

RESOLUTION

Date: January 5, 2021

Committee of Origin: Steering

Re: The Exonerated Five.

Full Board Vote: 35 In Favor 0 Against 4 Abstentions 0 Present

Committee: 15-0-1-0. Non-Committee Board Member Vote: 15-0-0-0.

This resolution is based on the following facts:

The Exonerated Five, formerly known as the Central Park Five, are five Black and Latino men who in the Spring of 1989 were teenagers who were wrongfully prosecuted and convicted for the brutal and vicious attack and rape of a white woman jogger in Central Park. They are Antron McCray (15 at the time), Kevin Richardson (15), Raymond Santana (14), Korey Wise (16), and Yusef Salaam (15); at the time all resided in Harlem.

The prosecution followed many hours of aggressive interrogation of the teenagers without the presence of their parents that resulted in coerced confessions that were later recanted.

The crime provoked intense media attention and public outrage that affected the trials and stigmatized the youth of the Harlem community and beyond.

Despite inconsistent, inaccurate and recanted coerced confessions, DNA evidence that excluded them, and the absence of any eyewitness accounts connecting them to the victim, the Five were convicted (one as an adult). All served their complete sentences, ranging from 6 to 13 years in prison.

After they served their complete sentences, the convictions were vacated and the Five were exonerated when a man named Matias Reyes, whose DNA matched evidence from the crime scene, confessed to the crime in 2002.

The miscarriage of justice embodied by the case of the Exonerated Five has become a flashpoint for illustrating racial disparities and injustices in the criminal justice system, from prosecution through sentencing.

Families and guardians of the youth of Harlem for decades have counseled their children to avoid Central Park to protect them from the consequences of such systemic racial disparities and injustices.

Community Board 10/Manhattan, in consultation with multiple stakeholders, elected officials, community organizations, not-for-profit entities, communities of faith, governmental agencies and many others, seek to create a permanent exhibit to be located in Central Park at a location to be determined, capturing and educating all about the injustice visited upon the Exonerated Five.

The precise nature, size, configuration and content of the permanent exhibit have yet to be determined, and will be subject to the typical review and comment opportunities for any permanent addition to Central Park, including without limitation reviews by the Community Boards surrounding the Park and approvals by the Department of Parks & Recreation, the Central Park Conservancy, the Landmarks Preservation Commission, and the Public Design Commission.

THEREFORE, Community Board 7/Manhattan supports the installation of a permanent exhibit to capture and educate about the experiences of the Exonerated Five, which exhibit is to be located in Central Park, with the specifics of design, location and other details to be subject to future reviews and approvals.

RESOLUTION

Date: January 5, 2021

Committee of Origin: Land Use

Re: Coastal Flood Resiliency Text Amendment.

Full Board Vote: 37 In Favor 0 Against 0 Abstentions 0 Present

Committee: 5-0-2-0. Non-Committee Board Members: 3-0-0-0.

The New York City Department of City Planning has proposed amendments to the Zoning Resolution to address the increased risk of flooding of structures in areas within the coastal flood plain. The only areas in Community Board 7 which are within a flood plain are portions of Riverside Park, not governed by the Zoning Resolution, and a garage area in an existing building at 59th Street and Riverside Boulevard.

The goals of the proposed amendments are:

- 1) to expand the scope of coastal flood zoning from areas with a 1% annual chance of flooding to areas with a .2% annual chance of flooding;
- 2) to exempt from floor area for zoning purposes certain ground floor spaces which are wet- or dry-flood proofed;
- 3) create alternatives to the location of mechanical, electrical and plumbing equipment from basements to other portions of structures or lots; and
- 4) enact rules that make it easier for buildings damaged in a flood to be reconstructed.

In large measure, temporary zoning rules enacted after Hurricane Sandy, would be made permanent by the proposed text amendment.

The new proposed rules are complex and their impact would vary from neighborhood to neighborhood, but would have no effect in Community Board 7/Manhattan.

THEREFORE, BE IT RESOLVED THAT:

- 1) Community Board 7/Manhattan approves, in principle, efforts by the Department of City Planning to make coastal areas of the City more resistant to and resilient from extreme flooding;
- 2) Analyzing the impact of DCP's specific proposals would require a neighborhood- by-neighborhood detailed analysis best undertaken by Community Boards with areas within the flood plain;
- 3) Accordingly, Community Board 7, takes no position as to the specifics of the detailed Zoning Resolution amendments contained in the DCP proposal.

RESOLUTION

Date: January 5, 2021

Committee of Origin: Transportation

Re: 908 Amsterdam Avenue (West 104th – 105th Streets.)

Full Board Vote: 41 In Favor 1 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application #B02782 to NYC Taxi and Limousine Commission by New App Car & Limo, Inc. for renewal of their For Hire Base Station license.

RESOLUTION

Date: January 5, 2021

Committee of Origin: Transportation

Re: Ending Taxpayer Support for Marketing of Helicopter Tours Over Manhattan.

Full Board Vote: 45 In Favor 0 Against 0 Abstentions 0 Present

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

- Tourist and photo-excursion helicopters originating in New Jersey and Westchester County regularly fly over Manhattan neighborhoods, including the Upper West Side, as part of their tours. Many of the photo-excursion flights take place in helicopters with side doors either open or removed. Central Park is one highly attractive sight both during the day and after sunset, both for views of the Park itself and to frame the skyscrapers beyond. These helicopters hover, sometimes two at a time, for extended periods over the Park, disrupting the experience of the Park and the surrounding neighborhoods for those on the ground. Helicopters also hover over Central Park and the Upper West Side to await clearance to enter airspace proximate to or regulated by LaGuardia Airport.
- Tourist helicopter flights have increased in recent years, with a particularly sharp spike in the past six months, according to a recent BetaNYC presentation to Manhattan Borough President Gale Brewer’s Helicopter Task Force.
- These increased flights have been accompanied by a dramatic upsurge in helicopter noise complaints. According to an analysis by the news site The City, complaints about helicopter noise have gone up more than 130 percent since 2019, rising to 7,758 as of November 13, 2020, compared to 4,400 for all of 2019. The complaints are concentrated in Community Districts 5, 7 and 8, according to BetaNYC.
- On January 7, 2020, CB7’s full board voted unanimously to support “our elected officials’ efforts to reduce helicopter traffic in the city, including the enactment of the Improving Helicopter Safety Act of 2019.” This Act (HR 4880) would prohibit nonessential helicopter flights from flying within New York City airspace, ending tourism helicopter flights, among others. Introduced by Reps. Jerrold Nadler, Nydia Velazquez and Carolyn Maloney, the measure has the support of many of Manhattan’s City and State elected representatives.
- Despite the impact of non-essential helicopter flights on the quality of life of those living, working and visiting the space below them, tourist and non-essential helicopter flights are listed on the website of NYC & Company, the taxpayer-supported official destination marketing organization for the five boroughs of New York City. These flights are listed under “Tours” alongside sightseeing cruises and walking tours, and discounts are offered.
- The website of one helicopter tour company listed on NYC & Co. proclaims: “With trees starting to get their leaves and flowers blooming, taking a helicopter trip NYC visitors will never forget over Central Park is simply the most amazing experience.”
- Another company website boasts: “You’ll fly right by the Statue of Liberty and can even fly across Central Park on our City Lights Experience!”
- In a recent Gotham Gazette article, Julia Vitullo-Martin writes: “It’s hard to make the intellectual leap from out-of-town helicopter flights to benefits for New York’s tourism industry.”
- The use of a New York City taxpayer-supported marketing and media facility to promote businesses that are not reasonably expected to create tax revenues or other benefits to our City, and which disrupt our communities, is inappropriate, unfair and inefficient.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan calls on NYC & Co., the Mayor and City government to cease using taxpayer funds to promote helicopter tours that are the cause of escalating community noise complaints and other concerns, and we urge that NYC & Company cease listing and promoting such tours.

RESOLUTION

Date: January 5, 2021

Committee of Origin: Transportation

Re: Need for a Safe Route for Westbound Cyclists on West 100th Street.

Full Board Vote: 24 In Favor 16 Against 4 Abstentions 0 Present

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

- There is no street between West 97th and West 105th Streets that allows cyclists to travel westbound from Central Park West to Riverside Drive without interruption.
- West 100th Street is both an exit and entrance to Central Park that is used by many cyclists.
- There is a Citi Bike docking station at 100th Street and Manhattan Avenue, and another at 100th Street and Broadway.
- 100th Street connects all three of the Upper West Side's protected bike lanes -- on Central Park West, Columbus Avenue and Amsterdam Avenue.
- The nearest alternative to 100th Street for a cyclist exiting Central Park and trying to reach the Citi Bike station at 100th Street and Broadway is to:
- Make a left turn into turning traffic and travel three blocks south on Central Park West, which has fast-moving traffic and no southbound protected lane;
- Make a right on 97th Street, which has fast-moving traffic coming out of the park and no protected lane, and travel three avenue blocks;
- Make a right at Broadway, which is our district's most dangerous street for cyclists and pedestrians and has no protected bike lane;
- Make a left across six lanes of Broadway traffic to reach the docking station.
- When choosing their route, cyclists must always conduct a risk/benefit analysis. The costs for a cyclist of going blocks out of the way are far greater than for a driver. In addition to the obvious extra energy expenditure, cyclists must typically navigate streets built exclusively for motor vehicles, and traverse several intersections, which are where the vast majority of cyclists lose their lives.
- As 100th Street is the most direct, quickest and safest route for westbound cyclists exiting Central Park, many will risk a ticket to use it.
- Therefore, be it resolved that Community Board 7/Manhattan asks the New York City Department of Transportation to study the feasibility of allowing cyclists to legally travel westbound on 100th Street between Central Park West and Riverside Drive. Options to consider could include a "contraflow" lane, which the National Association of City Transportation Officials suggests for streets where large numbers of bicyclists are already riding against traffic. If such option is not deemed workable, we ask that NYC DOT propose an alternative equally safe and direct route for cyclists traveling west to our north/south protected bike lanes and Citi Bike stations.

RESOLUTION

Date: January 5, 2021

Committee of Origin: Business & Consumer Issues

Re: 434 Amsterdam Avenue (West 81st Street.)

Full Board Vote: 40 In Favor 0 Against 0 Abstentions 0 Present

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

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** new application to the SLA for a two-year On-Premises liquor license by Jugaad LLC d/b/a Laut.

RESOLUTION

Date: January 5, 2021

Committee of Origin: Business & Consumer Issues

Re: Multi-block street fairs.

Full Board Vote: 37 In Favor 2 Against 1 Abstentions 0 Present

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

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** applications to the Street Activity Permit Office for multi-block street fairs in 2021.

DATE	SPONSOR NAME	LOCATION	PRODUCER
4/18/21	Samaritan Daytop Village	Bway, West 96 th -102 nd E	Clearview Festival
4/18/21	Duke Ellington Blvd. Neighborhood Association	Bway, West 102 nd -106 th E	Clearview Festival
4/18/21	24th Precinct Community Council	Bway, West 102 nd -106 th E	Clearview Festival
5/23/21	Project Open at Lincoln Center Towers	Bway, West 65 th -72 nd W	Clearview Festival
6/06/21	Mitchell-Lama Residents Coalition	Amst, West 73 rd -74 th W	Clearview Festival
6/06/21	Safe Haven West Side Basketball League	Amst, West 73 rd -79 th W	Clearview Festival
6/13/21	West Side Federation of Neighborhood & Block Assoc.	Bway, West 73 rd -82 nd E	Clearview Festival
8/15/21	Broadway Mall Center	Bway, West 86 th - 93 rd E	Clearview Festival
8/22/21	Goddard Riverside	Amst, West 79 th -86 th	Clearview Festival
9/05/21	Lincoln Square Neighborhood Center	Col, West 66 th - 72 nd	Clearview Festival
9/11/21	Valley Restoration, LDC	Col, West 97 th -106 th	Mardi Gras Festival
10/03/21	Committee for Environmentally Sound Development	Bway, West 60 th -65 th E	Clearview Festival
10/10/21	Coalition for a Livable West Side	Bway, West 72 nd -82 nd W	Clearview Festival
10/17/21	Bloomingdale Area Coalition	Bway, West 96 th -106 th W	Clearview Festival
10/24/21	The Broadway Mall Association	Bway, West 86 th -90 th W	Clearview Festival
10/24/21	Symphony Space	Bway, West 90 th - 96 th W	Clearview Festival



RESOLUTION

Date: January 5, 2021

Committee of Origin: Preservation

Re: 2109 Broadway aka 230 West 74th Street, Ansonia. Application to the Landmarks Preservation Commission for the replacement of the existing entry doors.

Full Board Vote: 36 In Favor 1 Against 0 Abstentions 0 Present

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

This resolution is based on the following facts:

The Ansonia is an individual landmark designated in 1972. It was constructed ca. 1899-1904 by architect Paul E.M. DuBoy in the French Beaux Arts style, with three richly ornamented façades facing Broadway and West 73rd and 74th Streets. The building includes various ground floor retail spaces on Broadway and the side streets.

This application concerns the ground floor entrance to a largely below-grade commercial space destined for medical testing offices (which space has an interesting history of its own).

The existing doorway consists of a pair of French doors situated in an opening in the stone façade, with a transom above. The doors and the transom are of wood framing, with multiple muntins creating true divided light glazing.

The proposed opening will mimic the existing opening: a pair of French doors with a transom above, with substantially the same muntin pattern as the original, except for the elimination of a row of glazed panels to allow for a horizontal push-bar to be installed on the interior to meet Code for emergency egress.

The new doors will replace the single-pane glass and wood framing with thermally-broken steel framing and insulated glass panels to meet current energy codes. Enhanced strength of the steel framing allows for automatic door operators to be concealed within door framing to further facilitate access to the property.

In order to provide necessary accessibility clearance and hardware, one of the proposed doors will be 1.5" wider than the other, which will accommodate typical wheelchair dimensions.

The proposed revised transom will retain the 3 panel by 3 divided light layout and align with the muntin layout of the doors below.

The applicant also proposes a small canopy extending the full width of the opening to match as closely as possible the material, color and size of the existing canopy on the adjacent entrance to Margot Patisserie.

The proposed new doors, transom and canopy, the use of metal framing in place of wood to meet Code and ADA standards, and the introduction of a modest matching canopy are appropriate to the character of this individual landmark.

THEREFORE, Community Board 7/Manhattan **approves** the application as appropriate to the character of this individual landmark.



RESOLUTION

Date: January 5, 2021

Committee of Origin: Preservation

Re: 76, 78 & 80 West 82nd Street aka 451 Columbus Avenue. **Application LPC-20-07838 and LPC-20-07839 to the Landmarks Preservation Commission to legalize the replacement of ironwork at the stoop without Landmarks Preservation Commission permit(s).**

Full Board Vote: 36 In Favor 0 Against 1 Abstention 0 Present

Committee: 7-0-0-0. Non-Committee Board Members Vote: 2-0-0-1.

This resolution is based on the following facts:

This application concerns the Columbus Avenue storefronts and the guard rails at the main entrance on the side street of this five-story tenement/flats building constructed ca. 1890-91 by architects Thom & Wilson in the Upper West Side/Central Park West Historic District.

The storefront existing condition consists of a series of retail spaces with silver-colored thin aluminum windows rising from a stone plinth and situated beneath a wide sign board that is currently not in use. The aluminum window frames include a transom above the picture windows and doors, although several of the existing stores cover the transoms with signage. The existing condition includes rusticated stone painted a white color between the storefronts. The existing condition or its equivalent was present at the time of designation.

The proposal with respect to the Columbus Avenue elevation is to unify the storefront fenestration with a tripartite metal framing with a central doorway flanked by two larger picture windows that rise from the stone plinth and include fixed transoms/clerestory windows above of approximately the same dimension as the existing condition. The new storefront infill is proposed to be in dark bronze-colored aluminum, and will include a storefront window on the corner store facing the side street.

The proposal also includes restoring the historic sign band above the store fenestration with brownstone-colored material, and restoring a mini-cornice effect above the sign band in a style that matches the building's roofline cornice. The rusticated stone separating the storefronts is also proposed to be clad in the same brownstone-colored material.

The application also seeks approval for railings installed at the landing in front of the main residential entrance to the building on the West 82nd Street elevation. The landing is four steps above the sidewalk grade. The existing decorative-patterned wrought iron railings have footing in low masonry walls that flank the entrance landing. The new railings replaced prior wrought iron railings that were too low to meet Code requirements. The railings are necessary to prevent a fall into the areaway between the sidewalk and the main façade.

Both the proposed storefront infill and the existing decorative railings have numerous similar precedents in the surrounding neighborhood within the Historic District. The restoration of the sign band and mini-cornice, the storefront infill master plan, and the decorative railings on the residential entrance landing are appropriate to the character of the Historic District.

THEREFORE, Community Board 7/Manhattan **approves** the application for a storefront infill master plan and for legalization of the installation of the decorative railings on the residential entrance landing as appropriate to the character of the Historic District.

RESOLUTION

Date: January 5, 2021

Committee of Origin: Preservation

Re: 140 Riverside Drive, PHC (West 87th Street.) Application LPC-21-03819 to the Landmarks Preservation Commission to modify a masonry opening and install a window.

Full Board Vote: 36 In Favor 0 Against 0 Abstentions 0 Present

Committee: 7-0-0-0; Non-Committee Board Members: 3-0-0-0.

This resolution is based on the following facts:

This application concerns a series of windows one of the penthouses facing Riverside Drive and Park in this individual landmark building constructed in 1938-39 by Emery Roth & Sons. The subject apartment sits in between the two towers on the Riverside Drive façade. The building is in the Style Moderne with elements of Renaissance-inspired details.

The application concerns windows on the southern portion of the west-facing penthouse. The applicant seeks to expand a pair of existing windows into a single window unit, and adjust another window width, in a manner that will echo the arrangement of the sister penthouse to the north, and emulate the window configurations of the main façade below.

The existing condition on the south penthouse are a mishmash of sizes and styles. The windows are visible from Riverside Drive and from within Riverside Park.

The proposed new window openings will be more harmonious with the existing windows to the north and below.

The harmonization of the windows per the proposal is an improvement over the existing condition, and is appropriate to the character of this individual landmark.

THEREFORE, Community Board 7/Manhattan **approves** the application as appropriate to the character of this individual landmark.

RESOLUTION

Date: January 5, 2021

Committee of Origin: Preservation

Re: 110 West 88th Street (Columbus Avenue.) Application to the Landmarks Preservation Commission to facilitate the construction of a new four-story (plus penthouse) row house.

Full Board Vote: 33 In Favor 3 Against 0 Abstentions 0 Present

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

This resolution is based on the following facts:

This application concerns the construction of a new townhouse on a vacant lot.

The townhouse formerly situated on this lot was demolished prior to the designation of the Upper West Side/Central Park West Historic District, which Historic District continues to include the lot as well as the largely intact townhouses to the west.

The missing townhouse was one of a group of 8 townhouses built ca. 1886-87 by architect Samuel B. Reed, each of three stories plus basement. The remaining 7 townhouses are in the Romanesque Revival style with Renaissance and Flemish Revival elements. The facades of the group of townhouses formed a pattern of A-B-C-A-C-A-B-A from east to west (with the first "A" representing the missing structure). The missing townhouse and the remaining members of the group were all composed of red brick with rusticated bases. One surviving member of the group currently is of a light colored material.

The current application is to build a four-story-plus-penthouse townhouse on the vacant lot. The main façade of the proposed townhouse would be sandy-colored brick with recessed casement windows partially covered by a steel-and-limestone rain screen to give the visual impression of punched windows. The parlor floor façade includes a stair and stoop leading to double doors, with a single large picture window to the east. Both the double doors and the picture window are capped by horizontal transoms. The proposed second floor façade is dominated by a monumentally large single-pane window in a dark steel frame, flanked to the west by a narrow tall thin window. The proposed penthouse is set back from the roofline and is visible only from a significant distance further west down the block.

A substantially similar application was presented to Community Board 7/Manhattan in 2013-14, and was the subject of a resolution of disapproval by CB7 dated January 7, 2014. The current application varies from that presented to CB7 in 2013-14 in that the monumentally large second floor window was previously proposed to be well proud of the front façade and is now flush with the façade, and the previous proposal to emulate rustication at the base by using an undulating brick pattern has been replaced with actual proposed rustication. CB7's resolution of disapproval from 2014 included the following rationale:

While the applicant has carefully analyzed the architectural styles, vocabulary, details and materials of rowhouses in the upper west side's historic districts and more specifically the rowhouses within the immediate neighborhood, the proposal does not incorporate or reference those design elements in a manner sympathetic to the context. The Preservation Committee of Community Board 7/Manhattan believes that the proposed design of the new rowhouse is over-scaled for its context, overly formal and rectilinear in its design, too cool in its materials and color palette, and lacks the whimsy,

Date: January 5, 2021

Committee of Origin: Preservation

Re: 110 West 88th Street (Columbus Avenue.) Application to the Landmarks Preservation Commission to facilitate the construction of a new four-story (plus penthouse) row house.

warmth and variety of its neighbors. The Committee finds the proposed design to be highly inappropriate to the historic character of the adjacent building grouping of the Historic District.

The Full Board vote to **disapprove** was 37-1-0-0.

While the applicant correctly notes that it received approval for a new townhouse on this site in the summer of 2014 (which permit has now expired without construction having commenced), the applicant's presentation materials demonstrate that the design that was ultimately approved varied significantly from the current proposal. Among other things, from the applicant's presentation, it is clear that the LPC-approved design was composed of red brick, had true punched windows on the front façade with limestone lintels, incorporated traditional double-hung windows in a 6:1 configuration, did not include a monumental single-pane window at any level, and does not appear to have included a rooftop structure. Moreover, the rendering of the LPC-approved design included a beveled façade that stepped out from the common plane of the other 7 rowhouses to meet the plane of the tenement building to the east.

The proposed new townhouse as presented by the applicant continues to be highly inappropriate to the character of the Historic District for the reasons articulated above and in CB7's January 7, 2014 resolution.

THEREFORE, Community Board 7/Manhattan **disapproves** the proposal as highly inappropriate to the character of the Historic District.

RESOLUTION

Date: January 5, 2021

Committee of Origin: Preservation

Re: 375 Riverside Drive (West 110th Street.) Application LPC-21-03888 to the Landmarks Preservation Commission to establish a Master Plan governing the future installation of windows.

Full Board Vote: 37 In Favor 0 Against 0 Abstentions 0 Present

Committee: 7-0-0-0. Non-Committee Board Members: 3-0-0-0.

This resolution is based on the following facts:

This application concerns a proposed master plan for window replacement. The building was constructed ca. 1921-22 by architect Gaetan Ajello. The building is a 14 story apartment building in the Renaissance Revival style, and is included in the Morningside Heights Historic District.

The main facades of the building feature rich if restrained ornamentation and detail, including a stone water table, quoins, two-story entrance surround with transom bar, swags, pendants and cartouche, terra-cotta and brick stringcourses, fenestration with full stone surrounds from the basement to the fourth story, projecting terra-cotta moldings in the spandrels at the seventh and tenth stories, lintel course at the 14th story, and a modillioned cornice.

The existing window condition consists of aluminum replacement windows of varying age and configuration, with most in the 1:1 double-hung configuration but with variations.

The original window configuration was primarily 6:1 double-hung windows, although the smaller openings were 4:1. No original windows remain on either of the building's primary facades facing Riverside Drive or Cathedral Parkway.

The proposed replacement windows for the master plan call for 1:1 double-hung aluminum windows in a dark bronze color.

The proposal includes brick-to-brick replacement with the windows fabricated to replicate more closely than the existing condition the shape and detail of the original brick molds.

The proposed replacement windows called for in the master plan would both unify the main facades of this building, and would be in harmony with the previously approved master plan for the building next door at 370 Riverside Drive, which also calls for 1:1 dark bronze aluminum windows.

The unification of the façade, the restoration of the brick mold details, and the color, material and configuration of the proposed master plan windows are all appropriate to the character of the Historic District.

THEREFORE, Community Board 7/Manhattan **approves** the application as appropriate to the character of the Historic District.