

July 2010 Full Board, Committee, and District Service Cabinet Minutes

COMMUNITY BOARD 7/MANHATTAN

Minutes of the Full Board

Mel Wymore, Chair

July 6, 2010

Community Board 7/Manhattan met at Congregation Rodeph Shalom, 7 West 83rd Street, on July 6, 2010. The meeting was called to order at 6:35 pm and chaired by CB7 Chair Mel Wymore. The following topics were discussed.

Approval of minutes from previous full board meeting:

VOTE: 24-0-0.

Chair's Report - Mel Wymore:

CB7 Honors Sam Katz as its July Neighbor of the Month. Ms. Katz has served with distinction for many years as the Community Liaison to the 20th Precinct on the Upper West Side, ensuring a productive and informed dialogue between neighborhood residents and businesses and the police, to the benefit of all.

Requests for Leaves of Absence: Dan Meltzer and Bob Herrmann.

After deliberation, the motion to approve leaves of absence was adopted.

VOTE: 28-0-0-0.

Announcement of September Nominations of Board Officers for 2010-2011

Notice was given that the Elections committee will entertain nominations for CB7 Chair, Vice Chairs, and co-Secretaries at its September 2010 meeting. Elections to be conducted at the October 2010 meeting.

Business Session Part 1

Business & Consumer Issues Committee

Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

1. **25 Central Park West** (West 62nd Street.) Application to the SLA for a two-year liquor license by 25 CPW Café Associates, d/b/a Central Park West Café. The application concerns a portion of the ground floor premises at 25 Central Park West (the Century), in a portion of the ground-floor retail in that building that also previously included a Gristedes supermarket.

Supporting the Application:

Donald Bernstein – Attorney for 25 CPW Café (the applicant):

- Site is proximate to Lincoln Center, movie theaters, other destinations.
- Conservatory Café in former Mayflower Hotel, other licensed premises located in residential areas.
- Applicant is soundproofing the walls and ceiling to reduce disturbance to residents and neighbors.
- Typical liquor license permits closing at 4 am; applicant reduced to 1am Sun-Tues; 2 am Wed-Sat.
- To honor request by 15 CPW, applicant agreeing to further reduce the closing time to 12:30 am Sun-Tue; 1:30 am Wed-Sat. Will file stipulations with SLA; basis for revocation of license.

Greg Hunt – proprietor of the Applicant:

- Third-generation neighbor; would not harm the neighborhood.
- Not a disco or cabaret – planning a wood-paneled art deco wine bar with jazz standards.
- Making concessions (noise abatement, closing hours) to address neighbors' concerns.

- Needs to remain open until 1:30 am to be viable; small premises, needs after-theater crowd.
- Café would be superior to other businesses proposed for site (roller blade store, nail salon).

Bob Davis – Attorney for the Landlord:

- Neighbors raising a zoning issue re conforming use. Only issue before CB7 is the liquor license.
- While Gristedes vacated the premises more than 2 years ago, other non-conforming uses on the same floor provide a basis to permit continuation of non-conforming uses in these premises.

Barbara Adler – Executive Director of the Columbus Avenue BID:

- Served on CB7 for 22 years – knows and values the neighborhood.
- Small café on the Park is contextual and is a natural fit.
- Quoting Jane Jacobs – “each block should have more than one primary function” – no street should be exempt from mixed uses.
- Ronnie Eldridge statement supports the project, knows the applicant and his family.

Opposing the Application:

Douglas Woodward – Planner and Urban designer – representing 25 CPW condominium owners:

- Was CB7 liaison at DCP when rezoning took effect. UWS zoning was “finely tuned.”
- Deliberately zoned residential neighborhoods to be distinct from commercial avenues.
- Closing times proposed by applicant later than area restaurants, e.g. Rosa Mexicana, Jean-Gorges, Fiorella, others.
- Reference to the former Conservatory restaurant in the Mayflower Hotel - closed at midnight.
- After-hours destination in a residential area at odds with earlier commercial district closing times.
- Prior non-conforming use was a supermarket and an art gallery – not an after-hours bar.

Paul Millman – President, Century Condominium:

- Landlord seeking above-market rental, only possible with this sort of use.
- Many residents in the Century are rent-stabilized. Not a case of rich neighbors opposing.
- Inappropriate tavern should not be permitted to remain open past 12:30 on any day of the week.

Greg Parlowitz – Resident Manager of 15 CPW:

- Zoning does not permit this use. 600 residents at 15 CPW have serious concerns.
- If application granted, must be subject to all stipulations proposed by 25 CPW, including closing no later than 12:30 am every night.
- Residential neighborhood should not become the go-to place for afterhours crowd.
- Must provide security for queuing, ensure smokers cross CPW (do not congregate on sidewalk).

Paul Selver, Kramer Levin et al. – counsel to Century Board

- Proposed café use would violate the zoning resolution for this site. R10 zoning district, not commercial, no commercial overlay. Does not permit this use.
- Non-conforming uses ceased more than two years ago – no longer precedent for this use.
- Gristedes occupied separate entrance and premises in distinct store space.
- Applicant not eligible for change as the proposed use is not in the public interest.
- Gristedes supermarket provided an important neighborhood service in an inoffensive manner.
- Bar will be open later than other neighborhood bars, will be a nuisance to its neighbors.
- Owner’s business model is not a reason to stay open late.

Tony Yoseloff – neighbor at 15 CPW:

- Grocery store and bar have different uses and hours – one should not be a precedent for another.
- Should not treat this bar differently than other bars cited in the area. Should be 12:30 am all week.
- Traffic and parking at this site is already congested.

Applicant’s Rebuttal:

Donald Bernstein:

- Comparing closing hours to those of full service restaurants not fair.
- Bar Boulud, PJ Clark’s, Wine & Roses all open 1:30 am or later.

- Applicant has met all neighbors' reasonable concerns.
- Advocacy website by 25 CPW residents contains inaccuracies – not planning cabaret etc.
- Zoning not before CB7. Standard is not whether bar is necessary.

Board Questions and Discussion, moderated by Co-Chair George Zeppenfeldt-Cestero.

Answers to Board Questions:

- A Jaros pharmacy currently operates in another portion of the retail.
- Process – SLA approval does not negate Buildings Department consideration.
- BCI committee looks only at its own issues; zoning not BCI issue.
- Proposed café will not be a full-service restaurant. Will open at noon weekends, 9 am weekdays.
- Once granted, SLA license renews automatically unless community complaints are lodged.
- BCI committee recommended approval if hours condition met; applicant has further reduced hours.
- Former Tavern on the Green inside Central Park closed at 2 am.

Board Comments and Discussion:

- Concern regarding approving a license when it is at best unclear if zoning permits the use.
- There are roughly similar uses in equivalent places on the Upper West Side.
- Noise problems at Columbus Avenue wine bars were those that had outdoor cafes.
- Most restaurants open until 1-2 am, but bars typically open until 4 am.
- Questions at the intersection of commercial and residential use is one of the hardest for CB7.
- More of a residential flavor at this location. Late night hours impinging on the residents.
- Respect and admire the committee for formulating conditions.
- Concern for closing times as proposed and even as further modified by applicant.
- More fumes from a dry cleaner than a bar without real cooking facility.
- Wine bar – not rock stars.
- Concern whether SLA will enforce the BCI committee's carefully crafted stipulation.
- All stipulations requested by neighbors other than closing time have been met.
- Unusual for an applicant to accept so many stipulations.

Proposed amendment (rejected as friendly) to change stipulation in resolution to require closing at 12:30 am every night.

VOTE: 10-25-3-0; proposed amendment fails.

After deliberation on the original version, the resolution to disapprove the application unless the specified stipulations were met was adopted.

VOTE: 22-11-3-0.

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

Riverside Center Working Group; Ethel Sheffer, Chairperson

Discussion of the Riverside Center application and the Core Principles.

Ethel Sheffer – RSCWG Chair:

- Public hearings on June 3 and June 15. Proposal described at May 24th and June 29th, and other meetings.
- CB7 to vote on final ULURP resolution on July 22nd, addressing 17 requested approvals.
- Resolution to be written and circulated before 7/20; committees invited to submit input by 7/15.
- Board discussion limited to comments on the current draft statement of Core Principles.

Public Comment

Eve Sinaiko – Landmark West!:

- Powerhouse subject of LPC application; hearing in June 2009. Magnificent structure.
- CEQR rules require particular attention to relationship between site and landmarks.
- 4 curb cuts, podium on 59th Street and auto dealership kill potential creative reuses for the Powerhouse.

Varda Steinhardt – PS 87 School Leadership Team co-chair:

- Call for a 6-section K-8 school built in the first building constructed, funded by the Developer.
- PS 87 in 2010 had 111 in-zone families placed on a waiting list – most turned away.
- Trend: Increase of 60% in enrollment in 3 years with no increase in residential units.
- DoE and SCA projections fail to account for this growth. DoE/SCA band-aids inadequate.
- Elementary schools already squeezed; middle schools will be the same in just 4 years.

Olive Freud – Committee for Environmentally Sound Development:

- Should not expand density beyond the 1992 Restrictive Declaration limit of appx 2.4MM sq. ft.
- Developer should finish Riverside Boulevard first to ease traffic on West End Avenue.

Lewis Smoler – 10 WEA:

- Concern: wind tunnel effect from site plan and shape of buildings. Wind study does not take site elevation and curved podium into account. Also does not take elevated highway into account.
- Study already shows dangerous and “uncomfortable” conditions – no mitigation.

Dan Gutman:

- Agreement among State, City and developer in March 1991 included burying the highway in 10 years.
- No agreement on who would pay to relocate the highway. Developer should contribute.

Paul Elston – Riverside South Planning Corporation:

- RSPC Board supports CB7 plans, particularly eliminating Building 4, extending 60th Street.
- Distinguishes between public vs private space; shows proper respect for Powerhouse and the waterfront.
- Density should be capped at 2.4MM sq ft.

Sheldon Fine – West Side Federation of Senior and Supportive Housing (also a CB7 member):

- Affordable housing one of CB7's biggest goals. Developer proposes 12% for 20 years.
- CB7 should insist upon 20% on site plus another 10% on or off site, permanently affordable.
- Percentage must be measured by square footage, not number of units.

Michael Kramer – Community Sanitation Steering Committee:

- Trying to get Sanitation facilities out of Hudson River Park.
- Instead of auto showroom and service center, RSC cellar should be occupied by the Dep't of Sanitation.
- Stand-alone garage for UWS makes sense, saving 16K miles per year, and providing Extell a good tenant.

Craig Whitaker – Consultant to the Coalition for a Livable West Side:

- Buildings and open space should be defined by streets. Density remains a concern.
- Bait-and-switch of using prominent architects to design extraordinary plans that are later abandoned due to cost once approvals secured (e.g. Daniel Liebeskind at WTC; Frank Gehry at Atlantic Yards)

Batya Lewton – Coalition for a Livable West Side:

- Supports extending 60th Street, but should be straight.
- Moving the highway was not a condition of the original approved plan.

Howard Yourow – 411 WEA:

- Should embrace adaptive reuse of the Powerhouse – a masterpiece.

Anne Weisberg – 10 WEA

- Limit density (2.4MM sq ft.) and parking (743 spaces) to the 92 Restrictive Declaration.
- Recommend removing Bldg 4 without relocating displaced density.
- Oppose auto dealership and service center – contrary to retail needed by the community.
- School should be located in Bldg 1 to maximize retail at Bldg 2 on WEA.

Rachel Laiserin – Co-president, PS 87 PA:

- Tremendous overcrowding. Need for a big new school. No site preference as long as it is built first.

- Option for a full school is a concern – DoE/SCA quietly declined a school option in 2006 under the 92 Restrictive Declaration even as the community saw overcrowding burying our schools.

James Conway – Building Trades Council, IUOE Local 14:

- Members thank the community for support of Ground Zero first responders, and health care afterward.
- With 30% unemployment, workers need this construction to proceed.

Developer's Presentation:

Steven Hill – Developer's Architect:

- Project to mediate between high-density midtown and UWS with varied scale.
- Christian de Portzamparc designed buildings of warm stone materials.
- Master plan to integrate neighborhood to access to the River and RSPS.
- Grade should not be an issue - 72% of the site is at grade; only exception is SW corner.
- Engineers have stated 60th Street cannot be extended to RSB.
- Family sized units require parking. 1200 spaces for residents, 600 to replace existing parking.
- Signe Nielsen designed different sections of open space with different characteristics.

Tony Mannarino – Executive VP, Extell:

- Proposed project will transform an underutilized site through a well thought-out master plan.
- Mixed use buildings with tangible benefits to the community, including “up to” 150K sq.ft for a school “with all floor area at no cost to the City,” significant affordable housing, 2.7 acres of open space.
- Not a podium; site is integrated to the grid.
- Project will generate thousands of jobs.

CB7 Question: How can we ensure that the Portzamparc design is the one actually built?

A: Ken Lowenstein, Bryan Cave, for the Developer: ULURP drawings and applications include envelopes that conform to the buildings proposed.

Board Comment on Core Principles. The following are the key points made by CB7 members in discussing the RSC project and the Core Principles.

Overview/Approach:

- Prioritize resolution based on Core Principles and “Givens” (school, affordable housing, sustainability).

School

- Extell must fund the full school.
- Must be built first.
- Developer funding less than one-fourth of the school needed; leaves build-out to SCA.
- Demand already exists for the larger school. Overcrowding will worsen before school completed.

Affordable Housing:

- Core principle should require affordable housing to be attractive to seniors as well as working families.
- Affordable housing a goal in itself, creates economic diversity that strengthens the community, school.

Density:

- None of the proposed density is needed on the UWS – no unmet demand for housing.
- Density drives all other impacts (subway service, parking, traffic).
- Mitigating adverse impacts (e.g. 24 traffic congestion sites) requires eliminating more than Bldg 4.
- Minority report circulated in 2010 supporting an increase in density.

Parking and Traffic:

- Parking needed at the perimeter of the UWS, with public transportation to midtown to reduce pollution.
- Transportation committee will review current and additional analysis of parking and traffic and comment.
- Parking is a fertility drug for cars – replacing current parking lot with another. Limit to 700 spaces.
- Parking as a function of residential units is out of balance with midtown and UWS multiples.
- Nonresident parking abates pollution by saving search for spaces – car owners will use cars regardless.

Site Plan Improvements and Context:

- Eliminating Bldg 4 a priority after Givens.
- Concern over bringing site to grade; should explore other ways to meet goals for the site.
- Site configuration should support adaptive reuse of the power plant, and use it as a visual anchor.
- Streets should not be mapped so that Developer is taxed on the area.
- Important to distinguish between truly open space and circulation adjacent to buildings.

Miller Highway:

- Should capture a portion of the value added to improve infrastructure by requiring Developer to fund burying some/all of the Miller Highway. Will create park space for active and passive uses.

Infrastructure:

- Sewage – DSEIS shows the Project will capture a significant portion of available capacity. Should plan now to replace/create new capacity when the North River Plant is overburdened.

General:

- Concern over process – apart from comments on Core Principles, CB7 needs time to discuss merits.

A: Meeting on July 22nd will include time for a spirited discussion.

- Aim to parse CB7 actions on each separate action/approval requested. Some may not be clear yes/no.

Community Session

Reports by Legislators

Linda Rosenthal – Assembly Member, 67th District:

- Passed a budget, but no agreement from Senate or Governor. Legislators not paid until budget passes.
- Assembly restored school aid cuts; Governor vetoed. Saved funding for TAP, community colleges.
- Upstate Senators holding the budget hostage re CUNY, SUNY tuition and F-Map on Medicaid funding.
- Passed bills (a) to allow unmarried adults (same or opposite sex) to adopt a child together, instead of 2 separate adoptions; (b) banning toxic lead wheel weights; (c) landlord must disclose bedbug infestation.

Gale Brewer – City Council Member, 6th District:

- Council passed a very tough Budget.
- Academy of Medicine grant (\$10K) to replicate the West Side Aging District model for aging in place.
- Capital Budget: Secured funds for AMNH, Lincoln Center renovations, NYPL branch libraries, MAD, steps for Hamilton Plaza, renovation of PS 87 and PS 191 school yards, MLK HS plaza, Brandeis HS auditorium, Mickey Mantle school technology upgrade, theater lighting at LaGuardia HS, Greenhouse at Manhattan School for Children.
- Successful fundraiser for West Park Church. Rev. Brashear, community working together.

- RSB crossing guard secured.
- RSC should provide 30% affordable housing as did Atlantic Yards, Domino Sugar Factory sites.

Jared Chausow – State Sen. Tom Duane’s Office:

- Pieces of the budget being enacted through governor’s interim spending bills.
- Bill: dignity for all students – prohibits bullying (including LGBT). Provides curriculum.
- Bill: requires HIV testing to be offered in every medical facility. A-M Gottfried co-sponsored.

Susan Singer – NYPL Branch:

- Thanks for supporting branch libraries in the budget process.

Ian Alterman – New Pres of 20th Precinct Council:

- Reciprocal attendance CB7 with Precinct Council.
- Website for all law enforcement issues – 20pctissues@gmail.com. Checked regularly.
- Night out against crime – 8/3rd at 6:30 at 73rd Street IRT head house. Fun events.

Alan Flacks:

- CB7 should provide paper copies of minutes, other materials.

Corey Peterson – Manhattan Borough President Scott M. Stringer’s Office:

- Rent Guidelines Board – BP and electeds rallied outside Cooper Union.
- 2.25% and 4.5% increases passed anyway.
- “Speak up New York” – BP initiative – web-based platform for community organizing and sharing ideas. First government sponsored web tool of its kind. www.mbpo.org/speakup
- UWS Town Hall July 13th at Goddard Riverside 6 pm. Many electeds co-sponsoring and attending.
- CB7’s best wishes to Ms. Peterson (leaving the BP’s office); a valued and effective community liaison.

Business Session Part 2

Transportation Committee

Andrew Albert and Dan Zweig, Co-Chairpersons

2. 2642 Broadway (West 100th Street.) Renewal application #B00256 to NYC Taxi and Limousine Commission by Fast Operating Corp., d/b/a Carmel Car & Limo at 2642 Broadway for a For Hire Base Station license.

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

VOTE 34-0-0-0.

3. Request for secondary street name for the southwest corner of West 64th Street and Central Park in honor of the New York Society for Ethical Culture.

Community Comment:

Peter Hurwitz:

- Religious organization classified as a church by IRS. Should be guidelines for such treatment.
- Many churches and religious organizations are equally worthy.
- Transportation committee did not consider religious nature or organization in its approval.

Julie Blutstein – Society for Ethical Culture and local resident:

- Did disclose in application that is a humanist organization. Religion about ethics, not theology.

- Ethical Culture Society is a community organization celebrating 135th year anniversary.
- Building designated a NYC Landmark, citing its role in contributing to the rich fabric of our City.
- Could honor founder Felix Adler in lieu of Ethical Culture Society.

Board Comment:

- Concern re Board's preference for plaques vs street names. Approvals should be consistent.
- A: Plaque program still being sought. Formulating guidelines for plaques vs. street names.
- CB7 generally opposes secondary street names: confusing, foreclosing recognition of other institutions.
 - Few (notable) exceptions – e.g. Peter Jennings Way.
 - Need criteria for institutions – there are many worthy organizations on the UWS.
 - Renaming only the corner, not the street.
 - Temporary renaming for the anniversary not available from DoT. Can rename for 30 days.
- Proposed amendment to rename for 30 days.

VOTE: 8-24-0-0. Amendment fails.

- Concern over honoring a religious organization.
- Many who participate in Ethical Culture, and other religions, do not consider it a religion.

Motion to send the resolution back to committee.

VOTE: 4-28-0-0 motion fails.

After deliberation, the original resolution to adopt a secondary street corner name was not adopted.

VOTE: 11-23-1-0.

4. Resolution seeking remediation of the dangerous traffic conditions on Riverside Boulevard.

- Conditions dangerous.
- Many people turned out at meeting.

After deliberation, the resolution seeking remediation was adopted.

VOTE: 34-0-0-0.

Health & Human Services Committee

Madge Rosenberg and Barbara Van Buren, Co-Chairpersons

5. Resolution in support of City Council Intro. No. 79 - A Local Law to amend the administrative code of the City of New York, in relation to requiring the Department of Homeless Services to notify the affected community prior to locating transitional housing for the homeless.

Committee Chair's Report:

- DHS required to notify communities prior to placement of homeless in transitional housing.
- Concern that SRO owners keep space vacant to rent to DHS at higher rates.
- Owners not provided with info re needs of placements – impossible to meet unknown needs.
- Asking the City Council to be more specific about the information to be required to be shared.
- Same disclosure and notice required for emergency and annex placements.
- Requires notice to community board and council member 30 days in advance of placement.
- Need standards for placements – e.g. accessible facilities for handicapped resident.
- Need disclosure of rent paid by DHS given impact on affordable housing.

After deliberation, the resolution in support was adopted.

VOTE: 34-0-0-0.

Preservation Committee

Lenore Norman and Gabrielle Palitz, Co-Chairpersons

6. 105 West 72nd Street (Columbus-Amsterdam Avenue.) Resolution to approve Application #10-8871 to the Landmarks Preservation Commission for a balcony replacement.

- 11th floor balcony removed as unsafe – LPC requiring to replace.

- Smaller balcony, made out of fiberglass – now only for decorative.

After deliberation, the resolution to approve was adopted.
VOTE: 34-0-0-0.

7. 108 West 74 Street, d/b/a to be determined (Columbus – Amsterdam Avenues.) Resolution to approve application to the Landmarks Preservation Commission for store front renovation.

Estelle Munoz – resident in the building:

- Space has not been a store since 1941.
- Concern that new owner will operate a café with noise and crowds.

Committee Chairs:

- Ground floor store front renovation to include separate recessed store entrance. Typical of similar store fronts on side streets. Appropriate detail and configuration.
- Permitted by zoning because the site is within 100 feet of the corner.
- Application does not turn on nature of commercial use.
- Nature of renovation is in keeping with the character of the building and adjacent townhouses.

Comment:

- Neighbor concerns about noise etc. from café can be addressed when store applies for an SLA license.

Friendly amendment:

- Change “restoration” to “renovation” – no evidence that store design matched original condition.

Friendly amendment accepted.

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

VOTE: 27-5-2-0.

8. 301 Columbus Avenue d/b/a HSBC (West 74th – 75th Street.) Resolution to approve Application # 10-7983 to the Landmarks Preservation Commission to install signage.

- Committee approved side street sign and blade, disapproved size of sign on the avenue as it blocked architectural details of the building above. Would approve a smaller sign centered as proposed.
- No precedent for the blade sign on Columbus Avenue (akin to English tavern signs).

After deliberation, Resolutions to approve the side street sign and disapprove the avenue sign (unless reducer) were adopted.

VOTE A&B: 33-0-0-0

After deliberation, the resolution to approve the Blade sign on Columbus Avenue was adopted.

VOTE C: 21-11-1-0.

9. 25 West 75th Street (Central Park West – Columbus Avenue.) Resolution to approve Application #10-7373 to the Landmarks Preservation Commission to alter the basement entrance.

- Brownstone is a true restoration.
- Other than need to change the door, beautiful proposal.

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

VOTE: 33-0-0-0.

10. 201 West 75th Street (Amsterdam Avenue.) Resolution to approve Application # 09-3560 to the Landmarks Preservation Commission for window replacements.

- Window replacement on garage building.
- Replacing badly aged wood windows with aluminum; arched windows at top to be replaced with beautiful wood. Cost prohibitive to replace the entire garage with wood windows.
- Would have preferred wood throughout, but given garage use, aluminum is minimally appropriate.

After deliberation, the resolution to approve the application was adopted.
VOTE: 31-2-0-0.

11. 428 Amsterdam Avenue, d/b/a Jimmy's BBQ (West 80th- 81st Streets.) Resolution to approve Application #08-2827 to the Landmarks Preservation Commission to legalize storefront alterations, install light fixtures, conduit, and signage.

- Informal restaurant removing kitschy decorations - big improvement over current condition.

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

VOTE: 33-0-0-0.

Business & Consumer Issues Committee

Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

12. Applications to the SLA for a two-year liquor licenses:

- 49 West 64th Street (Central Park West-Columbus Avenue.) 48-50 West 65th Street LLC, d/b/a "To Be Determined".

- 160 West 72nd Street, Suite 2-R (Broadway-Columbus Avenue.) The Wine Workshop LTD, d/b/a The Wine Workshop.

After deliberation, resolutions to approve the applications were adopted.

VOTE: 33-0-0-0.

13. 483 Amsterdam (West 83rd – 84th Streets.) Renewal application DCA# 1027927 to the Department of Consumer Affairs by Good Enough to Eat Uptown LTD, d/b/a Good Enough to Eat, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 15 seats.

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

VOTE: 33-0-0-0.

14. 519 Columbus Avenue (West 85th – 86th Streets.) Re-Apply application DCA# 1251454 to the Department of Consumer Affairs by Food 01 Corp, d/b/a Zeytin, for a two-year consent to operate an unenclosed sidewalk café with 16 tables and 32 seats.

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

VOTE: 33-0-0-0.

15. New Unenclosed Café Applications:

- 982-988 Amsterdam Avenue (West 108th-109th Streets.) New application DCA# 1347879 to the Department of Consumer Affairs by Amsterdam Avenue Restaurant, LLC, d/b/a Village Pour House, for a two-year consent to operate an unenclosed sidewalk café with 20 tables and 40 seats.

- 187 Columbus Avenue (West 68th – 69th Streets.) New application DCA# 1353186 to the Department of Consumer Affairs by Roma 380 Operating Corporation, d/b/a Bomboloni, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 16 seats.

- 2454 Broadway (West 90th – 91st Streets.) New application DCA# 1353319 to the Department of Consumer Affairs by Big Daddy's III LLC, d/b/a Big Daddy's, for a two-year consent to operate an unenclosed sidewalk café with 21 tables and 42 seats.

- 2518 Broadway (West 94th Street.) New application DCA# 1353701 to the Department of Consumer Affairs by 94 Corner Café Corp., d/b/a Café 71, for a two-year consent to operate an unenclosed sidewalk café with 4 tables and 16 seats.

After deliberation, the resolutions to approve each of the applications were adopted.

VOTE: 33-0-0-0.

Mel Wymore, CB7 Chair

16. Resolution opposing the implementation of Arizona's new immigration law.

17. Resolution supporting City Council Intro 58: regarding easing restrictions on the availability of biological, chemical and radiological detectors.

18. Resolution supporting proposed legislation to adopt marriage equality.

Chair:

- Resolutions to support Chair's vote on similar topics at the Borough Board.
- Topics added to the Borough Board agenda without time to consider at a committee meeting.

Motion to table all three resolutions and refer to appropriate committees (seconded).

VOTE: 10-22-0-0 – motion to table all three resolutions fails.

- Friendly amendment: change language from a resolution to support the Borough President's position to one in which CB7 speaks with its own voice in supporting or opposing the specific action.
 - Include in the whereas clauses a recognition of the Borough President's leadership on the issues.
- Accepted as friendly.

16. Resolution opposing the implementation of the Arizona immigration law:

- Friendly amendment - Change "promote policy of profiling" to "lead to" a policy of profiling.

Accepted as friendly.

- Arizona law inconsistent with honoring the contributions of all peoples, including immigrants, to our City and Nation.

- Statute also inconsistent with federal immigration enforcement priorities for its scarce resources.

- The U.S. Attorney General today filed a lawsuit seeking to enjoin the law's implementation.

After deliberation, the resolution to oppose the implementation of the Arizona immigration law was adopted.

VOTE: 28-1-2-0.

NB: Board members abstaining due to lack of opportunity for committee and Board discussion, and not as a sign of support for the content of the Arizona statute itself.

17. Resolution in support of City Council Intro 58.

- Current statutes place control of all toxic substance detectors under the police department.
- Must request detectors from the police even to monitor toxins in private homes, public schools, etc.
- Law grew out of Homeland Security measures after 9/11.
- Intro originated from Peter Vallone's Committee on Public Safety.
- Intro would protect an industry that protects the community.
- Concerns about the nature of the reach of the Intro, the toxins involved, the experience of community and industry professionals in accessing the detectors from the NYPD.

Insufficient information available to respond.

Motion to Table Resolution 17.

- VOTE: 24-7-1-0. Motion to table adopted.

18. Marriage Equality. Resolution to support bills (including Senate Bill S440) to amend the NY Domestic Relations Law to recognize a marriage as valid regardless of the sex of the parties to the marriage.

Concerns re Resolution:

- CB7 voted on a similar resolution a few years ago. It did not pass at that time.
- Personal support for rights of same sex couples to affordable housing, health care decisions and access, other rights of same-sex couples, but religious beliefs prevent support of same-sex marriage.

- Support for principle, but concerned about inability to discuss at committee. Issue deserves a full airing.

Support for the Resolution:

- It is beyond time for recognition of marriage equality.
- Recent surveys show a significant change in views in recent years – prior vote not a precedent.
- Civil marriage equality is a civil rights issue, not a religious.
- S440 excludes any requirement that religious organizations perform or recognize same sex marriages.

After deliberation, the resolution to support marriage equality and S440 was adopted.

VOTE: 28-1-2-0.

Adjourn: 10:50 pm

Present: Mel Wymore, Jay Adolf, Andrew Albert, Linda Alexander, Richard Asche, Elizabeth Caputo, Hope Cohen, Kenneth Coughlin, Page Cowley, Mark Darin, Mark Diller, Robert Espier, Miki Fiegel, Sheldon J. Fine, Paul Fischer, Marc Glazer, Victor Gonzalez, Phyllis E. Gunther, Blanche E. Lawton, Marisa Maack, Lillian Moore, Klari Neuwelt, Lenore Norman, Gabrielle Palitz, Nick Prigo, Anne Raphael, Oscar Ríos, Suzanne Robotti, Haydee Rosario, Helen Rosenthal, Gabriella Rowe, Roberta Semer, Ethel Sheffer, Eric Shuffler, Charles Simon, Elizabeth Starkey, Barbara Van Buren, Thomas Vitullo-Martin, George Zeppenfeldt-Cestero and Dan Zweig. On-Leave: Robert Herrmann and Daniel Meltzer. Absent: Brian Byrd, Louis Cholden-Brown, Ulma Jones, Dalia Mahmoud, Judith Matos, Michele Parker, Madge Rosenberg, and Cara Volpe.

**Community Board 7/Manhattan
Special Full Board Meeting
Mel Wymore, Chair
July 22, 2010**

Community Board 7/Manhattan held a special meeting on July 22, 2010, at Goddard Riverside Community Center, 589 Columbus Avenue, in the District. The meeting was called to order at 6:55 pm after a quorum was determined to be present, and was chaired by Mel Wymore, Chair of CB7. The following topics were discussed.

The sole topic on the agenda of the special meeting was CB7's draft report and resolutions concerning the developer's ("Extell" or the Developer") applications relating to its proposed Riverside Center ("RSC") development between 59th-61st Streets, West End Avenue ("WEA") and Riverside Park South ("RSPS").

Chair's Introduction:

- Appendix A to the draft Report and Resolution ("R&R") sets forth a summary of CB7's recommendations for the site, which follow CB7's Core Principles as discussed in ULURP public hearings on May 24th, June 3rd, June 15th, June 29th, July 6th, July 21st, as well as at prior meetings of the CB7 full Board, Land Use Committee, and Riverside Center Working Group ("RSCWG").
- The Core Principles are set forth in R&R section D(2), and have been applied to the proposed RSC project (the "Project") using the methodology described in R&R Executive Summary section A.
- Appendix B to the R&R contains CB7's proposed responses to each of the individual applications submitted by the Developer. Certain of the applications in turn contain multiple sub-parts.

The R&R is incorporated in these minutes by this reference, and is available at www.nyc.gov/mcb7.org.

Appendix A – Summary of CB7 Recommendations.

Item 1 – “Givens”:

Public School:

- Difference between CB7’s recommendation and the Developer’s proposal:
 - Developer is funding only the exterior walls and floors of undifferentiated raw space for a 75,000 sq ft school, big enough to serve only the children in the Project, leaving the fit-out of the school to the Department of Education’s School Construction Authority (“SCA”).
 - Developer offering an option to SCA to purchase an additional 75,000 sq ft, the entire cost of which to be borne by SCA; SCA turned down a similar option in 2006.
- Concern that the school will be constructed too late to meet current critical overcrowding, and including this recommendation will thwart needed school development in the interim.
- SCA has earmarked no funds whatsoever in the 2010-14 Capital Plan for new seats in our District – the Project is the single opportunity to meet the community’s needs for new seats.
- Cost of the fit-out estimated by an approved SCA contractor and engineer at \$250-450 per square foot, including a state-of-the-art facility. Total estimated at \$53-68MM – well short of the “hundreds of millions” suggested by the Developer at previous meetings.
- Concern that current cost estimates will not be relevant at the time the Project is actually built.

No amendment offered.

Affordable Housing:

- Developer proposes 12% affordable housing, measured as a percentage of units, to be subject to affordable housing limitations for 20 years.
- CB7 recommends 30% permanently affordable housing, measured by square footage.
- Affordable units are expected to be rentals, but some consideration should be given to an inclusionary model that provides a path to affordable ownership.

• Proposed Amendment per Helen Rosenthal:

Delete “primarily” from R&R and Appendix A, so that CB7 calls for all affordable housing units to be at the Project site.

• For the Amendment:

• Helen Rosenthal:

-- CB7’s R&R should conform to the recommendation from the CB7 Housing Committee discussion on July 15th, which recommended that all affordable units be on the Project site.

-- Creating affordable housing off-site creates a segregated and disfavored neighborhood.

• Charles Simon (co-chair, Housing Committee):

-- Should strike a balance – strategically should ask for all needs of our community, while remaining credible to the decision-makers. Mistake to ask for too much, or too little.

-- Recommending 30% on site gives the City Council and others the maximum room to negotiate for the best possible deal.

• Miki Fiegel:

-- There are already 150,000 unclaimed affordable housing credits in our community.

-- Cheaper to pay for the credits than actually build - should insist that units actually be built.

• Marisa Maack:

-- Joint Housing and YEL Committee meeting emphasized the importance of economic diversity to the success of the school as well as the Project.

• Against the Amendment:

• Shelly Fine:

- CB7's recommendation was originally at 20%; increased per Shelly's report at July 6th full Board and July 15th Housing Committee meetings, noting the higher percentage of affordable housing recently required at the Atlantic Yards and Domino Sugar developments.
- Bulk of the affordable housing lost was located in the northern portion of the District – reasonable and responsible to replace a portion of that stock where it is needed.
- Understands that Council Member Brewer supports affordable housing both on and off site.
- Haydée Rosario: Concern about flexibility.
- Elizabeth Starkey: Flexibility ensures we do not end up with only the Developer's proposal.
- Tom Vitullo-Martin:
- Flexibility on/off site encourages increases the chance that more affordable units will be built.

VOTE on Proposed Amendment 16-21-2-0; Amendment failed.

No other amendment offered.

Sustainability

- Proposed Amendment per Page Cowley: Change the description in Appendix A to read: The application must address sustainability of the entire design proposal and require the inclusion of green technologies that pay back within 10 years. The Developer must immediately retain a LEED-accredited professional to join the design team or identify this entity/person on their present team. Sustainable strategies have not been included and must be considered at this stage of the Project. The design proposal for the buildings and the site need to meet the highest LEED rating of the Green Building Certification Institute (GBCI) as developed by the U.S. Green Building Council (USGBC).
- Suzanne Robotti:
 - LEED application is only a checklist.
 - Must plan for sustainability at the earliest possible stage of development.
- Nick Prigo:
 - There is a huge difference between plain-vanilla LEED certification and Platinum certification.
 - Require Developer to do everything in its power to achieve LEED Platinum certification.
- Elizabeth Starkey (co-Chair, Parks/Environment Committee):
 - Difficult to enumerate all sustainability goals.
 - Extell must be guided by the principles expressed in LEED as well as PlaNYC, and demonstrate to City Council that they have complied with those goals.

Amendment Adopted as Friendly.

Item 2 – Site Plan Modifications:

Restrict total density to 2.4 Million ZSF.

- Ethel Sheffer: would amount to a reduction of approximately 500-600K sq ft
 - Cannot easily convert square feet into reduced floors of the proposed buildings - too many variables. Building 4, which CB7 recommends be removed, is appx 400K sq ft.
- Tom Vitullo-Martin:
 - Believes Board members do not have strong feelings about square footage.
 - some argue it is a good negotiating point to give on.
 - some would prefer to get benefits in exchange for increase.
 - original proposal had huge buildings blocking views; the Project is much better.
- Richard Asche (Co-Chair, Land Use Committee):
 - The need to address congestion, open space and infrastructure provides substantial and real reasons to reduce density, possibly even below 2.4MM sq ft.

- It would be imprudent to recommend less than the 92 R/D; hold at its limit of 2.4MM ZSF.
- Change of use is significant. Residential uses tax infrastructure more intensely than offices.
- Mel Wymore: R&R should reflect community views as well as those of Board members.

No amendment offered.

Remove Building #4

No amendment offered.

Bring Site to Grade:

- Ethel Sheffer: No estimate available of the cost to bring the site to grade.
- Phyllis Gunther: Fordham example of beautiful but inaccessible open space.
- Mel Wymore: No engineering reason why the site cannot be brought to grade.
- Klari Neuwelt: Architect's response for purpose of the platform was largely site lines and views.
- Tom Vitullo-Martin:
 - site is on a hill, cannot avoid the slope. Slope is only 11'-13' at 59th and RSB (not a wall).
 - a level site would be beneficial, and causes no disadvantage to the street below.
- Hope Cohen:
 - Bryant Park before renovations was an elevated open space with hedges such that people on site and the sidewalk cannot see one another -- creates feeling of not being safe.
 - Project proposes a 6' tall waterfall on RSB – it is a wall.
 - Stairs and terraces along 59th St would rise above pedestrian's head – also a wall.
 - nothing to entice people leaving RSPS into the site to retail etc.

No amendment offered.

Extend 60th Street to Riverside Boulevard as a “limited vehicular and pedestrian way”:

No amendment offered.

Surround the Public Open Space with publicly accessible streets or pathways:

No amendment offered.

"Straighten" Freedom Place South:

No amendment offered.

Modify the footprint of Building 5: – to accommodate straightening Freedom Place South.

No amendment offered.

Eliminate the private driveway that serves Building 3:

No amendment offered.

Remove the 30-foot curb cut for the ramp to the lower level designed to serve the auto service center:

No amendment offered.

Widen sidewalks along 59th and 60th Streets:

No amendment offered.

Position and Configure Retail Spaces and Destination Uses along the perimeter:

- Mel Wymore: Position retail along WEA instead of inward-facing.
- Hope Cohen:
 - retail is organized around the plaza; should be organized around streets.
 - retail more successful and inviting if not placed on elevated platforms.
- Proposed Amendment per Blanche Lawton:
 - add "pedestrian" between "invite" and "traffic"; add "off stores" after "varying sizes."

Amendment adopted as friendly.

- Proposed Amendment per Mark Darin:
 - add "59th Street" after "West End Avenue" to retail space

Amendment adopted as friendly.

- Tom Vitullo-Martin: Concerned that CB7 is replacing Developer's plan for retail with its own.
- Richard Asche:
 - consider RSC in context of another project by same Developer across WEA on 61st – creates a canyon-like effect which should be ameliorated on this site.
- Dahlia Mahmoud:
 - this area recently lost a Gristedes – should encourage a supermarket as part of the retail.
- Mark Diller:
 - CB7's proposed alternatives to the auto showroom specifically recommend a supermarket.
- Ethel Sheffer -- R&R references need for diverse retail, which would include supermarkets.

No other amendments offered.

Specify loose "shrink-wrapping" of buildings:

- Klari Neuwelt: object is to allow flexibility in massing and form.
 - empower those negotiating on density to achieve goals unimpeded by unusual shapes.
- Gabby Palitz:
 - eliminating odd shapes can redress the canyon effect on West 61st Street.
 - odd shapes throughout make the parcel feel private and an uninviting enclave.
- Proposed Amendment per Gabby Palitz and Page Cowley:

Replace the entire paragraph entitled "Specify loose 'shrink-wrapping' of buildings" with the following:

Include breaks in the faceted façade of the buildings as proposed by the current architects to reflect traditional set-backs that exist adjacent to and opposite the site at a reasonable height to minimize the "canyon-like" effect on West 61st Street, a narrow residential way.

Require further CB7 and City Planning review and approval once a general massing and specific design for these buildings is set and before DoB permits can issue, if there are any significant departures from the approved schematic design of the buildings or deviations from the footprint, shape, contour, size, height, bulk, massing, or relationship between the buildings, so as to support the design diversity of this proposal from Riverside South to the north (as distinguished by the unique sculptural shapes of the towers).

- Richard Asche:
 - Initial point about flexibility must allow certain lee-way while ensuring that the buildings as build bear a material resemblance to what was approved.
 - Concern over a repeat of Atlantic Yards, where Frank Gehry designs were approved, but a very different set of designs will actually be built.
- Page Cowley: Deleting reference to "shrink-wrap."
- Gabby Palitz: Intent is to protect the impact on the area without prescribing design or materials.

Amendment adopted as friendly.

Item 3 - Site Plan Recommendations:

Eliminate or replace the above-ground auto showroom:

No amendment offered.

Eliminate or replace the below-grade repair center:

- Andrew Albert:
 - Per Transportation Committee, significant traffic congestion is expected to be created by the auto service center.

No amendment offered.

Include facilities for affordable child care:

- Mark Diller:
 - DSEIS reveals a significant unmitigated impact, with overcrowded facilities over 1.5 miles away attempting to accommodate increased demand.
 - As the affordable housing percentage is increased, the unmet excess demand will worsen.

No amendment offered.

Include a playground for children:

No amendment offered.

Accommodate a broad variety of engaging and useful retail.

No amendment offered.

Work with the Department of Business Services to attract viable small businesses to the site:

No amendment offered.

Item 4 - Circulation and Transportation:

Incorporate the integrative potential of West 59th Street:

No amendment offered.

Construct Riverside Boulevard first:

- Klari Neuwelt: should not build the road before the school.
- Proposed Amendment to strike the entire paragraph.

VOTE on amendment: 3-29-0-0 -- amendment fails.

- Proposed Amendment per Andrew Albert: delete "before constructing any buildings on the site."

Amendment accepted as friendly.

Analyze traffic impacts with updated data:

No amendment offered.

Include traffic safety designs:

- Proposed Amendment per Sue Robotti

Add "bike lanes" to the list of safety improvements.

Add "pedestrian, cyclist and vehicular" before "traffic safety."

Add "both inside and outside the site."

- Hope Cohen:

-- mitigation through adjustments to traffic lights is illusory since DoT modifies to meet usage and experience routinely.

-- must seek a more structural solution to congestion and safety.

Amendment accepted as friendly.

Make 59th and 61st Streets Westbound only:

- Andrew Albert (co-Chair, Transportation Committee):

-- Transportation Committee walking tour of the site raised concerns as to whether 59th Street can be made one-way without disrupting other patterns.

-- Freedom Place South is 2-way and ends at 59th Street.

- Hope Cohen:

-- 59th Street is the only at-grade access to and from RSPS - should facilitate use of access.

- Proposed Amendment: Change to read:

CB7 and the Department of Transportation must study the traffic directions of roads surrounding the site, including West End Avenue, 59th Street, Riverside Boulevard, 61st Street, and Freedom Place South.

Amendment accepted as friendly.

Move the pedestrian refuge planned for 61st Street and WEA to 62nd Street and WEA:

No amendment offered.

Take immediate steps to address traffic safety concerns of residents in buildings along RSB.

No amendment offered.

Optimize loading/unloading and circulation below grade:

No amendment offered.

Limit underground parking to 1000 spaces, centralized in one single-level garage that serves the entire site, to optimize underground loading/unloading, minimize surface traffic, and deter growth in automobile ownership and traffic.

- Mel Wymore:

-- 92 R/S permits 743 spaces.

-- All Consultants recommended 1000 or fewer spaces.

- Concept of limiting parking by number of floors for the garage rather than number of spaces.
- Madge Rosenberg:
 - Site proximate to the highway exit is an ideal place for parking, to keep cars from midtown.
- Dan Zweig (co-Chair Transportation Committee):
 - Transportation Committee voted for 1200 spaces as a compromise to balance accessory needs of residents and those whose spots will be lost on the site.
 - already expensive/difficult to own a car on the UWS.
 - expect residents at the site will be able to afford to keep cars.
 - residents, displaced current users not accommodated will bid up the price of parking on UWS.
- Hope Cohen:
 - 743 spaces is close to what is required;
 - assessing rate of usage in RSS and applying metric to the site suggests 500 spaces.
 - most reasonable solution is a single-level garage; avoids issue of accessory vs transient.
 - no way to manage between accessory and public, so should be public.
- Dan:
 - single garage is a good idea.
 - should provide for rental cars at the site.
- Mel Wymore: rental cars envisioned for auto repair center space.
- Proposed Amendment per Ken Coughlin:
 - Limit parking to 700 spaces.
 - at 1800 spaces proposed by Developer, parking would generate 4700 trips per weekday, 4200 Saturdays (DSEIS p 16-52).
 - at 1200 spaces, would generate 3100 trips per day; at 800 spaces - 2100 trips per day.
 - Scarcity would discourage car ownership, and create a coalition to support mass transit.
 - Midtown accessory parking ratio is 20%. Site is on the edge of the midtown Central Business District, where accessory limited to 20% as remediation of Clean Air Act violations.
 - UWS accessory parking ratio is 35%.
 - Hudson Yards compromise of 30% for market and 8% for affordable.

VOTE: 9-23-3-0 -- amendment failed.

- Proposed Amendment per Miki Fiegel:
 - Increased number of permitted spaces to 1200.
 - should avoid pollution from drivers circling for parking.

VOTE: 10-23-4-0 -- amendment failed.

- Page Cowley:
 - Proposed Amendment - delete requirement that the garage be contained on a single level.
 - potential for transportation hub or park-and-ride scheme (e.g. to support congestion pricing).
 - concern about single-level because it could force the creation of a wall preventing the site from being brought to grade to accommodate a single-level, site-wide garage.
- Richard Asche:
 - supports the amendment, as it is impossible to predict consequences of design choices.

VOTE: 25-3-5-0 -- amendment adopted

- Tom Vitullo-Martin:
 - To create a greener project, should authorize (rather than require) the construction for additional spaces for rental cars, shared-cars and electric plug-in cars.

- Ethel Sheffer -- following items address rental cars and car-sharing.
- Marisa Maack: Concern for impact of parking on LEED certification.
- Proposed Amendment: add reference to the need for spaces for electric (plug-in) cars.

Amendment accepted as friendly.

No further amendments offered.

Include car-sharing facility below-grade on the site:
No amendment offered.

Include a car rental facility below-grade on the site:
No amendment offered.

Request added capacity for the M57 and M31 buses, and re-routing of the M31 bus:
• Proposed Amendment per Andrew Albert:
Expand to seek re-routing of M66 and M72 as well.

Amendment accepted as friendly.

Make substantial investments in local infrastructure:
No amendment offered.

Item 5 - Mitigations:

Create new open space by removing Building #4:
• Klari Neuwelt:
-- mitigation means to address impacts once the site is built.
-- removing Building 4 addresses other issues, including density, light and air, wind, view corridor to Powerhouse, etc.
• Hope Cohen:
-- removing Building 4 is a mitigation because it addresses the scarcity of active open space that will worsen when the site is occupied.
• Proposed Amendment per Mark Darin - change "new" to "additional"

Amendment accepted as friendly.

Establish a Construction Coordinating Group under CB7 for the site.
No amendment offered.

Proposed Amendment per Helen Rosenthal re an additional point to include under Mitigation.
• Helen Rosenthal:
-- Since the DSEIS reveals that, absent the creation of the school required by the community, the site will create a substantial unmitigated adverse impact on the community, the mitigation section should cross-reference the need for a school.
• Mark Diller:
-- add a new paragraph to read as follows:

Build a Full-Sized School. In response to the disclosure in the DSEIS of a substantial unmitigated adverse impact on the community from increased public school enrollment, the mitigation required for this Project must include a new school at the site. To the extent that this is considered mitigation, reference is respectfully made to the discussion of the nature the proposed school and its relationship to the needs of the community as set forth in Section D.3.a of CB7's Report and Resolution, and in Appendix C-6.

Item 6 - Investment in Community and Infrastructure:

a. Riverside Park South -- Three sub-sections considered in one discussion.

Assure completion of the Miller Highway relocation by making a substantial contribution to the costs of the replacement highway tunnels.

Construct active recreation facilities on top of and next to the newly constructed tunnels.

Contribute annually to on-going maintenance, capital improvements, and remediation of deteriorated elements in RSPS.

- Klari Neuwelt:

- RSPS is a victim of its own success, with usage and deterioration not foreseeable in 1992.
- Addition of the Project and its residents will further strain RSPS resources.
- 92 R/D does not adequately address the needs of a sustainable park that serves the community.
- Issues should be moved to the Mitigation section since they flow from the Project as built.

- While 92 R/D did not require the Highway to be moved, it assumed it would be. 92 R/D refers to the inland sections of RSPS as the "interim park" to be replaced once the Highway relocated.
- RSPS was to be the signature, most significant benefit to the community from the RSS project.
- burying the Highway is a benefit to the community and vastly improves RSPS.
- Should accomplish now what should have been a requirement in 1992 - removing the Highway.
- It is reasonable to request this of the Developer based on the increase in the value of the land from the change of use, which can support the school, affordable housing and this request.

- Proposed Amendment per Roberta Semer:

Delete the first two recommendations under item 6.a.

- Moving the highway is expensive, and there are no federal dollars for highway construction.
- State will not contribute to relocation without federal funds and assurance it will be completed.
- Many City highways in worse shape.
- Area under highway actively used (basketball, skating).
- Must complete an EIS to remove the Highway (which is an expensive undertaking itself).

For the Amendment:

- Richard Asche:

- Cost to relocate highway estimated at \$500MM or more.
- CB7 is asking a lot from this Developer.
- Highway has a useful life of 15-25 years; unwise to ask for tunnel that won't be used for years.

- Shelly Fine:

- Asking for funding on this magnitude strains CB7's credibility.

- Ethel Sheffer:

- Cost of burying the Highway should not be borne by the Developer alone.
- Should be a government initiative, and government not providing needed funds.

Against the Amendment:

- Miki Fiegel:

- removing the Highway further south made a huge difference to those neighborhoods. Will do the same here.

- Already half way through the renovated Highway's useful life.

- Developer's profit/return can support this request.

- Elizabeth Starkey

- Park is the only benefit to the whole UWS that community got in 92 R/D.

- Klari Neuwelt:

- by the time this project is done, highway will need to be replaced anyway.

- EIS re relocating the Highway is already done.

- Vastly improves RSPS to relocate the Highway.

- not asking enough of this Developer.

VOTE on the Amendment: 12-16-9-0. Amendment fails.

- Klari Neuwelt:

- language in the draft R&R varied from language that had been submitted, and which had been received favorably by the Land Use and Working Group chairs.

- Original draft sought support for a continuum of needs ranging from replacing deteriorating elements to relocating the Highway.

- Mitigation should obtain the maximum possible financial contribution to the needs continuum.

- Proposed Amendment per Elizabeth Starkey:

Adopt the original text of the RSPS mitigation section, subject to review by chairs of Land Use and the Working Group. Focus on keeping options open. Combine Mitigation and Investment.

Amendment accepted as friendly.

VOTE on keeping options open and the friendly amendment: 23-1-3-0.

b - Light rail:

No amendment offered.

c - Job Training and Employment:

No amendment offered.

d - Community Meeting Space:

No amendment offered.

Resolutions. Text of resolutions contained in Appendix B of the R&R. After deliberation, CB7 adopted the following resolutions:

1. Approve R&R as amended.

VOTE: 35-3-0-0.

2. Application N 100294 ZRM (relating to outer court regulations).

VOTE: 35-2-2-0.

3. Application N 100295 ZRM (text amendment: allow special permit for auto showroom/service).

VOTE: 36-0-1-0

4. Application C 100296 ZSM (height, setback and distance between buildings).

VOTE: 34-3-1-0

5. Application C 100297 ZSM (special permit for auto showroom/service center).

VOTE: 36-2-1-0

6. Application C 100287 ZSM (3 sub actions: first two allow building of platform over rail yards (approve), and the third redefines sloping of the site as podium (disapprove)).

VOTE: 35-2-1-0

7. Application C 100289 ZSM (single large garage).

VOTE: 35-2-1-0

8. Application C 100289 ZSM (separate garage in Building 1).

VOTE: 36-1-1-0

9. Application C 100290 ZSM (separate garage in Building 2).

VOTE: 36-1-1-0

10. Application C 100291 ZSM (separate garage in Building 3).

VOTE: 36-1-1-0

11. Application C 100292 ZSM (separate garage in Building 4).

VOTE: 36-1-1-0

12. Application C 100293 ZSM (separate garage in Building 5).

VOTE: 36-1-1-0

13. Application N 100298 ZAM (curb cut on WEA to allow 60TH Street to run through the site).

VOTE 37-0-1-0

14. Application N 100299 ZCM (more than 1 curb cut on 59th Street).

VOTE: 32-1-4-0

15. Application N 100286 ZCM (curb cut on 61st Street – loading bay for Building 1).

VOTE: 36-1-0-0

16. Application N 100300 ZCM (modify zoning requirements for Building 2, 3 and 5).

VOTE: 35-0-3-0

17. Application M 920358 D ZSM (modify restrictive declaration to permit change in use).

VOTE: 36-2-0-0.

Adjourn: 11:00 pm

Present: Mel Wymore, Andrew Albert, Richard Asche, Brian Byrd, Elizabeth Caputo, Hope Cohen, Kenneth Coughlin, Page Cowley, Mark Darin, Mark Diller, Robert Espier, Miki Fiegel, Sheldon J. Fine, Paul Fischer, Victor Gonzalez, Phyllis E. Gunther, Ulma Jones, Blanche E. Lawton, Marisa Maack, Daniel Meltzer, Klari Neuwelt, Lenore Norman, Gabrielle Palitz, Nick Prigo, Anne Raphael, Oscar Ríos, Suzanne Robotti, Haydee Rosario, Madge Rosenberg, Helen Rosenthal, Gabriella Rowe, Roberta Semer, Ethel Sheffer, Charles Simon, Elizabeth Starkey, Barbara Van Buren, Thomas Vitullo-Martin, Cara Volpe, and Dan Zweig. On-Leave: Robert Herrmann. Absent: Jay Adolf, Linda Alexander, Louis Cholden-Brown, Marc Glazer, Dalia Mahmoud, Judith Matos, Lillian Moore, Michele Parker, Eric Shuffler and George Zeppenfeldt-Cestero.

Preservation Committee Meeting Minutes
Lenore Norman and Gabrielle Palitz, Co-Chairpersons
July 8, 2010

14 West 69th Street.

The first agenda item was restoration/renovation of the exterior of 14 West 69th Street. The project was presented by Ron Melamud, designer.

The proposed project consists of several items each of which was discussed individually with varying degrees of support among the committee members. As a result of the disparity in opinions, the committee took 7 different votes. The items and results were as follows:

1. Façade: The proposal to remove the white paint from the façade and "re-brownstone" was approved 6-0-0-0 w/ little discussion.
2. The widening and excavation of the areaway to accommodate garbage bins and landscaping was approved 4-2-0-0 w/ some committee members expressing disapproval unless the now missing stoop was rebuilt.
3. The proposed new door was neither approved nor disapproved w/ a 3-3 vote. Some committee members were of the opinion that the door surround as proposed was inappropriate and some believed a double door was feasible and preferred.
4. New lights flanking the new door were approved 6-0-0-0 with the understanding from the owner that the light would be properly scaled for the door opening.
5. A proposal to construct a balustrade identical to the one at 16 West 69th Street together w/ an iron gate at the entranceway was voted on as follows:

A motion to approve both was defeated 1-5-0-0 w/ some members expressing disapproval of the design of the gate and some feeling the balustrade was "too heavy" w/o the stoop. A motion to approve the balustrade w/o the gate was approved 5-1-0-0.

11 West 74th Street, The San Remo.

The second agenda item was a proposal by the San Remo to provide a colored stucco coating to the east wall of 11 West 74th Street, which forms one side of a planned woodland garden in the adjacent vacant lot owned by the San Remo, and to attach a vine-supporting stainless steel trellis to that wall. Laura Starr, landscape architect, presented the project. After some discussion of the mechanics of the installation, particularly to assure there would not be damage to the wall and that it would be waterproofed, the committee approved the proposal 6-0-0-0.

Present: Lenore Norman, Gabrielle Palitz, Jay Adolf, Mark Diller, Miki Fiegel and Blanche Lawton. Absent: Brian Byrd and Dalia Mahmoud.

Transportation Committee Meeting Minutes Andrew Albert and Dan Zweig, Co-Chairpersons July 13, 2010

1. Application #1355061 to the Department of Consumer Affairs by Iqbal Sayyed to construct and operate a newsstand at the southwest corner of Broadway and West 73rd Street.

The applicant was not present.

Testimony from community:

- Marcel Rosenblatt, disapproves of the newsstand. She has monitored block daily and shared that on a typical day there are four vendors, including 17 tables from book vendor Kirk. She feels the corridor is too crowded and deleterious to the people using the ramp in front of Chase. She said Chase has a problem with security. In addition, she pointed out that the sidewalk has been narrowed.
- Gretchen Burger, Westside Federation of Block and Neighborhood Associations, and has spoken to several people about the congestion on the block and that there are already racks for newspapers on the block. When she was at the last 20 Precinct Community Council meeting, she learned there were six newsstands within a two block radius, including one directly across the street.
- Alexandra Yu has lived the Ansonia for 60 years. She supports her neighbors against the newsstand.

- Abdul Mulde works in a newsstand near Fairway and is against another newsstand.
- Janice Goldberg, VP of tenants committee at the Tempo, 240 W. 73rd Street, heartily agrees with her neighbors and points out that there are trees, a mailbox and lots of vendors.
- Frank Manzanet, resident super for Rutgers Church for 15 years, who also works with Strawberry and Chase, spoke in opposition.
- Ian Alterman says it is one of the busiest corners in the area. He believes that the southern edge of the stand will create an “hourglass.” He does not believe it will have any impact on Kirk.
- Ann Cunningham submitted a testimony that should be on record. She lives on West 73rd Street in the Tempo Hotel and believes the proposed newsstand is wrong and reminded the committee that she had submitted testimony in June. She also believes the newsstand would be an obstruction for the customers of Gymboree with baby carriages.
- Miriam Febus, Westside Federation of Block and Neighborhood Associations, is against it because there are six newsstands in the area; the newsstand is not needed on such a congested corner. It is only the Federation’s second time to oppose a newsstand. (Actual minutes submitted.)
- Barbara Adler feels that the city may still approve the newsstand and Dan Zweig suggested that the community write letters to the council member.

The following resolution was adopted:

WHEREAS, the public overwhelmingly disapproves of a newsstand in the applicant’s proposed site, and

WHEREAS, though the applicant was not present to defend his choice of location, the preponderance of evidence clearly indicated that this would not be an acceptable location for a newsstand,

BE IT RESOLVED THAT CB7 disapproves the Application #1355061 for a newsstand at the southwest corner of Broadway and West 73rd Street.

Committee: 4-0-2-0

2. Application #135627 to the Department of Consumer Affairs by Shahinur Islam, MD to construct and operate a newsstand at the Southwest corner of Broadway and West 96th Street.

Mr. Islam presented.

Resolution to approve the installation of a new Cemusa newsstand at Broadway and West 96th Street was adopted.

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

3. Proposal to charge for parking for Sunday drivers parking in metered spots in Community District 7.

Marc Glazer spoke first. He took photographs of cars throughout the day and pointed out that cars were parked for the entire day and that it was not being used by people attending church. He added that the schoolyard vendors on Sunday were using the spots, as well. The idea was to encourage turnover, but it has not worked and the average time for parking on Sunday is six hours. Moreover, the restaurants and vendors are being adversely affected.

- Barbara Adler, executive director, Columbus Avenue BID, said that the vendors on Columbus Avenue were hurt by the lack of turnover of spaces due to free parking.
- Ken Coughlin pointed out that between 25-45 percent of the driving is people looking for free parking. He believes in Donald Schups premise of market pricing.
- Marc Glazer agreed and would like to develop a website called “UWSCarpool.com.”
- Lisa Sladkus read testimony from George Beane also supporting rescinding the free Sunday parking. Supports variable pricing, as well. (George Beane’s testimony was submitted.)

- Tom Vitullo-Martin said in his neighborhood at West 86th Street he didn't see any justification for free Sunday parking. Also supports zoned pricing.
- Ulma Jones says she had been feeding Muni Meters on Sunday, despite the respite.
- Ian Alterman said he is in favor of charging for Sunday parking.
- Marc Glazer pointed out that we might need to be more supportive of neighboring businesses.

WHEREAS, Sundays are among the busiest driving days for visitors coming to the Upper West Side.

WHEREAS, Saturdays and Sundays are the busiest days for Museums, Central Park, the playground fair (Sundays) on Columbus Ave, and many other businesses.

WHEREAS, the Upper West Side has lost over 1,000 parking spaces since 2007, due to parking garage closings and other factors such as the upcoming bike lane which will remove an additional 55 parking spaces on Columbus Avenue on the first leg alone. The garages have been replaced by high rise apartment buildings, many of which are designed for families who drive. More cars are coming in for the new apartment dweller's use. Further, the number of available spaces continues to decline.

WHEREAS, the city council voted not to charge for Sunday meter parking a number of years ago, based on the "Pay to Pray" principle. However, this does not take into consideration the many Jewish houses of worship, who's Sabbath in on Saturdays. While some of the Synagogues are orthodox (driving is forbidden for these congregants), there are many more non-orthodox Synagogues whose worshipers can and do drive to Sabbath services. The "Pay to Pray" policy fails to reflect the cultural diversity of the Upper West Side. If the "Pay to Pray" policy is still a factor, then the city could issue special parking passes for worshippers for Saturdays and Sundays.

WHEREAS, parking is currently free on Sundays at the metered spots. Many of the metered spots are taken by residents, merchants and their employees, (including approximately 100 workers at the playground's street fair.) Many of the cars parking in the metered spots stay in those spots for most of the day. The average time spent in metered spots by cars on Sunday is between 4 and 6 hours, as opposed to 90 minutes on the rest of the week.; and

WHEREAS, visitors coming to the aforementioned museums, and other businesses simply have no place to park. They drive around and around the blocks looking for a parking spot, wasting gas and polluting the environment; and

WHEREAS, the meter parking which is the most effective way to facilitate a turnover of the spaces and in fact works very well the other six days of the week, is a dismal failure on Sundays. The average time spent in metered spots by cars on Sunday is between 4 and 6 hours, as opposed to 90 minutes on the rest of the week.; and

WHEREAS, the free meter parking on Sundays is detrimental to the shops and other businesses.

The remaining parking garages fill up quickly forcing many drivers to either park in front of hydrants, bus stops and other illegal spaces or giving up in frustration, go elsewhere; and

WHEREAS, charging for meter parking on Sundays will facilitate the turnover of parking spaces, and therefore encourage more shopping, dining, and visitors to museums and Central Park.

WHEREAS, charging for meter parking on Sundays will also generate much needed revenue for New York City.

WHEREAS, the Board believes that charging for meter parking on Sundays. ; therefore be it

RESOLVED, that the Board supports charging for 2 hour meter parking on Sundays.

.Resolution to Approve the draft resolution was adopted:

Committee: 7-0-0-0; Board Member: 1-0-0-0.

4. New Business:

A member of the public spoke strongly against CB7 having approved a bike lane on Columbus Ave and further complained he had no knowledge of such a proposal being made until

after it was already passed by the board or would have appeared to speak against the proposal.

Present: Dan Zweig, Linda Alexander, Ken Coughlin, Marc Glazer, Ulma Jones, Anne Raphael and Roberta Semer. Board Members: Mark Darin and Thomas Vitullo-Martin. Absent: Andrew Albert, Blanche Lawton, Lillian Moore and Oscar Rios.

Business & Consumer Issues Committee Meeting Minutes
Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons
July 14, 2010

Applications to the NY State Liquor Authority.

1. 513 Columbus Avenue LLC , d/b/a Bar Cotto. Owners Mario Riva and Sergio Riva. Application for two-year full bar liquor license. Experienced restaurateurs with units in Meatpacking, i.e., the Diner on West 16th Street. Will be open for lunch and dinner and on weekends, brunch and dinner. Thinks they will close at 2 a.m. on weekends; 11 p.m. on weekdays. Applicants advised of board's bicycle messenger service criteria.

Motion brought to approve the application to SLA: 7-0-0-0

2. 239 West 105th Street (Broadway), Single Minded Untouched d/b/a Zen Palate. Presenting: Stanley Chin, attorney and owners Frank Hau, President. Moving into vacant space that had a full liquor license, not surrendered, but applying for new license. Mr. Chin included diagram of neighboring restaurants, all of which have liquor licenses. Applicants advised of board's bicycle messenger service criteria.

Motion to approve the application. 7-0-0-0

Sidewalk Cafes (Unenclosed and Enclosed)

3. 414 Amsterdam Avenue (West 79/80th Streets) Renewal application DCA#1016775 to the Department of Consumers Affairs by BEK Enterprises d/b/a Savann Enterprises d/b/a Savann Restaurant for a two-year renewal to operate an unenclosed sidewalk café with 8 tables and 17 seats. Applicant advised to apply community notices 7-10 days prior to full board meeting in September. Motion to approve: 6-1-0-0

4. 502 Amsterdam Avenue (West 84th/85th Streets) Renewal application DCA#1357229 to the Department of Consumer Affairs by Romagica Corp. d/b/a Celeste Restaurant, for a two-year renewal to operate an enclosed sidewalk café with 4 tables and 10 seats. Presenting Carmine Mitroni, owner. Motion to approve: 6-1-0-0

5. 429 Amsterdam Avenue (80/81st Streets) New application DCA#1356805 to the Department of Consumer Affairs by 429 Amsterdam Avenue, LLC d/b/a/ Taberna, for a two-year consent to operate a new unenclosed sidewalk café with 16 tables and 32 seats. Applicant was advised of board's bicycle messenger service criteria Presenting David Santos, owner. Motion to approve: 6-0-0-0

6. 434 Amsterdam Avenue (West 81st Street). New application DCA#1357136 to the Department of Consumer Affairs by MHBK Associates, Inc., d/b/a The Tangled Vine, for a two-year consent to operate a new unenclosed sidewalk café with 14 tables and 30 seats. Presenting: Bruce Kravetz, owner, and Joseph Levy, attorney. Applicant was advised of board's bicycle messenger service criteria. The café wraps around West 81st Street, just west of Amsterdam Avenue, and the committee explained the plan would have to be changed to conform with CB7 criteria. The owner

disputed that premise saying his other restaurant on the northeast side of the street, i.e., St. James Café, had a wraparound café, as did Al Dente on the southeast corner of Amsterdam and 80th Street. George is going to ask Penny to inspect Al Dente. Motion to disapprove unless side street tables are removed: 8-0-0-0

7. 466 Amsterdam Avenue (West 82nd/83rd Streets). New application DCA#1357229 to the Department of Consumer Affairs by Sushi Hana Fusion, Inc. d/b/a Sushi Hana for a new unenclosed sidewalk café with 7 tables and 18 seats. Presenting Yongzhang Chen, who is the new owner (previous owner Mr. Lin). Applicant did not post notification but said he did not receive flyers and was advised to post community notices in his windows and neighborhood windows at least 10 days prior to September full board. Motion to approve: 6-1-1-0

New Business

8. George Zeppenfeldt-Cestero will arrange to get committee members' addresses to assign site visits to nearby restaurants.

9. Advised to look out for violations with sandwich boards and illegal signage outside of approved café footprint.

10. Marc Glazer commenced a discussion about District Needs statement. He feels board needs to be more responsive to small business owners and wants the committee to write something up that we will better support businesses.

11. Mr. Glazer described Transportation Committee's motion about metered parking on Sundays. Paul Fischer concurred. The committee added a resolution to support Transportation Committee's.

Resolution to approve paid meter parking on Sundays along the avenues and support the Transportation Committee's resolution: 8-0-0-0

12. Ulma Jones requests that the signage on the Duane Reade stores prohibiting entrance to dogs be required to be made more prominent. She feels that this should be amended to all drug stores.

13. Elizabeth Caputo asked whether the Board receives any notification when stores close.

14. Mr. Zeppenfeldt asked committee members to provide feedback regarding the Draft SEIS for Riverside Center.

Present: George Zeppenfeldt-Cestero, Linda Alexander, Elizabeth Caputo, Paul Fisher, Marc Glazer, Ulma Jones, Dalia Mahmoud and Anne Raphael. Absent: Michele Parker.

Youth Education & Libraries Committee of Community Board 7

Mark Diller, Chairperson

Minutes of July 15, 2010 Meeting

The Youth, Education & Libraries Committee of Community Board 7/Manhattan met on July 15, 2010 at 6:30 pm at the offices of the Community Board, 250 West 87th Street in Manhattan. Committee members Brian Byrd, Paul Fischer, Marisa Maack, Haydée Rosario, Helen Rosenthal, Eric Shuffler, and Mark Diller (chair) were present. The following topics were discussed.

1. Riverside Center - YEL Report.

(a) YEL report on the need for a school, and the appropriateness of requiring the developer to fund the entirety of the school needed by the community, has been circulated in draft form.

(b) Report reflects the attributes of the school needed by the community, as derived from meetings and discussions, as well as the May 24th YEL Public Hearing. Those attributes include a school

that:

- i) serves grades K to 8, with room for a pre-K;
- ii) houses 6 sections per grade (minimum 1,332 students, 151,598 GSF);
- iii) is built in the first building constructed on the Project site;
- iv) is fully funded by the developer;
- v) offers all necessary program spaces and state-of-the-art equipment, including:
 - (1) large/multiple cafeterias (ensuring reasonable times for lunch);
 - (2) multiple/dividable gyms (providing weekly access for all students);
 - (3) separate, age-appropriate outdoor play spaces, preferably at grade;
 - (4) dedicated space for art, music, science labs and student services;
 - (5) wide hallways with lockers for upper grade students;
 - (6) flexible auditorium space; and
 - (7) green features (e.g. green roof, vegetable garden).
- (c) YEL's report will be summarized in the body of the full Board Report and Resolution, and the full text of the YEL report will be included in an appendix.
- (d) Statement of "givens" required for any approved development at the Riverside Center site should include the requirement that the school be fully paid-for by the developer.
- i) At the time CB7's Core Principles and "givens" were drafted and voted upon by the full Board, no mention was made by the developer that it would seek to pass nearly all of the cost of the creation of the school to the SCA.
- ii) Hence no need in early versions of the statement to distinguish who would pay for the fitting out of the school (developer's own statements created the reasonable interpretation that it was offering to pay for the school, not just the "core and shell" of a school to be fitted out by SCA).
- (e) Resolution to amend the statement of "givens" in the Core Principles and to be incorporated into CB7's Report and Resolution to (i) specify that the school should be at least 151,598 GSF, and (ii) that it should be fully funded by the developer.

After deliberation, the resolution was adopted.

VOTE: 7-0-0-0.

(f) Revisions to the YEL report:

- i) eliminating points that could be construed as micro-managing the layout of the school or its design or construction.
- ii) emphasize that, with careful and thoughtful planning, the space proposed by the developer (151,598 GSF) could be sufficient for a school that meets the needs of the community, including 6-sections per grade from pre-K through 8th.
- (g) Resolution to adopt the draft, as modified above, as the Report of the Youth, Education & Libraries Committee and refer it to the full Board and for inclusion in the CB7 Full Board Report and Resolution.

After deliberation, the resolution was adopted.

VOTE: 7-0-0-0.

2. District Needs Statement.

- (a) Draft in new format proposed by Chair Mel Wymore and co-secretary Louis Cholden-Brown previously circulated.
- (b) Corrections and revisions to the draft incorporated.
- (c) Additional comments and corrections will be accepted until July 22nd.
- (d) Resolution to adopt the District Needs Statement as presented and amended, subject to further corrections received by July 22nd.

After deliberation, the resolution was adopted.

VOTE: 7-0-0-0.

3. Topics and Ideas for Future Meetings.

(a) Dedicate a substantial portion of the agenda of one of our meetings to youth initiatives and concerns.

i) will need to develop electronic platforms such as social media to reach teens and determine their interests and concerns.

ii) partner with the YMCA, local schools as a possible means to discern needs.

(b) Hold YEL meetings outside the CB7 District Office to make community participation easier. E.g. at local middle and high schools.

(c) Revisit research areas and determine topics on which YEL members would be interested in researching and presenting to the committee and potentially the full Board. Potential topics could include (i) the impact of as-of-right development on a host of services and opportunities for children and families; (ii) understanding charter schools; (iii) afterschool funding and programming - needs and resources.

Meeting adjourned at 7:45 pm

Parks and Environment Committee Meeting Minutes **Klari Neuwelt, Elizabeth Starkey, Co-Chairpersons** **July 19, 2010**

1) Agenda item #1 is being skipped because Council Member Gennaro could not send a staff member to address the committee regarding the biofuels bill forthcoming in the City Council. This will be added to next agenda.

2) Discussion of bicycle/pedestrian conflicts in Riverside Park

a. Crista Carmody, Park Manager, Riverside Park - Long history of greenway being used not just for bikes, but for everyone. Efforts made to make bikes/dogs/pedestrian interactions safer include speed bumps and other efforts in consultation with Transportation Alternatives. These efforts didn't work as desired, so therefore, decided to ask bikers to dismount.

b. Nina Webb, FLORAL President - Friends and Lovers of Riverside Area Life - Group devoted to life in Riverside Park. Pedestrian safety issue (children, seniors, dogs) in-front of dog run. Dismount signs put up approximately one year ago, though they were vandalized and torn down.

c. Tila Duhaime, Upper West Side Streets Renaissance - Concern that there wasn't a public notice or dialog prior to hanging dismount signs. Dismount zone may be too much for this area, concern that dismount sign may delegitimize biking in city considering this is a city sanctioned bike path. Feels that it makes more sense to enforce existing biking laws instead of dismount zone. Would be open to discussing peak-period dismounting if case was made.

d. Justin, Community Member - pedestrian/biker/user of dog run in question.

e. Tom Vitullo-Martin - Raises concern that 72nd Street entrance to greenway isn't part of bike path and therefore shouldn't have bikes. Some DoT maps show it as class 1 bike paths, others do not.

f. Cy Adler, President of Shore Walkers - Concerned that pedestrians won't walk on Cherry Walk on weekend because of bicycles. Proposes that the solution could be to expand the Cherry Walk 'desire path'.

g. Pat Bear, pedestrian and dog owner - Uses 72nd Street on daily basis, feels that cyclists on path are dangerous.

h. Mary-Beth Kelly, pedestrian/cyclist/dog owner - Thinks it is a shame to pit dog walkers against cyclists. Asking cyclists to dismount is akin to asking dog owners to carry their dog to the dog run.

i. Kate Webb, pedestrian/cyclist/dog owner - Wants bike traffic light.

j. Vince Meehan, dog owner/cyclist/President of Schwab House - Goal is simply to mitigate the risk of accidents. Look at speed bumps, barrier, or other items. Just do something.

- k. Lisa Sladkus, UWSSR - Other entrances to greenway on Upper West Side are not safe for bikes (traffic, buses, street conditions).
 - l. Kerry Conrad - This is a traffic issue, and not a larger cycling issue. Simply need to make sure this is safe.
 - m. Ken Coughlin - Would prefer a stop sign in place of dismount sign.
 - n. Su Robotti - Supports enforcement and registration of bicycles to make enforcement easier.
 - o. Elizabeth Starkey - Wants bike groups to up education programs to make cyclists more respectful of rules.
 - p. Klari Neuwelt - Everything in NYC is about real estate, and we don't have the luxury of space. This path is too narrow to divide. Wants to look for solutions that do not involve dismounting.
 - q. Nick Prigo - Dismounting signs will be followed by responsible bikers and ignored by those who are not. We should do everything short of asking bikers to get off their bike.
 - r. Phyllis Gunther - Unhappy with the 68th Street ramp into Riverside South for not being ADA accessible. Wants to hire people to look for solution or determine ways to widen the path.
 - s. Tom Vitullo-Martin – Pedestrians and bicycles don't mix, and has concerns about letting bike paths into parks. Supports dismounting zone.
 - t. Mark Darin – Notes that this is going to be a growing issue as bikes become more popular and that we need to take a longer view of this problem of bikes and pedestrian conflicts in our parks. Opposes dismounting zone.
 - u. Kevin, Member of Community – Recommends looking into smart speed bumps, which flatten when you are going sufficiently slow, but cause a bump if you are going too fast. Used in Mexico City.
- The Committee requested that Ms. Carmody/DPR study a variety of potential measures at 72nd Street over the summer and return for further discussion at the Committee's September, 2010 meeting.
- 3) Update on Committee Business
- a. Klari Neuwelt reported that Doug Blonsky, Administrator of Central Park and President of Central Park Conservancy had reported:
 - i. That they are generating RFP for Tavern on the Green area to include: Bike & Roll, visitors center with upgraded bathrooms, and four carts. Considering the removal of the Crystal Room to create more outdoor space.
 - ii. Considering recommending that two east-west pedestrian paths be converted to bike paths.
 - b. Elizabeth Starkey proposes inviting the Central Parks Conservancy to come to CB7 and discuss the rehab of the tennis houses and general tennis court area at the Committee's September, 2010 meeting.
 - c. Phyllis Gunther - Let's get Doug Blonsky in to talk about recycling in Central Park.
 - d. Ken Coughlin – Outline of parking issues at Riverside Center development proposal.

Present: Klari Neuwelt, Elizabeth Starkey, Ken Coughlin, Mark Darin, Phyllis Gunther, Nick Prigo, Suzanne Robotti and Tom Vitullo-Martin. Absent: Elizabeth Caputo and Judith Matos.

**Land Use Committee and
Riverside Center Working Group
July 21, 2010**

The Land Use committee and the Riverside Center Working Group held a joint meeting on Wednesday, July 21, 2010, at the District Office, 250 West 87th Street, in the District. The meeting was called to order at 7 pm, and was co-chaired by Richard Asche and Page Cowley, chairs of Land Use, and Ethel Sheffer, chair of the Working Group. The following topics were discussed.

Draft Report and Resolution – key components include:

- Appx A – Summary of Recommendations
- Appx B – Resolution on Specific Actions
- Appx C – Back-up documents

Mitigation Needed

- DSEIS discloses an adverse impact based on the loss of active open space – a decrease in the ratio of active open space to population in the area based on the Project.
- DSEIS recommends Developer create .88 acres of active open space.
- Distinguish mitigation based on erosion of ration of active open space vs. desire of the Parks Dep't to complete Riverside Park South ("RSPS").
- Distinguish incentive to remove Bldg 4.
- completing RSPS is not mitigation, but completing a pre-existing agreement.

Land Use Issues

- Concerns (Tom Vitullo-Martin):
- Abandoning the scheme of the developer's master planner for the site to introduce the grid to the site, where the grid had never been; no historic connectivity.
- Need to remove an entire planned building to replace open space consumed by additional streets.
- Massing same density/square footage onto 4 buildings instead of 5.
- Site was always industrial.
- Developer's plan separates residential and commercial uses, permits underground connections.
- "Hugging the contour of the land" a terrible idea; stops "communication" within the site.
- Hills not friendly to seniors, those with mobility issues or on wheels; CB7 proposal problematic.
- Proposal is a modern version of the Belnord Building on the UWS.
- Building entrance at grade at SW corner would create risk of flooding during hurricanes.

Responses:

- Richard Asche:
- CB7 not proposing mapped streets re grid. Not proposing 60th Street extension be vehicular.
- Not proposing to replace floor area/massing of Bldg 4; simply eliminating one building.
- Not eliminating Bldg 4 to replace tarmac or brick.
- CB7 Core Principles seeks a development that enlivens the community, not a Belnord, not a limited access private enclave in the middle of a residential neighborhood.
- Did not remove underground access between buildings – actually a good feature.
- Should avoid the brusque stepping down from a podium to RSB.
- Extension of 60th Street similar to the Mall in Central Park (replaces the water feature). Consultants think should be vehicular; Board consensus to be pedestrian path.
- Possibility of limited vehicular access for deliveries; concern re connection at RSB.
- No hurricane issue – the foundation of the SW corner building in the same place whether or not the entrance is on a podium.

Bringing the Site to Grade (especially along 59th Street and RSB):

- Tom Vitullo-Martin:
- Concern that the motive to bring the site to grade is a reaction to exclusivity of the development.
- SW corner of the Project site is industrial, not residential.
- Hills form wall just as the podium would.
- Mel Wymore:
- Dep't of City Planning emphasizes that open space at grade integrates a community.
- Open space that is visible from the sidewalk (and vice versa) is safer.

- Bringing site to grade could knit Powerhouse, RPSP and RSC together. Make a beautiful street.
- Roberta Semer:
- RSB and 59th Street are sole access points to RSPS at grade. Concern for welcoming access.
- Richard Asche:
- Bringing site to grade can be through a gradual slope or terraces and ramps – gentler approach.
- Helen Rosenthal:
- Question whether use of transparent materials at SW corner of site could remedy exclusive feel.
- Richard Asche:
- If developer builds a podium, would have a wall 16' high at SW corner – will read as exclusive.
- Mark Diller
- Steady slope from mid-block on 59th to RSB to 16' at corner. Well above pedestrians' heads.
- John West:
- Developer should use transparent materials anyway. Whether wall or steep hill, site is uninviting.
- As proposed, pedestrians on sidewalk on 59th or RSB could not see pedestrians on site. If brought to grade, they could see each other.

Extension of West 60th Street through the site:

- Richard Asche:
- To emphasize that the open space is public, consultants believe that street should be vehicular.
- CB7 concerned with traffic congestion issues if street were vehicular.

Density and Massing:

- Richard Asche:
- Proposal to reduce density by eliminating Bldg 4 – effectively eliminates extra floor area sought by the Developer. Not proposing to relocate it elsewhere on the site.
- Fewer apartments means less strain on all aspects of infrastructure (traffic, transit, RSPS).
- Also square off Bldg 5 so Freedom Place straightens out – reduces floor area of Bldg 5 slightly.
- Tom Vitullo-Martin:
- CB7 and Developer about 400K sq ft apart.
- Not convinces that an increase in floor area will have a material impact on the community.
- Should grant extra floor area and tie addition to affordable housing.

Affordable Housing:

- Klari Neuwelt:
- Report at last RSC Working Group meeting that City Planning was working with the Developer to increase the affordable housing (measured as a percentage of square footage, not units).
- If accomplished, creates a tension between desire to limit density and desire to increase the amount of affordable housing to be created.
- Shelly Fine:
- Inclusionary housing program usually grants an FAR bonus to the developer. Must monitor.
- Examples of 30% affordable housing included in recent development proposals (Atlantic Yards, Domino Sugar).
- Affordable housing mostly lost in the northern end of CB7's District – should have off-site affordable housing to redress the loss in the areas most affected.
- Should seek 20% affordable housing on-site, and 10% off-site.
- Should strike references to “working class families” to target a wider audience (including seniors, various levels of need) – on pp 14, 17, 31.
- Helen Rosenthal:
- Should follow Housing Committee recommendation of 30% on-site.

- Richard Asche:
- Get more bang for affordable housing buck off-site. Should discuss at Full Board.
- Ethel Sheffer:
- DCP is negotiating with the Developer re affordable housing to be included.
- DCP will submit a text amendment before its 9/15 hearing on the Project.

Design Concerns:

- Gabby Palitz:
- Huge, sculptural buildings and narrow entrances will interfere with the creation of community.
- Monolithic walls on West 61st Street will create canyons – unwelcoming.
- Jarring change from design prevailing in Riverside South.
- Ethel Sheffer:
- CB7 only approving envelopes for buildings; approval of materials beyond the current scope.
- Richard Asche:
- Without limiting designers' creativity, should address canyon effect on West 61st.
- Should require that any material change to buildings as built be re-submitted to CB7.
- Page Cowley:
- Eccentric shapes are part of compelling architecture. Can only approve what CB7 has seen.

Light Rail:

- Klari Neuwelt:
- Should explore possibility of using the light rail right-of-way on Metro North/Amtrak tracks.
- Richard Asche:
- Should limit to "consideration should be given to a light rail connection to midtown."
- Ethel Sheffer:
- Only roof for one track along light rail easement – unworkable.

Burying the Highway:

- Klari Neuwelt:
- RSPS plans assumed that the highway would be buried eventually, even as though the 92 R/D and other closing documents did not require it.
- Package of benefits to the community from the Developer should include funding for major capital needs of RSPS, including
 - new construction, especially of active open space;
 - remediation of deteriorated or damaged elements; and
 - contribution toward the construction of the southbound tunnel cavity for burying the highway.
- New tunnel cavity allows the building of a soccer field on its roof.
- Robeta Semer:
- Must eliminate the "burm" as cannot have an active playing space on a slope.
- Concern that there is no available funding to complete the burying of the highway, so would be a fool's errand to require Developer to invest in a solution that will not be employed.
- Tom Vitullo-Martin:
- Concern that including an undifferentiated shopping list will result in unforeseen consequences.
- Mel Wymore;
- CB7's primary duty is to discern and relate community concerns and learning.

School at the Site:

- Mark Diller:
- Summary of need for a new school that meets the community's needs (not just those of this enclave) and fully funded by the Developer is appropriate.

- Inclusion of the full Youth, Education & Libraries report in the appendix rather than the body of the CB7 Report is acceptable.
- Tom Vitullo-Martin:
 - Will take years for school to be built under the most aggressive assumptions.
 - Should not suggest we are solving a current overcrowding problem.
 - Should only seek the smaller school funded in part by the Developer.
- Mark Diller:
 - No viable option for multiple schools.
 - School Construction Authority has no funding in 2010-14 Capital Plan for new seats in District. SCA also included no funding for new seats in the 2005-09 Capital Plan.
 - If new school is not built on this site, there is no reason to believe one will be built elsewhere.
 - Option that places most of the cost of construction on the SCA is not viable.

Parking:

- Dan Zweig:
 - Transportation Committee seeking to reduce parking to the smallest viable amount, and to discourage frivolous trips and uses of cars (mostly intra-Manhattan).
 - Concern that building too few parking spaces at the site will result in residents of the site bidding up the price of parking in the area, which will trickle up the UWS and result in higher parking costs throughout the District.
 - Balancing effort between competing interests.
 - Transportation Committee reached a compromise recommendation of 1200 spaces, which would include room for residents of the site plus some of those displaced from the current lots on this site.
- Ethel Sheffer:
 - Draft Report at 1000; Committee compromise at 1200.
 - 1200 is 50% of the proposed residential units – high percentage.
 - UWS accessory ratio is 35%; CB4 ratio at 20%.
 - Car use and ownership tracked to income, so expect need for fewer spaces from affordable units.
- Richard Asche:
 - Should address distinction between accessory and public parking needs in the Report.
 - Could support 1000 accessory spaces and 200 transient replacement spaces.
- Mel Wymore:
 - Parking spaces generate huge numbers of trips by car, with impact on traffic.
 - Traffic impacted is under-represented in the DSEIS.
- Ken Coughlin:
 - Concern that building more spaces than permitted by 1992 Restrictive Declaration will subsidize car use through tax dollars.
 - Parking scarcity affects a decision whether to buy or use a car – building more spaces encourages more trips, more congestion.
 - CEQR Manual – spaces for 20% of units in midtown central business district (site straddles).
 - Applying Hudson Yards metrics of .30 spaces per luxury unit and .08 spaces per affordable unit, should include between 602 and 909 spaces.
- Dan Zweig:
 - Committee recommendations ranged from 1000 to 1200 to 1800.
 - Concern for those displaced from current garages.
 - UWS garages already full.
 - Should provide for rental car and car-sharing (e.g. Zipcar) facilities on site.
- Elizabeth Starkey:
 - Calculating spaces as if accessory, but application is for a completely public garage.
- Tom Vitullo-Martin:

- RSC intended to attract families to return to NYC from suburbs. Will need fewer cars, so should consider in awarding spaces.

- Ken Coughlin:

- 1200 spaces would require a two-level garage – should limit to a single floor.

- ,smf

Richard Asche:

- Limiting garage to a single basement floor is a good idea.

Helen Rosenthal:

- Should accept Transportation Committee's analysis and recommendations.

- Hope Cohen:

- Garages should be public, not accessory, to promote maximum efficiency.

- Limiting to a single floor is a good idea, since allocating parking spaces is not an exact science, and valet parking allows more cars to be squeezed in.

Resolution to recommend that the full Board deliberate on and consider approval of the Draft Report and Resolution on RSC.

After deliberation, the Land Use Committee and the Riverside Center Working Group each adopted the resolution.

VOTE: Land Use: 6-0-0-0

Working Group and Board Members: 7-0-0-0

Adjourn: 9:00 pm