

JULY 25, 2006 RESOLUTIONS

Committee of Origin: Steering

Steering Committee Vote: 10 In Favor 0 Against 0 Abstentions 0 Present

Board Member Vote: 1 In Favor

Re: Department of Homeless Services placement of homeless adult families at 315 West 94th Street.

WHEREAS, the Department of Homeless Services (DHS) informed Community Board 7 on July 21st of its intentions to open on July 24th a temporary shelter for 135 homeless adult families without children (270 individuals) at the Mount Royal, a single-room-occupancy hotel at 315 West 94th Street; and

WHEREAS, Community Board 7 and elected officials shared their concerns with DHS about the use of this building as a temporary shelter, including, but not limited to: the lack of planning and community consultation; the inadequacy of proposed on-site social services, community space, bathrooms and kitchens; the absence of consideration and planning for the needs of the 60 permanent residents of the hotel; the cost to City of \$2900/month/family; the building's history of non-compliance with the certificate of occupancy and questions about the legality of using "Class A" units for temporary housing; and

WHEREAS, DHS decided on July 25th to proceed with placement of families in 315 West 94th Street before community concerns could be addressed and resolved;

BE IT RESOLVED THAT Community Board 7/Manhattan finds that DHS's poorly conceived plan to place 135 homeless adult families (270 homeless adults) in the Mount Royal at 315 West 94th Street does not serve the needs of the homeless adult families, the permanent residents of the hotel or the community, and further destroys the SRO stock of permanent, affordable housing; and

BE IT FURTHER RESOLVED THAT Community Board 7 continues to support **permanent housing** for homeless families and individuals in its community and calls upon the Department of Homeless Services to cease its placement of homeless adult families in 315 West 94th Street, and to begin a more effective planning process to find an appropriate solution to the current homeless crises.

Committee of Origin: Transportation

Re: 286 Columbus Avenue (West 73rd Street.)

Steering Committee Vote: 10 In favor 0 Against 0 Abstentions 0 Present

WHEREAS, Wine & Roses has not opened for business yet; and

WHEREAS, Community Board 7/ Manhattan likes to see a "track record" of operation of a restaurant prior to granting any sidewalk cafe licenses;

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the application for an unenclosed sidewalk cafe at this time.

Board Member: 1-0-0-0.

Committee: 8-2-0-0.

Committee of Origin: Transportation

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

Steering Committee Vote: 10 In favor 0 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** La Grolla's application for a renewal of their unenclosed sidewalk cafe.

Board Member: 1-0-0-0.

Committee: 8-2-0-0. Board Members: 1-0-0-0.

Committee of Origin: Land Use

Re: 983 Amsterdam Avenue; 51 West 106th Street; 135 West 89th Street.

Steering Committee Vote: 11 In favor 0 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the application by the Department of Housing Preservation and Development to the City Council for disposition pursuant to the Tenant Interim Lease Program by sale to current tenants of the following properties: 983 Amsterdam Avenue; 51 West 106th Street and 135 West 89th Street; however,

BE IT FURTHER RESOLVED THAT Community Board 7/ Manhattan's approval is expressly conditioned upon receipt of information from HPD reflecting appropriate caps on resale prices with respect to the subject apartments.

Board Member: 1-0-0-0.

Committee: 8-0-0-0.

Committee of Origin: Land Use

Re: 160 Columbus Avenue (West 67th Street)

Steering Committee Vote: 11 In favor 0 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the application to the Board of Standards and Approvals by MP Sports Club Upper West Side LLC, to reopen and amend the original BSA resolution, viz.: 1. to change ownership of the Club; 2. to change the hours of operation to permit opening at 5:00AM; 3. to extend the permit for a period of ten years; and

BE IT FURTHER RESOLVED that Community Board 7/ Manhattan **approves** the waiver of rules requiring that an application for renewal be made prior to the expiration of the original term.

Board Member: 1-0-0-0.

Committee: 6-0-0-0.

Committee of Origin: Land Use

Re: 129 West 67th Street (Broadway-Amsterdam Avenue)

Steering Committee Vote: 11 In favor 0 Against 0 Abstentions 0 Present

Community Board 7/ Manhattan having reviewed proposed plans for the enlargement of the Kaufman Center at 129 West 67th Street, and having heard testimony thereon, finds that the proposed enlargement:

1. is necessary and appropriate to the educational and cultural purposes of the applicant and would benefit the community;
2. is tasteful and modest in scope;
3. would have no adverse impact on any abutting landowner, tenant or area resident or business; and
4. is consistent with the irregular shape of the zoning lot; and

Community Board 7/ Manhattan finds further that adjoining landowners and tenants have been notified of the application and have raised no objection;

Accordingly, if the Board of Standards and Appeals finds as a matter of law and a matter of fact that the findings required by the Zoning Resolution have been met, Community Board 7/ Manhattan would, under the unique facts and circumstances of this case and with the express intent of creating no precedent for future applications, **approve** the Kaufman Center's application for a variance.

Board Member: 1-0-0-0.

Committee: 7-0-0-1.

Committee of Origin: Parks & Preservation

Re: Bethesda Fountain, Central Park

Steering Committee Vote: 10 In favor 0 Against 0 Abstentions 0 Present

WHEREAS, the project to restore the Minton tiles in the arcade at Bethesda Terrace in Central Park, which Community Board 7/ Manhattan, has long supported, is coming to fruition; and

WHEREAS, the Parks and Preservation Committee of Community Board 7/ Manhattan, believes that the proposals for the paint blue, gold and red color scheme for the cast iron elements and the unobtrusive lighting design for the arcade area, as presented by the Central Park Conservancy, are appropriate to the historic design of the Arcade and of Central Park, and will appropriately coordinate with and highlight the central design feature, the Minton tiles;

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the final design for the painting of the cast iron elements and the lighting of the arcade, and commends the Conservancy for its thorough and scholarly approach in researching and designing these elements of the Minton tile restoration project.

Board Member: 1-0-0-0.

Committee: 7-0-0-0. Board Members: 2-0-0-0.

Committee of Origin: Parks & Preservation

Re: Imagine Mosaic and modification to adjacent pavement, Central Park

Steering Committee Vote: 10 In favor 0 Against 0 Abstentions 0 Present

WHEREAS, the "Imagine" mosaic in Central Park needs routine maintenance; and

WHEREAS, the Parks and Preservation Committee of Community Board 7/ Manhattan believes that the new band of granite around the mosaic proposed by the Central Park Conservancy is appropriate to the site and will facilitate future maintenance of the mosaic;

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the final design for the black granite paving detail surrounding the "Imagine" mosaic at Strawberry Fields in Central Park.

Board Member: 1-0-0-0.

Committee: 7-0-0-0. Board Members: 2-0-0-0.

Committee of Origin: Parks & Preservation

Re: 199 Columbus Avenue, dba SawickiTarella Architecture+Design, PC (West 69th Street)

Steering Committee Vote: 10 In favor 0 Against 0 Abstentions 0 Present

WHEREAS, there is documented history of a "blade" sign at this commercial location; and

WHEREAS, the proposed sign is appropriate in size and design to the historic character of the building and the Historic District; and

WHEREAS, no new holes will be made in the building facade to install the sign;

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the application for the proposed blade sign at 199 Columbus Avenue.

Board Member: 1-0-0-0.

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

Committee of Origin: Parks & Preservation

Re: 325 West End Avenue, Apt# 2D (West 75th-76th Streets)

Steering Committee Vote: 10 In favor 0 Against 0 Abstentions 0 Present

WHEREAS, almost all of the matching stained glass bathroom windows in the building have been removed and replaced; and

WHEREAS, the two windows subject to the application are in poor condition; and

WHEREAS, the proposed aluminum replacement windows, as shown in drawings presented to the Parks and Preservation Committee dated July 13, 2006, would match existing replacement windows in the building in color and design;

BE IT RESOLVED THAT Community Board 7/ Manhattan regrets the elimination of historical stained glass windows in Historic Districts and elsewhere, but, under the specific circumstances of the present application, **approves** the replacement of the two broken stained glass windows with aluminum replacements.

Board Member: 1-0-0-0.

Committee: 7-0-0-0. Board Members: 1-0-1-0.

Committee of Origin: Parks & Preservation

Re: 37 Riverside Drive (West 75th-76th Streets.)

Steering Committee Vote: 8 In favor 1 Against 1 Abstention 0 Present

WHEREAS, part of the existing south portion of the applicant's penthouse would be removed, reducing its profile at that location, but the penthouse would be extended with an additional floor in the building's south courtyard; and

WHEREAS, the north bulkhead of the applicant's penthouse would be modified and its roof raised so that it would become more visible from public ways; and

WHEREAS, the proposed brick for the infill facade in the south courtyard, as shown on the plans dated "Revised 6/30/06" presented to the Committee would be of the same type and color as that on the courtyard floors below; and

WHEREAS, the applicants and their architect both represented to the Parks and Preservation Committee that, and undertook that in their submission to the LPC, they would modify the proposal, as shown in the plans presented dated "Revised 6/30/06", so that

1. the window size, placement within the wall and sill design on the courtyard infill section would match the window treatment of the floors below, and
2. the stucco facade of the new north bulkhead of the applicants' penthouse and the adjacent penthouse would be painted a red color intended to blend with the brick color of the building's north facade and cause the penthouse facade to "disappear"; and

WHEREAS, with the modifications to the plans agreed to at the Committee meeting, the Parks and Preservation Committee of Community Board 7/ Manhattan believes that the proposed penthouse modifications are reasonably appropriate to the building and the Historic District,

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the proposed changes in the penthouse at 37 Riverside Drive.

Board Member: 1-0-0-0.

Committee: 6-1-0-0. Board Members: 2-0-0-0.

Committee of Origin: Parks & Preservation

Re: 225 West 86th Street, The Belnord (Amsterdam Avenue-Broadway.)

Steering Committee Vote: 10 In favor 0 Against 0 Abstentions 0 Present

WHEREAS, the Parks and Preservation Committee of Community Board 7/ Manhattan believes that the proposed pairs of iron and gilded gates at the two

archway entrances to the courtyard and the proposed brass, other metal and glass replacement taxi/doorman kiosk at that location, as presented to the Committee in drawings dated July 13, 2006, are appropriate to the historic character of the building and the Historic District,

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the design for the entrance gates and the kiosk.

Board Member: 1-0-0-0.

Committee: 7-0-0-0. Board Members: 1-0-0-1.

Committee of Origin: Parks & Preservation

Re: 38 West 83rd Street (Central Park West-Columbus Avenue.)

Steering Committee Vote: 9 In favor 0 Against 1 Abstention 0 Present

WHEREAS, as described to the Committee and shown on drawings presented to the Committee, the proposed roof-top addition would not be visible from any public way; and

WHEREAS, the proposed new front doors are appropriate to the building and the historic district; and

WHEREAS, the Committee believes that the massing of the rear-yard addition is reasonably appropriate to the building and the Historic District, taking into account that the existing partial-width addition projects into the rear yard an additional nonconforming 8 inches, but believes that the proposed window design with regard to window type and placement is not appropriate; and

WHEREAS, there is a historical photo of immediately neighboring stoops showing that they had substantially more masonry and substantially less ornamental iron than the proposed stoop; and

WHEREAS, the Committee applauds the concept of restoring a stoop to the building, but believes that the proposed stoop, with its railing consisting almost entirely of elaborate ironwork, is not appropriate to the historic character of the building or the Historic District; and

WHEREAS, the Committee believes that the proposed elaborate wrought iron fence at the lot line enclosing the area way is not justified by either historical evidence or similarity to neighboring fences, and is therefore not appropriate to the building or the Historic District; and

WHEREAS, the Committee requested of the applicant's representative that the applicant request an adjournment of its scheduled July 25, 2006 hearing at LPC in order to give it time to work with the Committee to:

1. modify the rear-yard addition window design to incorporate two bays of double-hung windows,
2. modify the stoop design to have primarily masonry side walls, with a limited iron work railing above the masonry, and
3. modify the fence design to be primarily masonry, with limited iron work trim or railing, and the applicant's representative refused that request,

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the fenestration plan for the proposed rear-yard addition, **disapproves** the proposed new stoop, **disapproves** the proposed fence at the front lot line and **approves** the proposed new front doors.

Board Member: 1-0-0-0.

Committee: 7-0-0-0. Board Members: 1-0-1-0.

Committee of Origin: Parks & Preservation

Re: 100 West 74th Street (Columbus Avenue.)

Steering Committee Vote: 9 In favor 1 Against 0 Abstentions 0 Present

WHEREAS, with the replacement of the existing railing on the roof of the south facade of the building with a red brick parapet wall, matching the existing brick of the south wall, as shown on the elevations dated May 19, 2006 and sight line drawings dated May 17, 2006 presented to the Committee, only the pipe rail fence on the roof of the proposed roof-top addition will be visible from any public way; and

WHEREAS, the new pipe rail fence would be a minor visual incursion with regard to the historic architecture of the building and the Historic District,

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the proposed roof-top addition at 100 West 74th Street.

Board Member: 1-0-0-0.

Committee: 3-0-1-0. Board Members: 0-1-2-0.

Committee of Origin: Parks & Preservation

Re: 153 West 78th street (Amsterdam-Columbus Avenues.)

Steering Committee Vote: 9 In favor 0 Against 1 Abstention 0 Present

WHEREAS, the applicant's architect presented plans to the Committee for a greenhouse at the rear of the garden floor level, but later advised Community Board 7/ Manhattan that the greenhouse had already been approved by LPC staff and was not subject to a Certificate of Appropriateness hearing; and

WHEREAS, the proposed extension to the west building line of the existing partial rear-yard extension at the parlor floor level would result in the removal of corbels under the windows of the existing rear facade at the parlor floor level that are apparently part of the original fabric of the building; and

WHEREAS, the Parks and Preservation Committee of Community Board 7/ Manhattan believes that the corbels at the parlor floor and higher levels of the original rear facade of the building are important, charming and irreplaceable architectural elements that should be preserved; and

WHEREAS, the Committee believes that the proposed window size, type and placement in the proposed extension would be jarring and inappropriate fenestration bearing no resemblance to the original fenestration of the building; and

WHEREAS, the applicant has constructed a brick parapet wall on the roof of the newly built extension to the west building line on the garden floor in apparent violation of LPC permits; and

WHEREAS, the Parks and Preservation Committee of Community Board 7/ Manhattan believes that the proposed rear-yard addition at the parlor floor would not be appropriate to the historic character of the building or the Historic District,

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the proposed rear-yard extension at the parlor floor of 153 West 78th Street.

Board Member: 1-0-0-0.

Committee: 4-0-0-0. Board Members: 1-0-0-1.

Re: Restoration of home rule over NYC rent and evictions laws.

Steering Committee Vote: 9 In favor 0 Against 2 Abstentions 0 Present

WHEREAS, New York City should have the power, through its duly elected mayor and duly elected City Council, to determine the shape and scope of its rent and eviction regulation laws; and

WHEREAS, New York City had such home rule power prior to 1971, and using that power enacted both the City Rent and Rehabilitation Law (city rent control) of 1962 and the Rent Stabilization Law of 1969; and

WHEREAS, the New York State Legislature and Governor Nelson A. Rockefeller enacted Legislation in 1971 - known as the Urstadt Law, named for Rockefeller's housing commissioner Charles J. Urstadt - that severely curtailed the City's home rule powers by prohibiting enactment of laws or regulations to strengthen the city's rent laws but allowing enactment of laws or regulations to weaken city rent laws; and

WHEREAS, the New York State Legislature and Governor George E. Pataki tightened the Urstadt Law in 2003 by prohibiting the City Council and Mayor from enacting any law or regulation affecting rents and evictions, except for periodic renewal of the city rent laws and decontrol of classes of housing; and

WHEREAS, the New York City Council passed a resolution in 2003, and a home rule message in 2005, calling on the State Legislature and the Governor to repeal the Urstadt Law and restore home rule powers over rents and evictions to the duly elected New York City officials; and

WHEREAS, the New York State Assembly has, for the past 12 years, passed a bill to repeal the Urstadt Law and restore home rule powers over its rent laws to the City of New York; and

WHEREAS, the leadership of the New York State Senate has refused to allow bills to repeal the Urstadt Law to be released from committee and thus allow such bills to be debated by the members of the Senate; and

WHEREAS, the stock of rent-controlled and rent-stabilized housing constitutes the largest and most important stock of affordable rental housing in New York City, with one of every three residents living in these apartments; and

WHEREAS, this stock of affordable housing is being constantly reduced by various decontrol amendments enacted by the New York State Legislature and the New York City Council over the past twelve years, the most harmful of which has been high rent vacancy decontrol, allowing the permanent deregulation of vacant rent-regulated units when the legal rent reaches \$2000 per month; and

WHEREAS, credible analyses of the impact of these decontrol mechanisms have shown that at a minimum the City of New York has lost 200,000 affordable apartments over the past decade, as rent-regulated apartments are converted on vacancy to deregulated, free market units; and

WHEREAS, credible analyses of the impact of these decontrol mechanisms have shown that the pace of vacancy decontrol has accelerated; and

WHEREAS, there is an urgent need for government to review and evaluate the shape and scope of rent and eviction regulation laws in New York City; and

WHEREAS, this process of review and evaluation is a proper concern for the duly elected officials of New York City;

BE IT RESOLVED THAT Community Board 7/Manhattan calls on the New York State Legislature and Governor to enact legislation to repeal the Urstadt Law and restore home rule powers to the Mayor and New York City Council, and calls on the Mayor of New York City to make enactment of this legislation a top priority for the City of New York.

Board Member: 1-0-0-0.