

OCTOBER 2009

Full Board, Committee, and District Service Cabinet Minutes

Full Board Meeting Minutes

Helen Rosenthal, Chairperson

Red Oak Apartments

October 6, 2009

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

Minutes from previous full board meeting were approved: 28-0-0-0.

Chairperson's Report: Helen Rosenthal

Riverside South / the proposed Riverside Center Development

- ULURP expected to begin this winter (City Planning certification expected soon).
- CB7 has been conducting meetings on traffic & parking, open space, environmental, other issues.
- CB7's consultants will present their reports on density, FAR, open space, and traffic at 10/27 meeting.

Chabad Project on West 86th Street:

- Revised design was approved by LPC; no further role for CB7. District Manager will convene a committee to monitor and respond to construction issues.

Public Member By-Law – further revised version now available.

Jewish Home Lifecare Update:

- CB7 has hired counsel (at JHL's expense) to assess draft documents re limits on development until an application for rezoning can be submitted.

Green Issues:

- Recycling program underway at NYCHA buildings (Morningside Heights Coalition involved).
- State Department of Environmental Protection will permit drilling for natural gas near NYC watershed, contrary to CB7 resolution. Strong potential for contaminating water.
- NYS DEP regulations permitting drilling are subject to public comment through November.
- Borough President taking leadership on this issue.

Crane Watch on website gives updates for construction sites in our District.

Election of Board Officers for 2009-2010: Dan Zweig, Chairperson, Elections Committee

Shelly Fine standing in for Dan Zweig. Voting conducted after introduction of nominees.

Results of Election:

- Mel Wymore, Chair
- Miki Fiegel, 1st Vice Chair; Marc Glazer, 2nd Vice Chair; Linda Alexander, 3rd Vice Chair.
- Louis Cholden-Brown and Mark Diller, Co-Secretaries.

Elected Officials' Reports

Scott Stringer - Manhattan Borough President:

- Helen Rosenthal instrumental in ensuring community boards stay in existence, keep their funding.

JHL Proposed Transaction:

- JHL sought exemption from rezoning at the last minute. JHL an important part of community.
- Would have been easy for Council to ignore their request.
- Granting exemption was a close call, made in consultation with neighbors.
- Now faced with troubling situation both at 106th Street and at 100th Street.

- First step is to make sure West 106th Street is protected from oversized development.
- Should rescind the zoning carve-out, especially given developer's record at Park West Village.

Fract Drilling:

- Near the Marcellus Shale drilling for natural gas. MBPO report lists problems – pollution, explosions, illnesses – environmental disaster looming.
- If pollution occurs, Feds will require NYC to build purification facilities costing billions.
- Support “Killthedrill” on facebook.
- NYS DEC report inadequate; Wants a hearing in NYC and 90-day delay in comment period.

Schools:

- School overcrowding – capital plan ignores this District.
- Big victory today re McCourt HS – Community voice heard as McCourt HS to go forward.
- Need to incubate a new school: Community Boards must have a greater say in identifying needs that DoE must address. Need District 3 War Room.

Other Community Concerns:

- Illegal vending – working with multiple agencies to address despite regulations favoring vendors.
- NYCHA - \$400MM cap projects desperately needed; 75% of NYCHA elevators don't pass inspections.
- Best use of stimulus money is to create employment while improving lives -- should use stimulus money from Sen. Schumer's initiative (\$50MM) to fix elevators, NYCHA buildings.

Melissa Mark-Viverito – City Council Member, District 8:

- Follow-up on 108th Street garages – never ending. Working with CB7, DoT
- JHL proposed land swap – is initiating rezoning process in consultation with Borough President.
- Spoke with City Planning Commissioner Burden re rezoning.
- Land swap contradicts the original intent the carve-out from the rezoning.
- Carve-out was controversial, but done in consultation with community, CAB at the time.
- Now in good faith trying to correct the situation for an unanticipated consequence.
- Restrictive Declaration process –CB7 should involve community groups involved with the MOU.

Daniel O'Donnell – Assembly Member, 69th AD:

- District Office will arrange for flu shots to be available to the community.
- Budget deficit of \$2B: sounds big, but only 1%; expects to close gap in January.

Gale Brewer – City Council Member, 6th District:

- Frank McCourt memorial very moving, especially announcement of UWS HS in his honor.
- Free monthly legal housing assistance provided through Goddard Riverside
- Working on a bill protecting earned paid sick leave; Bedbugs task force busily working.

Reports by Legislative Representatives

Greg Monte – Assembly Member Linda Rosenthal's office:

- Sponsored Bill A7779 to provide additional information for dealing with animal cruelty.
- Passed bill granting access by victim of sexual assault without contacting abuser.
- Sponsored successful West Side tenants' conference.
- Flu shot day 10/29 at District Office.

Jarred Chausow – State Senator Tom Duane's office:

- Sen. Duane joined AIDS advocates outside Gov Paterson's office to empower the NYS Department of Health to have purview over HIV and Hepatitis C in prisons.

Public Session

Glory Ann Kerstein – Duke Ellington Boulevard Neighborhood Association, Manhattan Valley Preservation Coalition:

- Wants R8A/B so badly we can taste it.
- Opportunity to undo JHL exemption.
- Applauds integrity of Melissa Mark-Viverito and Scott Stringer to correct prior mistake.

Nancy Lipsey – Hazon:

- Jewish environmental group.
- Supports resolution on protected bike lanes; obtained 400 signatures on petition at street fairs.
- Cycling great exercise, great way to meet pedestrians, neighbors.

Greg Walsh – Selling Xmas Trees at 106th & CPW (Strangers Gate):

- Will donate 5-20% of sales to community organizations who refer sales.

Mark Goreczny – City Meals on Wheels:

- Feeding homebound elderly; accepting referrals for new clients.
- 212-787-8106; www.citymeals.org

Bob Botfeld – Westsiders for Responsible Development:

- Supports electeds' initiative to rezone JHL on 106th Street.
- Regardless of prior process, right result will be achieved. Will help preserve our community.

Paul Bunten – Park West Village & Westsiders for Public Participation:

- Rezoning is a poison chalice – may add fuel to JHL's attempt to relocate to overburdened PWV.
- Unfair to PWV – cannot support yet another large institution.

Catherine Unsino:

- JHL is below staffing level considered minimum.
- Please support disclosure of staffing

Business Session

Transportation Committee

Andrew Albert and Dan Zweig, Co-Chairpersons

1. Resolution to request that the Department of Transportation provide a proposal for protected bike lanes on Amsterdam and Columbus Avenues in Community District 7.

The following public speakers offered one or more of the following comments supporting the resolution:

Tila Duhaine – UWS Streets Renaissance Campaign; Christine Bertnet – co-chair CB4 Transp Committee; Martha Norick – CB9; Clark Vaccaro – Calhoun School (11 years old); Anne Cunningham; Joy Lewis – Manager, NYC Patagonia stores; Henry Rinehart – Henry's Restaurant; Peter Goldwasser – General Counsel – Transportation Alternatives; Peter Arndtsen – Columbus/Amsterdam BID:

- Protected bike lanes receive broad and varied support (not only from bikers and Transportation Alternatives members)
- Protected bike lanes provide protection for seniors/pedestrians – function as mid-crossing islands.
- 8th & 9th Avenues have same sort of bike lanes – enormous gains in safety.
- Shortens crossing time/distance for very young and very old.
- Should put protected bike lanes where the threats to pedestrians are the greatest (i.e. truck routes).

- Protected bike lanes are an improvement over CPW.
- Motorists often block painted bike lanes; protected bike lanes safer for kids.
- Kids allowed to bike on sidewalks, but often scolded.
- Protected bike lanes would encourage more bikers.
- Sidewalk cycling reduced 80% since protected bike lanes were installed on 9th Avenue.
- Protected bike lanes would reassure seniors; would know where to look.
- Bike lanes are good for business; make neighborhood stores more accessible.
- Transportation Alternative has pamphlet re bike rules - www.bikingrules.org
- Dedicated delivery areas will promote efficiency, safety.
- Bike lanes will recapture vibrancy of our City.
- “Safe routes for schools” and “safe routes for seniors” – not bike initiatives but promote safety.
- Protected bike lanes will help reduce traffic speed – needed given elderly and children.

The following public speakers offered one or more of the following concerns regarding the resolution: Monica Blum – Lincoln Square BID; Robert Josman – UWS Coop Boards Coalition; Ellen Shannon;

- Flawed process; should have well-advertised hearing identifying Columbus & Amsterdam as location of protected bike lanes.
- DoT must study impact of the proposal on businesses, community. CB7 needs time to evaluate.
- Columbus and Amsterdam, truck arteries, are wrong locations – DoT wanted Bway and WEA.
- Quick Survey found 19 co-ops willing to sue to prevent
- Transportation Alternatives does not track pedestrian accidents with bikes; must address bike behavior and safety.

Board comments in support of the resolution (or amendments):

- Traffic behaves better with protected bike lanes.
- Bike traffic lights actually work; bikers actually stop.
- Truck routes are appropriate sites for protected bike lanes – have a positive impact on traffic.
- Proposal fits within plan to tame UWS traffic.
- Reducing auto traffic, encouraging other means of transportation are goals for NYC and should inform CB7’s planning.
- DoT UWS traffic study, Linda Rosenthal study, sufficient.
- Columbus & Amsterdam appropriate north/south corridor, and need to be made safer.
- Can be implemented on a trial basis.
- Truck routes are the most dangerous to bicyclists. Appropriate to use them for bike lanes.
- Should not have to zigzag to RSD to use bike lanes.
- Re Tom’s amendment, if CB7 asks for whole UWS study, DoT won’t do it.
- DoT Commissioner supports protected bike lanes on Columbus & Amsterdam.

Board comments expressing concerns regarding the resolution:

- Makes more sense to put protected bike lanes on CPW and RSD, and leave truck routes alone.
- DoT originally discussed WEA; support at committee meeting for Columbus and Amsterdam.
- Midtown example inapposite, midtown has multiple truck routes; UWS has only Columbus and Amsterdam.
- Process concern –Transportation committee agenda spoke of presentation, not vote on resolution.
- A decision of this magnitude should be preceded by hearings and input from experts.
- Resolution should call for further study and evaluation of proposals.
- Cart before horse – should have DoT’s proposal before endorsing a resolution relating to it.
- Need process to assess impact on business community, especially delivery trucks.
- Must address enforcement of bike rules.
- Must solve problem of mid-block deliveries.

Proposed Amendment by Elizabeth Starkey: Change the final paragraph of the resolution to read (with friendly amendment from Dan Zweig):

- “CB7 supports the DoT’s initiative to create protected bike lanes and requests that DoT prepare a proposal for class 1 protected bike lanes on Amsterdam Avenue and Columbus Avenue (including information on projected impacts on business, bike safety, pedestrian safety, parking, truck traffic etc.) that would be subject to review and comment by Community Board 7.”

Proposed (and seconded) amendment to above amendment (voted on before above amendment)

- Expand to request DoT provide proposals for each of CPW, Columbus, Amsterdam, Broadway, WEA and RSD

VOTE ON TOM’S AMENDMENT: 12-19-0-0; (amendment failed).

After deliberation, the resolution to approve, as modified by the amendment, was adopted.

VOTE: 28-7-2-0.

2. Winter’s Eve at Lincoln Square. Resolution in support of the application to the Mayor’s Office of Special Events by Lincoln Square Business Improvement District’s for an event on November 30, 2009, Broadway & Columbus Avenue between West 58th – 68th Streets.

After deliberation, the resolution to support the application was adopted.

VOTE: 33-0-0-1

3. 12 West 96th Street (Central Park West.) Resolution to disapprove request to the Department of Transportation by 12 West 96th Street Corp. to allow the building to have a 7-foot “No Parking” zone in front of building entrance.

Purpose: allow Access-A-Ride and other patients access to Doctors’ offices.

Board discussion:

- Loss of 1 parking space small; more will benefit than will be inconvenienced.
- Concern about setting precedent; many doctors on that block alone.

After deliberation, the resolution to disapprove was adopted.

VOTE 37-1-0-0.

4. Columbus Avenue and West 61st – 62nd Street, NY Institute of Technology. Resolution to support petition to the Department of Transportation by New York Institute of Technology requests a revocable consent to construct, maintain and use existing Empire City Subway outside conduit underground infrastructure to connect the NYIT location at 1855 Broadway to the new NYIT leasehold at 1871 Broadway for Network connectivity purposes.

After deliberation, the resolution to support the petition was adopted.

VOTE: 36-0-0-0.

[Taking resolutions out of sequence was intentional]

11. Resolution to approve the following applications for unenclosed sidewalk cafes.

Unenclosed Café Renewal Applications:

- 1900 Broadway (West 63rd -64th Street.) Renewal application DCA# 0895613 to the Department of Consumer Affairs by Coastal at Lincoln, Inc., d/b/a Josephina, for a two-year consent to operate an unenclosed sidewalk café with 17 tables and 35 seats.
- 229 Columbus Avenue (West 70th-71st Street.) Renewal application DCA# 1186113 to the Department of Consumer Affairs by Flej, Inc., d/b/a Pomodoro Rosso, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 16 seats.
- 424 Amsterdam Avenue (West 80th – 81st Street.) Renewal application DCA# 1075283 to the Department of Consumer Affairs by Café Con Leche, Inc., d/b/a Café Con Leche, for a two-year

consent to operate an unenclosed sidewalk café with 6 tables and 18 seats.

- 428 Amsterdam Avenue (West 80th – 81st Street.) Renewal application DCA# 1039396 to the Department of Consumer Affairs by Amsterdam Avenue Brother Jimmy's LLC, d/b/a Brother Jimmy's, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 20 seats.
- 473 Columbus Avenue (West 82nd-83rd Street.) Renewal application DCA# 1008999 to the Department of Consumer Affairs by Club America, Inc., d/b/a Assaggio, for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats.
- 215 West 85th Street (Amsterdam Avenue – Broadway.) Renewal application DCA# 1250443 to the Department of Consumer Affairs by 2350 Broadway Rest. Corp., d/b/a Dean's Pizzeria Restaurant, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.
- 568 Amsterdam Avenue (West 87th – 88th Street.) Renewal application DCA# 1273996 to the Department of Consumer Affairs by Mermaid 88, LLC, d/b/a Mermaid Inn, for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats.
- 2724 Broadway (West 104th-105th Street.) Renewal application DCA# 1132659 to the Department of Consumer Affairs by Hot Bread of 104th Street, Inc., d/b/a Hot & Crusty Bakery, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 30 seats.
- 1018 Amsterdam Avenue (West 109th-110th Street.) Renewal application DCA# 1133929 to the Department of Consumer Affairs by Skipwell, Corp., d/b/a Bistro Ten 18, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 26 seats.
- 364 West 110th Street (West 109th-110th Street.) Renewal application DCA# 1039389 to the Department of Consumer Affairs by Spoonbread, Inc., d/b/a Miss Mamie's, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.

After deliberation, the resolution to approve the bundled unenclosed sidewalk café applications was adopted.

VOTE: 34-1-1-0.

12. Resolution to approve the following applications for renewals for enclosed sidewalk cafes.

Enclosed Café Renewal Applications:

- 269 Columbus Avenue (West 72nd – 73rd Street.) Renewal application DCA# 0695954 to the Department of Consumer Affairs by 269 Columbus Restaurant, Inc., d/b/a The City Grill, for a two-year consent to operate an enclosed sidewalk café with 16 tables and 34 seats.
- 320 Columbus Avenue (West 75th – 76th Street.) Renewal application DCA# 0738544 to the Department of Consumer Affairs by 320 Columbus Avenue, Inc., d/b/a Mughlai Indian Cuisine, for a two-year consent to operate an enclosed sidewalk café with 10 tables and 26 seats.
- 2161 Broadway (West 76th – 77th Street.) Renewal application DCA# 0917302 to the Department of Consumer Affairs by Broadway 76 Ltd., d/b/a Niko's Mediterranean Grill & Bistro, for a two-year consent to operate an enclosed sidewalk café with 15 tables and 30 seats.
- 477 Amsterdam Avenue (West 82nd – 83rd Street.) Renewal application DCA# 0885881 to the Department of Consumer Affairs by 83rd Amsterdam Restaurant Corp., d/b/a High-Life Bar & Grill, for a two-year consent to operate an enclosed sidewalk café with 6 tables and 16 seats.
- 2791 Broadway (West 107th – 108th Street.) Renewal application DCA# 0735569 to the Department of Consumer Affairs by Indian Food International, Inc., d/b/a Indian Cafe, for a two-year consent to operate an enclosed sidewalk café with 15 tables and 52 seats.

After deliberation, the resolution to approve the bundled enclosed sidewalk café applications was adopted.

VOTE: 28-8-2-0.

Land Use Committee

Richard Asche and Page Cowley, Co-Chairpersons

5. 2162-2166 Broadway, New York Sports Club (West 76th – 77th Streets.) Resolution to approve the Application 1016-86-BZ to the Board of Standards and Appeals by Opera Owners Inc. for a special permit to allow the continued operation of a physical culture establishment / health club. After deliberation, the resolution to approve was adopted.

VOTE: 35-0-2-0.

Joint with Parks and Preservation Committee

Klari Neuwelt and Lenore Norman, Co-Chairpersons

6. 161 West 78th Street (Columbus Avenue -Amsterdam Avenue.) Resolution to approve Application #C 100012 ZSM to the Department of City Planning by 161 West 78th Street, LLC for a special permit pursuant to Section 74-711 to permit the construction of a setback one-story rooftop addition.

Chair:

- Brownstone – underlying zoning would permit a rooftop addition. Sliver law prohibits.
- Addition not visible from the street.
- DoB denied permit because of Sliver law – change from previous practice.
- Applicant seeks variance from the Sliver Law per the 74-711 2-step process.
- LPC must approve maintenance plan that ensures extraordinary effort to maintain a protected structure in a first-rate condition, plus issue a certificate of appropriateness.
- City Planning must then approve with a finding that the change has a minimal adverse impact on the neighbors and the community.
- CB7's Parks & Preservation committee disapproved the application, finding the maintenance plan was not extraordinary or adequate, and that 74-711 was the wrong procedure for the relief sought.
- LPC approved application – both the maintenance plan and the CofA.
- Rooftop addition to be set back from front and rear.
- Shadow studies show only incremental impact on rear yard for portion of year.
- Resolution worded to convey that this approval should not be used as precedent.

Board Comments:

- 74-711 rarely used, to be used only to preserve extraordinary structures. Idea is that it allows a property owner to be able to get a benefit (height, bulk, change of use) in return for public contribution of an extraordinary plan to maintain a landmark or historic district building.
- Concern is that this could open the floodgates for applications to evade Sliver law, other issues.
- Fairly ordinary brownstone in a historic district.
- These applicants have been put through a bureaucratic ringer, since their application had been all but approved until Department of Buildings reevaluated based on a BSA Sliver Law decision.
- Serially increasing the height of brownstones is cumulatively problematic.
- Board should think positively about 74-711 process; owner commits to enhanced preservation.
- Impact on neighbors is about as minimal as could be.
- Petitions: 164 West 79th opposes; neighbors on West 78th support.
- This building is technically within its purview, but not what the Sliver Law intended.

Applicant: Michele Warman – Owner:

- Seeks rooftop addition as a home for parents.
- Huge expense, 8 public hearings – unlikely to open floodgates.
- Preservation commitments, as revised and presented to LPC, are extraordinary. Using original

brownstone materials from original quarry. Preservationist will inspect every 5 years to ensure it is kept in 1st class condition. Will be the nicest house on the block forever.

Anne Locke – AKRF (consultant to the Applicant):

- No Floodgates – difficult process, multiple hearings
- Obligations run in perpetuity with the land; subsequent owners must maintain.
- City Planning issued a negative declaration – no environmental effect.

John Torborg – Applicant's Architect:

- Restoration significantly upgrades the quality of the building – returns stone to original character.
- New brownstone for entrance will be taken from the original quarry.

The following neighbors expressed one or more of the following views:

John Nathanson – 164 West 79th Co-op; Beth Berns – 164 West 79th; Eric Canel – 164 West 79th Apt 2B;

- Too many penthouses additions already block views and light for building to the north.
- Addition will cut off light and air to 5th floor residents of 164 West 79th.
- Incremental encroachment should be stopped, cumulatively problematic.
- 30 apartments in back 164 West 79th will lose air and light.
- Loss of light and air is not a “minimal adverse impact.”
- Prior additions should not be precedent; community has developed over time a greater understanding of the importance of the character of donut spaces.

After deliberation, sections (a) and (b) of the resolution to approve the application were adopted.

VOTE: (a and b together) 29-6-1-0.

Parks & Preservation Committee

Klari Neuwelt and Lenore Norman, Co-Chairpersons

7. 123 West 69th Street (Columbus Avenue –Broadway.) Resolution to approve an application to the Landmarks Preservation Commission for façade restoration.

After deliberation, the resolution to approve the application was adopted.

VOTE: 28-1-0-0.

8. 100 West 72nd Street (Columbus-Amsterdam Avenue.) Resolution to approve an application to the Landmarks Preservation Commission for a roof-terrace.

After deliberation, the resolution to approve the application was adopted.

VOTE: 29-0-0-0.

9. 115 West 85th Street (Columbus Avenue.) Resolution to approve an application to the Landmarks Preservation Commission for a penthouse addition, a 2-story addition at rear yard, and an enlargement of the area-way at the street-front of the building.

After deliberation, the three resolutions to approve the application were adopted.

VOTE:

- a. as to the areaway garbage enclosure: VOTE: 28-0-0-0.
- b. as to the penthouse addition: VOTE: 30-1-0-0
- c. as to the rear yard addition: VOTE: 22-12-0-0.

10. 102 West 75th Street Apt #66 (Columbus-Amsterdam Avenue.) Resolution to approve an application to the Landmarks Preservation Commission for a window replacement.

After deliberation, the resolution to approve the application was adopted.

VOTE: 31-0-0-0.

Business & Consumer Issues Committee

Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

13. 429 Amsterdam Avenue (West 80th Street) Resolution to approve an application by 429 Amsterdam Ave LLC, d/b/a Taberna for a liquor license.

After deliberation, the resolution to approve the application was adopted.

VOTE: 32-0-0-0.

14. 226 West 79th Street (Broadway) Resolution to approve an application by Moo Life Corp, d/b/a Sunburnt Calf for a liquor license.

After deliberation, the resolution to approve the application was adopted.

VOTE: 32-0-0-0.

15. 160 Freedom Place (West 68th Street) Resolution to approve an application by Jonah Phillips 160 Restaurant Concepts LLC, d/b/a "To Be Determined" for a liquor license.

After deliberation, the resolution to approve the application was adopted.

VOTE: 32-0-0-0.

Proposed amendment to CB7's By-laws regarding public members. Vote will take place in December.

Members of the public may become public members of a committee (with the exception of the Steering Committee or Executive Committee) after attending at least three (3) meetings of that committee over the preceding twelve (12) months. Public member votes shall be recorded at each committee meeting and reported to the board separately from the votes of the committee board members and from the votes of the non-committee board members who may be present and voting. A committee action on a resolution is determined solely by the votes of the committee board members. Once a member of the public becomes a public member of a committee he/she shall be listed on the sign-in sheet in a section specifically designated for public members. Public members of committees shall not be entitled to vote at full Board meetings nor shall public members be entitled to speak when the full Board is in executive session.

Adjourned at 11:15 pm.

Present: Helen Rosenthal, Barbara Adler, Jay Adolf, Andrew Albert, Linda Alexander, Richard Asche, Louis Cholden-Brown, Hope Cohen, Ken Coughlin, Mark Diller, Miki Fiegel, Sheldon J. Fine, Paul Fischer, Marc Glazer, Victor Gonzalez, Molly Gordy, Phyllis E. Gunther, Robert Herrmann, Lawrence Horowitz, Ulma Jones, Bobbie Katzander, Barbara Keleman, Blanche E. Lawton, Judith Matos, Daniel Meltzer, Lillian Moore, Klari Neuwelt, Lenore Norman, Gabrielle Palitz, Michele Parker, Oscar Ríos, Madge Rosenberg, Roberta Semer, Charles Simon, Elizabeth Starkey, Barbara Van Buren, Thomas Vitullo-Martin, Cara Volpe, MelWymore, George Zeppenfeldt-Cestero and Dan Zweig. On-Leave: Alberto Cruz Absent: Page Cowley, Rosa Gonzalez, Sharon Parker-Frazier, Anne Raphael, Ethel Sheffer and John Mark Warren.

Steering Committee Minutes Monday, October 05, 2009

The Steering Committee of Community Board 7/Manhattan met on Monday, October 5, 2009 at the Board offices, 250 West 87th Street, New York, NY. The following topics were discussed.

1. Riverside South/Riverside Center

- Consultants have prepared draft reports on housing, traffic, parking, bulk & density, other topics.
- Ethel coordinated with experts; reports will be available to members of the RSS Working Group in advance of October 27th meeting.

- Reports to be presented at Working Group meeting on October 27th.
- Reports analyze the RSC proposal using City Planning's own criteria for good urban planning.
- Common themes among our experts' reports and those of other interested groups.
- Time for Board to articulate (with back-up) community's views on proposed project.
- Intend to send our experts' reports to City Planning and Extell.

2. JHL Proposed Land Swap Update

- Electeds want to move quickly on rezoning. Melissa Mark-Viverito intends to apply for rezoning of 106th Street property immediately.
 - Other electeds, including Borough President Scott Stringer, Assembly Member Daniel O'Donnell, Council Member Melissa Mark Viverito, Senator Bill Perkins met to coordinate.
 - Next step - City Council Land Use Committee must vote to approve initiation of rezoning.
 - CB7 (through WSSFSH) has hired an attorney to review the documentation proposed by JHL.
 - Given delay before rezoning can be completed under any scenario, still makes sense to enter into a Restrictive Declaration of the type JHL proposed.
 - No contract has been signed between JHL and the Chetrit organization.
 - State has denied JHL's application for HEAL funding.
 - JHL opposes rezoning now because if the Chetrit deal evaporates, it would need to apply for a BSA variance to stay at 106th Street and build taller than R8A/B (reason for original exemption).
- Paul Bunton – Westsiders for Responsible Development (PWV based):
- HEAL funding denial was a tactic by electeds to influence outcome of proposal.

3. Protected Bike Lane Resolution

- Resolution about protected bike lanes adopted at Transportation Committee
- Some concern have surfaced since the meeting about the language of the resolution, particularly whether the request to the Department of Transportation for a proposal for protected bike lanes on the Upper West Side should specify Amsterdam and Columbus Avenues.
- Proposal would be for "class 1" protected bike lanes – either bollards and/or using parked cars to separate bikers from traffic. Would include dedicated turning lanes for traffic (eliminate a few parking spaces every two blocks or so).
- Chair believes that the Steering discussion should focus on process.

Comments in Support of Protected Bike Lanes included the following:

- Community Boards 4 and 5 initially opposed, but after living with them now support them.
- Bikers' violation of traffic laws should be addressed first; Pedestrians fear bikes more than cars.
- Functions like a curb extension; protected place for pedestrians to pause while crossing streets.
- Not immutable; 9th Avenue bike lanes were modified after experience.
- Testimony from other areas which now have protected bike lanes showed not only fewer car vs. bike accidents, but fewer accidents with pedestrians.
- Separate bike lanes engenders better behavior by bicyclists. DoT survey on 9th Avenue showed 80% reduction of bikes on sidewalks.
- More people will ride bikes with protected lanes – green solution to transportation.
- Columbus Avenue BID supports protected bike lanes.

Concerns Regarding Class 1 Bike Lanes on Amsterdam and Columbus included the following:

- Bike behavior can be scary at present – speed.

Concerns Regarding Process included the following:

- The redesign of key traffic arteries is a major undertaking for our community. CB7 should hold a

series of meetings and consult with experts before committing to one solution over all others.

- Meeting at which the resolution was adopted was not billed or advertised widely as a public hearing should not be the sole basis for such a resolution.
- Agenda item for Transportation meeting was a discussion of bike lanes, not a particular route.
- A lot of research and planning has already been amassed, e.g. Columbus Ave BID survey). Also Bicycle Renaissance survey, which supports protected bike lanes on Broadway.
- Bike lanes have appeared without any consultation with CB or anyone else (including 76th Street), or have been presented as a fait accompli (as on CPW).
- Process – Steering should not withhold from Full Board a resolution adopted by Transportation.
- Steering should not re-write resolutions adopted by a committee.
- Committee should determine what resolution to present, even if there is disagreement within the committee as to whether the resolution conforms with the discussion and the vote.
- Committee discussed the installation of a protected lane as a trial.
- Next step: ask DoT to make a detailed proposal for protected bike lanes.
- Open question – impact on business, parking, traffic (especially on truck routes). Should address with real-life examples.
- City Planning seeks bike lanes to loop Manhattan.
- Asking DoT for a detailed proposal makes sense.

Alternative Language Considered – may be proposed at the Full Board:

- “CB7 supports the DoT’s initiative to create protected bike lanes and requests that DoT prepare a proposal for class 1 protected bike lanes on Amsterdam Avenue and Columbus Avenue (including information on projected impacts on business, bike safety, pedestrian safety, parking, truck traffic etc.) that would be subject to review and comment by Community Board 7.”

Result: Steering will not vote on this matter, and encourages Transportation to discuss how to present at Full Board, including whether to offer the new language as an amendment.

- Transportation Alternatives is expected to have a strong turnout for the meeting. Need to manage the meeting (in a small room) to ensure all are heard fairly.

4. DoT Presentation on Traffic Study

- DoT made a detailed presentation at John Jay College.
- Summary available on DoT website.

5. New State Liquor Authority Chair

- Identified new chair and changes expected.

6. Park West Village Labor Dispute:

- Subgroup from Steering (Chair Helen Rosenthal, Shelley Fine, Mark Diller, and Penny Ryan) met separately with Labor and Management.
- Given the stage of the project, it is too late for the developer to switch back to using a union shop even if there were a will to do so – would halt the jobs for at least a month.
- Concern that a resolution supporting the payment of prevailing union wages and benefits would alienate a developer with whom CB7 will need to further negotiate going forward.
- Board has and should speak up on social justice issues.
- Two other community boards have spoken up about similar changes abandoning union shops.
- Impact of switch to non-union shop felt in denial of medical benefits, which is topical.
- Safety is another legitimate concern of community boards. Mixed evidence on impact of switch at PWV, but CB7 clearly in its rights to raise the question.
- No material violations or accidents at the worksite since the switch.

- Given other wage/benefit issues in our District, our resolution should not be limited to PWV.
- Disagreement as to whether particular wage/benefit issues are properly within CB7's purview.

Result: No resolution presented on PWV; may consider a future, broader resolution.

7. Chabad Project Update

- LPC approved a revised version of the rear yard plan that was presented to CB7.
- CB7 will not see or have the opportunity to comment on the revised plan.
- May come before City Council.
- Penny Ryan will convene a neighborhood construction committee if neighbors want.
- CB7 will use the Chabad result as an example of how its resolutions are considered by agencies.

8. Revision of By-laws re Public Members

- Language changed to meet latest concerns; available on CB7 website.
- Thanks to Klari Neuwelt and Tom Vitulla Martin for their effort.

9. CB1/CB7 Partnership

- Example of Youth & Education committees – Speaker Silver's influence on greater attention paid to CB1 efforts is the manifest difference between CB1 and CB7.

10. Community Boards in the 21st Century

- Charter revision preparation under Mayor's appointment. Website under development.
- Community Affairs Unit has stated that Mayor does not want to do away with CBs.
- Object is to strengthen and get better funding.

Present: Helen Rosenthal, Page Cowley, Mark Diller, Miki Fiegel, Klari Neuwelt, Lenore Norman, Madge Rosenberg, Charles Simon, Elizabeth Starkey and Barbara Van Buren. Board Member: Louis Cholden-Brown. On-Leave: Alberto Cruz. Absent: Barbara Adler, Andrew Albert, Richard Asche, Lindsey Boylan, Sheldon Fine, Victor Gonzalez, Bob Herrmann, Michelle Parker, MelWymore, George Zeppenfeldt-Cestero and Dan Zweig.

Parks & Preservation Committee Meeting Minutes **Klari Neuwelt and Lenore Norman, Co-Chairpersons** **October 8, 2009**

1. 59 West 71st Street (Central Park West-Columbus Avenue.) Application to the Landmarks Preservation Commission for a horizontal enlargement at the 10th (top) floor.

Arpad Baksa, architect, presented the project. The scope of the project is the enlargement of an existing penthouse addition on the tenth floor. The proposal is to extend the existing space to the rear (north). The total additional square footage is 250 sf. Of this, 30 sf would be added on the eastern side of the existing penthouse and will not be visible from any public way. The remaining 220 sf addition will be added to the west of the existing penthouse.

The architect showed numerous photos taken from street level at various vantage points. There are two locations where this addition (mocked up for the photos) is partially visible from the street:

--From the south side of 71st Street between Columbus and Broadway/ Amsterdam, looking east, beginning 125 feet west of Columbus and extending 150 feet to the west

--From the west side of Columbus Avenue, looking north, beginning 25 feet south of 71st Street and extending south to 70th Street.

The cladding material of the addition would be the same as was used in the existing penthouse structure, i.e. corrugated brown anodized aluminum sheathing. The height of the new addition would continue the 10 foot height of the existing addition.

The committee generally felt the addition was only marginally visible from the street, in effect “de minimus”.

Two neighbors spoke:

1. Klaus Bedelson, 48 West 71st Street resident, wondered if an addition that is at all visible from the public way is permitted in a Landmark District. Committee members clarified that it may be, determined on a case by case basis.
2. Nina Numans, 56 West 71st Street resident, felt the description on the Public Notice (as described in agenda item listing, above) was inadequate. Committee members explained felt that while it was very brief, it did accurately describe the scope of work proposed.

LPC hearing scheduled for October 20.

Resolution to APPROVE: 4-1-0-0

2. **20, 22, 24, 26 28 and 30 West 94th Street**, Columbia Grammar and Preparatory School (Central Park West-Columbus Avenue.) Application to the Landmarks Preservation Commission for a 5-story a glass-enclosed addition behind the existing brownstones and a 1-story rooftop addition. Peter Samton of Gruzen Samton Architects presented the changes to the design of the rear façade which had been made in response to comments from the Parks and Preservation Committee and members of the public at last month’s Parks and Preservation Committee meeting, and also at the town hall meeting with the neighbors held on Sept. 23 at the School. Howard S. Weiss, Attorney of Davidoff Malito & Hutchen, LLP provided supplementary information as Land Use Counsel for Columbia Grammar School.

The issues addressed in the presentation included:

- Expanded investigation of sight lines
 - Introduction of greenery (in response to last month’s suggestion of incorporating a “greenwall” in the design.)
 - Introduction of ventilating glass sections within the new glass wall of the rear-yard addition.
 - Materials
 - Light emanating from the new glass enclosed structure
 - Air conditioning equipment – its placement, visibility, and noise generated.
- Expanded investigation of sight lines. The architect demonstrated through numerous views along the north side of 94th Street, looking east from vantage points west of 26 W. 94th St. that the rooftop addition would not be visible from street level. He asserted that looking west from vantage points east of 22 W. 94th St. the penthouse structure would similarly not be visible. When standing closer to the three central brownstones on which the addition will sit, their tall cornices mask the new structure. Further away from these brownstones, the taller cornices of the attached school brownstones (20 and 28 West 94th St.) mask the penthouse addition.

--Introduction of ventilating glass sections within the new glass wall of the rear-yard addition. This has changed the subdivision and articulation of the glass panes in the new rear façade. The previous design showed equal-sized fixed glass panes, butt-jointed (similar in appearance to the glass façade at the American Bible Society structure). In the new design, there are alternating vertical strips of wider fixed-glass panes and narrower, operable glass panes. These glass panes

now appear to be set within some kind of metal (?) framework. The operable (ventilating) units open out 3"-4" max. for safety reasons. The architect explained that the glass would not be clear but "fritted" in order to help control heat gain through the glass of this south-facing facade as well as to reduce the amount of artificial light emitted from within. The operable windows would also allow for natural ventilation of the glass corridor space in the fall and spring months, reducing the need for air conditioning at those times of the year. A discussion of concerns about the air conditioning units developed – see below.

--Introduction of greenery. Two areas for exterior seasonal plantings are now proposed. These would be located in the two stacks of balconies constructed within the recesses separating the central glass enclosure from the two new enclosed stair structures at the east and west ends of the addition. In addition, year-round greenery would be introduced inside the addition. Here, plants would be trained to grow up the thin metal screens which function as railings for each of the stories of the addition, since the floor structure will be held a short distance away from the rear glass enclosure wall. Mr. Samton said that this solution (plantings growing up a thin mesh screen) could be seen at Chelsea Piers, at the end of 23rd Street.

--Some proposed materials (specifically, glass type and metal railing were discussed), but no samples were shown.

--Air conditioning equipment – its placement, visibility, and the noise generated.

The rooftop plan shows 12 central air conditioning units, which will replace the 30-40 window units throughout the building. Six will be located on the roof surface in front of the rooftop addition at 22, 24 and 26 West 94th Street. There will also be two units on each of the existing roofs of 20, 28 and 30 West 94th Street. These roofs are one story higher than roof surface in front of the rooftop addition. In response to the neighbors' concern about the noise of the air conditioning units, the School has hired an acoustical consultant to address these issues. The architect showed preliminary sketches demonstrating the two methods for controlling sound around mechanical equipment: acoustical wall barriers around the units, and spiral duct silencers around the fans at the top of the units. The committee and the neighbors raised concerns about the visibility of these noise-control elements. Because this issue has just begun to be studied, Mr. Weiss said that the applicant would return next month when they could present a developed noise-control solution plan as well as specific unit placement and visibility studies. They will not present to Landmarks in the interim.

Community comments:

1. Carol Gould, 333 Central Park West (CPW) resident, ground floor rear-facing apt.

--Will the top of the new glass-enclosed eastern stair be visible from the street? Mr. Samton showed a photo of the existing exterior metal eastern stair (which runs north-south, vs. the new enclosed stair which runs east-west) and said that the height to the top of the new stair enclosure structure is the same as the height of the existing stair structure. He pointed out that the new stair roof angles down, so there is less new full-height stair roof than existing.

--She also pointed out that one of the two existing large "old-growth" trees will be removed by the new construction.

--Will the parapet at the front of 22, 24 and 26 West 94th St. mask the a.c. units? (Mr. Samton thought it would.)

--She showed several photos of the brick details in some of the rear façade brickwork that will be masked once the new glass wall is added.

2. Phyllis Sterno, 333 CPW resident since 1956, and member of 'Columbia Grammar School Exploratory Task Force' (CGSETF) group, representing residents bordering on the School, including owners and renters.

She read a letter from CGSETF requesting postponement of any decisions until further study and work can occur addressing their major concerns:

- i. Impact of the new rear yard addition on the "donut".
- ii. Potential destruction of the historic character of the row houses and the block.
- iii. Increased noise from the 12 new rooftop a.c. units, assuming they are run year-round, all day long, and into the night.
- iv. Noise, heat and light reflecting/ echoing off the new glass construction
- v. Increased pollution on 94th Street from idling cars, busses, etc from increased school enrollment.
- vi. Light pollution from the emergency exit signs which must remain illuminated all night long
- vii. Negative environmental impacts, for example from the removal of one or more existing trees; from the increased energy usage.

Ms. Sterno expressed concern that there had been inadequate notice given. Lenore Norman reminded everyone that there had been an informational presentation at the July Parks and Preservation Committee meeting (although not well-publicized) followed by two meetings in September (Parks and Preservation and town hall meetings, both well-attended) so adequate notice appears to have been given.

3. Steven Abrams, 33 West 93rd St. resident ("9G cooperative" building) – located across the courtyard from CGS

He shares all concerns previously expressed, especially regarding the effect the glass wall will have on the "donut". He feels the glass wall is out of character with the neighborhood. He is also concerned that there will be an extended use of the a.c. systems (says he is currently not bothered by or even aware of noise from the window a.c. units when they are on).

He said that the 9/23 town hall meeting was primarily a presentation (approx. 1 hour) by the architects, with inadequate time for questions and answers, discussion.

4. Daniel Messing, 336 CPW resident, apt. 8E

Raised concern about the scale of the glass wall when seen/ perceived in the back yards. Renderings show it as a whole as if viewed from a further distance than it will be possible to be at. He asked that the architects produce a rendering to more accurately reflect how the glass wall will be seen from the actual backyards and building rear facades within the "donut". He also expressed concerns about the increased noise and heat from the glass, the noise from the a.c. units.

5. Stacy Fredericks, 33 West 93rd St. resident.

If children need air and light and space, why not go to a new space (such as what's being constructed at 97th and Columbus/ Park West Village)?

6. Vincent Krupins, 333 CPW resident.

He hadn't been to any prior meetings, but feels the architects are unprepared today, that nothing is specific in their proposal, which doesn't give him much confidence in them. Examples of "greenwalls" shown are not relevant to this project. Regarding lighting – he assumes the school will turn out the lights at night, but for a good part of the school year, the lights will be on in the new addition from 4 pm until the end of the school clean-up day, which will destroy the peace in the area.

Mr. Weiss said that a great deal of what was presented was precise, that the only aspect of the presentation that was in a preliminary form was related to the a.c. units, which was why the

architects would return next month, once the acoustical engineer had developed this aspect of the project.

A question was raised about why the glass wall solution was “appropriate” in a historic district. Mr. Weiss said that the architects had worked for 8 months with LPC staff before their preliminary presentation at the July Parks and Preservation Committee meeting. LPC staff had supported the glass-wall solution as appropriate as it would allow the original brick facades, restored and preserved, to be visible through the new glass wall.

Mr. Samton added that if instead a new masonry rear façade was constructed with large window openings (to continue to admit the maximum amount of light possible into the classrooms – an important goal) a similar effect on the donut would result. He also reminded the group that one of the purposes of the project was to enclose the exterior circulation between the different school spaces, and to improve egress and life safety (the reason for the two new enclosed fire stairs)

7. Klaus Bedelson, 48 West 71st Street resident

He asked whether there were other instances where an addition with a glass wall had been permitted in a rear yard addition in a historic district? Mark Diller explained that the zoning permitted rear yard additions such as this, and that glass wall designs were not excluded from the range of possibilities of these additions. (Case by case evaluation).

8. Marty Berrelich, 336 CPW resident 11th floor.

She is concerned with noise and visibility of a.c. units as two of her windows will overlook the rooftops.

However, she has a larger concern as an educator. She asserted that the process of education should be “private”. However, the glass wall makes the students’ activities within the addition very public, visible to all the neighbors. Also, at night, there will be a glass “fish bowl” of school activity. ‘It may be right for the school, but it is not right for the neighborhood.’

Mr. Samton reminded the group that the glass would be “fritted”, not completely clear. This is needed for thermal control. It will also limit the visibility into the addition

9. Jonathan Schindell, 336 CPW resident.

His kids went to camp at CGS, he’s been in the buildings; he was able to circulate between the brownstones without walking outside.

Regarding the use of “fritted” glass – if it limits the visibility into the addition, will the original brick facades still be visible, which was the intent of the LPC staff in supporting the glass wall solution. He suggested that if the new rear facade had less glass, it would help address the heat and light concerns, and possibly reduce air conditioning usage.

10. Ann Seltzer, 336 CPW resident.

She urged the Parks and Preservation Committee members to visit the site – view it from inside the donut, from the School and from the neighboring buildings, especially since much of the ‘charm and greenery of the space’ isn’t visible from the photos. Carol Gould will send contact info to Penny Ryan so the committee can arrange a site visit.

Committee discussion about process:

--Should parts of the project be voted on at this meeting, or should the committee wait until next month’s meeting, when the applicant will be returning with more developed and complete information about the a.c. issues.

The committee decided it was preferable to put off any resolution about the project until next month in order to then have:

--More developed a.c. information

--Material samples, color chips, etc. (missing from tonight's or any preceding presentation)

--Additional information about the lighting within the addition.

In addition, since tonight's meeting was only attended by half the Parks and Preservation Committee members (in part owing to a conflicting meeting re. the Riverside South project), a larger percent of this committee would be present next month to review and vote on the more fully developed project.

The committee suggested that discussions should continue between the School and the neighbors, their task force(s) in the interim.

Before the November meeting, the committee will visit the site.

3. Committee priorities for the FY2011 NYC budget.

Lenore Norman reported that she, Klari Neuwelt and Penny Ryan were meeting with the Parks Dept. representative on October 19. In order to take into account the items and priorities of the Parks Dept. the discussion about the budget and Parks and Preservation Committee priorities will be put off until after that meeting.

Committee concerns about Riverside Park:

--replanting trees to replace those lost in the past two years' wind storms.

--making sure plans for all playground renovations continue.

The meeting concluded a little after 9 pm.

Minutes prepared by Gabrielle Palitz

October 9, 2009, edited October 16, 2009

Present: Lenore Norman, Co-Chairperson; Jay Adolf, Mark Diller, Blanche Lawton, Gabrielle Palitz, Mel Wymore. Absent: Molly Gordy, Phyllis Gunther, Klari Neuwelt.

Transportation Committee Meeting Minutes Andrew Albert and Dan Zweig, Co-Chairpersons October 13, 2009

1. 359 Columbus Avenue, Renewal Application DCA#0953473 for a two-year consent to operate an unenclosed sidewalk café with 28 tables and 74 seats.

Anthony Crawford, General Manager, representing the restaurant.

No changes to existing unenclosed sidewalk café.

Community Board 7 Approves 6-0-0-0; 1-0-0-0

2. 417 Amsterdam Avenue, Renewal Application DCA#0920109 by Gilli, Inc. d/b/a Al Dente for a two year consent to operate an unenclosed sidewalk café with 10 tables/19 seats.

Mona Villicana, owner, presented. Said she put the notices up in the window and around the area.

Community Board 7 Approves 9-1-0-0; 3-0-1-0

3. 355 Amsterdam Avenue (West 77th Street) Renewal Application DCA#1246104 by DLS Chicken Corp. d/b/a Chirping Chicken, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 32 seats.

Kathleen Stathopoulos, attorney, and Dimitri Pappas, owner, representing the restaurant.

Discussion of correct bicycle delivery staff comportment. Mr. Pappas said he had eliminated 10 bicycles and there are 18 remaining. Delivery by foot extends six blocks. He also eliminated the parked bicycles on the north side of the street. Anne Raphael said that she feels the restaurant should give up two tables on the 77th Street side. Lisa Carr, neighbor, testified she loved it and she likes having them there and it's an improvement to the bars that were the original tenants. She also pointed out that they are generous to the school.

Whereas there have been many complaints regarding bicycle storage and operation; and the owner has stated that bicycles have been removed and he is focusing on safety; and whereas CB7 reserves the right to file a complaint if all of these conditions are not met, including no storage of bicycles on the north side of 77th Street.

Community Board 7 Approves the renewal of an unenclosed café. 8-2-0-0; 3-2-1-0

4. Request for a secondary naming of the northwest corner of CPW and West 72nd Street in honor of John Lennon.

Antoinette Diffley presented a letter from Yoko Ono.

Peter Nitze, who is on the board of directors of the Dakota, responded that although he knew the Lennons and read a letter from the president of the board to the effect that they strongly disapprove of the idea of changing the name of the street for security reasons. He said the addition of another sign would exacerbate the existing problem, and said, "In the name of safety, security and privacy, we ask that the committee reject this application."

Jan Levy, who lives in the Majestic read a letter from the president of the board of directors of that building, Susan Cassidy, which supported the Dakota board's request for rejection of the application.

John Isabella, Jr. a visitor from Westchester and a friend of Ms. Diffley's, offered his support of the request. Peter Sternberg, a resident and board member of the Dakota, said the additional feature would attract more people. Batia Lewtin supported the residents of the two affected buildings. Robert Josman, an UWS resident, asked DOT if the signs would be stolen. The Committee was torn.

Whereas the memory John Lennon is honored daily across the street from his former residence in Central Park's Strawberry Fields and at the Imagine mosaic, and although CB7 celebrates this cultural icon and is proud he chose to live on the UWS, in deference to the residents of the Dakota and Majestic who have expressed their abject opposition to the secondary street naming, Community Board Disapproves motion.

10-0-0-0; 4-0-0-0

5. Preliminary discussion of the routing of the M72, M5 and M66 bus lines after the opening of the West 72nd Street connection between Riverside Drive and Riverside Boulevard.

Batya Leuten said it was imperative that the bus routes continue to WEA to service the seniors.

Randy Vaughan, a resident of the area, said the double bus lines would better serve the massive numbers of people. Lillian Moore, who also lives in the neighborhood, concurred that the extra bus services was needed.

6. Application #1333419 to the DCA by Mohammed T. Hossain to construct and operate a newsstand at the southeast corner of Broadway and West 62nd Street.

Applicant was absent.

7. Application #1329759 to the DCA by Mohammed Arshad Mia to construct and operate a newsstand at the northeast corner of Columbus Avenue and West 65th Street. Community Board 7 agrees to defer voting until next month's meeting to determine clearance between planters and legality of having a newsstand in front of a house of worship (Church of the Latter Day Saints).

8. Planning of survey of parking meter poles on Columbus Avenue between West 67th and 86th Streets and Amsterdam Avenue between West 60th and 86th Streets that can be reused as bike racks and outreach to affected businesses. The Columbus Avenue BID and Lincoln Square BID will submit recommendations for their areas. Survey was divided up to the following committee

members.

9. Committee Priorities for the FY2011 NYC Budget. Holding over for next month.

10. New Business.

Present: Andrew Albert, Dan Zweig, Linda Alexander, Ken Coughlin, Paul Fischer, Marc Glazer, Ulma Jones, Lillian Moore, Anne Raphael, Oscar Rios and Roberta Semer. Absent: Bobbie Katzander, Barbara Keleman and Blanche E. Lawton.

Housing Committee Meeting Minutes
Victor Gonzalez and Charles Simon, Co-Chairpersons
October 19, 2009
DeHostos Community Center

The meeting was called to order at 7:15 P.M.

The first speaker was NYCHA Commissioner Margarita Lopez. Ms. Lopez is the first Environmental Coordinator in NYCHA. The New York City Housing Authority also began partnering with agencies such as The Clinton Climate Control Initiative, HSBC, New York Restoration Project, Con Edison and that's just to name a few.

Ms. Lopez gave a detailed report and update about the Green Initiative. Although there is a Green Initiative in New York, she gave the NYCHA component of that very same NYC Green Initiative. The background that she provided is: NYCHA owns over 2,494 acres of land citywide, with 2,608 residential buildings in 338 developments. NYCHA's portfolio consumes more than 175 million therms of heating fuel and 1.2 billion kilowatt hours of electricity every year. And third, in 2008 utility expenditures totaled \$523 million and that was the Agency's second largest expense. The purpose of becoming more energy efficient is so that NYCHA can become a leader among landlords to advance the city's strategy to reduce greenhouse gas emissions. Preserve natural resources through conservation, reduce energy and fuel consumption through efficiency, thereby reducing operating costs. The ultimate goal is to preserve public housing for future generations.

The following steps have already been taken: Replacing aging domestic hot water tanks with energy-efficient, instantaneous-steam water heater devices at the developments. To date, over 500 have been installed. Upgrading lighting in apartments and common areas will reduce NYCHA's overall electricity consumption by 15%. They ultimately will install more than 1.3 million CFL bulbs in the apartments. Also, they are rehabilitating central heating plants serving 27 NYCHA developments that are well beyond their useful life. Currently, NYCHA is pursuing solar power, hydraulic power as well as turbines which is clean renewable energy. A by-product of all of this new technology is the creation of jobs for NYCHA residents. This may or may not fuel the economy. This concluded her presentation. Before fielding questions she introduced Cristiana Fragola who is her Deputy Director of Strategic Initiatives from the Office of Strategic Planning & Change Management. Ms. Fragola explained about a process by which gas emissions can be regulated. It is called cap and trade and basically you are given a certain amount of emissions that you can use and if you go over your quota you have to pay a tax, thereby regulating excessive use. After the Q and A Ms. Lopez departed.

At 8:50 P.M. Alan Biller, the Urban MBPO Community Planning Fellow was introduced and gave his statement purpose. Mr. Biller intends to create a database of existing affordable housing in Community Board 7, for general use by the community board in order to keep track of affordable housing within the district. He will also examine the impact of the units that have been lost in recent

years and these data will help build strategies to prevent further loss. He then outlined his tasks and methods, deliverables and the affordable housing types to be considered. After a Q and A session, the meeting adjourned at 9:30 P.M.

Present: Victor Gonzalez, Lillian Moore, Sharon Parker-Frazier and Barbara Van Buren. Board Member: Ken Coughlin. Absent: Rosa Gonzalez. Public: Councilmember Gale A. Brewer.

Health and Human Services Committee
Barbara Van Buren and Madge Rosenberg, Co-Chairpersons
&
Business and Consumer Issues Committee
Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons
Meeting Minutes October 21, 2009

The first part of the meeting addressed the request from the Borough Board to support their Draft Resolution supporting City Council Intro #1059 concerning the Provision of Paid Sick Time Earned by Employees.

The Co-Chair of the Business Committee submitted a statement from the 5 Boro Chamber Alliance which stated their concerns about the resolution. (Attached) They felt it was an unfair imposition on employers.

Shulamit Warren, Chief of Staff for Gale Brewer, responded to the issues raised, and shared their discussions with the Upper West Side Chamber of Commerce, and various business groups in the community who supported the Council Resolution. It was pointed out that there would be a public hearing in November on the pending resolution at which everyone will be able to present their views to the City Council before a final vote.

As there were no further concerns about the Borough Board's resolution it was agreed to recommend CB7 support, recognizing that there might be further changes in the City Council resolution

Resolution: CB 7 is urged to support the Draft Resolution of the Manhattan Borough Board on the Provision of Paid Sick Time Earned by employees. (Attached)

Joint Committee Members: 6-0-0-0

Public Members 5-0-0-0

The second item on the agenda was Budget Priorities for Fiscal Year '11.

Agency leaders had been invited to the meeting to share their concerns. There were representatives from Goddard Riverside, Lincoln Square Neighborhood Center, Ryan Health Center, Senior Programs, supportive housing, West Side Campaign Against Hunger, and the Columbus-Amsterdam Bid.

Agencies were all concerned about the increasing need for services and the increasing lack of resources to fund them. Cutbacks in services to the elderly; lack of programs to involve teen-age youth; increasing reduction in available affordable housing as well as increased attempts by landlords to evict people living in exiting affordable housing; the isolation of many of the elderly; the problems in DFTA's new meals-on-wheels program, and the increasing number of people short of money for food, reflected in rising numbers of clients at food pantries and soup kitchens.

The group felt dissatisfied with being asked to give the City lists of services they knew were likely to be turned down. And they questioned the wisdom of giving specific items instead of a holistic picture of the needs of the community. They talked of an agency which disappeared some years ago, The

West Side Interagency Council, and wondered if something like that needed to be revitalized, to do comprehensive planning for the community. The group was interested in exploring that possibility, and it was agreed that a meeting would be set to discuss the issue. Stephanie and Peter will work with Board Members on an agenda and date.

The Committee Chairs will draw up the Budget Priorities requested by the City based on the concerns brought by the group tonight.

Meeting was adjourned.

Present: Madge Rosenberg, Judith Matos and Daniel Meltzer. Board Members: Anne Raphael and George Zeppenfeldt-Cestero. Absent: Miki Fiegel, Barbara Keleman and Barbara Van Buren.

DRAFT MANHATTAN BOROUGH BOARD RESOLUTION IN SUPPORT OF CITY COUNCIL INTRO 1059

WHEREAS, Council Member Gale Brewer has introduced, with the co-sponsorship of the Public Advocate (Ms. Gotbaum) and Council Members Avella, Lappin, Palma, Weprin, Mendez, Nelson, James, Gerson, Jackson, Mark-Viverito, Sears, Gioia, Gentile, Yassky, Liu, Vann, Ferreras, Gennaro, Katz, Mitchell, Seabrook, White Jr., Mealy, Barron, Garodnick, Gonzalez, Koppell, Reyna, Crowley, Eugene, Recchia Jr., de Blasio, Foster, Sanders Jr., Comrie, Rivera and Ulrich, City Council Intro 1059 to amend the administrative code of the city of New York, in relation to the provision of paid sick time earned by employees; and

WHEREAS, a sizeable number of workers in New York City are not entitled to any paid sick time to care for their own health (mental and physical) needs or the health needs of members of their families or the need for safety in domestic violence situations; and

WHEREAS, public health is an increasing concern for both the city and nation, in light of the outbreak of the H1N1 virus; and

WHEREAS, the Public Health Association of New York, a growing list of leading physicians, President Obama, and Mayor Bloomberg have endorsed paid sick days, noting their scope for having a positive effect on public health; and

WHEREAS, paid sick leave would allow parents to keep sick children and themselves out of high traffic areas such as mass transportation systems and schools; and

WHEREAS, providing time for domestic violence victims to go to court or to relocate to safety has a positive effect on the ability of victims to protect themselves and is important for the public health and safety of the City; and

WHEREAS, paid sick leave reduces low productivity in the workforce; and

WHEREAS, paid sick leave is affordable and good for business; and

WHEREAS, Intro 1059 would positively affect close to 1 million employees, many of whom are low income workers, as estimated by the Community Service Society of New York and the Institute for Women's Policy Research; and

WHEREAS, Intro 1059 would guarantee that all private sector workers in New York City can earn some paid sick time, specifically one hour of sick time for every thirty hours worked; and

WHEREAS, Intro 1059 is part of a growing movement in American cities such as San Francisco, Washington DC, and Milwaukee, which have implemented mandatory paid sick leave in the private sector successfully and with no ill effects on the economy; and

THEREFORE, BE IT RESOLVED that the Manhattan Borough Board supports the passage of Intro 1059 and urges its City Council members to vote in favor of such bill should it come before them for a vote.

October 28, 2009 7:00PM

1. New Green Initiatives from Con Edison. Pat Richardi, from the ConEd Public Affairs Dept., spoke about new initiatives, including an award of federal “stimulus” funds to upgrade the Smart Grid serving NYC and Orange and Rockland Counties. Green initiatives of interest to UWS residents include Con Ed’s the “Power of Green” program. This program offers financial incentives to owners of 1-4 family homes for installing eligible energy-efficient heating and air-conditioning systems. Another program offers free energy survey, upgrades and up to 70% financial incentive for major equipment upgrades to small businesses. More information is available on the Con Ed website: [conEd.com/energy efficiency](http://conEd.com/energy%20efficiency) or call 1-877-870-6118.

2. Report on the Copenhagen Conference on Climate Change. Moisha Blechman from the Sierra Club spoke about the implications of global warming and the opportunities offered by the upcoming UN Conference on Climate Change in Copenhagen in December 2009. Given the inability of Congress to agree on legislation that sets binding targets on greenhouse gas emission in the USA, it seems unlikely that a global agreement to address the climate crisis will emerge from the Conference. The 1997 Kyoto Protocol was never ratified by USA. The world’s most developed economies recently adopted a goal of keeping temperature increases below 2 degrees Fahrenheit, without specifying how to reach the goal or how to enforce it.

3. Natural Gas Drilling in the NYC Watershed. Dr. Stephen Corson from Manhattan Boro President’s office described hydraulic fracturing, the environmentally dangerous method of extracting natural gas from the Marcellus Shale formation within the NYC upstate watershed. Water, laced with chemicals, is pumped at high pressure into the rock formations and results in the release of natural gas. Unfortunately, the process poses a serious risk of contamination to the watershed which provides unfiltered water to nine million people in NYC. A public hearing on the NYS DEC proposed regulations which would permit the drilling will be held on November 10, 2009 at Stuyvesant HS. The Committee will distribute letters to Governor Paterson for signature by members of the public at the full board meeting.

Present: Mel Wymore, Elizabeth Starkey and Ken Coughlin. Absent: Hope Cohen, Phyllis Gunther and Judith Matos. Public Members: Paul Reale and Olive Freud.

MCB7 DISTRICT SERVICE CABINET MEETING MINUTES

Penny Ryan, District Manager

Wednesday, October 28, 2009

9:30-11:00 AM

Welcome to Chris Hancock, Superintendent, Manhattan #7 West, DSNY.

Follow-up Reports:

- **West-Park Presbyterian Church** and homeless encampment – Joselinne Minaya and Lolita Jackson.

Met with the pastor and elders of the church. They approved the installation of a barrier around church steps. After the install, an affidavit will be issued permitting the removal of homeless on the stairs. Church will post a no loitering sign during and after installation.

Will meet with Goddard and CB7 to help resolve homeless issue.

Goddard has permanently housed several people from the stairs.

- **Broadway Mall benches** – Mark Vaccaro.

Six-foot benches will get armrests by the Spring.

- **Non-permitted bike vendors** in and around Columbus Circle – Lolita Jackson.

Two meetings were held with the precincts.

There will be coordinated enforcement by three precincts so vendors cannot run to adjacent precincts during enforcement.

Increase number of bikes that can be stored by NYPD - Chief Banks working with internal department.

Chaining to poles – NYPD Legal is investigating legality.

- **The Yale Hotel 306 West 97th Street.**

HRA met successfully with the owner. Owner followed 24th Pct new security operations and HRA increased number of social workers on site. Crime has significantly decreased since the changes.

- **Mobile Food Trucks**

NYPD will continue to enforce parking regulations. District Managers are to give problem locations to the Borough President's office and they will give it to NYPD special unit to enforce.

Vendors want to know where they can vend legally.

Agency Reports and Requests for Follow-Up

ConEd:

The Public Service Commission approved the Con Edison Energy Efficiency Program. Small commercial program is available now – consultant will do an on-site survey and will install up to \$100 worth of energy efficient equipment free of charge. Consultant will also give the customer a report on their energy consumption level and how they can improve it.

NYPD: Seven major crimes; quality of life, and traffic data.

PSA6 had a 3% decrease for the year. Identity crime is on the rise. QL summonses up 4% for the year, mostly in open container and urinating in public.

20th Pct down 7% in overall index crimes. Unattended property is the major category in grand larceny. Amsterdam Houses has had only 15 index crimes this year. Three vendors arrested in Central Park area. Traffic accidents up 10% .

DOB:

- Demolition at 732-734 West End Avenue (95th-96th Streets). Demo has not started. DOB has been inspecting daily.

- Park West Village – crane accident at 775. Crane did not work properly (failed to engage) and fell, destroying 15 feet of the sidewalk shed, no one was hurt. DOB issued multiple summonses to the crane company.

DDC: Catch basin replacement in the district.

- CB7 requested the schedule of work.

- Parks request: On 97th Street an ornamental block was removed, is it coming back; on 104th Street – flooding condition, water comes out of the catch basin.

- Con Ed request: Contractor does not secure plates on RSD southbound at 104th Street, also, the equipment is not fenced in - children play on the equipment.

- FD Circle barriers will be removed in about three weeks. Assemblyman O'Donnell will head the dedication ceremony.

Goddard:

- Homeless conditions and outreach in CD7. Goddard will be taking over all evening homeless outreach for Manhattan. Want to coordinate a meeting with pcts to house severely disabled homeless during extreme cold weather.

DOT:

- Update on the West Side Traffic Study. Request input from NYPD, DSNY, and FDNY. Tech memo will be ready in two weeks. At that time, they will talk to other agencies from the district.
 - West 62nd Street and WEA – new traffic signal to be installed. No indication there will be a left-turn arrow, but will look into it.
 - Left-turn signal on westbound 97th Street at Columbus Avenue. Previous study found that it was not warranted but can conduct a new study at the Board's written request.
 - Status of the MuniMeter installation on Columbus and Amsterdam Avenues from West 97th to 100th Streets, and when meters will be installed above 100th Street. There are no supplies for muni-meters. Will be replaced with parking meters.
- BID request: Parking should be two hours or more.
100th street Columbus to Amsterdam Aves, the 'No Loading' signs have not been installed.
- 'No Standing' area on West 97th Street reserved for Ryan Center ambulances. Has been sorted out, remove doctors sign.

DSNY – Overflowing baskets are a real problem because of truck cutbacks and the DOE fund is no longer on the west side.

DEP – Stats are now available, noise continues to be the major problem.

Construction Updates: DOB

- Audit report on 230 West 78th Street (Broadway.) Is it a stalled site? No. Will investigate.
- 508-510 WEA, no movement.

Construction Projects:

Address Stories Status

208 West 96th Street (Bway-Amst) 10 Excavation

200 West 72nd Street (Bway) 19 Superstructure

775 Columbus (97th-100th Streets) 13 Superstructure

795 Columbus (97th -100th Streets) 15 Superstructure

805 Columbus (97th-100th Streets) 14 Superstructure

214 West 76th /2148 Broadway (SEC) 21 Condo/Garage Excavation

96th Street IRT Station Sept, 2010 completion

Lincoln Center Redevelopment Project

180 Amsterdam Avenue (68th Street) Lincoln Square Synagogue 8 Superstructure complete

59th Street Rec Center Excavation

Next meeting is December 9, 2009.

Present: Penny Ryan, District Manager, John Martinez, Asst. District Manager; Capt. Cokkinos, PSA 6; Lt. DeSantis, 20th Pct; Leah Donaldson, DOB; Lolita Jackson, Mayor's office; Chris Hancock, DSNY; Joselinne Minaya, DA's Office; David Lipsky, DEP; Josh Orzeck, DOT; Crista Carmody, Mark Vaccaro, Parks; John Pellegrinelli, FDNY; Paula Sanders, CCHR; Norberto Acevedo, DDC; Jesse Bodine, Council Member Gale Brewer's office; Corey Peterson, MBP Stringer's office; Hans Marselis, Kristen Oates, Goddard Riverside; Marjorie Cohen, WCPP; Peter Arndtsen, Columbus-Amsterdam BID; Richard Juliano, Tim Devlin, LS BID; Barbara Adler, Columbus Ave BID; Pat Richardi, ConEd; Jill Greenbaum, SUN.

