

Community Board 7/Manhattan July 2002 Resolutions

RESOLUTION

Date: July 2, 2002

Committee of Origin: Parks, Cultural Affairs and Libraries

Re: Design for the reconstruction of the Reservoir fence in Central Park.

Full Board Vote: 23 In favor 1 Against 5 Abstentions 0 Present

WHEREAS, the proposed new fence for the perimeter of the Central Park Reservoir is a sympathetic restoration of the original fence; and

WHEREAS, the proposed new fence is stylistically sympathetic with other permanent fencing in Central Park,

Community Board 7/Manhattan, approves the design for the restoration of the fence around the Central Park Reservoir.

Committee Vote: 7-0-0-0.

RESOLUTION

Date: July 2, 2002

Committee of Origin: Parks, Cultural Affairs and Libraries

Re: Proposal to refurbish for multi-uses the field at West 107th Street (lower level) in Riverside Park.

Full Board Vote: 27 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan approves the proposal to resurface the soccer field in Riverside Park at 107th Street with Field Turf, and wishes the Westside Soccer League well in their fundraising efforts on behalf of this project.

Committee: 7-0-0-0.

RESOLUTION

Date: July 2, 2002

Committee of Origin: Land Use

Re: 201 Columbus Avenue, World Cafe (West 69th Street).

Full Board Vote: 26 In favor 3 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan approves the renewal application DCA# 907282 to the Department of Consumer Affairs by World on Columbus Inc., d/b/a World Cafe at 201 Columbus Avenue (West 69th Street) for a three-year consent to operate an unenclosed sidewalk cafe with 10 tables and 30 seats.

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

RESOLUTION

Date: July 2, 2002

Committee of Origin: Land Use

Re: 377 Amsterdam Avenue, Shining Star (West 78th Street).

Full Board Vote: 26 In favor 3 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan approves the renewal application DCA# 926105 to the Department of Consumer Affairs by Mridula Restaurant Corp., d/b/a Shining Star Restaurant at 377 Amsterdam Avenue (West 78th Street) for a five-year consent to operate an unenclosed sidewalk cafe with 14 tables and 28 seats.

Committee: 6-0-0-0. Board Member: 1-0-0-0.

RESOLUTION

Date: July 2, 2002

Committees of Origin: Land Use, Transportation and Parks

Re: Water Taxi Amendment, #020569 ZRY

Full Board Vote: 17 In favor 6 Against 4 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan approves the application #020569 ZRY by the Department of City Planning to amend the NYC Zoning Resolution with regard to water taxis to increase the vessel capacity from 50 to 99 passengers.

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

RESOLUTION

Date: July 2, 2002

Committee of Origin: Health and Human Services

Re: Pesticide Use to Combat West Nile.

Full Board Vote: 21 In favor 2 Against 4 Abstentions 0 Present

WHEREAS, the NYC Department of Public Health has been concerned about the potential threat posed humans from the spread of West Nile disease by infected mosquitoes in New York City; and

WHEREAS, the medical and scientific issues posed by this threat, and by the public health measures to control it, involve technical issues that the Community Board cannot competently determine; but

WHEREAS, Community Board 7/Manhattan believes that the Department of Health's attempt to control adult infected mosquitoes in the past two years by spraying by aircraft, helicopter, or truck on city streets, was ill-conceived, poorly executed, and unnecessarily exposed large numbers of people to hazardous agents, producing many reports of asthmatic and other health-related adverse reactions; and

WHEREAS, the Department of Health has put on staff an experienced scientist, an entomologist with a specialty in the mosquito and in mosquito control, and Dr. Markowski has outlined to the Board measured steps, beginning with bacterial control of mosquito larvae that can be accomplished with

biological agents that are believed to be innocuous to humans, and with methods of application that minimize or entirely avoid exposure of the general population; and

WHEREAS, Dr. Markowski has also stated that if these controls do not reduce the infected population sufficiently, he may have to recommend area-wide spraying with an insecticide that will reduce the infected adult mosquito population;

BE IT RESOLVED THAT Community Board 7/Manhattan appreciates the efforts of the Department of Health to inform the Board of its plans; and

BE IT FURTHER RESOLVED THAT Community Board 7 requests that the Department of Health make a final determination of its actions only after consultation with medical and scientific experts, such as the Center for Child Health and the Environment at the Mount Sinai Medical Center, who assess the complex public health, individual health, environmental issues; and

BE IT FURTHER RESOLVED THAT if the medical and scientific judgment is that spraying should be undertaken, that the Department of Health devise a plan to accomplish this spraying with the least amount of exposure to the general public possible, and that an energetic multilingual public information campaign, with specific practical advice on ways to limit individual exposure, become part of the plan. Community Board 7 also requests that the Department of Health actively evaluate the campaign for any adverse effects on individual health through a program of monitoring.

Committee: 6-0-0-0. Board Member: 1-0-0-0.

RESOLUTION

Date: July 2, 2002

Committee of Origin: Health and Human Services

Re: Marriage Equality.

Full Board Vote: 18 In favor 5 Against 6 Abstentions 0 Present

WHEREAS, same-sex couples are currently denied the option of engaging in civil marriage in the State of New York; and

WHEREAS, civil marriage confers upon a couple several hundred benefits and protections under the laws of the State of New York and more than one thousand benefits and protections under the laws of the government of the United States; and

WHEREAS, as a result of being denied access to civil marriage, same-sex couples are denied the numerous benefits and protections afforded through civil marriage to opposite-sex couples; and

WHEREAS, the Constitution of the United States guarantees all citizens equal protection under the law;

BE RESOLVED THAT Community Board 7/Manhattan calls upon the State of New York to allow same-sex couples to enter into legally recognized civil marriages, with all the federal and State benefits and protections that civil marriage entails; and

BE IT FURTHER RESOLVED THAT Community Board 7 calls upon the State of New York and the City of New York to recognize the civil marriages of same-sex couples performed in other states or in foreign countries; and

BE IT FURTHER RESOLVED THAT Community Board 7 calls upon the State of New York to treat the civil marriage of same-sex couples as identical under federal and State Law to the civil marriage of an opposite-sex couple; and

BE IT FURTHER RESOLVED THAT Community Board 7 calls upon the City of New York to treat the civil marriage of same-sex couples as identical under City Law to the civil marriage of an opposite-sex couple.

Committee: 6-0-0-0. Public Member: 1-0-0-0.

RESOLUTION

Date: July 2, 2002

Committee of Origin: Landmarks

Re: 161 West 78th Street (Columbus-Amsterdam Avenues).

Full Board Vote: 25 In favor 0 Against 0 Abstentions 0 Present

WHEREAS, the neither the painting of the brownstone nor the color is in character with the neighborhood;

BE IT RESOLVED THAT Community Board 7/Manhattan disapproves application #016698 to the Landmarks Preservation Commission to legalize the painting of the façade without Landmarks Preservation Commission permits.

Committee: 5-0-1-0. Public Member: 1-0-0-0.

RESOLUTION

Date: July 2, 2002

Committee of Origin: Landmarks

Re: 485 Amsterdam Avenue (West 83rd-84th Streets).

Full Board Vote: 27 In favor 0 Against 1 Abstention 0 Present

WHEREAS, the new owner is attempting to create a bar with more historical appearance, including more appropriate glass and wood storefront painted navy blue with gold lettering;

BE IT RESOLVED THAT Community Board 7/Manhattan approves application #026336 to the

Landmarks Preservation Commission for the installation of storefront infill.

Committee: 5-0-1-0. Public Member: 1-0-0-0.

RESOLUTION

Date: July 2, 2002

Committee of Origin: Landmarks

Re: 170 West 83rd Street, d/b/a Hi-Life Bar and Grill (Amsterdam Avenue.)

Full Board Vote: 23 In favor 0 Against 2 Abstentions 0 Present

WHEREAS, the brickwork is to be painted cream color to match original building color, and the mahogany color-wood outdoor café to remain unpainted versus painted-over white; and

WHEREAS, the Landmarks Committee suggests that the stucco on the Amsterdam Avenue frontage remain unchanged, and instead of piecemeal changes supports the owner's desire for more historical overhaul in upcoming new lease renegotiations with landlord.

BE IT RESOLVED THAT Community Board 7/Manhattan approves application #022685 to modify alterations to the ground floor in non-compliance with Certificate of Appropriateness 93-0008.

Committee: 5-0-1-0. Public Member: 1-0-0-0.

RESOLUTION

Date: July 2, 2002

Committee of Origin: Landmarks

Re: 170 West 74th Street, aka 287-295 Amsterdam Avenue.

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

WHEREAS, the new design has historical elements, including glass transoms, and understated lighting and signage; and

WHEREAS, the Landmark Committee proposed a darker color than the proposed buff color for the awnings, which will have signage on the "drop", to allow store name to stand out more clearly;

BE IT RESOLVED THAT Community Board 7/Manhattan approves application #024484 for

building-wide storefront infill replacement.

Committee: 6-0-0-0. Public Member: 1-0-0-0.

RESOLUTION

Date: July 2, 2002

Committee of Origin: Landmarks

Re: 170 West 74th Street, aka 287-295 Amsterdam Avenue.

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

WHEREAS, the Master Plan calls for slowly replacing the original "3-over-1" wooden frames with "1-over-1" windows and smaller side windows; and

WHEREAS, the design, while not historically accurate, is practical and aesthetically inoffensive;

BE IT RESOLVED THAT Community Board 7/Manhattan approves application #022370 to create a master plan governing the future installation of windows.

Committee: 6-0-0-0. Public Member: 1-0-0-0.

RESOLUTION

Date: July 2, 2002

Committee of Origin: Uniformed Services/Environment

Re: Indian Point Nuclear Plant.

Full Board Vote: 22 In favor 2 Against 3 Abstentions 0 Present

WHEREAS, the September 11, 2001 attack on America demonstrated that a new form of terrorism threatens the lives of Americans and the economy, property and natural resources on which they depend; and

WHEREAS, numerous threats have been made by terrorist organizations to target American infrastructure and systems including nuclear power plants; and

WHEREAS, no other plant in the country has been sited within thirty miles of a major city containing 20 million people and other important and vital systems such as the financial centers and the United Nations; and

WHEREAS, the Nuclear Regulatory Commission has acknowledge that nuclear power systems were not designated to withstand or repel a terrorist attack; and

WHEREAS, the very real threats posed to the plant cannot be ignored, nor can the potential for catastrophic effects from a meltdown or radiological fire that could lead to tens of thousands of deaths; and

WHEREAS, the New York City Council in its deliberations, hearing and investigations pursuant to Resolution No. 64 has called on the Nuclear Regulatory Commission to order the immediate shutdown of the plant in order to compel the plant operators to reduce the risks of an attack or accident in the near future and in the long term;

BE IT RESOLVED THAT Community Board 7/Manhattan supports Resolution No. 64 calling for the immediate shutdown of the Indian Point Nuclear Power Plant until such time as adequate safety, evacuation and security measures are completed; and

BE IT FURTHER RESOLVED THAT should the operators of Indian Point fail to address the public's growing concerns regarding safety, evacuation and security, Community Board 7/Manhattan strongly urges the State of New York to assess the feasibility of converting Indian Point to a non-nuclear power generation facility.

RESOLUTION

Date: July 2, 2002

Committee of Origin: Land Use

Re: 223 West 80th Street, formerly Phoenix House (Broadway-Amsterdam Avenue),

#151-02-BZ.

Full Board Vote: BACK TO COMMITTEE

WHEREAS, Cavan Development Corporation (i.e. the applicant) proposes to construct a 12-story residential building at 223 West 80th on a site whose narrow frontage causes it to be ruled by the Zoning Resolution's 'Sliver Building' provisions, including limitation of height to match the lowest adjacent buildings; and

WHEREAS, Community Board 7/Manhattan makes these technical findings in accordance with Section 72-21 of the Zoning Resolution:

a) The applicant has not clearly demonstrated that there are unique physical conditions peculiar to and inherent in its zoning lot which conditions prevent the applicant from complying with the Zoning Resolution; however, the conditions of narrowness of the lot, partial excavation of the basement, and obsolete technology of the building may be enough to satisfy the requirements of this finding a)

b) If the applicant has in fact met finding a), then it has also met this finding b) concerning a reasonable return on development of the zoning lot

c) The applicant has demonstrated that the structure for which the variance is being sought will not substantially impair the appropriate use of adjacent property and has demonstrated that the structure will not be detrimental to the public welfare

d) The applicant has not created the difficulties and hardships that the applicant claims as ground for a variance

e) The application appears to be the minimum variance necessary to afford the relief the applicant seeks; and

WHEREAS, award of a variance depends on an applicant meeting all five tests of Section 72-21 of the Zoning Resolution; and

WHEREAS, Community Board 7/Manhattan finds that the applicant has met findings c), d), e), and may have met findings a) and b);

BE IT RESOLVED THAT Community Board 7/Manhattan approves the application #151-02-BZ to the Board of Standards & Appeals (BSA) by Cavan Development Corporation for a variance to exceed the permissible height limitations to permit the construction of a residential building with 12 floors and penthouse at 223 West 80th Street (Broadway – Amsterdam Avenue), conditionally upon BSA

RESOLUTION

Date: July 2, 2002

Committee of Origin: Land Use

Re: 2737 Broadway, Carne (West 105th Street).

Full Board Vote: BACK TO COMMITTEE

WHEREAS, the applicant has agreed to reduce the depth of the proposed sidewalk café to 9 feet (and has agreed to eliminate 1 table and 4 seats from the original plans to accomplish this) and has agreed to submit to Community Board 7/Manhattan plans revised to document this change and stamped by the NYC Department of Consumer Affairs;

BE IT RESOLVED THAT Community Board 7/Manhattan approves the new application DCA# 1109932 to the Department of Consumer Affairs by The Westside of Broadway Restaurant Group, Inc., d/b/a Carne Restaurant at 2737 Broadway (West 105th Street) for a one-year consent to operate an unenclosed sidewalk cafe with 16 tables and 30 seats.

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