COMMUNITY BOARD 7/MANHATTAN Minutes of Full Board Meeting March 5, 2013

Community Board 7/Manhattan's Full Board met on Tuesday, March 5, 2013, at Jewish Home Lifecare, 120 West 106th Street, in the District. Chair Mark Diller called the meeting to order at 6:40 pm after the Secretary confirmed the existence of a quorum.

Minutes from previous full board meeting were approved 21-0-1.

Chair's Report: Mark Diller

- Frederick Douglass Circle beautifully redesigned by artist Clayton Williams. There was a holiday party in December 2012.
- The Friends of Frederick Douglass Circle also organized an event in appreciation of the life and work of Frederick Douglass in the Circle on February 20th, which included performances by students at PS 145 and PS 241, dramatic readings of Douglass's works by Mr. Ezra Knight and Mr. Spencer Scott Barros (edited by Andrew Dolan), and musical selections from Clayton Williams.
- Neighbor of the Month Award was awarded to Diane Pobuda for efforts to reclaim landmark worthy space and bring back its name. Also awarded to Clayton Williams for lending his vocal talents and as a role model for children and the entire community. Awards for Ezra Knight, Spencer Scott Barros and Andrew Dolan were also presented with Mr. Clayton's and Ms. Pobuda's awards.
- Request for Expression of Interest at Upper West Side schools:
 - Updated community regarding the Request for Expressions of Interest (RFEI) relating to the potential proposal for the destruction of a public school building and another building on top of it.
 - Noted that the model involved here is for the New York City Educational Construction Fund (ECF) to reissue a ground use and allow a developer to utilize the unused air rights to build another building.
 - This model was used successfully with the High School for Art and Design on E. 56th Street and Second Avenue.
 - The heart of this issue is that the RFEI was issued without notice to the community, CEC or CB7. CB7 wrote to Department of Education (DoE) about this issue in the Fall of 2012.
 - There are 3 schools of interest in the RFEI, but only 2 are in CB7 district, the other one is on the Upper East Side.
 - The CEC for District 3 invited the Executive Director of the ECF to speak at their February 13, 2013 meeting. During that meeting, the Executive Director committed that this would go through ULURP, which would require CB7 input. It is unclear whether that is in fact a legal requirement.
 - Manhattan Borough President Stringer, after convening a meeting that included representatives of the ECF, Department of Education, School Construction Fund,

Community Education Councils, parents and administrators of each school, as well as CB11 and CB7, wrote to ECF and DoE to confirm legal requirements and whether it must in fact go through ULURP.

- One of the concerns to YEL and CB7 is that the sketch in the RFEI includes a rendering of what the school would look like and part of it is below grade, which is problematic.
- The first order of business from CB7's perspective is to ensure that there is a robust, transparent role for the community to allow the community to participate. This must occur at the RFP stage because that is the position of strength. Given the ULURP implications, going forward this issue will be jointly evaluated by the Land Use and Youth, Education and Libraries Committees.
- CB7's 2012 Report to the Manhattan Borough President is due on March 22. Urged committees to submit their 2012accomplishments and 2013 accomplishments asap.
- The 59th Rec Center, which is now the Gertude Ederle Recreation Center, will have a soft opening in March. Staff is targeting outreach to youth who would be natural fit for the center. Trying to preserve as much of space as possible for family use. [Editor's note the opening has since been delayed.]
- A stakeholders' walk-through of Riverside Park South on March 7, 2013 at 9 a.m. assessed potential uses. C-M Brewer and Speaker Quinn contributed \$2.50M in capital monies for improvements. The recommendations will be discussed by the P&E Committee on March 18, 2013 at CB7 District Office. Some of the issues for consideration are: making a congested intersection in the Park safer for pedestrians, cyclists, little-leaguers and other Park users; regarding a soccer field, building a shade structure on Pier I, a community garden, and other options.
- CB7 Schedule Changes:
 Land Use Committee will again meet at Goddard Riverside with respect to Columbia Grammar proposed expansion.
- Due to Passover, the Health and Human Services Committee will meet on Wednesday, March 27, and the CB7 full board meeting will take place on Wednesday, April 3, 2013.
- The July full board meeting will take place on Tuesday, July 9, 2013. The Transportation Committee meeting will be moved to another date, to be determined.
- Recognized the service of Board Members who have not applied for reappointment: Ian Alterman, Ulma Jones, Gabriella Rowe, Stephen Vasquez and Cara Volpe.
- Community lost an amazing leader in Madeleine Polayes, a very strong community leader and co-founder of the Coalition for a Livable West Side.
- Transportation Committee meeting on March 12, 2013 will feature Sam Schwartz who will speak about his Move-NY plan that addresses mass transit and traffic issues.
- Community Session
- <u>Batya Lewton</u>, Coalition for a Livable West Side discussed NYCHA's proposal to build infill housing in Frederick Douglass Houses. . In 1989, CB7 commissioned West Side Futures that held 4 public meetings with over 200 attendees for people to protest such a plan.

- Park West Village was a part of that discussion. It is outrageous that people want to take away what little open space exists for NYCHA residents.
- Christian Bray, Phyllis Roth & Stu Lahn, Friends of Club 76 (Club 76, 120 West 76th Street) Will sponsor a lunch roundtable on Sunday, April 7, 2013 at 11:30 a.m. for all 6 Democratic candidates seeking election to Council District 6. Delighted and honored to have CB7 Chair Mark Diller as moderator for the event. Club 76 is very excited to host this forum and to hear the needs of seniors in the community. This is especially timely as the senior population is growing with baby boomers aging up. Hoping to also talk to the mayoral candidates to see if can get them to participate in a similar forum. Club 76 has 300 members and serves about 70 people a day. It is the only center of its type that serves Kosher meals. Unfortunately, they are running out of funding. While C-M Brewer has successfully secured funding for this year, they need funding going forward.
- Melanie Lewis, 79th Street Pharmacy A new, family-operated pharmacy has recently opened that is tailored to meet the needs of the community. Offer free delivery, are open 7 days a week, and working with a nutritionist and carry surgical supplies.
- Rebecca Donsky, Manager of Bloomingdale Branch of NYPL Library's schedule include:
- Tuesdays at 11 am in March basic technology; March 12th Internet basics drop in kindle lab March 19th at 11 am Wednesdays one-on-one community help: March 27th NY Community Cares: April 45 minute job/resume help: Saturday tutoring April 6th and 13th: Fridays AARP will be back to file taxes from 10:30 a.m. 2:30 p.m.; Story time Friday March 15th at 10:30 a.m.
- While some of the programs are currently full, encouraged interested parties to secure a spot on the wait list.
- Peter Arndsten, District Manager, Columbus Amsterdam BID New restaurant guides are available; please support new local restaurants. Thanked BCI Committee for consideration and approval of sidewalk café on 109th and Columbus, which is the first one on upper Columbus. Encouraged passage of 3 family days in May and September, which were approved by Transportation Committee. These are not street fairs. Spoke about proposed 4 massive buildings at Frederick Douglass Houses
- A question was raised about lawsuit against UWS stores with respect to accessibility. This
 lawsuit is not producing the best solution for the needs of the community. A fuller
 discussion will be provided later.
- <u>Jane Thompson</u>, 736 WEA resident Complaining about construction at 732 WEA. Invited people to come by see the barricades in front of the building. Precipitation causes problems for neighboring buildings. Thanked Jesse Bodine, Penny Ryan and Mark Diller for their help. Compiled list of variances for weekend work that could otherwise take place during the week. 311does not seem to be managing this properly.
- C-M Brewer and C-M Garodnick have been responding to After-hours work variances and championing this cause. Mr. Diller is advocating before Borough Board on this also.
- Bellina Anderson, Cathedral Gardens Association, Non-College Board of Managers Represents 25 individual unit owners at352 West 110th Street. Barnard and Non-College Board of Managers co-own building 70-30. Raised issues of ownership. Board is

perpetually controlled by Barnard and it makes it extremely difficult to manage the building. Asked for help from CB7.

Manhattan Borough President's Report-Rebecca Godlewicz

- PS 191 & 199: BP's office has been involved every step of the way on this RFEI. BP wanted to clarify what the involvement process will be and is awaiting feedback. They met with DoE on Friday, March 1, 2013. Will do follow-up regarding land use issues in order to assure community involvement throughout the process. Given the timeline for this process, the BP is making sure that he makes his concerns known in advance of the end of his term in 2013.
- Manhattan BP's Office released Senior Guide, which was many years in the making. Contact Rebecca if would like a copy.
- BP community grants process for operating funds is underway. There are independent screening panels, which they are seeking volunteers for so please let Rebecca know if you have expertise that would like to share with BP's office.

Reports by Legislators

Gale A. Brewer – City Council Member, 6th District

- West 67th Street residents are upset by the lines of people seeking to attend ABC shows, which they can see from their windows. ABC may not realize that they are upsetting a powerful and engaged constituency that includes several famous writers in the block association, such as Joyce Purnick.
- Storefront regulation On Broadway the final agreement did not limit the size of the stores. Accordingly, now the issue is to keep Big Nicks and the small stores surrounding it open since they cannot afford to pay major rent increases that they were recently notified about.
- Working with CB7, Fairway, Broadway Mall Association, etc., to address the rat problem. On April 30th there will be a breakfast at Fairway to discuss the rodent situation. Fairway has offered to help clean the mall at 74th Street
- After hours and weekend variances DoB is giving out permits. The noise of construction is too much on weekends. Working with C-M Garodnick to determine how best to address this from an agency approach.
- On West 71st Street there will be a new park.
- Seniors are getting inexpensive and high quality fruits and vegetables at the senior centers, which is a great way to bring together the neighborhood.
- NYCHA Infill Issue: Continuing to work with and organize the housing developments. There are now tenant leaders in each building. There are a lot of air rights available above the housing developments. We need to make sure stakeholders are included and have their voices heard.
- City Council is fully in the budget process. All City Council budget meetings are webcast.

Reports by Legislative Representatives

Ellen Louis, State Senator Brad Hoylman's Office

- Senator urging constituents to join massive rally in support of gun control, Thursday, March 21st at 4:30 p.m. at Harlem State Building.
- Senator supports comprehensive campaign finance reform in Albany using NYC system as a model. Authored an op-ed to this effect in the Villager.
- NYCHA Infill: Senator is open to ideas regarding innovation between public and private sectors. Has urged Mayor and NYCHA to have a robust community engagement process before moving forward. Should be public review process before RFP.

Ben Schachter, State Senator Adriano Espaillat's Office

- Fight over minimum wage continues to heat up. Senator Espaillat is a lead sponsor of a bill, which would raise minimum wage to \$9.50 over 2 years and computerize it. Co-sponsored letter to state leadership expressing support for these measures.
- Highlighted that Jenny Rivera nominated to State Court of Appeals, but did not receive respect she deserves throughout the process.
- Hydrofracking Senator hosted community forum to discuss impacts. State Dept of Health announced that it did not finish review in time for major deadline.
- Sponsoring an exciting event uptown called the Uptown Games. It will take place at the Washington Heights Armory on March 23, 2013 for grades 3-8. It will feature track and field and other physical activities. This event is sponsored by NY Roadrunners. There will be over 300+ students from 20 schools.
- Opened art exhibit called "Freedom Now" at State Office Building, which will be there through April.

Paul Sawyier, Assemblywoman Linda Rosenthal's Office

- A-M Rosenthal and staff are back in district office after extensive renovations.
- PS 191 & 199 Assemblywoman is adamant that community should have been involved from the outset and must be involved going forward.
- Recent closure of Saigon Grill A-M Rosenthal has been working on this issue for a long time to protect workers. Workers still need to collect \$1M settlement. Committed to working to get these funds recouped.
- Noisy work on weekends A-M has worked vigilantly to get these weekend variances revoked and stop the treatment of Saturday as just the day after Friday.
- Tragic accident where 1 year old baby fell out of bed and was burned to death by radiator. A-M has carried a bill requiring radiator covers in buildings with children under 12.

Dominic Lee, Assemblymember Daniel O'Donnell's Office

- Thanked everyone for participating in annual book drive, where A-M's office collected over 1,000 books
- A-M O'Donnell will host tenant hours on March 28, 2013 at 6:30 p.m.
- Matt Bitz, NYC Comptroller John Liu's Office
- Bureau of Assessment management to make Teachers' Retirement System largest and first to completely divest from gun industry post-Sandy Hook.

- Comptroller invested \$500M in residential real estate in areas affected by hurricane Sandy and commercial space.
- March 12, 2013 Women's History event at Bank at Emigrant's Savings Bank.

George Oliver, Assemblymember Richard Gottfried's Office

• Waived report. Contact him with any questions.

Amanda Cromwell, State Senator Jose Serrano

- Senator Serrano was appointed chair of Democratic Conference so has been busy in Albany
- Happy about delay in hydrofracking decision.
- Excited about passage of NY Safe Act. Will participate in an upcoming panel discussion at NYU titled "Triggering Debate."
- Constituent hours on UWS every month; if cannot attend always come to East Harlem office.

Business Session

Land Use Committee

Richard Asche and Page Cowley, Co-Chairpersons

1. **2626-2628 Broadway, Metro Theater** (West 99th – 100th Streets.) Application #BSA ZR §73-201 to the Board of Standards and Appeals by Alamo Drafthouse Cinemas, for a special permit to allow a Use Group 8/ motion picture theater in a C1-5 district at 2626 Broadway and a portion of the ground floor of the adjacent building at 2628 Broadway.

Because the zoning has changed, the theater is no longer approved as a location for a theater.

Board Discussion

• Important location, the community supports this business, we can't wait.

After deliberation, the resolution to approve was adopted.

VOTE: 31-0-0-0

2. **148** West **90**th Street and **175** West **89**th Street, Stephen Gaynor School. Application #11-13-BZ and 10-13-BZ; CEQR no. BSA-083M to the Board of Standards and Appeals by the Stephen Gaynor School to construct a one-story rooftop addition that will include a 170.5 sq. ft infill at the fifth floor level at 175 West 89th Street, and to construct a connecting bridge between the West 89th Street School building and the 148 West 90th Street School building at the fourth story levels. 4,221 sf of community facility floor area will be added to the two buildings.

Chair's Comment

• Does not block anyone's light or air. Does not block the donut.

After deliberation, the resolution to approve was adopted.

VOTE: 30-0-0-0

Youth, Education & Libraries Committee

Marisa Maack, Chairperson

3. Proposed application for new Success Academy elementary school in District 3.

Public Comment

• Batya Lewton – Opposed to Eva Moskowitz invading any more of our schools. They should be buying the closed Catholic school locations.

Board Comment

- Any position taken by parents' association? No the specific location is not revealed.
- This Charter Group has other locations.
- Our Board has opposed co-locations in the past because our own students don't have enough space. Charter school children are not necessarily from our district.
- Charter schools are not allowed to give preference to any students. It is a lottery.
- Motion to amend #3 to not request a geographic preference. Withdrawn.
- Different charters have different entry preferences.
- Where does the profit come from? Tax deductions.
- The resolution does not opine on whether they should come in to the community, but if they do, how should it be done. It is good to have more seats in the district. The waterfall of priority seats should be changed to prefer districts children.

After deliberation, the resolution was adopted.

VOTE: 32-0-0-0

4. Education Construction Fund proposal for possible development of P.S. 199 and/or 191 school sites.

Committee Chair Comment

• Planning has just begun, no decisions have been made. We are requesting that CB7 be involved in all decisions.

Public Comment

- Muriel Applebaum, Neighbor of PS 199- Questioned the process and wants to be involved now and be effective. Wants CB7 to lead us. When should we expect a response to tonight's resolution? Are there dates for a review process? How should the community work with you and other liaisons? To whom do we go for questions?
- Jan McKinnin, Neighbor of PS 199 Every child deserves to learn in a clean and safe environment. It is disappointing to learn about this process so late. Moving children from their school is disruptive. The construction will lower property values; 72nd Street subway is overused. Will we lose the use of a busy and valued playground during construction? Total transparency please.
- Batya Lewton, Coalition for a Livable West Side Absolutely opposed to demolition of PS 199 and PS 191. If they do infill housing at Lincoln Square, the services can't provide for everybody.
- Jeanene Garro, 210 West 70th Street and The Bradford Tenants' Association All of our interests have been expressed by the previous speakers. I have just received the letters written

- by C-M Brewer and A-M Rosenthal. We are organized and want to be part of the process. It is an abomination.
- Helene Fromm, Former PS 199 parent and lives in the neighborhood. Very concerned about building in a high-density neighborhood. We already have building going on in the neighborhood. Diminished light and air. Disruption to the school children. Will there be additional capacity because of the additional families? The building has architectural importance.

Board Comment

- Mel Wymore I proposed this resolution to make sure the community had a voice. I propose an amendment: Substitution to resolution 1: add the words stakeholder parents, tenants' association and any stakeholder at all to be coordinated by CB7. The Dept of Ed needs to recognize a taskforce of CB7 is uniquely qualified to lead this process. Create a CB7 taskforce and have DoB recognize it, meet with it regularly. Regular meetings with DoB.
- Accepted as friendly.

After deliberation, the resolution, as amended, was adopted.

VOTE: 34-0-0-0

Parks & Environment Committee

Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons

- 5. **Theodore Roosevelt Park.** Bull Moose Dog Run Association proposal for the renovation of the dog run.
- Erin Porter, Bull Moose Dog Run Association Budget for the proposed renovation, our first line item was \$250,000 for a re-done surface. \$109k of it is the canine grass the surface. The balance, and the majority of the money, is to replace the surface beneath with an adequate drainage system. This would be the first artificial doggie grass in NYC.

Board Comment

- In favor, thanks for passing. I've worked with this consortium. This group is so neighborhood friendly and ready to address the noise, drainage, and beauty concerns. This includes sustainability concepts for lighting and composting.
- I helped to co-found this group. The previous surface was inappropriate and had drainage problems. This new plan will have aesthetics that coincide with the plans for Roosevelt Park.
- I abstained from voting and will vote against it now. I am not against doing something about the surface. This plan includes \$100,000 for noise, \$20k for benches, \$20 for a new fence, \$60k for a water feature. To support the plan as a whole is not proper it's a lot of money for amenities. We don't know how much will come from Parks, so we should not endorse spending so much public money.
- The proposal is a plan, it's not funded. The resolution supports the general concept of a refurbishment and that the stakeholders will work together. It urges the least amount of money from Parks in the projects. It does not endorse any particular products or features.

This is a wish list at this point. Ray Acosta, Parks Department, suggested that the department would put the same amount to this project as to any dog park. This plan will cost much more than the usual dog park. The Bull Moose Dog Association will have to raise the balance.

- There is nothing in this resolution I wouldn't support. This supports a plan; there is nothing wrong with that. Who is this resolution directed to? Why are we putting forward a resolution?
- Response: Because the group and the Parks Department want to know that CB7 supports having this dog run and maintaining it.
- Could we insert language to the idea of CB7 understands that the Parks Dept cannot afford the plan as it stands?
- I have a concern that City money being spent on non-essentials. But much of this proposal includes essentials.
- I'm voting for this. However, in our discussion at committee, we asked to see statistics about how many people use this park for their dogs. We did not have that information and I would still like that.
- This is almost identical to the process of the Rec Ctr at 59th Street. Before the plan was finished, CB7 voted in support of the vision of the Rec Center, which gave credibility to the stakeholders attempting to put the financial package together. This is approving a vision, not a budget.

After deliberation, the resolution was adopted.

VOTE: 24-4-3-0

Preservation Committee Gabrielle Palitz, Chairperson

6. **165-167 West 78th Street, The Rodeph Sholom School and Congregation Rodeph Sholom** (Amsterdam Avenue.) Application to the Landmarks Preservation Commission for reconfiguration of the area way between 165-167 and the addition of handrails at two stoops and reconfigured area way.

After deliberation, the resolution was adopted.

VOTE: 30-0-0-0

7. **304 West 90th Street** (West End Avenue.) Application to the Landmarks Preservation Commission for third-and fourth-story addition, new stair and elevator bulkhead on the roof.

(**DMG**) Application for roof-top addition, rear yard addition and rear façade. Architect took suggestions in to consideration and submitted revised plans in a timely manner. One caveat with installing an elevator against a party wall that no noise or vibrations or issues with the elevator. Voted to approve as modified.

• Portions of the project were permitted as of right, but after some problems arose (including knocking through a wall to an adjoining building), community members came to the meeting upset. The Chair of the Committee did a great job addressing concerns and creating a mechanism for notice and responsiveness to the neighbors, allowing the discretionary portion of the project to be reviewed on its merits.

After discussion, the resolution to approve, as modified, was adopted.

VOTE: 32-0-0-0

Transportation Committee

Andrew Albert and Dan Zweig, Co-Chairpersons

Committee Chair Zweig: In the Transportation Committee minutes there is a proposed resolution on pedestrian safety which is currently on the table at the Transportation Committee. This will be up for further discussion at a subsequent committee meeting. If any board members not on Transportation Committee have any particular thoughts about this resolution, please share your thoughts with the cochairs.

8. Proposed bike rack locations in MCD7.

Bike racks have been proposed for the CB7 district, and on inspection, the following sites for racks have been approved,

BE IT RESOLVED THAT CB7 recommends installing bike racks at the locations on the attached list. (List of locations to be attached.)

Board Comment

- What will be taken away with the addition of the bike racks?
- Response: It will be the new small design with the circle. Bikes will no longer need to be affixed to signs, etc. So the street clutter of bikes shackled on public signs, etc. will be lessened.
- How many bike racks?
- Response: About 111. We are re-visiting a few of the questionable locations to ensure the spots are good.

After deliberation, the resolution was adopted.

VOTE: 32-0-0-0

9. **Family Days.** Application to the Department of Transportation by the Columbus Amsterdam BID for "Family Days" on May 19th, September 8th and September 15th from 9:00 am-7:00 pm.

After deliberation, the resolution to approve was adopted.

VOTE: 31-0-1-0

10. **636 West End Avenue** (West 91st Street.) Request for a revocable consent to the Department of Transportation by Joshua Weinstein to maintain and use a fenced in area and a stair.

The applicant did not attend the committee meeting.

After deliberation, the resolution to disapprove without prejudice was adopted.

VOTE: 32-0-0-0

Business & Consumer Issues Committee

Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

11. **279 Amsterdam Avenue** (West 73rd Street.) Renewal application DCA# 1369548 to the Department of Consumer Affairs by Manna Amsterdam Avenue LLC, d/b/a Gina La Fornarina, for a two-year consent to operate an unenclosed sidewalk café with 20 tables and 45 seats.

12. **421 Amsterdam Avenue** (West 84th Street.) Renewal application DCA#1215000 to the Department Of Consumer Affairs by Global Village Grill Inc., d/b/a Monaco, for a two-year consent to operate an unenclosed sidewalk café with 18 tables and 36 seats.

11 and 12 bundled. The applicants did not attend the committee meeting.

After deliberation, the resolution to disapprove without prejudice was adopted.

VOTE: 33-0-0-0

13. **462 Amsterdam Avenue** (West 82nd Street.) Renewal application DCA# 1218320 to the Department of Consumer Affairs by Sol y Sombra, LTD, d/b/a Sol y Sombra, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 16 seats.

After deliberation, the resolution to approve was adopted.

VOTE: 33-0-0-0

14. **2479 Broadway** (West 92nd Street.) Renewal application DCA# 1278350 to the Department of Consumer Affairs by Katouna, Inc., d/b/a Perfecto, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 48 seats.

After deliberation, the resolution to approve was adopted.

VOTE: 33-0-0-0

15. **2596 Broadway** (West 98th Street.) Renewal application DCA# 1338515 / ULURP# N110315ECM to the Department of Consumer Affairs by H.B. Restaurant Group, Inc, d/b/a Hunan Balcony, for a two-year consent to operate an enclosed sidewalk café with 10 tables and 20 seats.

After deliberation, the resolution to approve was adopted.

VOTE: 29-2-1-0

16. **311 Amsterdam Avenue** (West 75th Street.) New application DCA# 1453997 to the Department of Consumer Affairs by Fusha 311, Inc, d/b/a Fusha West, for a two-year consent to operate an unenclosed sidewalk café with 30 tables and 61 seats.

After deliberation, the resolution to approve was adopted.

VOTE: 33-0-0-0

17. **994 Columbus Avenue** (West 109th Street.) New application DCA# 1454076 to the Department of Consumer Affairs by 994 Columbus Avenue, Corp., d/b/a Isola, for a two-year consent to operate an unenclosed sidewalk café with 9 tables and 22 seats.

Public Comment

• Miriam Febus, Westside Federation of Neighborhood and Block Association – The Federation voted unanimously to support this application. The area is a dead zone. Several groups are working hard to rejuvenate this neighborhood. There is a variance in this application, please allow the variance.

Board Comment

To clarify, the variance is that the outdoor café as planned will wrap around the corner. While this violates CB7's Café Guidelines, there was substantial community support for the café with the wrap. Also because of the unique shape the wrap was necessary. And finally, the sidewalk is wide in that area – the café will not create an obstruction. It was noted that this neighborhood has no other outdoor cafes and many empty shops. The outdoor café is of strong public benefit. In the future the Committee might vote differently about the café wrapping the corner, at this time the Committee agreed unanimously to approve the variance and the café.

After deliberation, the resolution to approve was adopted.

VOTE: 31-1-0-0

- 18. AC&C Reform. Borough President, resolution to adopt BP's proposal to reform the Animal Care and Control agency.
- AC&C has been unable to attract private donations or to build necessary facilities to avoid destruction of animals.
- Failures of the agency were highlighted after Hurricane Sandy, in which donors were
 interested in helping to rescue lost or abandoned pets, but declined to contribute to AC&C
 and instead found other not-for-profits due to the inability of the agency to deliver on its
 mission.
- Initiate a public-private partnership similar to the Central Park Conservancy. This organization would raise money to care for homeless pets, avoiding euthanasia. The resolution is to support the Borough Board resolution endorsing this approach to reform this agency.

After deliberation, the resolution to approve was adopted.

VOTE: 32-0-1-0

Meeting was adjourned 9:12pm.

Present: Mark N. Diller, Jay Adolf, Andrew Albert, Linda Alexander, Richard Asche, Laura Atlas, Issac Booker, Elizabeth Caputo, Louis Cholden-Brown, Kenneth Coughlin, Mark Darin, Robert Espier, Miki Fiegel, Sheldon J. Fine, DeNora Getachew. Marc Glazer, Phyllis E. Gunther, Joanne Imohiosen, Lee P. Kwan, Blanche E. Lawton, Marisa Maack, Lillian Moore, Klari Neuwelt, Gabrielle Palitz, Michele Parker, Nick Prigo, Suzanne Robotti, Helen Rosenthal, Evan Rosing, Roberta Semer, Ethel Sheffer, Eric Shuffler, Barbara Van Buren, Mel Wymore and Dan Zweig. **On-Leave:** Madge Rosenberg. **Absent:** Ian Alterman, Brian Byrd, Page Cowley, Ulma Jones, Anne Raphael, Haydee Rosario, Gabriella Rowe, Elizabeth Starkey, Stephen Vazquez, Thomas Vitullo-Martin and George Zeppenfeldt-Cestero.

Business & Consumer Issues Committee Meeting Minutes Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons March 13, 2013

Applications to the SLA for two-year liquor licenses:

- 1. **466 Amsterdam Avenue** (West 82nd Street) 466 Amaze Corp. d/b/a To Be Determined. Represented by James Wang, Opening in late April. *Committee votes to approve* 9-0-0-0 1-0-0-0.
- 2. **349** Amsterdam Avenue (West 77th Street) BT Restaurant Enterprises LLC, d/b/a To Be Determined. Represented by Victor & Bernstein (attorney). Applicant plans to turn rear courtyard into enclosed dining room space. The location is the site of a former bar/restaurant known to be a problem by the community. Members of the community spoke in opposition; John Janopolis, Madeleine Delion, Catherine Wise, Judith Bronfman (president of W76th St. Block Assn), David fall, Amy Shortaff, Thomas Marakon, Henry Rhinehart (in support), Richard Regan. Issues raised because of the former tenant; noise and smoke emanating from the rear courtyard from customers, rowdy behavior, 4:00 AM closing every night

Applicant agrees to amend his business plan as follows.

- 1. The applicant will amend his hours of operation as follows; Sunday Thursday, closing at 2:00 AM, Friday and Saturday closing at 4:00 AM
- 2. The rear portion (former courtyard) to be sound proofed, the exit door to have sign posted saying "**Fire Exit Only**" so as to prevent staff or customers from smoking outside of the rear courtyard dining room, and if there is any glass on the ceiling, to attempt to diffuse the light so as not to disturb the residents in the nearby buildings.

Committee votes to approve 9-0-0-0 1-0-0-0

Unenclosed Café Renewal Application:

3. 279 Amsterdam Ave. (West 73rd St.) Renewal Application DCA# 1369548 to the Department of Consumer Affairs by Manna Amsterdam Ave LLC, d/b/a for a two year consent to operate an unenclosed sidewalk café with 20 Tables and 45 seats. Represented by Igor Segoto, Mgr.

Committee approves 9-0-0-0 1-0-0-0

5. **2607 Broadway** (West 98th – 99th Street.) Renewal application DCA# 1345744 to the Department of Consumer Affairs by Workhorse Restaurant, Inc., d/b/a Regional, for a two-year consent to operate an unenclosed sidewalk café with 9 tables and 18 seats. Represented by Pietro Aremella

Unenclosed Café Renewal and Petition to Modify Consent Application:

Committee votes to approve 9-0-0-0 1-0-0-0

6. **2745 Broadway** (West 105th – 106th Street.) Renewal application and Petition of Modify Consent DCA# 1025180 to the Department of Consumer Affairs by Grillo, LTD, d/b/a Henry's, for a two-year consent to operate an unenclosed sidewalk café with 21 tables and 62 seats. Represented by Henry Rhinehart

Committee votes to approve 9-0-0-0 1-0-0-0

New Unenclosed Café Applications:

- 7. **251 West 72nd Street** (West End Avenue Broadway.) New application DCA# 1455737 to the Department of Consumer Affairs by Yasaka, Inc., d/b/a Sushi Yasaka, for a two-year consent to operate an unenclosed sidewalk café with 9 tables and 20 seats. Represented by Sushi Yaka. *Committee votes to approve 9-0-0-0 1-0-0-0*
- 8. **173 West 78th Street** (Amsterdam Avenue.) New application DCA# 1455060 to the Department of Consumer Affairs by Sugar and Plumm (Upper West), LLC, d/b/a Sugar and Plum, for a two-year consent to operate an unenclosed sidewalk café with 20 tables and 40 seats. Mr. John Janopolis, a neighbor expressed concerns about the noise in setting up the tables and removing them and suggested fewer tables. **APPLICANT DID NOT SHOW.** *Vote to disaprove without predjudice* 9-0-0-0 1-0-0-0
- 9. **466 Amsterdam Avenue** (West 82nd 83rd Street.) New application DCA#1458259 to the Department of Consumer Affairs by 466 Amaze Corp., d/b/a Amaze, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 18 seats. Represented by James Wang, Opening in late April.

Committee votes to approve 9-0-0-0 1-0-0-0

- 10. **658 Amsterdam Avenue** (West 92nd Street.) New application DCA#1458528 to the Department of Consumer Affairs by 658-660 Amsterdam Corp., d/b/a Numero 28, for a two-year consent to operate an *Committee votes to approve 9-0-0-0 1-0-0-0*
- 11. **722 Amsterdam Avenue** (West 95th Street.) New application DCA#1458675 to the Department of Consumer Affairs by Opai Thai, Inc., d/b/a Opai Thai Restaurant, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 17 seats. *Committee votes to approve* 9-0-0-0 1-0-0-0
- 12. **936 Amsterdam Avenue** (West 106th Street.) New application DCA#1458660 to the Department of Consumer Affairs by 106 Amsterdam Rest. Corp, d/b/a The Ellington Inn, for a two-year consent to operate an unenclosed sidewalk café with 34 tables and 72 seats. Mr. Frank Strata, a neighbor expressed concerns about the number of tables and the potential noise created. Applicant agrees as follows:

Remove 7 tables from the café.

To close the café at 11:00 PM

Committee votes to approve 8-0-0-0 o-0-1-0

13. Discussion of next B2B, which will take place at the New York Historical Society.

Present: George Zeppenfeldt-Cestero, Michelle Parker, Linda Alexander, Elizabeth Caputo, Marc Glazer, Joanne Imohiosen, Suzanne Robotti and Eric Shuffler. **Chair:** Mark N. Diller. **On-Leave:** Paul Fisher. **Absent:** Ulma Jones and Anne Raphael.

Steering Committee Meeting Minutes Mark N. Diller, Chair March 19, 2013

Meeting began at 5:11 p.m.

Annual Report to the Borough President

- The community board's annual report to the Borough President is due at the week of March 18, 2013.
 - O Committee chairs were asked to promptly send their respective reports to Penny as soon as possible to allow her a couple of days to compile the report before the due date.
 - It was noted that the district office has already received reports from Parks and Environment, Health and Human Services, and Youth, Education and Libraries Committees.

Upcoming Agenda Items Affecting Multiple Committees NYCHA Infill

- Housing Committee Co-Chair Louis Cholden-Brown has been monitoring progress with the NYCHA infill issue to date. If this issue requires a ULURP application, then it will be jointly considered with the Land Use Committee.
- Separately once NYCHA develops the housing plan, the housing plan will also be considered by Land Use Committee similar to the board's consideration of Riverside Center.
- NYCHA hosted a public meeting to discuss the plan on Thursday, March 21, 2013, which is the first meaningful public comment session.
- At the last Housing Committee meeting, the Committee provided the community with an opportunity to voice concerns. Victor Bach from Community Service Society spoke about the implications of Section 18 of the United States Housing Act of 1937, which governs the process.
- A major consideration is ensuring that there are sufficient funds available to address legal, planning, etc.
- The Housing Committee noted that there needs to be specific plans for development. In particular, key questions are what are the plans for schools, community center, etc?
- With respect to school, some of the affected land would could be zoned for PS163, but either way schools in the district are already overextended.
- There was a New York State Assembly hearing last week, which also presented need for traffic mitigation.
- The RFEI or RFP has been delayed until April, which would put in jeopardy whether NYCHA will be able to satisfy the statutory requirements necessary to obtain federal HUD approval.
- Congressmember Rangel expressed dismay to HUD Secretary Donovan about how this is being handled.
- In response to a question about whether only certain sites from the original list will be affected or all, it was stated that this plan will in fact utilize all proposed sites and then quickly develop plans for additional sites. The sites in the first round of plans are considered "luxury," and next round will be "affordable" sites. NYCHA is intent on building 16 sites on 8 developments and then will take on more. Among future sites are Amsterdam Houses and Grant also being considered. There will be a formal role as it relates to future sites, but smaller indirect role now.

• The Housing Committee will keep everyone abreast of developments on this issue and how best to engage committees with overlapping jurisdiction.

Public School RFEI

- Public school site is an RFEI now, but it may become an RFP.
- The goal is to ensure that DoE and ECF do not treat this as an as of right project.
- Borough President Stringer issued follow-up letter seeking further clarity that students in affected school would not be split up, that would be in same catchment (although it is questionable how this applies at the high school level) and that new space is larger than current space.

Rear Yard Extensions

- Community Board 7 Member Jay Adolf is working to ensure there is a standard method of evaluating rear yard extensions in town house.
- A-M Rosenthal is advocating for a state tax credit when this type of work is involved. The one-time credit would apply to property owners who replaced hardscape such as concrete in rear yards with plantings and other permeable surfaces. The credit is \$4.50 per square foot, so a typical townhouse rear yard that was completely converted to plantings and softscape could qualify for a maximum one-time credit of approximately \$3,300.
- Full Board will include a resolution endorsing A-M Rosenthal's bill for tax credit for removing hard scape.
- It was noted that BCI should follow many of these issues to ensure that the interests of small businesses are being protected.
- 5 Lamps Gastropub on W. 106th and Broadway has rear yard issues that working through. CB7 exploring ways to use creative approaches such as plantings as a way to address sound issues.

Off Hour Deliveries

- DOT working on plan for off-hour commercial deliveries that will have multiple committee impact.
- It was suggested that committees begin to discuss this so can ascertain expertise in this area.
- The next step is for DOT to get back to us with materials and a briefing with small group of CB7 members.

Discussion of April Full Board Agenda

- Consideration of Columbia Grammar's BSA application will be controversial. The opponents believe that CB7 is biased against them. It was noted that a large portion of this is as-of-right and they have the ability to build substantially more than proposed.
- Resolution supporting Mayor Bloomberg's ban on styrofoam could also be controversial. Mayor proposes banning polystyrene in food service products. Mayor's Recycling Guru spoke to rationale, but did not speak to qualitative issues. Also noted that NYC could not recycle polystyrene now. Small businesses may be disadvantaged, which raises concerns from the BCI Committee's perspective. Funding issues also need to be evaluated.
- "Gridlock Sam" Schwartz traffic congestion resolution was unanimously adopted by the Transportation Committee, but it is not fully his proposal. Sam's proposed zone pricing to encourage individuals to visit "optimal" areas. The overarching goal of his plan is to reduce congestion in central business district to fund mass transit. There is a bike component, but it was not fully fleshed out yet. The plan envisions higher tolls in places where there is more mass

transit. There are exemptions in Sam's plans, but Transportation Committee did not address that in its resolution.

- The committee did not endorse full proposal and proposed resolution does not discuss specifics. The full board will receive the entire presentation and then will also highlight other specific issues.
- BCI Time Out issue was resolved, but there will still be people coming. Sugar & Plum outdoor cafe will be disapproved without prejudice and Gale will call it up at Council.
- Sidewalk Cafe guidelines still present issues with implementation. Have to mail to building
 managing agent and tenants who may have conflicting issues. Suggestion was made about
 presentation and consideration at full board in a clear way like cliff notes.
 - A member suggested that should deem cafe guidelines adopted, but make clear it can be modified as appropriate. One member supported this.
 - o Another member objected to this approach.
 - o Suggestion was made to consider and adopt piecemeal.
 - Suggestion made to ensure that Board has consistent approach about notice requirements regardless of the issue.
 - It was noted that size and wraparounds are the major issue, especially at 106-109 area on Columbus and Amsterdam Avenues in Manhattan Valley because need more economic development. Need flexibility there.
 - It was recommended that should provide notice to full board that considering Sidewalk Café Guidelines at the April meeting and allow members to carve out controversial issues.
 - o Chair said will take this under advisement about how to move forward.
- Task Forces: CB7 is organizing a task force to respond to the DoE's request for input on the next appropriate use of the Beacon School building once the high school is relocated in September 2015. CB7 is reaching out to all portions of Community School District 3.
- Elizabeth Starkey leave of absence for 3 months was approved via unanimous consent.
- There may be a FY 2014 preliminary budget strategy pre-meeting before April full board. CB7 is also considering drafting and posting a survey on CB7 website to solicit community feedback about local funding priorities.
- It was discussed that the next Business-to-Business forum will take place on May 7, May 21 or May 23 at The New York Historical Society. However, May 21 is the next Transportation Committee meeting. The May Steering Committee would be on May 29. It was decided that May 23rd would be the best date to hold the event, even though this is the same night as the May YEL Committee meeting.
- News boxes it was asked whether CB7 can pass a resolution banning a finite number of news boxes? It was clarified that under the First Amendment this type of regulation is unconstitutional. But, another option to consider is an Article 78 proceeding.

Meeting adjourned at 6:06pm

Present: Mark Diller, Elizabeth Caputo, Louis Cholden-Brown, DeNora Getachew, Marc Glazer, Marisa Maack, Michele Parker, Roberta Semer, Barbara Van Buren, George Zeppenfeldt-Cestero and Dan Zweig. **Board Members:** Sheldon J. Fine and Thomas Vitullo- Martin. **On-Leave:** Madge Rosenberg. **Absent:** Andrew Albert, Richard Asche, Page Cowley, Klari Neuwelt, Gabrielle Palitz, Nick Prigo, Suzanne Robotti and Elizabeth Starkey.

Parks and Environment Committee Meeting Minutes Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons March 19, 2013

Meeting Start: 7:07 pm

Item 1. Proposed law banning foam food packaging in city. Ron Gonen, the Department of Sanitation's Deputy Commissioner for Recycling and Sustainability (assisted by Henry Ehrhardt, the DOS's Director of Customer Relations), presented the rationale behind the administration's effort to prohibit stores and restaurants from using polystyrene (aka Styrofoam) packaging, and to ban the use of polystyrene "peanuts" in container packaging shipped to and from the city.

Gonen said that the city spends \$300 million a year to send trash to landfills, and that most of that trash is recyclable. Some \$2 million of the expense is attributable to polystyrene, which is particularly environmentally troublesome because it does not biodegrade. Foam used in building insulation and the molded foam used to protect electronic equipment in shipping would be exempted from the law. Gonen said proposed legislation to implement the partial ban on polystyrene will be introduced in the City Council within the next few weeks. He did not know who would be introducing it.

Gonen said that polystyrene is less expensive than competing products, such as paper. Although he did not know the exact price difference or the overall cost to businesses involved in the switch, he said the cost increase would not be overly burdensome for businesses.

Community member Bob Wyman asked whether such a ban would result in many more trees being felled, and suggested that an alternative would be to reprocess the foam using plasma technology. Gonen said that much of any added paper will be recyclable, noting that the city's capture rate for paper is now 40 percent, a figure it hopes to raise to 70 percent. He said a plasma processor would cost about \$50 million, an amount not easy to come by these days.

Board member Marisa Maack asked about the cost to schools for switching from polystyrene trays to compostable ones. Gonen did not know the cost but said that many schools have already made the switch due to health concerns.

District Manager Penny Ryan suggested to Gonen that his office send community boards a monthly e-letter about upcoming proposals and implementation issues. Gonen was enthusiastic about the idea.

Community member Petra Mager asked why the City doesn't mandate that all products used in food packaging, etc., be recyclable rather than banning individual products. Gonen replied that doing this would be too much of a shock to the economy.

Wyman suggested offering buildings incentives to recycle, perhaps a share of the profits. Gonen said he might look into doing this.

Gonen said that foam is only the first component of trash that the City hopes to ban, noting that plastic shopping bags may be the subject of the next proposal.

Although no legislative language is yet available, the committee decided to entertain a resolution in support of the concept of banning polystyrene from food packaging and "peanuts" used in shipping containers. Because of the impossibility of controlling "peanuts" shipped to the city from elsewhere, it was decided that the resolution should prohibit the buying or selling of such packaging materials within the city.

Resolution passed. Vote:

Committee members: 6-0-0-0

Non-committee board members: 3-0-0-0

Item 2. Riverside Park South

Margaret Bracken, the Parks Department's assistant landscape architect for Riverside Park, reviewed the comments that have been received on how to spend the approximately \$2 million that Councilmember Gale Brewer was able to secure for the park in connection with the Riverside Center ULURP process. Petra Mager of Haks Engineers, the designated outside consultant, will be the project's lead designer. Bracken presented the committee with her minutes from the walk-through of the area that took place March 7, 2013, which generated a long list of comments and suggestions from those participating, which items the committee discussed generally.

Bracken said that one area officials want to target is Pier I, which currently lacks shade, a drinking fountain, or sufficient bike racks. Bob Wyman suggested putting solar panels on any shade structure installed on the dock, which gets a lot of sun. He said that doing so would also be a good advertisement for the technology.

Park officials also plan to make improvements to the rectangular playfield just north of the Pier, putting in better drainage.

Co-Chair Klari Neuwelt encouraged exploring moving the bicycle path in the subject area south of 72nd Street further to the east under the highway, to signal to cyclists the interface with pedestrian traffic and to open the newly developed recreational area visually and functionally to the adjacent waterfront area of the park.

Graeme Birchall of the Downtown Boathouse suggested a camera linked to the Internet so that those interested in using the Boathouse's free kayak service could see how long the line is.

The committee also discussed how to reduce conflicts between cyclists and other park users near the flagpole, just south of the Little League diamond. Bracken said Park officials have decided against adding rumble strips to that section of the path. She said that moving the boulders around the flagpole, which are a child-magnet, would not be difficult.

Board Chair Mark Diller proposed routing the northbound traffic on the bike path to the east of the ballfield and then turning west on the 72nd Street path to rejoin the two-way path along the promenade. He said this would have the virtue of cutting the traffic going by the flagpole in half, and the half going past it would be climbing a small incline rather than speeding down it.

Committee member Ken Coughlin suggested that whatever is done, bikes should be treated as a legitimate form of transportation and that part of the work will be to find a way to signal to other park users that this is a bike route. He suggested that a bicycle advocacy group like Transportation Alternatives be involved in the planning. Bracken said she would reach out to Coughlin for help in arranging this.

Bracken said that she hopes to begin the design process some time in April, and she and other Park officials will return to the committee in June to report on progress. In the meantime, a CB working group, with Councilmember Brewer's office, will meet between now and then.

In answer to a question from a community member, Park Administrator John Herrold reported that wi-fi is coming to that section of the park.

Item 3. Accomplishments for 2012 and Goals for 2013.

The committee created a list of accomplishments for 2012 and goals for 2013.

Present: P&E Committee Members: Klari Neuwelt, Elizabeth Caputo, Ken Coughlin, Mark Darin, Phyllis Gunther, Evan Rosing, Absent: Isaac Booker, Elizabeth Starkey, Steven Vazquez. Non-Committee Board Members: Louis Cholden-Brown, Mark Diller, Marisa Maack.

Youth, Education & Libraries Committee Marisa Maack, Chairperson March 21, 2013 6:30 PM

Citizens Committee for Children – Stephaie Gendell, Assoc Director for Policy and Gov't Relations Discussed the proposed cuts to Early Childcare and Afterschool OST slots in this year's Mayoral Budget and the effects annual cuts have had on the stability of the programs.

- Cuts eliminate 47K slots of child care and afterschool
- When cuts announced last year, Citizens Comm for Children partnered with afterschool and childcare groups to join and fight cuts together. There was some tension as these two programs are run by different city agencies and overseen by different city council committees. But it was very successful
- Last year 64.6 mill. Early Childcare cuts and 52.2 m in Afterschool cuts were restored by city council
- Awareness was raised and they are ready to advocate again this year.
- Will expand the Campaign to fight for a long term plan for these programs and not just budget restoration.
- Bloomberg did not restore money to programs this year and cut even more, even though these are programs the mayor started.
- State has statute that employees and families of these programs must be notified 6 mos in advance of any changed to program and so many have gotten letters saying their centers have lost funding and may close.
- This affects enrollment, donations, staff recruitment, etc.
- Instability has been incredibly detrimental and there is actually under-enrollment in these programs even though there is such great need.
- Many programs were not saved last year until very late and were not ready to open by
 September. Families had made other plans or were unsure of how long the programs may only be
 around and wanted to find something more long term and stable. Hurricane Sandy also kept the
 Health Dept from being able to inspect al the facilities and they couldn't open before inspected.
- Complicated situation for funding because the City Council money does not go through DYCD or ACS so could not put out RFP's but rather gave discretionary 1 year contracts to programs already existing in their districts and could not fully fund them all.
- DYCD and ACS cut slots however based on zip code need and pockets of need within those zip codes suffered.
- So while money was replaced by CC and equal # of slots saved, where those slots were located changed. Retained same capacity but not the same programs. LSNC lost 150 K funding and many families.. A victim of the zipcode need policy
- Each year fighting to keep the same number of seats instead of growing the programs.
- ACS has vision of mixing private for fee children with public funded children.
- There are 7 Beacon programs, broader community based programs, funded entirely by CC right now. All city funded Beacons got an across the board cut.
- There are also 733 NYCHA 'cornerstone' afterschool programs separate from OST programs.
- Have lost about 20K afterschool slots over the past few years.

• Long term vision includes access for every child in the city and a plan that builds how to get there. Appropriate rates for providers, healthcare for staff and equity for teachers.

Committee was supportive of a resolution around long term planning for these critical programs. No quorum. Will discuss at next meeting.

YMCA - Alberto Cruz, Senior Youth and Family Director

Introduced himself to committee. Trying to have the Y do more community outreach and planning for different departments to attend various committee meetings.

- Recruiting children for summer camp and local business for Teen Connections summer internship program,
- It was recommended that he attend the next Business to Business event and attend a BCI mtg
- acruz@ymcanyc.org

Meeting adjourned 8:30pm

Present: Marisa Maack, Isaac Booker, Paul Fisher and DeNora Getachew. **Absent:** Brian Byrd, Blanche Lawton, Haydee Rosario, Helen Rosenthal and Eric Shuffler.