

RESOLUTION

Date: June 2, 2009

Committee of Origin: Parks & Preservation

Re: 15 West 72nd Street #37C (Central Park West.) Application #09-7948 to the Landmarks Preservation Commission for window replacement.

Full Board Vote: 20 In favor 16 Against 5 Abstentions 0 Present

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

Although the proposed window replacement will be minimally visible from any public way, the Parks & Preservation Committee of Community Board 7/Manhattan, believes that permitting this window replacement would set an undesirable precedent with regard to the rest of the building, which is unusually large and has hundreds of windows in scores of apartments.

The Committee also believes that the long rectangular single fixed panel window, proposed to replace a smaller panel flanked by two double-hung windows that match a pair of outer flanking double-hung windows, is out of proportion.

Accordingly, the Committee believes that the proposed window replacement is not appropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** the proposed window replacement at 15 Central Park West, Apartment 37C, and further recommends that the building consider a master plan for future window replacement.

Committee: 4-1-1-0.

RESOLUTION

Date: June 2, 2009

Committee of Origin: Parks & Preservation

Re: 43-45 West 86th Street, Chabad of the West Side Synagogue and Pre-School (Central Park West - Columbus Avenue.) Application #09-7556 to the Landmarks Preservation Commission for façade restoration, reconfiguration of the non-original entrances, reconstruction of the five existing levels with a one-story rear addition and a penthouse.

Full Board Vote: 27 In favor 7 Against 2 Abstentions 1 Present

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

The Parks & Preservation Committee of Community Board 7/ Manhattan benefited from a thorough presentation by the applicant's architect, responsive comments from the applicant, and thoughtful comments from many members of the surrounding community.

Historically, these two buildings were part of a composite row of five single-family townhouses, of which these buildings constitute two out of three that remain. They have been in continuous residential use since their construction, first as single-family houses and then as multiple dwellings. Some of the current tenants are rent-regulated, and some of the tenants are of long standing. The three remaining townhouses are flanked by larger apartment buildings.

The front façade portion of the project includes the creation of two new, at-grade entrances on the ground floor aligned vertically with the former parlor floor entrances at Nos. 43 and 45; the removal of original curved glass double-hung wood windows on the parlor and third floors and their replacement in kind with new curved glass, double-glazed wood windows; the replacement in kind of all other original windows on the front façade with double-glazed wood windows; the restoration and re-pointing of the original stone and brick on the front façade, and other restoration work.

The interior work includes the demolition and reconfiguration of the existing floors to new levels (including the placement of the new second floor at the level of the middle of the curved parlor floor windows); the excavation of an entirely new sub-cellar that nearly doubles the below-grade floor area; the lowering of the existing cellar; and the creation of six-floor internal bracing system to support the retained front façade.

The roof addition consists of the addition of an entirely new half-floor set back from the front and rear facades (which will obscure at least one existing party wall window on an adjoining building), with bulkheads and mechanicals to be located above the rooftop addition, and with a black ten-foot wire grid fence to be installed on the terrace between the addition and the south elevation of the building, facing 86th Street. A substantial part of the fence will be visible from 86th Street. Otherwise, only a very small sliver of the proposed rooftop additions will be visible from any public way.

The rear yard work includes the demolition of the entire existing rear façade (including the two existing "L" extensions); a new 13-foot tall ground floor extension built to within a foot of the rear lot line and to the side lot lines, to be faced in brick of a color to be determined but likely to be red, a skylight over the extension; a new rear façade rainscreen on the floors above the extension to be made of cast concrete, in a color to be determined but intended to suggest the limestone on the front facade, which rear façade will extend to the north two feet beyond the common rear walls of the buildings on

COMMUNITY BOARD 7 Manhattan

either side; large casement and picture windows spanning most of the width of the new rear façade; and a narrow, vertical colored glass accent running from the roof of the extension to the fifth floor. A second-floor terrace above the extension will be fenced with the same black 10-foot wire grid fencing that is proposed for the roof. The rear yard elevation and extension will not be visible from any public way outside the rear yard, but will be visible from most vantage points proximate to the building within the “doughnut”.

The net effect of the project is to preserve only the front façade of the existing structure, and to build an entirely new structure behind it.

A majority of the members of the Committee who voted on this application believe the project to be inappropriate to the historic character of the building and of the Historic District.

The following concerns were noted by members of the Committee with respect to this application, although not all concerns were shared by each Committee member:

- The project preserves only the front façade of a worthy structure in functional condition in a Historic District, eliminates the characteristics of the original structure as informed by its context and original purpose, and creates a new structure that is not in keeping with the character of the surrounding built and unbuilt environment, particularly in the residential doughnut at the rear of the building. This constitutes facadism, not historic preservation, and is not in keeping with the intent and spirit of the standard of appropriateness required for approval of applications of this type.
- A new structure designed for uses that are inconsistent with the character of the neighboring structures, while destroying a viable current appropriate and historic use, that is, residential housing, renders the new structure out of context and inappropriate.
- The proposed windows, surfacing, and fencing materials for the new rear facade bear no relationship to those commonly found in a typical Upper West Side residential doughnut, and thus are inappropriate.
- The fencing material, which, in addition to being used on the rear second-floor terrace, will also be used on the front rooftop terrace, and be highly visible from 86th Street, is too industrial-looking a design element to be appropriate.
- The proposed one-story rear-yard extension, spanning both buildings, and nearly filling the combined rear yard to all lot lines and replacing two historic partial-width, multi-story extensions, combined with the light emanating from the large windows above the extension, will negatively impact and intrude upon the doughnut, and in particular the immediate neighbors to the east, west and north.
- The combined features of the proposed work may be in violation of LPC rules with regard to rear-yard additions or enlargements.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** the proposed application for façade restoration, reconfiguration of the non-original entrances, reconstruction of the existing floor levels and construction of a one-story rear-yard addition and a penthouse at 43-45 West 86th Street.

Committee: 5-2-1-2. Non-Committee Board Member: 1-0-0-0.

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 289 Columbus Avenue, Pioneer Supermarket (West 74th Street.)

Full Board Vote: 30 In favor 0 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the request to the Department of Transportation by Pioneer Supermarket to temporarily relocate their truck loading zone from in front of the market to the southern half of the block front during reconstruction of the sidewalk. *Committee: 10-0-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 4-0-0-0.*

COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 225 Columbus Avenue (West 70th -71st Street.)

Full Board Vote: 31 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA# 0982077 to the Department of Consumer Affairs by Mare Mare, Inc., d/b/a Bistro Cassis, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 14 seats.

Committee: 12-1-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 4-0-0-0.

COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 261 Columbus Avenue (West 72nd Street.)

Full Board Vote: 31 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA# 1111397 to the Department of Consumer Affairs by Ppigs Gourmet, Inc., d/b/a Columbus Gourmet, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 16 seats.
Committee: 12-1-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 4-0-0-0.

COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 2161 Broadway (West 76th Street.)

Full Board Vote: 31 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA# 0917301 to the Department of Consumer Affairs by Broadway 76 LTD, d/b/a Niko's Mediterranean Grill & Bisto, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats. *Committee: 12-1-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 4-0-0-0.*

COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 384 Columbus Avenue (West 78th -79th Street)

Full Board Vote: 31 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA# 1190075 to the Department of Consumer Affairs by 384 Columbus Avenue Associates, d/b/a Ocean Grill, for a two-year consent to operate an unenclosed sidewalk café with 20 tables and 53 seats.
Committee: 13-0-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 4-0-0-0.

COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 201 West 79th Street (Amsterdam Avenue.)

Full Board Vote: 31 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA# 1125981 to the Department of Consumer Affairs by Renolta, LLC, d/b/a Nice Matin, for a two-year consent to operate an unenclosed sidewalk café with 24 tables and 68 seats.

Committee: 13-0-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 4-0-0-0.

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COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 413 Amsterdam Avenue (West 80th Street.)

Full Board Vote: 31 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA# 1227844 to the Department of Consumer Affairs by Emilio's Italian Eatery, Inc., d/b/a La Grolla Ristorante, for a two-year consent to operate an unenclosed sidewalk café with 11 tables and 22 seats.
Committee: 12-1-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 5-0-0-0.

COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 450 Amsterdam Avenue (West 82nd Street.)

Full Board Vote: 31 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA# 1204137 to the Department of Consumer Affairs by EKD Tavern, Inc., d/b/a The Dead Poet, for a two-year consent to operate an unenclosed sidewalk café with 5 tables and 11 seats.

Committee: 12-1-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 3-0-0-0.

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RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 522 Columbus Avenue (West 85th Street.)

Full Board Vote: 31 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** 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.

Committee: 12-1-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 3-0-0-0.

COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 2745 Broadway (West 105th Street)

Full Board Vote: 30 In favor 2 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA# 1025180 to the Department of Consumer Affairs by Grillo, LTD, d/b/a Henry's, for a two-year consent to operate an unenclosed sidewalk café with 32 tables and 64 seats.

Committee: 10-3-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 1-2-0-0.

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COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 2799 Broadway (West 108th Street.)

Full Board Vote: 31 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA# 1102405 to the Department of Consumer Affairs by S & P 66, Inc., d/b/a Lime Leaf, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 32 seats.

Committee: 12-1-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 5-0-0-0.

COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 208 Columbus Avenue (West 69th – 70th Streets.)

Full Board Vote: 31 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** new application DCA# 1314804 to the Department of Consumer Affairs by Capicua Corporation, d/b/a Rigoletto Restaurant, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.

Committee: 12-1-0-0. Non-Committee Board Members: 2-0-0-0. Public Members: 5-0-0-0.

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COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 1900 Broadway (West 63rd Street.)

Full Board Vote: 28 In favor 2 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA# 1274931 to the Department of Consumer Affairs by Sushi A-Go-Go, Inc., d/b/a Sushi A-Go-Go, for a two-year consent to operate an unenclosed sidewalk café with 18 tables and 36 seats.
Committee: 10-0-0-0.

COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 410 Amsterdam Avenue (West 79th – 80th Streets.)

Full Board Vote: 28 In favor 2 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** new application DCA# 1165276 to the Department of Consumer Affairs by 317 Amsterdam Corp., d/b/a Bello Sguardo, for a two-year consent to operate an unenclosed sidewalk café with 13 tables and 26 seats.

Committee: 6-4-1-0.

COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Transportation

Re: 566 Amsterdam Avenue (West 87th -88th Streets.)

Full Board Vote: 28 In favor 2 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** new application DCA# 1312628 to the Department of Consumer Affairs by Jos Concept, LLC, d/b/a B Café West, for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats.

Committee: 6-4-1-0.

COMMUNITY BOARD 7 Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Business & Consumer Issues

Re: 511 Amsterdam Avenue (West 85th Street.)

Full Board Vote: 28 In favor 0 Against 2 Abstention 0 Present

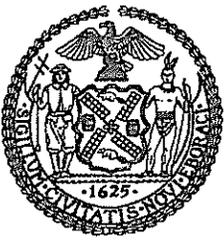
BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the new application, with Community Board 7 stipulations attached, to the New York State Liquor Authority by 511 Amsterdam Vino Corp, d/b/a To Be Determined, for a two-year on-premises liquor license.

Committee: 5-0-0-0.

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RECEIVED
 MAY 18 2009
 COMMUNITY BOARD 7

Helen Rosenthal, Board Chair

Penny Ryan, District Manager

Community Board 7 Liquor License Stipulations

Please note: all signed, notarized stipulations must be presented to the committee chair at 6:30 at the full board meeting or applications will be denied

I, TURGUT BALIKCI as a qualified representative of 511 AMSTERDAM VINO CORP.

Located at 511 AMSTERDAM AVENUE, New York, New York

Agree to the following stipulations indicated in this document:

Hours of operation / Will operate my establishment no later than 2 AM
 Sunday - Thursday S-W 12-12 Th - 12-1
 Friday - Saturday (includes Sunday AM) 12 pm - 2 AM

Will operate my backyard garden no later than N/A
 I understand this to mean that all patrons will be cleared from the establishment at the specified hour.

Will operate my sidewalk café no later than _____
 I understand this to mean that all patrons will be cleared from the establishment at the specified hour.
 Sunday - Thursday 12 am
 Friday - Saturday (includes Sunday AM) 1 am

Will not operate my sidewalk café on the following days: N/A

Will operate full service restaurant, specifically a (type of restaurant) ITALIAN MEDITERRANEAN
 until within 0 hour(s) of closing every night.

Will employ a doorman/security personnel on the following days: NONE

Will install soundproofing. AS EXISTING Will close all doors and windows at N/A every night.

Will not have French doors or windows.

Will not have DJs, live music, promoted events, any event at which a cover fee is charged, scheduled performances, more than _____ promoted events per _____, and/or more than _____ private parties per _____.

Residents may contact the manager/owner at the following phone number. Any complaints will be addressed immediately (and I will revisit the above stated hours if necessary in order to minimize my establishment's impact on my neighbors).
BACKGROUND MUSIC

Name: OWNER: TURGUT BALIKCI MGR: GURAY Phone Number: OWNER: (203) 550-9816 MGR: 362-1098 (212)

Will: _____

Turgut Balikli
 Signed

5-18-2009
 Dated

Sworn to this 18th day of May 2009

[Signature]
 Notary Public

Community Board 7 requests that the SLA add this stipulation to the license of the above-mentioned applicant.

Rev. 01/09

REBECCA E. SLAMAN
 Notary Public, State of New York
 No. 31-4993321
 Qualified in New York County
 Commission Expires 3-21-2011

COMMUNITY BOARD 7  Manhattan

RESOLUTION

Date: June 2, 2009

Committee of Origin: Business & Consumer Issues

Re: 61 West 62nd Street (Columbus Avenue.)

Full Board Vote: 29 In favor 0 Against 2 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the new application to the New York State Liquor Authority by Wichcraft Operating LLC, d/b/a Wichcraft at Lincoln Center, for a two-year on-premises liquor license.

Committee: 5-0-0-0.

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