0.

Board Members: In favor - 2, Opposed - 2, Abstained – 0, Present not voting – 0.

2. Height & Set Back in the Rear Yard R8B Portion:

Land Use Members: In favor- 6, Opposed - 1, Abstained – 0, Present not voting – 0.

Board Members: In favor - 1, Opposed - 3, Abstained – 0, Present not voting – 0.

3. Height & Set Back in the Rear Yard R10A Portion:

Land Use Members: In favor- 6, Opposed - 1, Abstained – 0, Present not voting – 0.

Board Members: In favor - 1, Opposed - 3, Abstained – 0, Present not voting – 0.

- **Finding B** – ...that because of such physical conditions there is no reasonable possibility that the development of the zoning lot will bring a reasonable return ... this finding shall not be required for the granting of a variance to a non-profit organization; This is **not applicable** to non-profit organizations

- **Finding C** – "... that the variance, if granted, will not alter the essential character of the neighborhood;"

1. Changing Depth of the setback:

Land Use Members: In favor- 1, Opposed - 6, Abstained – 0, Present not voting – 0.

Board Members: In favor - 0, Opposed - 4, Abstained – 0, Present not voting – 0.

- **Finding D** – "... that the practical difficulties or unnecessary hardship claimed as a ground for a variance have not been created by the owner;"

1. Height and Street Wall setback:

Land Use Members: In favor- 0, Opposed - 7, Abstained – 0, Present not voting – 0.

Board Members: In favor - 0, Opposed - 4, Abstained – 0, Present not voting – 0.

- **Finding E** – "... the variance, if granted, is the minimum variance necessary to afford relief."

Land Use Members: In favor- 0, Opposed - 7, Abstained – 0, Present not voting – 0.

Board Members: In favor - 0, Opposed - 4, Abstained – 0, Present not voting – 0.

A motion was made to accept the format and this would be memorialized in a resolution to be prepared by those present and edited by Richard Asche.

There being no further business the meeting was adjourned.

Respectfully submitted by Page Cowley, Co-chairperson, LU Committee, and Elizabeth Starkey

Present: Land Use: Richard Asche, Page Cowley, Hope Cohen, Jeffrey Siegel, and Tom Vitullo-Martin.

Board Members: Helen Rosenthal, Chairperson, Sheldon Fine, Klari Neuwelt, Lenore Norman, Madge Rosenberg, Charles Simon, Elizabeth Starkey