

Full Board, Committee, and District Service Cabinet Minutes

Full Board Meeting Minutes Helen Rosenthal, Chairperson Temple Ansche Chesed January 6, 2009

Helen Rosenthal called the meeting to order at 7:10 pm.

Minutes from previous full board meeting were approved: 25-0-1.

Chairperson's Report: Helen Rosenthal

- Riverside South: each Committee reviewed appropriate aspects of the project.
- All comments voiced at committee meetings are reflected in CB7's letter to CPC: here are the highlights:
 - Density: Extell proposes an additional 700,000 sq ft over that envisioned in the 1992 Restrictive Declaration ("92 R/D"). CB7 proposes that the SEIS consider an additional alternative of building the density in the 92 R/D.
 - Quantity of residential units: Extell proposes 2,300 more units than 92 R/D. CB7 proposes that the SEIS examine an alternative of sticking to the guidelines of 92 R/D.
 - Permanent affordable housing: Given that our community offers less affordable housing now than in 1992, CB7 proposes that the SEIS analyze the impact of the project if 20%, not 12%, of the units were affordable, and that they be built concurrently and interspersed with market rate units.
 - Open space: CB7 is concerned that the open space appears more private than public; the SEIS should realistically assess the impact of building heights, shadows and configuration.
 - Schools: A new school must be built. Area schools are already overcrowded from first RSS phases. Even adding 1,200 units will trigger the need for a new school. The impact must also assess all development, including claimed as-of-right such as Fordham and 150 Amsterdam.
 - Environmental sustainability/traffic: Buildings should meet highest LEED certification. Parking should be limited to that envisioned in the 92 R/D
- CB7 has met its responsibility on the RSS project. Thanks to Ethel Sheffer for overseeing the process and crafting a single letter from disparate committee reports. Thanks also to all committee chairs, committee members and the Staff for their efforts.
- Urge public to testify CPC (22 Reade St) Thursday 1/8 afternoon and evening sessions
- Women's access to health care. The right to gain access to reproductive health care facilities will be enhanced by City Council Into 826; Given recent reports of women resorting to home remedies in lieu of professional health care regarding abortion and other matters, it is crucial this bill be voted out of committee and into law.

Andrew Albert – MTA's Doomsday Budget and Service Cuts

- Current proposed MTA service cuts and fare hikes are the worst in over 30 years.
- Overnight service cuts will expand waiting time by 50%, making overnight subways virtually useless.
- W and Z lines to be eliminated altogether.
- Losing uptown station attendants will compromise safety, lead to vandalism, fare evasion.
- Shutting 6 stations in Lower Manhattan will yield nominal savings and massive confusion – ploys to gain Speaker Silver's, Sen. Smith's attention.
- Killing buses that parallel subways (e.g. M10) ignores needs of elderly West Siders. Eliminating overnight cross-town bus service except M86 will be devastating.
- Doubling the paratransit fare hits the most vulnerable and yields miniscule added revenue.
- With fare increases of 8-23%, and the elimination of Metrocard bonuses, everyone will be affected.

- Preparing schedule outlining all service cuts and fare increases in the MTA proposal.
- Legislature still has time to act to avert this catastrophe.

District Manager's Report: Penny Ryan

- Commends CB7 members for their hard work in a busy month.
- Community Board budgets should not be cut, lest service suffer. CB7 may need community support.
- CB7 successfully requested that the Governor exempt NYC from the State's plastic bag recycling bill so that a stronger City Council law would be enforced. Elizabeth Starkey led the effort.
- DSNY has eliminated tech recycling program due to budget; Administration recommends returns to manufacturers.

PUBLIC SESSION

Maggie McClean - Stern Building resident: Thanks to CB7 members and staff for support.

Cy Adler – Friends of M96 Bus: Proposal to revise the route of the M96 ignored by MTA. A FOIL request to the MTA produced only irrelevant materials. Requests that CB7 ask for an independent study from the Borough President. Ms. Rosenthal suggested that Mr. Adler contact the Borough President and Council Member Gale Brewer.

John Jeanopolous: Tourist helicopters disturbing West Side residences and businesses in contravention of CB7's 2000 no-fly resolution. Mayor's Office of Aviation not responsive. Asks CB7 to assist with a Round Table meeting with FAA and Aviation (referred to Transportation Committee).

Paul Elston – Riverside South Planning Corp. (RSPC):

- Current developer refuses to honor a 1992 contract with RSPC; now in litigation.
- Will presenting an alternative design for lots LMN at RSS to CPC, grouping all buildings at 1992 R/D density between 60th-61st Streets, and a public park between 59th-60th Streets.
- Beneath park, build a Metro North station and co-generation to replace the 59th Street Con Ed plant.
- CO2 impact should be a part of the SEIS.
- SEIS should assess the impact of the entire RSS, not just the unbuilt remainder.

Steve Robinson - RSPC:

- Extell's proposal is hostile to the 1992 agreement.
- Open space looks inward, not to the public; glass buildings out of character.
- Supports CB7's main points as articulated by Chair.

Michelle Lipkin - PS 199 Parent :

- Fall 2008 rezoning and relocation of schools would have been preventable with DoE forethought.
- A new school is desperately needed at RSS to prevent the next crisis. Parents willing to help.

DeValerie Robinson and Diana Solomon-Glover – Lutheran Social Services of New York:

- Great need for foster homes for teens, who are often difficult to place, but rewarding to work with.

Parvati Devi – "Private Health Insurance Must Go": Seeking Medicare for all; urges support for City Council Resolution 75 (which supports US House HR 676) to come to a vote.

Paul Willen – RSPC: Highway bisecting Riverside Park South blights the area. Highway should be relocated underneath Riverside Boulevard. SEIS should study impact of burying highway.

Reports by Legislators (CB7 thanks electeds and representatives who submitted written comments)

Gale Brewer – Council Member District 6:

- City Council will submit list of items for the DoE Capital Plan; will coordinate with CB7.
- 59th Street Recreation Center: City Council requires apprentice program, holding up awarding of

contract.

- St Agnes Library renovations on schedule and on budget – will open in Spring 09.
- Helicopter: Working with Economic Development Corp. re 30th Street heliport, Manhattan flyovers.
- DTV: 350,000 NYC households affected by conversion to digital tv; feds' \$1.3B budget ran out of money for converter boxes; important to shut-ins; will pursue with City agencies.
- Senior Center Consolidation: Department for the Aging RFP pulled thanks to Speaker Quinn, other advocates.
- Homelessness: Working on RFP re assessments of shelters in faith-based organizations.
- Immigration program at Riverside Library funded through Councilmember.
- Tenant assistance program, including private time with lawyer, a success for Council Member.
- 150 Amsterdam: Working cooperatively with developer, parents re support for schools; seeking uses of community space at new building that are true non-profits, not doctors; working for smaller stores.

Manhattan Borough President's Report - Sari Bernstein:

- Community Board new and reappointment applications due 1/15; looking for new members.
- Repeal of DFTA RFP re senior center consolidation – thanks for support from CB7, area electeds.

Reports of Representatives of Elected Officials:

Calvin Solomon - New York County DA's Office:

- Press releases re 12/22 George Paines Building Fire, crane collapse, contain detailed reports.
- Internship interviews are under way – last year 25% of interns were from CB7's District.

Sandra Duque - Comptroller William Thompson's Office:

- Comptroller monitoring impact of recession.
- Advocating saving senior centers – recent all efforts re defeating DFTA RFP.
- Comptroller proposing alternatives to pay for MTA budget shortfall that distributes burden equitably.

Michael Kaplan - Assembly Member Richard Gottfried's Office: Town meeting on NYS budget to be co-hosted by Assembly Members Gottfried and Rosenthal and Senator Duane: January 29th at American Bible Soc. at 6:30.

BUSINESS SESSION

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

1. 150 Amsterdam Avenue (West 66th Street). Resolution to approve application #090132ZMM to the Department of City Planning by 150 Amsterdam Avenue Holdings, LLC for a change in the zoning map to extend the Existing Commercial Overlay 230 feet south to West 66th Street to facilitate ground floor retail in a mixed use building that is in construction, while preserving the community facility use on the second floor.

Page Cowley, Committee Presentation/Introduction:

- Community use continues for second floor; uses other than medical offices unlikely at \$65/sq ft.
- Applicant responsive to needs of neighboring school.
- No potential to use community facility space for a school given design requirements and lack of DoE interest. Continued concern re impact of as-of-right building on neighboring PS 199.
- Committee's vote: 5-6-1-0, but committee agreed to reconsider.
- Area residents in favor of retail to enliven dark area.

David Weinberg – Assembly-Member Rosenthal's Chief of Staff:

- Re PS 199's classroom deficit, A-M Rosenthal reached out to the developer with PS 199 parents.
- This developer has been willing to have meaningful dialogue regarding support for the school; addressing PS 199's greater needs requires the DoE to step up to the plate.
- A-M Rosenthal recognizes there is a retail deficit at this location.

Community Comments:

- Max Varon - 160 WEA: Building has an excellent relationship with the developer, and is submitting a letter in support of rezoning for retail.
 - Salome Freud - 160 WEA: Commercial retail will not improve street life. Very limited space remains zoned for not-for-profits – should preserve the community facility space.
 - Becky Newstadt – PS 199:
 - Appreciates community support for PS 199 (the fastest growing school zone in NYC!)
 - Satisfied that school-related uses are not practical.
 - Thanks to CB7 Chair Helen Rosenthal, Land Use Committee for considering all options.
 - Developer's Comments: Jay Segal - Greenberg Traurig (counsel to developer):
 - Historical zoning accident: when zoned in 1961, Red Cross had already bought this parcel, so it was zoned for community facility; rest of Amsterdam Avenue north to 110th Street are zoned commercial.
 - Dialogue between the developer and PS 199 parents has begun, and will continue.
 - If this location remained zoned for community facilities, it would most likely be medical offices.
 - Board Member Comments:
 - Only exception in an otherwise continuous line of retail spaces.
 - Given developer's support for the school/meaningful dialogue, will change vote to support.
 - Regrets that the building as designed and built cannot be used as for a school or similar use.
 - Developer dialogue insufficient; developer must give back to the community, especially since no community facility user could afford the rent of \$65/sq. ft.
 - This should be a simple correction of an historical anomaly, which will remedy a dark and frightening corner. The application is straight-forward and correct; DoE's failure to plan not the developer's fault.
 - Not as simple as it might appear; the developer knew what it was buying. As-of-right builders are responsible for their projects' impact on the community; should find a pre-K that could use the space.
 - Zoning vote will not provide nor preclude school-related uses; given community support, should pass.
 - Enlivening the corner is a benefit to the community.
- VOTE: The resolution was adopted: 21-12-1-0.

Health & Human Services Committee

Madge Rosenberg and Barbara Van Buren, Co-Chairpersons

2. Resolution to support and recommend passage of City Council Intro 826, which would improve women's access to reproductive health care facilities.

Committee Report:

- The New York Times reported that women are increasingly using home abortion drugs and unsafe alternatives to avoid harassment at reproductive health care facilities.
- The existing law prohibiting harassment is not very specific in that it fails adequately to define access points and the nature of the facility; Intro 826 provides needed specifics.
- Whereas the current law exacerbates the problem by forcing those who are being harassed to bring a harassment complaint; Intro 826 allows the facility staff and others to bring such charges.
- Resolution calls on the City Council to vote Intro 826 out of committee and into law.

VOTE: The resolution was adopted: 32-0-2-0

Parks & Preservation Committee

Klari Neuwelt and Lenore Norman, Co-Chairpersons

3. IS44, Columbus Avenue and West 77th Street. Resolution to approve Columbus Avenue Business Improvement District's proposed design for a fence around the IS44 playground.

- Innovative, whimsical design, with a planted panels and wave patterns, will improve appearance.
- Bill Stein, Columbus BID's architect, explained the design and showed material samples.

- The Columbus BID is raising the money for the fence and will maintain it – now fully funded.

VOTE: The resolution was adopted: 31-0-0-0

4. Resolution to approve the Council on the Environment's proposal for a Sunday Greenmarket on the east side of Columbus Avenue between West 77th and West 79th Streets, except for 6 Sundays when the Arts & Crafts Fair would use the space, with the impact of the use to be assessed after approximately one year.

VOTE: After discussion and deliberation, including expressions of support from the Columbus BID, the resolution was adopted: 28-2-0-0.

5. 131 Riverside Drive, aka 365 West 85th Street. Resolution to approve application #09-4641 to the Landmarks Preservation Commission to replace an iron ramp and stairs and alter masonry openings.

VOTE: After discussion and deliberation, the resolution was adopted: 28-0-0-0.

6. 104 West 70th Street (Columbus Avenue.) Resolution to approve application to the Landmarks Preservation Commission for a stair bulkhead addition to the existing roof.

VOTE: After discussion and deliberation, the resolution was adopted: 28-0-0-0

Youth, Education & Libraries Committee

Alberto Cruz and Mark Diller, Co-Chairpersons

7. Middle School Closings/Communication. Resolution to call upon the DOE to improve communications in District 3 by engaging with all affected constituencies before and after deciding to close or alter schools, and to base decisions regarding closing or altering schools on factors including the experiences, practices and suggestions of administrators, faculty and parents.

VOTE: After discussion and deliberation, the resolution was adopted: 31-0-0-0.

8. DoE 2010-14 Capital Plan. Resolution to call upon the Department of Education to revise the 2010-2014 Capital Plan, which provides no additional seats for students in District 3, to meet current and future needs of students in the District, including seats for class size reduction and future growth.

VOTE: After discussion and deliberation, the resolution was adopted: 32-0-0-0

Transportation Committee

Andrew Albert and Dan Zweig, Co-Chairpersons

9. 53 West 72nd Street (Columbus Avenue.) Resolution to approve renewal application DCA# 1160306 to the Department of Consumer Affairs by PS Café, Inc., for a two-year consent to operate an enclosed sidewalk café with 13 tables and 26 seats. VOTE: After discussion and deliberation, the resolution was adopted: 28-4-0-0.

10. 2787 Broadway (West 107th Street.) Resolution to approve renewal application DCA# 1147364 to the Department of Consumer Affairs by Hillview Specialty Foods, Inc., d/b/a 107 West Restaurant & Bar, for a two-year consent to operate an enclosed sidewalk café with 13 tables and 26 seats.

VOTE: After discussion and deliberation, the resolution was adopted: 27-5-0-0

11. 2014 Broadway (West 69th Street.) Resolution to approve renewal application DCA# 0960823 to the Department of Consumer Affairs by HDN Corp., d/b/a La Fenice, for a two-year consent to operate an unenclosed sidewalk café with 14 tables and 28 seats. VOTE: After discussion and deliberation, the resolution was adopted: 28-4-0-0

12. 462 Amsterdam (West 82nd Street.) Resolution to approve renewal application DCA# 1218320 to the Department of Consumer Affairs by Sol y Sombra, LTD, d/b/a Sol y Sombra, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 16 seats. VOTE: After discussion and deliberation, the resolution was adopted: 30-1-1-0.

13. Resolution to approve Citywide text amendment to the Zoning Resolution to require indoor bicycle parking in new multi-family residential, community facility, and commercial buildings.

Adam Meagher - City Planning Commission

- initiative originated with PlaNYC initiative to encourage use of resources and commuting by bike.
- Would apply to new development and some conversions and renovations
- Since floor area of bike room would not count for FAR; may result in slightly higher density.
- Re impact on affordable housing, CPC has reached out to groups to address their concerns.
- Pending City Council bills by Rep. Yassky, others, are complementary, not competing.

Board Member Comments:

- Concern about impact on affordable housing, and on lack of precision in proposed language of text amendment; a generally good idea but one that is not ready for a vote.
- General sentiment to encourage bicycle use.
- Concerns regarding encouraging bicycle use without language to address irresponsible riders.
- City Council will have an opportunity to sort out best approach among competing bills.

DECISION: the proposed resolution was referred back to the Transportation Committee.

Business & Consumer Issues Committee

Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

14. Resolution to approve applications for 2009 multi-block street fairs. The Committee noted its thanks to Penny Ryan for her invaluable assistance with planning for street fairs. The Committee accepted a friendly amendment consisting adding: "Street fairs should not permit music to be played by vendors on blocks within a reasonably close proximity of religious institutions on religious holidays."

VOTE: After discussion and deliberation, the resolution as amended was adopted: 24-3-1-1.

15. 230 West 101st Street (Broadway) Resolution to approve Bar 101 LLC, d/b/a to be determined, for a two year on premises liquoe license. VOTE: After discussion and deliberation, the resolution was adopted: 25-1-0-0.

16. 380 Columbus Avenue (West 78th Street) Roma 380 Equities Corp, d/b/a to be determined. (Withdrawn)

17. 217 West 85th Street (Broadway) Resolution to approve 85 & Broadway LLC, d/b/a to be determined, for a two year on premises liquor license.

VOTE: After discussion and deliberation, the resolution was adopted: 25-1-0-0.

Steering Committee

Helen Rosenthal, Chairperson

18. Resolution to approve a proposed amendment to CB7's By-Laws: Article VI – Board Meetings, C. Voting: "majority" defined; no proxies; minority reports.

DECISION: The Chair postponed consideration of this measure until the January 21, 2009 meeting, expressing consternation at the lack of comments received by the draftsman of the measure.

Chair Remarks:

- Committee chairs are responsible to see that minutes of committee meetings are provided promptly

to the Board Office.

- All members are expected to participate on two committees. Attendance at the full board and committee meetings will be on the agenda for discussions between the chair and the Manhattan Borough President when then discuss reappointments.

Adjourned at 9:51 pm.

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**Full Board Meeting Minutes
January 21, 2009
Helen Rosenthal, Chairperson
American Bible Society**

Helen Rosenthal called the meeting to order at 6:40 pm.

- Announced that a quorum of the Board was present.
- Thanked members for attending a second full board meeting this month to vote on the Fordham University Master Plan.

Richard Asche:

- The meeting was called to address five resolutions, which originated from the Land Use and Transportation Committees, relating to Fordham University's Lincoln Center Master Plan.
- The Committees heard public comment at a previous hearing lasting over 5 hours.

Fordham Presentation:

Tom Dunne (Fordham Vice President for Government Relations)

- Fordham is presenting a 24-year development plan for its Lincoln Center Campus.
 - The Master Plan represents a decade's worth of planning and thought.
 - Fordham's proposal reflects modifications based on input from City Planning, the Community Board, and the neighboring community.
 - The on-going dialogue on the project will continue after this meeting.
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- Fordham came to the Upper West Side 50 years ago.
 - Fordham's Lincoln Center campus serves predominately first generation students, and offers curriculum with an orientation to service.
 - Fordham Lincoln Center is a tuition-based school, without a significant endowment to support development.
 - Each of the schools at the Lincoln Center campus is desperate for more space; Fordham LC has the one of the lowest square foot to student ratios, ranking in the bottom third of comparable schools.
 - The LC campus was designed to accommodate 3,500 students. Its current enrollment is 8,500, and by 2025 is projected to serve 10,500 students.
 - The Lincoln Center campus consists of the Graduate School of Social Services, the Graduate School of

Education, the Law School, the Graduate School of Business Administration, and the undergraduate division Fordham at Lincoln Center.

- Fordham has been a good neighbor, and asks the Board to keep an open mind in allowing the University to fulfill its mission.

Deirdre Carson (Land Use Counsel to Fordham)

- The proposed applications concern relief from height and setback regulations; inner and outer court yard regulations; minimum distances between buildings; and minimum distance between legally required windows and zoning lot lines.
- As a threshold matter, one of the findings that the Board is called upon to make is whether the Plan "facilitates good design" - the term "good design" should be read to mean "good urban design" not "good building design."
- Fordham's Plan meets the "good urban design" standard based on its arrangement of uses in the Plan (including the separation of academic and residential uses on different portions of the lot, with the academic uses closer to mass transit); its massing of greater bulk on the avenues and lesser bulk on side streets; its creation of new connections to an enlivened streetscape; and its creation of improved public access to the interior quad, creating a lovely space for the public.
- The Plan includes nine new buildings, with two (60th & Amsterdam, 62nd & Amsterdam) to be leased or sold for private residential development to support the endowment and to enable Fordham to construct the remaining buildings.
- Fordham's campus has been a single zoning lot since 1969. It is within the Lincoln Square Special District
- The uses contemplated by the Plan are permitted as-of-right, and the floor area ratio (FAR) for the block is 10 – Fordham is NOT seeking to change either.
- In addition to the height and setback modifications and the other relief requested, Fordham is seeking special permits for parking garages and curb cuts for two of the proposed garages as well as a loading dock.

Don Cooper Clinton (Architect for the Fordham Master Plan)

- PowerPoint presentation showed the current context in which Fordham is located, the site plan for the proposed development, identification of the schools that will make use of the proposed buildings, the location of proposed dormitories, libraries and other facilities, and the proposed residential development.
- Dormitories are important as they allow Fordham to attract a student population from across the country.
- In terms of "good design," Fordham meets this standard by placing more bulk and height on wide streets and avenues; the midblock has smaller buildings.
- The Plan also reflects "good design" by creating active street-front uses all around the plan, which improves upon the current blank wall of the interior quad podium by punching windows into some places and adding new buildings with livelier interactions with the street in other places.
- The disadvantage of the height of the podium will be mitigated by creating generous access points that will be aligned with a principal axis of Lincoln Center (between the Opera and State Theater), and with West 61st Street.
- Review of site plan: the Business School will be located at 60th and Columbus, the Schools of Social Service and Education will share a building on 62nd and Columbus; Fordham Law School will move further west along the midblock of West 62nd Street; the two residential buildings (one of

which is proposed with two alternative configurations) on Amsterdam and 60th and 62nd, respectively; and the addition to the Quinn Library above a portion of the podium.

Phases of development:

- Phase I is expected to be completed by 2014, and will include the new Law School, the new residential buildings, and the dormitory proposed for Amsterdam Avenue. Phase I will also include a temporary park to replace the current parking area at 60th and Columbus once the proposed parking garages are available for use. The temporary park would remain in place until the building planned for that site is begun in Phase II. The current Law School building would be retained as "swing space" to accommodate space needs until the Columbus Avenue buildings are completed, and would then be razed to allow additional Phase II construction along 62nd Street.
- Phase II will involve the construction of the Columbus Avenue buildings. It is uncertain which will be built first.
- The stairway access to the open space will include planting and structures intended to be inviting to the public.
- The proposed new theater space would be located on 62nd Street - opposite Lincoln Center.
- Garages: Garage A would be accessory to the residential building on 62nd and Amsterdam; Garage B would serve Fordham faculty and guests (not students). Garages A and B plus the loading dock would require a single curb cut. Garage C would serve the residential building on 60th and Amsterdam (its curb cut on West 61st Street is as-of-right and does not require a special permit).
- The Plan proposes "envelopes" which constrain the mass and height of the buildings to be built at each portion of the site, and provide relatively little flexibility for the buildings on Columbus Avenue, and more flexibility elsewhere on the site. All mechanicals are included within the envelopes.
- The impact of the setback requirements on the envelopes were shown through a series of slides.

Richard Asche:

- Overriding zoning issue concerns a difference of opinion re whether the standard of "good design" refers to "urban design" vs "building design."
- The special permits requested require the finding that the variation requested "facilitates good design," but does not distinguish whether that means urban or building design.
- Since the zoning for the Lincoln Square Special District contains guidelines for building design, the standard must relate to building design.
- The Master Plan is neither good urban design nor good building design.
- The Plan is not good urban design because it is limited by the existing podium structure, and builds to a maximum FAR which was artificially increased by the de-mapped 61st Street, which adds 90,000 square feet to the buildable area; and because the podium blocks ground-level access to the interior open space. In addition, the envelopes in the Plan exceed what is permitted under the sky exposure plane rules, and thereby limit sightlines.
- Fordham's architects have indeed made efforts to make the open space inviting to the public; but Fordham's insistence on building to the maximum FAR, on ceding the maximum amount possible to private residential development, and on keeping podium, result in a deficient urban design.
- Even if the distribution of bulk and FAR were good design, no one knows what any building will look like; even for the two buildings sketched, nothing obligates Fordham or the developer to build what has been sketched. Cannot conclude that the buildings constitute good building designs until their designs are locked in.
- Hence CB7 is being asked to approve significant buildings with extreme modifications to zoning without knowing what will result from such approval.

Andrew Albert and Dan Zweig (Co-chairs, Transportation Committee):

- Reviewed resolutions regarding requested garages and curb cuts.
- Modification to language of the resolution regarding Garage C was read (i.e. proposed resolution to approve Garage C provided that the number of spaces accessory to the private residence on Amsterdam and 60th Street be limited to 35% of the actual number of units in the residence, and provided further that 50% of the parking spaces may be reserved to Fordham's use).

PUBLIC COMMENT

Howard Goldman (Counsel to Fordham Neighbors United ("FNU")) :

- FNU is a coalition of eight neighboring buildings opposing the Plan.
- Demonstrated by asking audience members from FNU to stand. More than half those present supported FNU's position opposing the Master Plan.
- Disagreed with the portion of CB7's proposed resolution that outlines attributes of a revised plan that would be acceptable, as it could be read to tie the Board's hands on a future application.
- FNU's main objection is that building to the maximum FAR on the perimeter results in buildings that are too massive.
- The Plan calls for 3 million square feet, including the 700,000 square feet of residential development.
- In comparison, the Time Warner Center is 2.2 million square feet; the Empire State Building is 2.8 million; the Freedom Tower will be 2.6 million - yet no one would suggest those buildings here.
- Keeping the quad has the effect of pushing the bulk to the perimeter, resulting in tall buildings.
- The building heights will be 382' and 450' on Columbus Avenue; 661' on 62nd and Amsterdam Avenue; and either 600' single building or 293' and 573' double buildings on 60th and Amsterdam Avenue.
- Across from the tallest buildings are the Amsterdam Houses at 6-13 stories, and the 3-story PS 191.
- The Plan does not propose actual buildings, but envelopes. One cannot make the finding about design required by Section 82-33 of the Zoning Resolution without the actual building designs.
- With respect to Garages, the Lincoln Square Special District does not allow any accessory parking, in order to protect the character of the area and in recognition of the mass transit service available.

Sidney Goldfischer (Resident of the Alfred Condominium at 61st and Amsterdam):

- The applicant is not a developer who risked capital and now seeks permission to recover its investment through building, such as Trump or Zeckendorf.
- Fordham bought the land after it was obtained through eminent domain at a price less than the amount paid in condemnation, and then received a grant equal to the purchase price.
- The original purpose (in the 1950s) was to create a series of buildings not taller than 7 stories.
- "Immoral, illegal and unethical" to displace 1,158 working class families years ago to create a market-rate land bank; the site should be used only for educational purposes.

Olive Freud (Committee for Environmentally Sound Development):

- Supports the resolution to disapprove, but disagrees with the portion that outlines potentially acceptable alternatives, as the Community Board should not decide how much bulk is acceptable.
- Regarding traffic and parking, the ratio of traffic to capacity should be less than one at all times. Traffic in this area is already at a crisis point.
- We must discourage cars in this area, or traffic congestion will extend to the 59th Street Bridge.
- The tenets of congestion pricing dictate that no more parking should be permitted.

Michael Roos (Board President of 61 West 62nd Street, a member of FNU):

- The height and bulk of the Plan will create darkness at noon for the surrounding area.

- Supports the resolution disapproving the Plan, but opposes the alternatives in the proposed resolution, particularly the modest 17% reduction in FAR from 3 million square feet to 2.5 million.
- The alternatives in the resolution imply that the CB would approve a revised plan that contained those attributes, which would still be unacceptable to the community, leading to the question of whose interests CB7 is protecting, since the neighbors would be getting the short end of the stick.
- Nothing in the project for the public or neighbors; Fordham should be limited to what it can build as-of-right - no zoning waivers should be granted of any kind.
- Plan ignores the impact of the development on already-crowded public schools, in contrast to Columbia, which is building school.
- The community has already paid dearly for Fordham's campus, including displaced families.

Michael Graff (Neighbor):

- Concern over adding a third curb cut to a short, narrow, 2-way cul-de-sac on 61st Street.
- Could compromise fire access to the Alfred and to Fordham itself.
- Wall of new Law School would be only 20 feet away, enhancing boxed in feeling.
- PS 191 would be cast into the shadows of two 600-foot-tall buildings.
- To mitigate the harm, Fordham should do as Hunter College did and build a school.

Rolf Olhausen (Architect, Member of the Board of the Allegro Condominium):

- Supports Fordham's right to expand and build, but only as of right.
- The as-of-right plan is a superior urban design, with less impact on the surrounding area, and the same open space.
- The Columbus Avenue buildings would be substantially less bulky with the required setbacks – would have an enormous impact on what is seen from the street.
- The required setbacks on Amsterdam Avenue would permit about 23 stories, not the equivalent height of 60-70 stories.
- Parking garages not permitted of right – waiver for 400+ cars should not be allowed in an area with excellent mass transit.
- The residential buildings rival the height of the Time Warner Center.
- Planned buildings are not "green" – Fordham should recycle the current law school rather than replace.
- Fordham should be allowed to keep the podium, but plan around it without the bulk and height.

Batya Lewton (Coalition for a Livable West Side):

- EIS underestimates traffic by treating each intersection in isolation – should be cumulative effect.
- Traffic mitigation proposals are impractical, and based on flawed analysis (e.g. allowing more walking time to cross streets is not practical).
- Impact of truck deliveries was taken from outdated 1969 study.
- No reason to allow garages – other garages in area at 75%, and public transportation is excellent.
- Fewer curb cuts improve pedestrian safety per Federal Highway guidelines.

Michael Groll (President, Lincoln Plaza Tower, member FNU, 30-year resident):

- The vision of city officials 40 years ago in creating the Lincoln Square Special District was of an "oasis" for educational and performing arts uses.
- Fordham's podium excluded the neighborhood from outset.
- Despite effort to be inviting to the public, the proposal is a fortress that shuts out the neighborhood.
- Not against all development, but this overdevelopment that will have a tremendous negative impact on the quality of life of the neighbors.
- Fordham has no plan to deal with the impact on traffic or neighborhood schools.
- Calls on CB7 to disapprove the proposal in its entirety, with no caveats.

BOARD COMMENT AND DISCUSSION

The following topics were discussed by the Board with respect to the resolution on the Master Plan:

1. Second "resolve" paragraph of the draft resolution, which provided attributes or characteristics that a revised plan would need to address to be acceptable to the Board: "BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan would strongly consider approval of a revised Master Plan which a) limited total floor area on the site to 2,500,000 square feet; b) substantially reduced the height of the Amsterdam Avenue buildings; c) substantially reduced the height of the Columbus Avenue buildings and reconfigured those buildings so as not to create monolithic full block-long facades; d) provided for mitigation of the probably effects on local schools of the construction of several hundred private residential units; and e) provided for a second tier review and approval by the Community Board and the City Planning Commission of the actual design of buildings on the site."

- Proposed changing the reference to reducing the FAR by 500,000 square feet to "substantially reducing the size of the project."
- Proposed eliminating the qualifier that the Board would "strongly" consider approval of a revised plan with the alternate attributes provided.
- CB7's objections to the Master Plan are admirably laid out in the preamble discussion to the resolution, and the second resolve paragraph does not add to that discussion.
- Proposal to eliminate the second resolve would lose the language calling for a second step review by the Community Board when the buildings to populate the envelopes in the Master Plan were actually designed.
- Call for a second step review by the Community Board is adequately addressed in the preamble.
- MOTION, duly made and seconded, to delete the second "resolve" was approved by a VOTE of 18-13-0-0.

2. Open Space

- Concerned that the resolution should require that the open space be more inviting.
- Source of the problem is the podium, as public space above ground level is invariably unsuccessful - Fordham is unwilling to eliminate the podium.
- Creating more open space would push the bulk of the buildings further out to the perimeter, making the buildings even taller.
- The unwelcoming nature of the open space is dealt with in the preamble.
- Concern that public access to the open space may be restricted in the future.
- With the elimination of the second "resolve," the discussion of access to the open space in the preamble is sufficient.

3. Affordable Housing

- Concern that the resolution does not address the lack of affordable housing as a part of the revisions to the Plan that CB7 should seek. Addressing affordable housing issues is part of CB7's purview and purpose, at least as important as issues of excessive height.
- Should address affordable housing in the preamble to the resolution.
- Concern that the private housing development is proposed simply to raise money for the balance of the project - adding affordable housing was thought to create the possibility of even taller buildings.
- Affordable housing should be an element of every development consideration in our community.
- Affordable housing is never considered at the outset of any project, but must be imposed later. We should require future developers to address affordable housing at the outset.
- Affordable housing should be highlighted in the preamble, but not be an element of a further

resolved clause.

- Requiring affordable housing without a bonus to the developer is never done, and there is no bonus on density or height that CB7 should be willing to make.
- Example of Jewish Home Lifecare as a project that was asked by CB7 to create affordable housing. Jewish Home is distinguishable as it was proposing to eliminate existing housing.
- Not asking for affordable housing will prejudice our efforts to win such concessions elsewhere.
- Support for including affordable housing even if unprecedented to require in this circumstance.
- Board should include affordable housing in the preamble to support a negotiation over a potential revised plan, allowing CB7 to seek affordable housing in exchange for those requested concessions.
- Should not include affordable housing in the requests since it will lead to greater height or density.
- MOTION, duly made and seconded, to add a discussion of the need to include affordable housing to the preamble of the resolution, was not adopted by a VOTE of 5-25-0-0.
- Consensus that the decision not to include a discussion of affordable housing in this resolution was based solely on this project, and does not reflect any departure from the Board's on-going concern over the lack of affordable housing in our community.

4. Elimination of the Podium

- The podium houses the steam and infrastructure for the Fordham superblock and is needed.
- Eliminating the podium could add to the height of the proposed buildings by transferring FAR.
- Bedrock located directly beneath the podium; expensive to build there even if the podium were eliminated.

5. Need for a School

- Cite to the example of another developer building a school as part of a large-scale development.
- The need for a school is adequately set forth in the preamble.
- Question of whether CB7 should negotiate for the construction of a school (K-8 and/or high school).
- Concern that concessions like building a school or adding affordable housing usually are made in return for additional height or bulk, which is contrary to the interests here.
- Request for a school would require a specific plan for its location.

6. Height and Setback Issues

- If Fordham would relax any one of its three core requirements (building to the maximum FAR, keeping the podium, and selling off parcels to finance the balance of the project), it would create sufficient flexibility to address height and setback issues.
- Must address sky exposure plane issues in the resolution.
- Fundraising, rather than selling land for tall residential buildings, should pay for the Plan.
- Inappropriate to request CB7 to approve the design and bulk of buildings without actual designs; should require in a restrictive declaration a second-tier review once the buildings are actually designed, and urge City Planning to adopt this recommendation.
- The resolution should address the specifics of the application, in addition to the general statements contained in the preamble -- must approve/disapprove the specifics as well as the Master Plan.
- Question whether the preamble should include a discussion of the historical use of eminent domain to acquire the land that became the campus. History does not add anything to the determination of whether the project does or does not meet the standard for the modifications sought by the applicant - the project should be judged on its merits now (or projected merits on the proposed completion date) regardless of whether there was a different vision 50 year ago.

FORDHAM RESPONSE

Deirdre Carson:

- Fordham should have been given an opportunity to respond to the community's points before the Board's comment and discussion.
- Fordham has been engaging in a dialogue with CB7 and the community, and would like to continue that dialogue going forward.
- Fordham believes that the second "resolved" clause provided important assistance to future discussions, and regrets that it was deleted from the proposed resolution.
- While Fordham disputes the particulars of certain community testimony relating to the historical plan and vision for the Lincoln Center Campus, Fordham will not address the specifics, and instead refer the community to a book by Ballon concerning Robert Moses.

MASTER PLAN RESOLUTION

With respect to Application #C050260ZSM to the Department of City Planning by Fordham University to modify height and setback requirements; inner and outer court yard regulations; minimum distances between buildings; and minimum distance between legally required windows and zoning lot lines in connection with the proposed expansion of Fordham University, Lincoln Center Campus, bounded by Amsterdam and West End Avenues and West 60th and 62nd Streets, a resolution, as amended, to disapprove the application was adopted by a VOTE of 31-0-2-1. The texts of the resolution presented by the Land Use and Transportation Committees and the adopted resolution are appended to these minutes.

GARAGE A

With respect to Application #C050269ZSM for the grant of a special permit to allow an attended accessory parking garage with a maximum capacity of 68 spaces on the ground floor, cellar, and sub-cellar levels of a proposed mixed-use building (West 62nd Street, Site 4, Garage A), after discussion, a resolution to approve Garage A for up to 35 percent of the number of units of the building, or 68 spaces, whichever is less, was adopted by a VOTE of 17-13-0-1.

GARAGE B

With respect to Application #C090173ZSM for the grant of a special permit to allow an attended accessory parking garage with a maximum capacity of 265 spaces on the ground floor, cellar, and sub-cellar levels of a proposed mixed-use building (West 62nd Street, Site 5a/5, Garage B), after discussion and deliberation, including concern over the size of the garage and the availability of public transportation in the area, a resolution to disapprove the proposed Fordham garage and a recommendation that such space be used for educational purposes was adopted by a VOTE of 29-1-0-1.

GARAGE C

With respect to Application #C050271ZSM for the grant of a special permit to allow an attended accessory parking garage with a maximum capacity of 137 spaces on the ground floor, cellar, sub-cellar and 2nd sub-cellar levels of a proposed mixed-use building (West 60th Street, Site 3a/3, Garage C), after discussion and deliberation, a resolution to approve the application provided that the number of parking spaces accessory to the private residence be limited to 35% of the number of units actually built in the residence, or 137 spaces, whichever is less; and with the further provision that up to 50% of these accessory parking spaces may be reserved for Fordham's accessory parking use, was adopted by a VOTE of 20-11-0-1.

CURB CUT

With respect to the request for a text change in the "Off-Street Parking and Off-Street Loading Regulations" and authorizations to permit curb cuts on a wide street for the garages and loading

berth on West 62nd Street, a resolution to approve the proposed text change to section 82-50 of the Zoning Resolution to allow entrances and exits to off-street loading berths, subject to authorizations by City Planning Commission upon findings of appropriateness, but only if the Zoning Resolution is further amended to require Community Board review of the proposed authorization; and to approve a curb cut for a loading berth and a curb cut on a wide street for Garage A on West 62nd Street and to disapprove a curb cut on a wide street for Garage B on West 62nd Street was adopted by a VOTE of 26-6-0-1.

Text of Master Plan Resolution

Adopted by Community Board 7 on January 21, 2009: 31 in Favor, 0 Against, 2 Abstentions, 1 Present.

Fordham University seeks approval of a "Master Plan" for future construction on its Lincoln Center Campus. If approved, the Master Plan would authorize total construction (including existing buildings) on its site of approximately 3,020,480 square feet of floor area, the maximum amount allowed under the R-10 zoning applicable to the site. The Master Plan proposes the construction of private residences at the corners of Amsterdam Avenue and 60th and 62nd Streets, with heights of 572 feet to 600 feet and 661 feet, respectively; academic buildings at the corners of Columbus Avenue and 60th and 62nd Streets, with heights of 470 feet and 382 feet, respectively; academic buildings with heights of 342 feet, 319 feet and 155 feet, on 62nd Street, from Columbus to Amsterdam Avenues, and an academic building on the interior of the site of 161 feet. In order to finance the construction of the academic buildings, Fordham would sell development rights to the Amsterdam Avenue corner sites.

While the total floor area proposed does not exceed the as-of-right limit for an R-10 zone, several factors have combined to make the proposed Fordham construction more massive than the typical R-10 as-of-right site. First, the site includes a 60 foot x 550 foot swath running east to west which comprises a demapped 61st Street; the resultant increase in allowable floor area (after deducting floor area lost by the widening of 60th and 62nd Streets) is approximately 90,000 square feet. Second, the academic buildings on Columbus Avenue contain several floors with exceptional ceiling heights. Thus, while the floor area of these buildings is equivalent to that of 30-34 story buildings, the building heights are equivalent to 40-47 story buildings. As a result, these buildings would contain at least 25% more bulk than their floor area would ordinarily indicate. Third, the Master Plan is dependent on the approval of waivers of height and setback and sky exposure plane regulations which would otherwise operate as a failsafe brake on overly massive development. For example, the proposed buildings on the corners of Amsterdam and 60th and 62nd Streets could not be built without sky exposure plane waivers which more than triple the height of any structure which could practically be built on those footprints as of right. Fourth, the eastern two-thirds of the site would be devoid of any street level open space. The "open space" proposed on the site once Phase II is completed is solely a portion of an existing quadrangle built on a podium which is at least 15 feet above grade on all sides, accessible only by stairway and elevator; there would be no site lines through the site at ground level. New Yorkers know from experience (e.g the former plazas at the GM building and 55 Water Street, and the former configuration of Bryant Park), that open space does not benefit the community unless it is at or near grade level. People simply will not climb 15 foot-high stairways to gain access to Fordham's "open space." Fifth, the Master Plan contains no commitment as to the actual design of any buildings; thus, even if an imaginative design could mitigate somewhat the effect of the massiveness and height of the proposed buildings, no such design has been incorporated in Fordham's proposal. Indeed, it is likely that the Columbus Avenue buildings will not be designed for 15-25 years.

More than three years ago, in December 2005, Community Board 7 alerted both Fordham and the Chair of the Planning Commission of a multitude of objections to the then proposed Master Plan. In letters to the Chair we noted that it was doubtful that any meaningful progress could be made toward the creation of a reasonably proportioned campus so long as Fordham insisted on three immutable principles: 1) the retention of the “podium” and consequent elimination of any usable open space or site lines; 2) the sale of 701,000 square feet of development rights to a private developer; and 3) the utilization of the full 3,020,000 square feet of allowable floor area. Despite our comments and innumerable meetings with Fordham, only cosmetic changes were made in the plan prior to its certification in November 2008. Fordham refused to consider any change to the podium, refused to reduce the total proposed floor area and refused to change its plans to sell development rights.

The result of Fordham’s desire to maximize everything would be a “superblock” without through passage or even sight lines at grade level, with buildings grossly out of scale with the rest of the Upper West Side. On four corners Fordham would tower over its neighbors to the west, north and east, and would extend an inhospitable midtown ambience to Lincoln Center. Indeed, the absence of through passage or sight lines at grade level would multiply the fortress effect of Fordham’s campus. It is perhaps ironic that Fordham, which seeks to expand its Lincoln Center campus in order to present an education which includes an urban experience, will be instead be creating a campus which, in most of its particulars, radiates hostility towards its neighbors and isolates itself within the community.

Upon certification, the Master Plan was debated at a special meeting of CB7’s Land Use Committee. We estimate that 250-300 people were in attendance, almost all of whom identified themselves as neighbors of Fordham who were opposed to the Master Plan. In addition to concerns about the project’s bulk and the height of the proposed buildings, several residents expressed concern that the proposed private development would exacerbate an already overcrowded condition in the area public schools (as had the construction of the Trump buildings on the former Penn Yards site). With respect to this issue, it is noteworthy that representatives of Fordham were unable provide reliable information concerning the number of units which would be constructed in the private development buildings. (The EIS assumes a total of 856 units; Fordham “estimates” that the total will be less than 500 units, but Fordham has not even identified a developer for the 60th Street and Amsterdam site.)

More than a dozen professors and administrators of Fordham spoke in favor the plan, emphasizing Fordham’s need for additional space; however, no details were offered as to how the precise number of required square feet was computed. The educators made a good case for expansion of present capacity, but did not provide details as to why a tripling of its current facility is required. It appeared that Fordham’s needs assessment was driven in substantial part by a calculation of how to divide the maximum allowable square footage between private development sites and academic sites so as to be able comfortably to finance the construction of the academic sites.

Following testimony by Fordham and members of the public, debate ensued among members of the Land Use Committee, who were unanimously of the view that while Fordham should be allowed to develop its site to further its laudable education aims, the project, as proposed, would result in substantial overbuilding without a corresponding demonstrated need. In particular, the committee was of the view that it would be irresponsible to approve a “Master Plan” for more than 2,000,000 square feet of new floor area, together with substantial height and setback and sky exposure plane waivers, without any idea of what the buildings when constructed would look like.

Section 82-33 of the Zoning Resolution, applicable in the Lincoln Square Special District, provides that in order to issue a special permit modifying height and setback regulations and other bulk

restrictions, the City Planning Commission must find that the modifications are “necessary” to “facilitate good design.” Community Board Seven finds that the proposed modifications are not “necessary” to facilitate good urban design, and, indeed, are antithetical to good urban design. Moreover, given that the Master Plan does not include designs for a single building, and that the design of some of the buildings will not occur for decades, it is not possible to conclude that section 82-33 has been complied with. A further review and approval process is required when and as the buildings are designed.

Community Board 7 recognizes that a second tier review and approval process is, to some extent, unprecedented, but so too is the grant of special permits modifying height and setback and other restrictions for buildings which have not been designed. Since the problem is unique, a unique solution is required. What is absolutely certain, however, is that special permits of the scope of those requested here cannot be issued as blank checks to be cashed when and in the manner that a future generation of Fordham planners see fit.

THEREFORE, with respect to Application #C050260ZSM to the Department of City Planning by Fordham University to modify height and setback requirements; inner and outer court yard regulations; minimum distances between buildings; and minimum distance between legally required windows and zoning lot lines in connection with the proposed expansion of Fordham University, Lincoln Center Campus, bounded by Amsterdam and West End Avenues and West 60th and 62nd Streets,

BE IT RESOLVED THAT Community Board 7/Manhattan disapproves the specific applications for special permits and the proposed Master Plan for the Fordham site at Lincoln Center; and

BE IT FURTHER RESOLVED THAT the required finding set forth in section 82-33(a) that the requested modification in height and setback and other bulk regulations are “necessary” to “facilitate good design” cannot be made.

Text of Resolution on Master Plan adopted by the Land Use and Transportation Committees on December 16, 2008.

Fordham University seeks approval of a “Master Plan” for future construction on its Lincoln Center Campus. If approved, the Master Plan would authorize total construction (including existing buildings) on its site of approximately 3, 020, 480 square feet of floor area, the maximum amount allowed under the R-10 zoning applicable to the site. The Master Plan proposes the construction of private residences at the corners of Amsterdam Avenue and 60th and 62nd Streets, with heights of 600’ and 661’, respectively; academic buildings at the corners of Columbus Avenue and 60th and 62nd Streets, with heights of 470’ and 382’, respectively; academic buildings with heights of 342’, 319’ and 155’, on 62nd Street, from Columbus to Amsterdam Avenues, and an academic building on the interior of the site of 161’. In order to finance the construction of the academic buildings, Fordham would sell development rights to the Amsterdam Avenue corner sites.

While the total floor area proposed does not exceed the as-of-right limit for an R-10 zone, several factors have combined to make the proposed Fordham construction more massive than the typical R-10 as-of-right site. First, the site includes a 60’x550’ swath running east to west which comprises a demapped 61st Street; the resultant increase in allowable floor area (after deducting floor area lost by the widening of 60th and 62nd Streets, is approximately 90, 000 square feet. Second, the academic buildings on Columbus Avenue contain several floors with exceptional ceiling heights. Thus, while the floor area of these buildings is equivalent to that of 30-34 story buildings, the building heights are equivalent to 40-47 story buildings. As a result these building would contain at least 25%

more bulk than their floor area would ordinarily indicate. Third, the Master Plan is dependent on the approval of waivers of height and setback and sky exposure plane regulations which would otherwise operate as a failsafe brake on overly massive development. For example, the proposed buildings on the corners of Amsterdam and 60th and 62nd Streets could not be built without sky exposure plane waivers which more than triple the height of any structure which could practically be built on those footprints as of right). Fourth, the eastern two-thirds of the site would be devoid of any street level open space. The "open space" proposed on the site is solely a portion of an existing quadrangle built on a podium which is at least 15' above grade on all sides, accessible only by stairway and elevator; there would be no site lines through the site at ground level. New Yorkers know from experience (e.g. the former plazas at the GM building and 55 Water Street, and the former configuration of Bryant Park), that open space does not benefit the community unless it is at or near grade level. People simply will not climb 15' high stairways to gain access to Fordham's "open space." Fifth, the Master Plan contains no information concerning the actual design of any buildings; thus, even if an imaginative design could mitigate somewhat the effect of the massiveness and height of the proposed buildings, no such design has been incorporated in Fordham's proposal. Indeed, it is likely that the Columbus Avenue buildings will not be designed for 15-25 years.

More than three years ago, in December 2005, Community Board 7 alerted both Fordham and the Chair of the Planning Commission of a multitude of objections to the then proposed Master Plan. In letters to the Chair we noted that it was doubtful that any meaningful progress could be made toward the creation of a reasonably proportioned campus so long as Fordham insisted on three immutable principles: 1) the retention of the "podium" and consequent elimination of any usable open space or site lines; 2) the sale of 750,000 square feet of development rights to a private developer; and 3) the utilization of the full 3,020,000 square feet of allowable floor area. Despite our comments and innumerable meetings with Fordham, only cosmetic changes were made in the plan prior to its certification in November 2008. Fordham refused to consider any change to the podium, refused to reduce the total proposed floor area and refused to change its plans to sell development rights.

The result of Fordham's desire to maximize everything would be a "superblock" without through passage or even sight lines at grade level, with buildings grossly out of scale with the rest of the upper west side. On four corners Fordham would tower over its neighbors to the west, north and east, and would extend an inhospitable midtown ambience to Lincoln Center. Indeed, the absence of through passage or sight lines at grade level would multiply the fortress effect of Fordham's campus. It is perhaps ironic that Fordham, which seeks to expand its Lincoln Center campus in order to present an education which includes an Urban experience, will be instead creating a campus which, in most of its particulars, radiates hostility towards its neighbors and isolates itself within the community.

Upon certification, the Master Plan was debated at a special meeting of CB7's Land Use Committee. We estimate that 250-300 people were in attendance, almost all of whom identified themselves as neighbors of Fordham who were opposed to the Master Plan. In addition to concerns about the projects bulk and the height of the proposed buildings, several residents expressed concern that the proposed private development would exacerbate an already overcrowded condition in the area public schools (as had the construction of the Trump buildings on the former Penn Yards site). With respect to this issue, it is noteworthy that representatives of Fordham were unable to provide reliable information concerning the number of units which would be constructed in the private development buildings.

More than a dozen professors and administrators of Fordham spoke in favor of the plan, emphasizing Fordham's need for additional space; however, no details as to the precise nature of this need were offered. The educators made a good case for expansion of present capacity, but did not provide details as to why a tripling of its current facility is required. It appeared that Fordham's needs assessment was driven in substantial part by a calculation of how to divide the maximum allowable square footage between private development sites and academic sites so as to be able comfortably

to finance the construction of the academic sites.

Following testimony by Fordham and members of the public, debate ensued among members of the Land Use Committee, who were unanimously of the view that while Fordham should be allowed to develop its site to further its laudable education aims, the project, as proposed, would result in substantial overbuilding without a corresponding demonstrated need. In particular, the committee was of the view that it would be irresponsible to approve a "master Plan" for more than 2,000,000 square feet of new floor area, together with substantial height and setback and sky exposure plane waivers, without any idea of what the buildings when constructed would look like.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan disapproves the proposed Master Plan for the Fordham site at Lincoln Center; and

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan would strongly consider approval of a revised Master Plan which a) limited total floor area on the site to 2,500,000 square feet; b) substantially reduced the height of the Amsterdam Avenue buildings; c) substantially reduced the height of the Columbus Avenue buildings and reconfigured those buildings so as not to create monolithic full block-long facades; d) provided for mitigation of the probably effects on local schools of the construction of several hundred private residential units; and e) provided for a second tier review and approval by the Community Board and the City Planning Commission of the actual design of buildings on the site.

Vote of Land Use and Transportation Committees: 9-0-0-0.

Vote of Non-Committee Board Members: 2-0-0-0.

Present: Helen Rosenthal, Barbara Adler, Andrew Albert, Linda Alexander, Richard Asche, Hope Cohen, Page Cowley, Mark Diller, Miki Fiegel, Sheldon J. Fine, Paul Fischer, Rosa Gonzalez, Victor Gonzalez, Ulma Jones, Bobbie Katzander, Blanche E. Lawton, Daniel Meltzer, Lillian Moore, Johnetta Murray, Klari Neuwelt, Lenore Norman, Gabrielle Palitz, Michele Parker, Oscar Ríos, Madge Rosenberg, Liz Samurovich, Roberta Semer, Ethel Sheffer, Charles Simon, Elizabeth Starkey, Barbara Van Buren, Thomas Vitullo-Martin and Dan Zweig. On-Leave: Luis O. Reyes. Absent: Lindsey Boylan, Alberto Cruz, Marc Glazer, Molly Gordy, Phyllis E. Gunther, David Harris, Robert Herrmann, Lawrence Horowitz, Barbara Keleman, Sharon Parker-Frazier, Anne Raphael, Jeffrey Siegel, Melanie Wymore and George Zeppenfeldt-Cestero.

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Parks & Preservation Committee Meeting Minutes
Klari Neuwelt and Lenore Norman, Co-Chairpersons
Joint with Land Use Committee
Richard Asche and Page Cowley, Co-Chairpersons
January 8, 2009

The meeting was called to order at 7:00 pm, and was chaired by Klari Neuwelt and Lenore Norman. The first two items of the agenda (items 2 and 3 in these minutes) were joint meetings with the Land Use Committee, and co-chair Page Cowley and committee members Hope Cohen, Paul Fischer, Tom Vitullo-Martin took part. The following topics were discussed during the meeting.

1. **243-45 West 76th Street.** Presentation by Alan Berman of Archetype.

- Project had been before the P&P committee at its December 2008 meeting, at which the committee had requested the architect and owner to reconsider certain elements of the design.
- Project involved the removal of a vestige of a former L-shaped stair and stoop (only the corner

landing of the stair remains), and creating a consistent entry area with a fence, newel post and garden area using the same dimensions as the neighboring house. Project also involved the removal of later-added brickwork on the exterior of the ground and first floors and restoring the original brownstone.

- In response to P&P requests, the design has been modified by:

- a. adding architectural detail equivalent to that around the original parlor floor door on the current ground floor entrance;

- b. adding a window below the former parlor floor door, and continuing the architectural detail from the parlor floor to the ground floor;

- c. eliminating the plan to join the two houses' gardens, making each garden separate and using a slightly different fence design.

- Per discussion, the architect agreed to restore the ground floor brownstone to its original rusticated surface, while making the parlor floor surface smooth. The architect also agreed to ask the owner to change the ground floor of the commonly owned adjacent building to a rusticated surface.

VOTE: After committee discussion, the project as amended during the meeting was approved by committee members 6-0-0-0, and by non-committee board members 2-0-1-0.

2. 15 West 68th Street. Presentation by Mitchell A. Korbey and Eldad Gothelf of Herrick Feinstein (attorneys), Sandy Chung of Jablonski Building Conservation, Inc., and John Schimenti of John Schimenti P.C. (architect).

- Application pursuant to 74-711 for a Special Permit to change the use of the building within a landmark district to an 8-12 unit residential short-stay private club. Club currently has locations in Venice and the Bahamas, and plans to expand to London. Minimum stay of 1 week - details of how the Club would operate, whether units will have kitchens, staff such as a resident super or concierge, whether and how food would be served to members, not available.

- The 74-711 process requires the applicant, as a quid pro quo for a variance or special permit, to devise a maintenance plan for a building that is either a landmark or in a landmark district. The maintenance plan would then be memorialized in a restrictive declaration that would run with the land, obligating the current and all future owners to maintain the structure in accordance with the plan (including responding to independent examinations by the Department of Buildings).

- Minimum stay requirement is intended to address issues of transients.

- Proposal includes restoring the exterior and significant portions of the interior of the building, a Beaux-Arts mansion. Restoration would include repair or replacement of ornaments on the front façade, repointing, restoration of ornamental stained glass windows on the second floor in the rear, repairing and refurbishing or replacing wood windows, repairing with historic materials or first-quality equivalents the limestone details, granite plinth, balustrades, restoring or replacing inner wood front doors, and other façade work as well as the copper mansard roof and iron details on rails, door guards and fences. The interior restoration is not a part of the 74-711 application.

- ADA access is still in the planning stage - architect expects to install a ramp either outside the east service entrance, or lower the opening for the east service entrance to grade level and install a ramp inside the building. This departs from the overall intent not to change the configuration of the front façade other than cleaning and repairing.

Community Comments:

- Robert Herman, neighbor: questioned alternative if permit not granted (would maintain current use as a residential building); objects to hotel-like use on a residential block, especially with transients on a narrow sidewalk.

- Shelby Zorlen, 80 CPW: concern about a stream of transients.

- Jeanne Kerwin, neighbor: concern regarding how the perpetual maintenance obligation would be accomplished (restrictive declaration; breach would terminate special permit).

Committee Comments:

- Difficult to evaluate the proposal while lacking specifics of the maintenance plan itself, the

operation of the Club, or the modifications required for ADA compliance.

- Preservation of remarkable structure is the only benefit to the community cited at the meeting.
- Questions regarding the number of members, details of the use and operation of the Venice and Bahamas clubs, would have an effect on how the Committees vote.

RESULT: No resolution proposed or vote taken; Applicant will adjourn its February 3 hearing at LPC, and will come back to the Committee at its February 12 meeting with more details.

3. 161 West 78th Street. Presentation by Valerie Campbell of Kramer Levin (attorneys) and John Torborg of Torborg Architects.

- Application pursuant to 74-711 for a Special Permit to exceed the Sliver Law by just under seven feet. Proposal concerns a rooftop addition to a townhouse, as part of a larger townhouse renovation project. The rear yard addition was previously approved by CB7 and LPC. The rear yard addition and all other aspects of the façade restoration were previously approved by the staff of the LPC. The Applicant explained that the rooftop addition was not presented to P&P because it was not visible from the street or pedestrian way and met all the standards for LPC Staff approval.
 - After receiving LPC approvals, Department of Buildings refused to issue a permit for the roof addition because it exceeds the Sliver Law formula for maximum height of 60 feet for this building.
 - Rooftop addition of approximately the same height and dimension as that on the neighboring building (163).
 - The proposed preservation and maintenance plan consists largely of performing restoration and repair work to the front and rear façade, and then agreeing in a restrictive declaration to maintain such conditions per 74-711 in perpetuity. A copy of the proposed maintenance plan was proffered at the meeting.
 - Effect of using 74-711 would be that DoB permits allow the owner to repair and maintain the building, whereas a 74-711 approval and maintenance plan would require the owner to do so.
- Community Comments:

John Nathanson, 164 West 79th (neighbor across the back yard):

- another element in the piecemeal denigration of the light and air available in the "donut";
- neighbors already burdened in the courtyard by the noise from a private school with recreation facilities in the rear yard;
- process deprived public from commenting when the project was first before the Committee;
- will harm property values.

Michael Lyle, 157 West 78th: the applicant's building is one of 8 identical or mirror-image buildings built at the same time, with identical or complementary design features, and should be preserved as is.

Mark LaMura, co-op president of 157 West 78th:

- commends the careful work being done on the façade;
- concurs that the donut is being eroded and deteriorated by serial incursions and should not be further burdened.

Marilyn Stasio, 164 West 79th, 6th floor:

- Garden space in the donut being eroded.
- Loss of light exacerbates noise and encroachment by neighboring school (Rodeph Shalom).

Carol Bryce-Buchanan, 131 West 78th: Piecemeal additions to the rear of buildings erode the quality of life in the donut gardens.

Committee Comments:

- 74-711 process typically limited to individual landmarks or unusual buildings that cannot be preserved through other means; this townhouse, while worthy of preservation, is not unique.
- Some concern about use of 74-711 to cure what some consider an aberrant ruling by the Department of Buildings – potential to open floodgates of similar applications; not the right procedure.
- Concern about using 74-711 for work that the applicant would be doing regardless (albeit an option

would become a duty).

- Some empathy for the applicant regarding an unforeseeable change at DoB; interest in using the CB's offices to seek another resolution from DoB or other appropriate agencies.
- Some concern about empathetic approval/74-711 as a loophole.
- LPC has indicated that it would entertain this application.

VOTE: Motion to disapprove, noting with approval the quality of work being performed on the façade, but indicating our view that 74-711 is not the appropriate mechanism for relief from the DoB position: 7-3-0-0.

4. 303 West 90th Street. Presentation by Don Zivkovic and Laura Cassar of Zivkovic Connolly Architects.

- The project includes a front façade restoration, interior restoration, and rooftop addition, and rear yard extension for a townhouse.
- Front façade work includes cleaning and repointing existing stone and brickwork, repairing original fencing and metal, replacing front windows with wood 1-over-1 windows (to be black per LPC staff) and removal of existing storm windows, and repair and re-staining of front entrance door.
- Roof addition consists of a “bulkhead” for stairs to rooftop plus an enclosed metal water tank. The “bulkhead” will span the entire width of the building, and will create the appearance of an additional floor in the rear (and is designed to appear as an attic with a mansard roof and faux window included in the design. Rooftop mock-up not yet available.
- Rear extension would include metal casement windows with fixed centers, and polychrome red brick and limestone designs typical of later-era front facades.
- No color or material samples were presented. No plan drawings were presented, although available and submitted to LPC. Board learned that rear extension would cover a lot line window on the adjacent building only by interpreting elevation drawings.
- Rear extension would eliminate an original bay window on the main floor.
- The rear extension will increase the depth of the building from 50' to 55', which is approximately 5' shorter than the lot line (building is within 100' of the corner of West End Avenue, and thus is not subject to the 30 foot rear yard setback requirement).

Community Comments:

Craig Kandell, 623 WEA (neighbor across narrow rear yard): loss of light and ventilation in an already narrow courtyard is troubling.

Helen Pugmire, 305 West 90th (neighbor):

- Concern that previous applications were refused by DoB (determined to be unrelated to instant application).
- Blocking neighbor's window should not be permitted.

John Pugmire, 305 West 90th: objects to loss of light

Beth Greenberg, 625 WEA (rear yard neighbor):

- A 5' extension is significant in this already cramped area.
- Series of 8 rear yards were designed to maximize light and air by noted architect Clarence True ca. 1890.
- Narrowed alleyway will further amplify noise.
- “Bulkhead” is taller than any other floor in the building – a disproportionate effect on light and air.
- Rear façade changes too modern.

Howard Goldstein, 625 WEA: water tank unnecessary.

Pat Guinan, 625 WEA: Concerns regarding inadequate notice.

Committee Comments:

- Front generally found acceptable.
- Some concern that rear elevation design was out of keeping with typical rear-yards of buildings of that era.
- Significant concern over the height and bulk of the “bulkhead” room, especially since owner could

change the use once approved.

- Significant concern over the presentation, lack of specifics, and the need for the committee to discern or interpret facts.

VOTE:

- Motion to approve the front façade as presented: 7-0-0-0; 1-0-0-0.
- Motion to disapprove the rear extension, based on the loss of an original bay window, the design being inconsistent with the architectural character of rear facades in the area generally, and the inclusion of fenestration on the north and east elevations that are out of character with either such buildings or the surrounding area: 6-1-0-0; 0-1-0-0.
- Motion to disapprove the “bulkhead” room: 7-0-0-0; 0-1-0-0.

Adjournment. The meeting concluded at 11:25 pm.

Present: Klari Neuwelt, Lenore Norman, Lindsey Boylan, Page Cowley, Mark Diller, Blanche Lawton, and Gabrielle Palitz. Land Use Committee: Page Cowley, Hope Cohen, Paul Fischer, Tom Vitullo-Martin.

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Housing Committee Meeting Minutes

Victor Gonzalez and Charles Simon, Co-Chairpersons

January 12, 2009

The meeting was called to order at 7:25 P.M.

Charles Simon opened the meeting with a welcome and indicated that the order of the agenda was going to change slightly. We proceeded with introductions and then heard from our first speaker.

The first speaker was Jim Paul, the President of the Trinity Residents Association, who gave an update. Along with Mr. Paul was Amy Chen who was present as a resource and also to help with questions. Besides this being the 300th Anniversary of Trinity School, the other good news is that negotiations with the Pembroke have ended and the application to HPD for approval of the sale has been withdrawn. HPD and Trinity have spoken with the Association since the application withdrawal, but Mr. Paul stated the Trinity has not been in contact for at least the last two months and he is waiting to be contacted. Mr. Paul noted that the Association has been given access to building records concerning family composition and size of the apartments; this information has helped the Association to consider various models which would allow apartments to remain affordable while providing Trinity with the resources it sought through the now-cancelled Pembroke sale (and which it continues to seek). Mr. Paul and the Association are looking to put together financing. The two models that they are pursuing are Limited Equity Co-Op or Rentals, with the latter being the preferred choice. The one thing that they want to keep is the legal status of the apartments with the hope that current residents will remain. A third option is for another organization to buy it and work out the details with the residents.

At this point dialogue ensued and other points were brought up by either members of the board or our guests. Upon completion, Mr. Paul requested a letter of support from Community Board 7's Housing Committee that would welcome further discussion between the interested parties in order to reach a viable solution. The Housing Committee agreed to send such a letter.

At this juncture, we then began discussing our forum for public housing and who should be present. The date agreed upon for now is Sunday March 29, 2009 in the afternoon. A list of panelists and guests has been circulated, and we are open to comments and/or suggestions. Anyone with ideas, please contact us.

Peter Arndtsen-District Manager of the Columbus/Amsterdam Bid mentioned that there is going to be a very important meeting at the Bloomingdale Library in the latter part of February 2009. The details will follow.

The meeting adjourned at 8:40 PM.

Present: Victor Gonzalez, Charles Simon, Rosa Gonzalez, Lillian Moore, Johnetta Murray, Sharon Parker-Frazier and Barbara Van Buren.

Transportation Committee

Andrew Albert and Dan Zweig, Co-Chairpersons

January 13, 2009

Mary Beth Kelly, representative from the Upper West Side Street Renaissance Committee presented their blue print to make the streets safer and more pedestrian and bicycle friendly. Her husband was killed riding a bike two years ago. They want to make certain streets narrower, sidewalks more visible. A booklet with their plan was presented to the committee members. A big concern of the committee is uncontrolled bicycles. Less than 20% of New Yorkers use cars.

1. Application #M7-028 to the Mayor's Office of Street Activity Permits to conduct a farmers' market on Fridays on the north side of West 97th Street between Amsterdam and Columbus Avenues. There is construction in the area the Green Market will stay in communication with the contractors and buildings in the area to coordinate activities. The Green Market will be west of the Whole Foods driveway. The Green Market will put up signs.

Motion to approve the market adopted: Comm: 8-0-0-0 Non-Comm: 1-0-0-0 Public: 3-0-0

2. **444 Amsterdam Avenue**, St Agnes New York Public Library (West 81st -82nd Street) Petition to the Department of Transportation to construct, install, maintain and use a ramp and stairs. There was a brief discussion of the building's location. Motion to approve adopted Comm: 8-0-0-0 Non-Comm:1-0-0-0 Public:0-0-2

3. Proposed citywide text amendment to the Zoning Resolution to require indoor bicycle parking in new multi-family residential, community facility, and commercial buildings. Adam Meagher of the Department of City Planning explained that new buildings would have to provide one bike space for every two units. Buildings with ten units or fewer will be exempt. The requirement is for 15-square-feet per bike, but could shrink to 6-square- feet. Committee members expressed concerns about security and additional FAR. Another concern is that the building could charge for the spaces or use the spaces for other purposes. An example was give that in supportive housing, the space for bikes would replace a needed housing unit.

Resolution:

Whereas CB7 supports the green benefits related to bicycling as well as bicycling itself throughout the city, and

Whereas the proposal presented by the Department of City Planning raises a number of unaddressed problems including:

1 the allocation of bicycle space may interfere with proposals for affordable housing in certain cases
2 not counting the bicycle parking area in FAR may result in larger density, which may not be desired

3 additional FAR could be built first using the bike storage benefit and then the bike space reduced in size or put to entirely different use after the fact

4 this proposal is premature and limited in thought relative to the complexity of the issues raised by such a change

5 The 60-day time limit for Community Board comment necessitates a decision prior to sufficient opportunity to fully discuss and consider the complex issues raised by this proposal, and Whereas we hear continual complaints about pedestrian safety with regard to bicycles, where pedestrians report having accidents or frightening near- accidents, due to both delivery and privately-owned bicycles flagrantly and dangerously operated in violation of traffic rules, this proposal would serve to increase bicycle traffic without addressing the inherent pedestrian safety issue in any way, and

Whereas changes to the Zoning Resolution are long-lasting, with effects often lasting generations in length, this proposal, despite its good green intentions, appears to be incompletely thought out, not well vetted for its unintended effects, and in need of further work with regard to its actual impact on the Zoning code, an

Whereas after the building is built with the added FAR and the COO is granted, the Department of Buildings effective enforcement of the bicycle space use throughout the building's lifetime is unlikely to happen. The bicycle space is unlikely to remain bicycle storage if people have other things they would rather store in this space and it is unlikely that DOB would regularly inspect this item for compliance. If the bicycle parking space were popular or profitable enough that people would demand enforcement for its proper use, then the uncouneted FAR and larger resulting building would not be a necessity at all, and

Whereas the Police Dept is unable to adequately control the bicycle traffic that exists now with respect to obeying traffic laws and keeping pedestrians safe, increasing bicycle traffic as intended by this proposal will only serve to make a bad situation worse,

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan disapproves the Department of City Planning's proposed text amendment to require indoor bicycle parking, and BE IT RESOLVED THAT Community Board 7/ Manhattan calls upon City Planning, DOB, all bicycle related city agencies, City Council, and community boards, to continue to work on putting together a comprehensive, well thought out planning, code enforcement, and legislative effort that would increase parking opportunities for bicycles, increase pedestrian safety relative to bicycle traffic, and do more than provide a zoning loophole that any developer could drive an excavation vehicle through.

Adopted: Comm: 9-1-0-0 Non-Comm:1-0-0-0 Public:0-0-2

4. One Lincoln Plaza, aka 1900 Broadway (West 62nd Street) Renewal application DCA#1137714 to the Department of Consumer Affairs by Fiorello's Roman Café. Inc., d/b/a Fiorello's Roman Cafe, for a two-year consent to operate an unenclosed sidewalk café with 32 tables and 64 seats. Michael Kelly said that there have been no changes. Motion to approve adopted: Comm: 7-1-0-0 Non-Comm:1-0-0-0 Public:1-0-2

5. 286 Columbus Avenue (West 73rd Street) Renewal application DCA#1231072 to the Department of Consumer Affairs by Wine and roses Bar and Café, d/b/a Wine and Roses, for a two year consent to operate and unenclosed café with 7 tables and 14 seats. Jennifer Klein reported that there were no complaints. Motion to approve, adopted: Comm: 7-1-0-0 Non-Comm:1-0-0-0 Public:1-0-2

7. 421 Amsterdam Avenue (West 84th Street). Renewal application DCA#1215000 to the Department of Consumer Affairs by Global Village Grill Inc., d/b/a Monaco, for a two-year consent to operate an unenclosed sidewalk café with 18 tables and 36 seats. Ferdinand Rodriguez reported that there were no changes. Motion to approve, adopted: Comm: 8-1-0-0 Non-Comm:1-0-0-0 Public:1-0-1

8. **494 Amsterdam Avenue** (West 84th Street). Renewal application DCA#1207810 to the Department of Consumer Affairs by PQ West 84th Inc., d/b/a Le Pain Quotidien, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 16 Seats. Mike Leuk reported there have been no changes. Motion to approve, adopted: Comm: 7-1-0-0 Non-Comm:1-0-0-0 Public:1-0-2

10. **237 Columbus Avenue** (West 71st Street). Renewal application DCA#1219794 to the Department of Consumer Affairs by 71 Wine Bar Café Operating Corp., d/b/a Bin 71 Restaurant for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats. Steve Ywgoda and Lawrence Bondulich reported no problems. Motion to approve, adopted: Comm: 9-1-0-0 Non-Comm:1-0-0-0 Public:1-0-1

11. Discussion of the MTA NYCT to close or reduce hours of operation of subway booths in CB7 . It was resolved that CB7 should send a letter that we vehemently object to the reduction of service, adopted:
Comm: 11:0:0:0

Present: Andrew Albert, Dan Zweig, Marc Glazer, Ulma Jones, Barbara Keleman, Blanche E. Lawton, Anne Raphael, Oscar Rios, Roberta Semer and Charles Simon. Board Member Paul Fischer. Board Chairperson Helen Rosenthal. Absent: Linda Alexander and Bobbie Katzander.

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Green Committee Meeting Minutes

Elizabeth Starkey and Melanie Wymore, Co-Chairpersons

January 26, 2009

1. Public Member Paul Reale reported on early success of his Green Allowance initiative with public utility companies in three cities in southern California to encourage parents to work with children to conserve energy.
2. Public Member Olive Freud reported on a recent trip to Curitiba, Brazil. Located in the southern state of Parana, the city has withstood the shock of a growing population by implementing a master plan for environmentally sound growth. The committee agreed to show a documentary on Curitiba at a future meeting.
3. Committee member (and Deputy Director of the Center for Rethinking Development) Hope Cohen gave a slide-illustrated lecture on electrical substations. Using information and photographs gathered in Japan, London and Scotland, as well as in other American cities, Hope presented her case for a change in the NYC building code to permit substation construction in residential and commercial neighborhoods which are currently generating the highest demand for electricity. The proposal is premised on constructing new substations that will be attractive, unobtrusive, underground, in or under parks, at the base of buildings or in free-standing enclosed structures. Visit 7 WTC which contains an 11- story substation at its base. Read the entire report at Gotham Gazette (click Other Reports).
4. Community member Pat Lewis reported on her efforts to coordinate the recycling of CFL bulbs which can contain mercury by the use of a Compak Recycling Center for responsible disposal.

Next meeting: Monday, February 23, 2009

6 p.m. to 7 p.m.: Meeting of the Climate Change Coalition with CB7 environmental and green groups to plan for next forum/action initiative of the Climate Change Coalition.

7 p.m. Green Committee Agenda

1. Discussion of Intro. 594, NYC Council bill which would require use of clean heating oil in NYC. Tim Roberts, from Councilmember David Yassky's office will be present.
2. Discussion of Product Stewardship with Karen Sinding, Esq., Senior Attorney from NRDC.
3. Discussion of NYC Dept. Of Buildings' proposed new regulations on installation of green roofs and solar panels in the City. (Invited)

Present: Melanie Wymore, Elizabeth Starkey and Hope Cohen. Absent: Phyllis Gunther. Public Members: Paul Reale, Olive Freud, Parvati Devi and Cynthia Doty.

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District Service Cabinet
Penny Ryan, District Manager
January 28, 2009

Agency Reports and Follow-Up

Con Ed. Open excavation on east side Amsterdam Avenue at 103rd Street.

Con Ed will inspect for safety. New contractor will begin soon, should be repaired within two weeks.

DCA/DOT/NYPD. Regulations governing food vendors who park in the curb lane. Examples are south side of West 86th Street, east of Bway, and 94th Street and Bway.

20th Pct. will research regulations with other commanding officers of precincts north of the district that have higher incidents of mobile street vendors. Depending on results, will enforce as the law allows. Will also share findings with the 24th Pct.

MTA Flood mitigation project on the West 79th, 86th, and 91st Street Broadway Malls.

Follow-up: On-going monitoring of the work with updates posted on CB7's website; DOT solution for anticipated ponding condition after installation, unsafe pedestrian walkways on Malls in constructions areas.

DOT will inspect sites and see if barriers can be pulled back to allow pedestrian crossing after daily construction work and during weekends.

Update on homeless conditions and outreach in Riverside Park and in CD7– **Goddard Riverside.**

Follow-up: Coordinate with Goddard, precincts and DA's Office; West Park trespass program; outreach to faith-based institutions; continue monitoring of locations, conditions at Ollie's, 1991 Broadway.

- Goddard and 20th Pct. check the public space at Ollie's daily. They found that the transient population that loiters in this space is not homeless; they only spend the day there. The law does not allow NYPD to remove individuals from a space unless they are unruly or not following the law. However, since the daily checks, there has been a decrease in the number of individuals loitering in the space.
- RFP for church based organizations is in transition – going through reorganization; DHS to provide a timeline.
- In CB7, Goddard has a caseload of 18 individuals who are "in the street" status.
- Goddard can offer training to police officers on what their organization offers the homeless. 20th Pct to follow up on suggestion.

Update on quality of life conditions on Amsterdam Avenue sidewalks from 106th-110th Streets, priority is 109th Street, and 101st –105th, priority is 105th. 24th Precinct. Columbus-Amsterdam Avenue BID, CAU multi-agency sweep of 105th Street in the Spring.

Columbus-Amsterdam Avenue BID reported that the area has been significantly cleaned up. Multi-agency sweep will be done in the Spring if necessary.

Update on bar conditions on Amsterdam and Columbus Avenues, 104th-100th Streets. 24th Precinct Columbus-Amsterdam BID, SLA. Follow-up: Monitor precinct watch list. Ding Dong and Ron Carlos on Columbus and Poor House, Amsterdam 106, and Blockheads on Amsterdam. BID to organize community meeting.

- Meeting was held with bar owners, 24th Precinct and CB7.
- Precinct commanders were reminded that any bar that is creating significant quality of life issues, could be asked to attend CB7's Business and Consumer Issues committee to discuss the issues and review their liquor license renewal application.

Bicycle rentals at Merchants Gate and Riverside Park – New RFP. Follow-up: MCB 4, 5, 7, Lincoln Square BID, local residential buildings to meet with temporary provided at MG and permanent vendor for RSP

- Bicycles will be stored at a separate location.
- Chained bicycles can be removed from City property with a 24-hour notice. NYPD will give notice to bike owners by placing a sticker on their bicycle. 311 will add this information into the complaint system.
- Riverside Park on Pier I will have a new bike rental business, owner will meet with city agencies and non-profits on safety issues.

Pedicabs in Columbus Circle area:

Follow-up: NYPD/DOT/DCA clarification, with CAU assistance, on what the law and enforcement is on pedicabs. CAU has confirmed chaining bicycles and pedicabs to public property is illegal.

CAU requested a meeting with CBs and agencies to gather more information on the problem.

Enforcement under bicycle regulations is underway. Newer regulations are on hold until litigation is adjudicated between the City and pedicab companies.

NYCTA/NYPD

Garbage storage and rodent abatement at the Columbus Circle station.

Follow-up: NYCTA will give the key to the garbage storage room to NYPD TD#1 maintenance staff. (Room not locked) Garbage continues to be stored on platform.

Garbage storage and rodent problem continues.

DSNY/NYPD/DOT

Broadway and 74th Street - Fairway update. Fairway – working with multi-agencies to enforce regulations. Major problem is commercial parking overnight on 74th Street, residential area.

Follow-up: DOT/DSNY to determine when/if late night parking of trucks on residential streets is permitted. DOT to give study of area to the 20th Precinct.

DCA

Enclosed cafés: Lansky's at **235 Columbus Avenue** operating without permits; Magnolia, **200 Columbus Avenue** using enclosure as retail.

Follow-up: Reports on pending status.

Lansky's fined for unlicensed activity, and Magnolia's temporary letter of permit expires on 2/15/2009 and has not been inspected. CB7 requested a copy of the letter.

DOT Newsstand storage boxes causing sidewalk obstruction.

Follow-up: Manhattan borough commissioner's office to determine if DOT can enforce sidewalk obstruction rules on newspaper storage boxes used by newsstands. DOT has not determined jurisdiction or regulations governing the storage boxes.

CAU – Coordination of DEP/ConEd/DOT of West End Avenue/60th Street sink holes. Ongoing.

Follow-up: Meeting has been scheduled. Meeting was cancelled due to inclement weather. New on site meeting to be scheduled.

DOB

District Watch Construction Updates: • Audit report on 230 West 78th Street (Broadway.) Closing out soon. No permits being issued until audit is finished.

• 732/734 WEA demolition DOB is going over the demolition plans. Concerns about adjacent buildings, 730 and 736 - Work halted again. Will monitor demolition closely.

• 508-510 WEA, no movement – all DOB demolition permits good for two years from date issued.

Construction Projects:

Address	Stories	Status
208 West 96 th Street (Broadway-Amst)	10	Demolition (Need Update)
60 Riverside Blvd (63rd Street)		Finishing
80 Riverside Blvd (64 th Street)		Superstructure
West 64 th Street (RSS)		Superstructure
239 West 60 th Street (WEA-Amst)	29	Superstructure
150 Amsterdam Ave (65 th Street)	41	Superstructure
200 West 72 nd Street (Bway)	19	Superstructure
205 West 76 th Street (Amst-Bway)	21 and 18	Finishing
230 West 78 th Street (Broadway)	20	Finishing
535 West End Avenue (86 th Street)	21	Superstructure
775 Columbus	13	Superstructure
795 Columbus	15	Excavation/Foundation
805 Columbus	14	Superstructure
808 Columbus	29	Superstructure
801 Amsterdam	15	Superstructure
214 West 76 th /2148 Broadway (SEC)	21 Condo/Garage	Demolition
96 th Street IRT Station		
Lincoln Center Redevelopment Project		
180 Amsterdam Avenue (68 th Street)	8	Foundation
Lincoln Square Synagogue		

Agency Reports

20th Pct overall crime is down 7.5 % for the year, up in robberies for the year. Up 25 burglaries for the year, but down over a two year period. Overall crime is down 28% for the month.

DA's Office - the district had 224 arrests and sentenced 93 individuals; there were no narcotics arrests in December.

• Rev Bashire reported no problems with the homeless for now.

• Recruitment for the summer internship program is underway.

- DA has a new initiative: The Immigrant Affairs unit, which prosecutes individuals posing as lawyers.

DEP –CB7 requested that DEP give a list of noise categories and statistics before the CB7 February 20th instructional meeting on how to report noise complaints to 311.

DOT – Newsboxes are being inspected for graffiti; locations can be given to CB7, which will be forwarded to DOT.

PSA6 – overall crime down.

- Resources are being focused on Douglass against a pattern crime.
- Triple shooting, 16/17/18 year olds, no deaths. No witnesses.
- Cameras – Five NYPD cameras will be up very soon (weeks) at Douglass. There is also a proposal for every lobby and public door access door to have a camera installed; CB7 supports this proposal.

DCA - inspecting licensing of income tax services and immigration services. Report specific locations to CB7 and DCA (311).

NYPD PBMN– The community partnership program has been very successful in District 7. Police officers visit schools, businesses, and community organizations to find out about issues. Results are reported to the commanding officers for follow up.

Parks –

- 1,230 trees were chipped for mulch fest.
- There were graffiti arrests, all were younger individuals, not graffiti artists.
- Parks has recreational flyers that cover events borough wide.

CAU announced the **\$aveNYC** program. Beginning January 2009 at participating locations for a limited time, the City of New York will give eligible tax filers 50¢ for every dollar saved from their tax refund up to \$250 when they open a \$aveNYC Account for one year. Families earning less than \$40K per year or individuals making less than \$20K per year, are eligible. Last year 75% of the participants remained successfully in the program. The program is part of the Mayor's Fund, which is privately funded.

More information is available on the Dept. of Consumer Affairs website, nyc.gov/dca.

DoITT 311 - Budget cuts may cause delays in complaint call pickup and may eliminate overnight complaints.

Present: Penny Ryan, District Manager, John Martinez, Asst. District Manager; Capt. Elisa Cokkinos, PSA6; DI Keith Spadaro, PO Clark Tiger, 20th Pct; Lt. Cathy Babilonia, PBMN; Leah Donaldson, DOB; Joselinne Minaya, DA's Office; David Lipsky, DEP; Evelyn Nieves, DoITT 311; Solly Corrado, DCA; Paul Evans, Parks; Lolita Jackson, CAU; Jesse Bodine, CM Gale Brewer's office; Kristen Oates, Goddard Riverside; Josh Orzeck, DOT; Sari Bernstein, MBPO; John McCormick, CHR; Arturo Bauch, CAU Fire Dept; Pat Richardi, ConEd; Marjorie Cohen, WCPP; Peter Arndtsen, Columbus-Amsterdam BID; Rebecca Gerber, LS BID; Jill Greenbaum, SUN;