

Business & Consumer Issues Committee Minutes

MICHELE PARKER & GEORGE ZEPPENFELDT-CESTERO, CO-CHAIRPERSONS

SEPTEMBER 14, 2016

The meeting was called to order at 7:05pm.

Present: Michele Parker, Christian Cordova, Brian Jenks, Paul Fischer and Marc Glazer.

Application to the SLA for a New Two-Year Liquor, Wine, Beer & Cider License:

1. 2170 2178 Broadway aka 212 222 West 77th Street, NY Broadway Hotel Owner & Highgate Hotels LP, d/b/a NYLO New York City / LOCL Bar.

- Donald Bernestein and Bret Matteson representing the applicant.
- Transfer of hotel license.
- Same Management Company.
- The license covers the whole hotel.
- Currently serving liquor under temporary license.

*After deliberation the resolution for a liquor license application was **approved**:*

VOTE: 4-0-1-0.

Application to the SLA for a Class Change, from Wine & Beer to Liquor, Wine, Beer & Cider:

2. 435 Amsterdam Avenue (West 81st Street.) 357 Hospitality Inc., d/b/a Spice.

- Paul Wrangpetch representing the applicant.
- Change of license prompted because all other restaurants in the immediate area also have a full liquor license.
- Current commercial Parking restrictions in the immediate area have negative impact on the restaurant.

*After deliberation the resolution for a class change of liquor license application was **approved**:*

VOTE: 5-0-0-0.

Unenclosed Sidewalk Café Renewals:

3. 2418 Broadway (West 89th Street.) Renewal application #2006949-DCA to the Department of Consumer Affairs by Bukefal, LLC, d/b/a Cibo E Vino, for a four-year consent to operate an unenclosed sidewalk café with 15 tables and 30 seats.

- Donald Bernstein and Elena Ristobski representing the applicant.
- No changes in hours of operation or business practices.
- Problem for the business: Garden across the street has rat infestation.

Comments:

Gem Tabernia, resident of 216 West 89th Street:

- Read letter from another resident of the building.
- The letter complained that the sidewalk café tables are negatively impacting egress to and from their building; that the business is disturbing the peace of building tenants; that they block the 89th street sidewalk with the delivery bicycles; that the air conditioner is too noisy; and that the restaurant is a bad neighbor.
- Ms. Tabernia stated that she was forced to change apartments because of odor and noise from the air conditioner.

- She has felt harassed by the restaurant owner.
- Stated that delivery people from the restaurant disrupt the tenant's lives by entering the building and being noisy.
- She is against the renewal of the application.

Joan Conlin, resident of 216 West 89th Street:

- She likes the restaurant.
- Has a positive view of the restaurant.

Donald Bernstein (for the restaurant):

- Air conditioner Problem goes back 3 years.
- Fixes were implemented 3 years ago, and there have been no real complaints since.
- Applicant asserts that the problems presented by Ms. Tabernia are not valid and that the DOE investigated several times due to the complaints and found no problems.

CB7 COMMENTS:

Brian Jenks

- He clarified that no wrap-around sidewalk café would be considered for this location.
- CB7 only approves only wrap-arounds in extra wide sidewalks.
- He expressed concern about the apparent on-going problems with delivery personnel having access to the tenants building.
- The committee feels that the air conditioner problems were addressed 3 years ago.

Paul Fischer:

- He remembered that there were past problems about access issues by delivery personnel to the tenants building.

Resolution to **Approve Unenclosed Sidewalk Café Renewal application with the Condition** that owner speak with delivery staff regarding noise and accessing the building; and that it will be understood that no wrap-around sidewalk café will be approved at this location; and that the committee request that the applicant appear before the committee in one year for a status review (September 2017); and that the restaurant continues posting the notice of hearing until the next Full Board meeting on October 5th, 2016.

*After deliberation the **Unenclosed Sidewalk Café Renewal** application was **approved with the stated conditions:***
VOTE: 5-0-0-0

New Unenclosed Sidewalk Café:

4. **2737 Broadway** (West 105th Street.) New application #9793-2016-ASWC to the Department of Consumer Affairs by The Westside of Broadway Restaurant Group, Inc., d/b/a Toast, for a four-year consent to operate an unenclosed sidewalk café with 15 tables and 30 seats.
 - NO one was present for the applicant.

Resolution to **Disapprove without prejudice;**

*After deliberation the **New Unenclosed Sidewalk Café** application was **disapproved without prejudice:***
VOTE: 5-0-0-0

5. Changes to Rules for Street Festivals.

Todd Bergman, Clearview Festival Productions:

- The new proposed rules are devastating to street fair sponsors.
- One of the proposals specifies that a minimum of 50% of participating vendors live inside the Community Board where the fair is taking place; this will make it impossible for any sponsor to promote a street fair. It will eliminate at least 50% of existing fairs and it is the most problematic new clause.
- Another proposed clause limits the number of multi-block events to a maximum of 10 per Community Board and no more than 100 in Manhattan.
- Mr. Bergman believes that the impetus for the new regulations is because of CB5 and to mask it they are citing CB2 and CB7 in their reasons.
- He is perplexed by the proposed changes because there have been no community complaints.
- This will have fair fight against fair for permits.
- The existing fee structure from the City is 20% of revenue. The new onerous fee structure, \$1375 for the first block and \$705 per additional block, will make it impossible for the sponsor to include without charge non-profit agencies since most of the revenue comes from vendors.
- It is not clear if the sponsor will have to pay for unused blocks.
- Community sponsors will be limited to one multi-block event per calendar year instead of two.
- The Public Hearing will be held on October 13 at 100 Church Street.

CB7 Comments:

Brian Jenks:

- He is not completely against all the new proposed rules, like the new rules will push fairs to every corner of the borough, the new rules encourage competition; they promote the engagement of the community; and may create more diverse street fairs instead of “cookie cutter fairs”.
- We need to learn more about what devastating effects the new rules will have in the fairs themselves, but want to encourage changes that increase diversity, competition and more community engagement.
- It will force promoters to be more creative (Mr. Bergman agreed that competition is needed since there are 2 or 3 promoters cornering the event market).
- Groups that can demonstrate more community engagement should get priority in getting the permits.

Marc Glazer:

- Street fairs bring visitors in.

Mr. Jenks proposed the following resolution:

Community Board 7 agrees that the new proposed changes are onerous, but we encourage proposed rules that promote diversity and competition.

VOTE: 5-0-0-0

6. New business.

Marc Glazer:

- A-frames must be inside the footprint of the sidewalk café.
- Spoke with Dan Slipping of the American Museum of natural History about kiosk idea once again.
- AMNH backs the idea but someone needs to pay for it.

Meeting ended at 8:36 pm.

Minutes of Full Board Meeting September 6, 2016 6:30 PM

Community Board 7/Manhattan's Full Board met on Tuesday, September 6, 2016, at Fordham University, 113 West 60th Street (Columbus Avenue), in the District. Chair Elizabeth R. Caputo called the meeting to order at 6:35 pm after the Secretary confirmed the existence of a quorum.

The following matters were discussed and actions taken:

Minutes from the July 5, 2016, full Board meeting were **approved**.

VOTE: 31-0-3-0.

Chair's Report: Elizabeth R. Caputo:

- October Full Board Meeting will be held on Wednesday, 10/5, due to a religious observance on the first Tuesday of the month.
- A resolution concerning the American Museum of Natural History's proposed expansion is expected to be on the agenda at Full Board on 10/5.
- AMNH's application for to Landmarks Preservation Commission for a favorable Binding Report will be heard at a special CB7 meeting on 9/20. The application will be heard in a joint meeting of the Preservation and Parks & Environment committees.
- The latest version of AMNH's proposed project, including details of the building and the redesign of Theodore Roosevelt Park, will be the subject of a presentation on 9/13 at AMNH.
- Welcome new member Seema Reddy.
- CB7 will have a table to greet the community at the Columbus Avenue Street Fair on 9/18.
- CB7's Public Housing Task Force will have a table to greet the community at the Family Days Street Fairs sponsored by the Columbus-Amsterdam BID on 9/18 and 9/25.

Nominations of Board Officers for 2016-2017, Howard Yaruss, Chair, Elections Committee:

The following nominations were duly made, seconded and accepted:

- Nominations for Chair:
Roberta Semer
Richard Asche
- Nominations for Vice Chair:
Audrey Isaacs
Meisha Hunter Burkett
- Co-Secretary:
Christian Cordova
Tina Branham
Manuel Casanova

The election will be held at the 10/5 Full Board meeting. The Election Committee supervising the election will include Howard Yaruss (Chair), Shelly Fine, Andrew Albert and Blanche Lawton.

Community Session:

Jody Fischer

- Supporting the inclusive design of the Bloomingdale Playground.
- As the mother of two children with varying abilities, can confirm the importance of such an inclusive approach.

Ronna Blaser – West Nineties Neighborhood Coalition

- Opposing the proposed demolition of Congregation Shaare Zedek's building and replacing it with a 14 story residential building with a synagogue in the lower floors.
- High rise would include no affordable housing.
- The demolition of the existing synagogue building would mean the loss of an historic structure from the 1920s.
- 25 members of the coalition are present to support the expression of concerns.
- Seeking landmark designation for the existing Shaare Zedek building.
- Religious institutions are trying to monetize their structures and air rights. Two other religious properties on the Upper West Side are attempting similar approaches.
- There is a zoning bonus available for including a community facility in the building – in this case, the bonus should not apply where a community facility already exists in the building to be replaced – no net gain of community facilities.
- Religious institutions have not paid property taxes for generations – should not now be able to cash out their air rights. Taxpayers in the neighboring buildings would be penalized.
- Concern that if the Congregation community facility should fold, no clear monitoring exists to ensure that the intended community facility use would continue.
- No standards for the developer to serve as steward of the neighborhood character disrupted by the proposed development.
- Asking CB7 to speak out against the proposed demolition and new building.
- Asking the Preservation Committee to push for an emergency hearing on landmark designation.
- Seeks CB7 to champion the issues in dialogue with the Congregation.
- Should not allow an outside developer turn the historic fabric into a sterile high-rise jungle.
- Filed a Request for Evaluation with LPC, which responded that the building was landmark-worthy but not a priority.

Elizabeth Caputo

- CB7 will prepare a letter to summarize concerns.
- Will not vote on designation tonight.

Board Comments in response:

- CB7 could review the request for designation.
- CB7 and its Preservation Committee should first examine materials needed to understand the existing building.
- Individuals have reached out to the Landmarks Conservancy Sacred Sites program and to LPC to explore the process and prospects. The New York State Department of Parks and Historic Landmarks is also taking a look.
- Process should be to make the RFE an agenda item at the Preservation Committee.

- Critical that the applicant makes the strongest case possible of the preservation-appropriateness of the building.

Michael Firestone – President of Congregation Shaare Zedek

- Respects views of the preservation advocates.
- The Congregation is a vibrant community – our spiritual home.
- Not fair to say that the conversion is intended to line the pockets of the developer.
- Synagogue's sole asset is the building and air rights – it has no endowment.
- The Congregation has no financial ability to maintain the building, which is aging and needs maintenance.
- Congregation relies on the financial support of one congregant – not a sustainable model.
- If the building were designated a landmark, the congregation will be dissolved.
- What is more important – a building no one can afford or the community the building brings together?

Ellen Levitt

- Historian documenting lost synagogues.
- Does not want to see this one lost.
- Upsetting to see these buildings knocked down – Need to find a way to help the congregation exist in that space.

Russell Stenthal

- The Congregation is also the owner of a cemetery in Bayside – one of the largest in NYC. It is the resting place of victims of the Triangle Shirtwaist Factory fire, the Titanic, and soldiers in the Civil War.
- The Congregation is the sole support for cemetery, which requires \$85K a year for maintenance.
- Must monetize the building to continue to meet those obligations.

Roz Pazwell

- Building is crumbling and unremarkable.
- Should preserve the institution, not the building.
- Congregation is thriving.
- New building will strengthen the congregation and its mission.
- Will bring renewal and new residents to the block.
- Density is the essence of New York. Objections to density are not apt.
- Congregation will own its space within the building.
- Building the new building will add to the tax rolls.
- Everyone will benefit from thoughtful, sensitive and appropriately scaled building.
- Hoping elected officials will not make their minds up without hearing both sides.

Board Comments in response:

- Q: Is there an opportunity for adaptive development that would preserve the historic building?
A: yes – but the building is crumbling and non-code compliant.
A: any such preservation effort would solely be facadism.
A: not feasible to save the building from an engineering perspective – it would be cost-prohibitive and not solve the remaining issues.

Efrem Epstein

- Demolition and redevelopment would be the best solution for the Congregation and the neighborhood.

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- An emotional response may favor preserving the building and its memories; but the best solution is this project.

Colleen Heemeyer – The New York Landmarks Conservancy

- Congregation Shaare Zedek was one of the most important synagogues in the 2010 survey of synagogues.
- Designation would make it eligible for the Conservancy's Sacred Sites funding program.

Barbara Friedland – Member of the Congregation

- Encouraging all to come look at the building – it is in terrible shape.
- Building a vibrant new Shaare Zedek will enliven the street.
- Without development, both the building and the Congregation will fall.

Sherry Glead – Member of the Congregation

- Building in such poor condition that many areas now cannot be used.
- Entire site is non-ADA compliant, so those with mobility challenges cannot participate.

Jeff Weinstein – Member of the Congregation

- Recently joined the community.
- The community is those who welcomed them, not the building.

Julie Jacobs – West 90s Neighborhood Coalition

- Wants to preserve both the building and the Congregation.
- Hopes to partner to make the Congregation financially stable.
- Opportunities to rent out the building.

[Gabrielle Palitz, a co-chair of the Preservation Committee and a member of Shaare Zedek, will recuse herself from all votes in connection with the Congregation].

Steve Simon – Chief of Staff – New York City Department of Parks & Recreation

- The Bloomingdale Playground renovation project is on the agenda.
- This project is particularly significant because it was chosen through the Mayor's Community Parks Initiative.
- Will be a significant asset to the two schools (PS 145 and West Prep Academy).
- The renovation will afford an opportunity to pay tribute to PE teacher Ms. White, who first proposed changes to the playground.
- Commissioner Mitchell J. Silver and CB7 Chair Elizabeth Caputo helped cut the ribbon on the renovated "A" dock at the Boat Basin.
- Ederle Center Playground – final inspection of playground under way; set to open this month.
- Big Apple Circus is gone from Damrosch Park – movie series in various parks/playgrounds around our District. Details on website.

Dr. Cary Goodman

- Asked to put AMNH on agenda for full board meeting.
- Linda Rosenthal at her Town Hall refused to call on constituents who oppose the project.

- Asked Dan Slippen for demographics of AMNH's Board of Trustees because the New York Times called boards of museums "racist."
- Helen Rosenthal refused to answer questions about AMNH at her Town Hall.
- Now calling on the Mayor to intervene to block the project – 4,200 people signed petitions to oppose.
- Will hold rally on 9/13 outside the AMNH information session.

Jey Purushotham - Community United To Protect Theodore Roosevelt Park

- Museum annexation plan will be counter to its work in educating on the importance of sustainability.
- Community has voiced strong opposition to this project.
- Communities elsewhere will be watching to see if CB7 listens to its community.

Maria Cristina Fernandez – Community United To Protect Theodore Roosevelt Park

- Parks Commissioner Silver said this is a “done deal” – he should be advocating for the interest of parks.

Regina Karp – Community United To Protect Theodore Roosevelt Park

- This proposal should be on CB7's agenda based on the community's request.

Bob Schernwetter – Lincoln Towers Resident

- Concerned that the NYC Department of Education's proposed rezoning of Community School District 3 draws zone lines to 165 and 185 West End Avenue away from the same school zone as the other Lincoln Towers buildings.
- Students live within 1 block of PS 199 but are proposed to be rezoned to PS 191.
- Plan does not solve the overcrowding problem, as only 6 students live in the two affected buildings.
- Many wealthy new developers' buildings will be in the 199 zone, but not these buildings that have been in the zone for 50 years.

Melissa Paretsky

- Splitting the community of Lincoln Towers is inappropriate.
- New luxury buildings will be in zone replacing the long-standing residents of Lincoln Towers.
- Will not meet the goal of reducing overcrowding.
- 1300 signatures on a paper petition to oppose, plus over 700 signatures on an online petition. [copies provided]

Win Armstrong – Bloomingdale Neighborhood History Group

- History of CB7 will be the subject of a presentation on 9/26 at 6:30 pm at the Youth Hostel, Amsterdam Avenue at West 103rd Street.
- Theme: How has our community shaped and been shaped by CB7.

Peter Arndtsen – Bloomingdale BID

- History walk tomorrow evening.
- Family day celebrations on Amsterdam Avenue on 9/18 and 9/25 – including tastes from area restaurants.
- Commitment ceremony for memorial plaque moved to Youth Hostel on 9/18 – will honor Goodman, Schwerner and Chaney, the three Civil Rights activists killed in Mississippi in 1964.

Manhattan Borough President's Report, Diana Howard:

- Community Impact Grants will be awarded by the MBPO to non-profits and public schools.

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- Deadline for applications is 9/25.

Reports by Elected Officials:

Scott M. Stringer, New York City Comptroller.

- Comptroller does not have a formal role in Land Use, but community based planning is still at the core of our work in building our City and growing our communities.
- Land use and zoning can't be top-down – it must start with the community.
- Comptroller's office manages a \$160B pension fund; works closely with the Mayor to market bonds.
- Comptroller is also auditor-in-chief for checks and balances on City agencies and the Mayor.
- Comptroller analyzes the Mayor's proposed budget. Example – City pays over \$750MM to settle lawsuits or in lawsuit liabilities without holding agencies accountable for recurring problems.
- Comptroller created "Claim-Stat" to analyze damage awards. Analysis revealed that the City is paying \$2MM each year because tree branches fell on people because pruning staff was cut. Better to restore the pruning staff.
- Other efforts by the Comptroller have succeeded in reducing payouts by 15% in 3 years.
- Showcase the lack of gym time and other ways DoE could be improved.

Mark Levine, New York City Council Member (7th District):

- Working hard to save a Keith Haring mural on West 108th Street in a former group home.
- Inspiring mural painted with at-risk kids in attendance.
- Chairs City Counsel Parks Committee – congratulations to the Bloomingdale Playground Task Force for creating a New Gold Standard – Universal Design will allow all children with many levels of ability to play together seamlessly.
- Parks management of beaches – Hurricane Hermine closed beaches this weekend, but the Council extended the beach season by another weekend.
- Promoting Participatory Budgeting process – September 14th Neighborhood Assembly.

Linda Rosenthal, NY State Assembly, (67th District):

- Congratulations to Elizabeth Caputo on her great work as Chair.
- Held a series of hyper-local town halls over the summer – in increments of 10 blocks.
- Complaints range from noise to school rezoning to garbage to presidential politics.
- Fighting with DoB about the automatic granting of After Hours Variances. Creates untenable situations for tenants near construction sites. Convinced DoB to rescind a single AHV in Hell's Kitchen.
- Secured \$2.36MM for NYCHA developments in her District (Amsterdam Houses, Amsterdam Addition, Harbor View).
- Carrying a bill to permit adoption of former lab animals.

Daniel O'Donnell, NY State Assembly, (69th District):

- Health Fair at Grant Houses.
- Comedian wrote a piece called "Pink Hulk" about learning of a diagnosis of cancer at a community health fair.
- Civil Rights Law section 50-a – protects personal information about police officers. Has been carrying a bill to repeal or modify 50-a, which had languished until recently. Commissioner Bratton and Mayor de Blasio support its repeal.

Richard Gottfried, NY State Assembly, (75th District):

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- Proposed construction project on land adjacent to and owned by Congregation Shearith Israel is too big and out of character, as it was when CB7 rejected it 9 years ago; even more so now.
- Urges approval of the Land Use committee's resolution to disapprove.

Brad Hoylman, NY State Senator (27th District):

- First day of school on Thursday 9/8.
- First annual parent and family resource guide available at the District Office.
- Conservation conversation on electric vehicles at New York University Thursday 9/22 at 6:30 at the Kimmel Center.
- Represented NYC in Hoosick Falls, where a French company poisoned the water supply with PFOA.
- Pressing the NYS Senate to subpoena polluters.

Business Session

LAND USE COMMITTEE

Richard Asche and Page Cowley, Co-Chairpersons

Resolution Re:

1. **75 West End Avenue, New York Sports Club** (West 62nd – 63rd Streets.) Application #149-95-BZ to the Board of Standards and Appeals by TSI West End, LLC to extend the term of the previously granted special permit allowing the operation of a physical culture establishment (PCE) at the above subject premises. The extension will be for an additional ten year term from the expiration of the previous grant on July 30, 2016.

Presentation by Richard Asche:

- No negative comments, no concerns were raised.

CB7 Comments:

- Business model for sports clubs assumes some members will not use the facility.
- Concern that consumers should be able to partial refunds from their contracts.

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

VOTE: 37-1-0-0

LAND USE COMMITTEE

Richard Asche and Page Cowley, Co-Chairpersons

Resolution Re:

2. **8 West 70th Street**, Congregation Shearith Israel (Central Park West). Application #74-07-BZ to the Board of Standards and Appeals by Congregation Shearith Israel for an extension of time to complete construction and for a minor amendment to plans. The amendment reflects changes to interior layouts to comply with building code and accommodate HVAC systems.

Presentation by Richard Asche:

- The Land Use Committee at their July meeting initially adopted a resolution to approve the application.
- CB7 learned after the July Land Use meeting that BSA sent Shearith Israel a set of 40 questions seeking details of the proposal.
- CB7 should not approve the application without the answers to BSA's questions.
- CB7 was willing to postpone consideration of a resolution until after the responses to the BSA's questions were available, but the Congregation asked for an up/down vote on the proposal.

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- Resolution is to disapprove the application, without prejudice to reconsideration when the answers are provided.

David Rosenberg:

- Being asked to vote on a proposal that CB7 rejected in 2008.
- Application is for more time to build their project, but the applicant did not disclose that they already received more time.
- Congregation filed revised plans with DoB without disclosing they were materially different than the original.
- Not all questions were answered – premature to approve.

Mark Hartnett – Resident of West 70th Street:

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- Support for the committee’s resolution to disapprove.
- Many open questions about a project that is bad for the community and bad for New York.

Ira Rowde – Cantor of the Congregation – 26 years:

- Involved in kashrut certification. Modification of the exhaust system is part of the revised plans for the kitchens, and will make the kitchens safer and environmentally friendly.
- Application already included a kitchen – the modification is an environmental improvement.

Cynthia Antonucci – President of 18 West 70th Street:

- Question presented at the committee was whether the plans were a major or minor modification.
- The ventilation system is a significant, major change.
- Committee sought technical information on ventilation, and on noise analysis.
- The noise analyses that were conducted took measurements from a building too far away from the site.

Kate Wood – LandmarkWest!:

- This project did not meet the criteria for a variance in 2007, and does not meet the criteria today.
- Shearith Israel had a window under their prior permits, but squandered it by hiring lobbyists to seek even more time.
- BSA approved this proposal over CB7’s objection in 2007, yet now even BSA has a list of 40 questions.
- Should uphold the committee disapproval.

Ron Prince:

- Supports the resolution.
- Too many floors; too many exceptions from contextual zoning; and now too many unanswered questions.

Howard Yural:

- Recalling his grandfather taking him to this Congregation as a boy.
- One would think that the oldest Jewish congregation in the New World would have a deep respect for history.
- This is a Shonda – a shame.

Zach Bernstein – Fried Frank Hariss Shriver & Jacobson, counsel to Shearith Israel:

- Application for extension time to complete construction.

- Application for minor amendments such as egress stairs, mechanical systems.
- Not a change to the program of the building.
- New space will provide room for an archive and dedicated support space for the congregation.
- Designed to match the building next door.
- Land Use voted to approve in July – disappointed to revise to disapproval today.

Seth Haberman:

- Grew up in Congregation Shearith Israel – now a trustee.
- Disturbed by mischaracterization that the internal program of the proposed building changed when it has not.
- Educational needs have grown over the years – program remains intact.
- Several issues about sound/noise were addressed in subsequent submissions.

Marc Wysnia:

- Resides on West 73rd Street – kids attend school in the area.
- Counts on the educational program at the Congregation to transmit the values important to her family.
- Expecting another child. Births and other events are celebrated at the Congregation – the community house is necessary for such celebrations.

Michael Lustwig:

- Project will allow the Congregation to support the needs of the neighborhood.
- There are only minor and immaterial modifications in the plans.
- Opposition to the application betrays "other prejudices."

Dov Ziegler:

- Observer of real estate projects.
- Listening to arguments against minor changes.
- Detailed explanations of minor changes should not hold up this approval.

Ari Sharizen:

- All of the requested information about the modifications has been provided.
- BSA's standard list of questions should not derail prior approval.

CB7 Comments:

- Resolution is to disapprove without prejudice, then the application returns to the Committee.
- If BSA calendars the application in the interim, Land Use will take this matter up again on our own initiative.
- Review of questions from BSA questions reveals them to be pro forma.
- Stalling this process for these questions is unfair to the Congregation, which has been working on the project for years.
- The application is premature – comments are site-specific, not generic. Should not vote until these questions are answered.
- Would have held this application over, but the Congregation asked for final vote.

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

VOTE: 31-2-8-0

Community Board 7/ Manhattan

LAND USE COMMITTEE

Richard Asche and Page Cowley, Co-Chairpersons

Joint with the HOUSING COMMITTEE, Nick Prigo and Polly Spain, Co-Chairpersons

Resolution Re:

3. **Riverside Center.** Applications by The General Investment & Development Companies (GID) to the NYC Department of Housing Preservation & Development for Affordable Housing plans for:
- 30 Riverside Boulevard (West 61st Street), Building #1
 - 10 Riverside Boulevard (West 59th Street), Building #3
 - 633-647 West 59th Street (Freedom Place), Building #4.

Presentation by Page Cowley (Land Use) and Polly Spain (Housing):

Polly Spain:

- The committees held a joint meeting on emergency basis in August on these affordable housing plans.
- GID made an informational presentation at the Land Use Committee in March, but did not bring building plans. Promised to provide the plans and specifics before they made their submission to HPD.
- GID submitted its plans in July – necessitating emergency meeting.
- Housing committee raised concern because the affordable tenants would be charged fees for certain amenities, but the application and plans did not disclose the amount of such fees now or into the future.
- The draft resolution notes that this and other information is missing – resulting in only a conditional approval.
- Concern that the developer is asking for a \$220MM tax exempt bond to finance the construction of this project based on the inclusionary housing program at the core of this application without providing needed information.
- Missing information included the square footage and the number of each type of unit, as well information about fees for shared amenities.
- Affordable tenants should not be subjected to fee increases in the future if ownership were to change – should have some sort of cap.
- Buildings with both owners and renters should have equal access to all amenities.
- Tax exempt bond would amount to a low interest loan of \$750K per unit in building 1, \$800K per unit in building 3; \$800K per unit in Building 4.
- This does not even take into account the affordable housing tax credits for which the project would also be eligible.

Page Cowley:

- The original architect for the site during ULURP was Christian de Portzemparc. Current architects are:
 - Kohn Peterson Fox – Building 1
 - Richard Meier – Building 3
 - Goldstein Hill + West - Building 4
- Architects eliminated the “poor door” problem by creating combined lobbies, avoiding denigrating any resident.
- Building 1 was the most successful by incorporating a single, long lobby.
- Compliments to Ken Lowenstein and Holland & Knight for providing information relating to the apartment unit count and size/type. Provided a schedule with the layout of the affordable units.
- Thus the application satisfied the typical land use issues.

- Remaining issue is that of the fees charged to tenants, and the extent of the services/amenities to which affordable tenants will have access.
- The committees were not aware of the large scale of the subsidy through tax-exempt bonds at the time of the meeting.
- The developer should absorb the cost of all amenities for all residents – otherwise would be segregation.
- Amenities should be subsidized if \$220MM of taxpayer money is used for this proposal.

Ken Lowenstein:

- \$200MM tax exempt is less than 10% of the cost of the overall project.
- Most of the funding is from equity investors.
- The averages quoted are fairly typical for a mixed-income housing project.
- This is an expensive site on which to build, because the developer must build platform over the still-functioning Railroad yards, and because Portzemparc's design is quite elaborate with shapes that are expensive to build.
- Amenities – there are 2 types:
 - Condo owners have all amenities included.
 - Affordable and market rate renters have some amenities included.
- Another package of amenities is available to all renters for fees.
- Two years ahead, can't predict what those amenities would cost to provide.
- Whatever the fees for the amenities will be, they cannot be changed once established because the affordable units will be rent stabilized, and any change would require DHCR approval.

CB7 Comments:

Page Cowley:

- The same fees would be charged to both affordable and market rate tenants.
- All residents should have free access to ALL amenities – otherwise the result will be segregation.
- Need to use this as a start to make sure all residents are treated equally.

Shelly Fine:

- Fought as a Board and Community to make sure that 20% of FAR would be affordable permanently.
- That goal has been achieved.
- It is a big achievement for all renters – market and affordable – to be integrated in a single structure.
- Resolution appropriately reflects the need for clarity.

Polly Spain:

- Lounge areas, fitness area, and pool are the subjects of concerns.

Klari Neuwelt:

- Q: Would non-residents have access to the underground health club amenity?
A: (Ken Lowenstein) No outsiders – only residents.
A: Residents will pay a monthly fee, with discount to affordable tenants.
- Resolution: paragraph 2 of the “therefore” clause calls for no distinction in mailing address, signage etc. – that is unrealistic in a building that mixes condo ownership and two types of renters (affordable and market).

- Would remove paragraph 2

A: (Page and Polly) – this demand grew out of the poor door concern – consensus was that once inside the lobby, each group of residents would know where they should go – and there would be no need to differentiate by signage who was who – should be mixing residents.

A: trying to avoid the stigma.

Ken Coughlin:

- Q: Affordability standard?

A: 60% AMI.

Ethel Sheffer:

- Found the plan offered by the applicant to be one of the clearest of this type.
- The application materials correlated the proposal to the goals of inclusiveness.
- This proposal brings to fruition the lessons learned from Riverside South in 1992 – requiring affordable units be permanently affordable and based on FAR, not unit-count.
- Plan does provide details of the size, assortment and distribution of units throughout.
- Much better plan and presentation than the “poor door” proposals in the first buildings in Riverside Center.
- If there are concerns about the cost of amenities, CB7 should recognize this is still significant progress.

Richard Asche:

- Developer reserved the right to build affordable units off-site – up to 75K Square Feet.

Mark Diller :

- Subsidy should be measured against only those units that would qualify, since tax-exempt bonds cannot be used to construct market-rate housing.

Richard Robbins:

- No one wants to create a poor door effect.

Louisa Craddock:

- Children’s playroom – should not be something for which one should pay extra.
- This applicant is creating a poor lobby connected by a long corridor to the condo lobby.
- Separate concierges, separate mail rooms.
- No reason other than segregation to have two separate parts of the common space. Not necessary.
- Easily could arrange lobbies so there is no separation of the populations.

Linda Alexander:

- Separation is rental vs condo, not affordable and market. This is not segregation.

Roberta Semer:

- Children living in the rentals could potentially not be able to swim with other residents.
- Not discrimination if all renters were treated the same.

Page Cowley:

- Buildings are mixed – Trying to address the unnecessary duplication of lobbies etc.
- Seeking a compromise – get the developer to absorb cost of the amenities for all.

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George Zeppenfelt- Cestero:

- Goal is an equal access building.
- Silent discrimination through the charging of fees for certain amenities.

Mel Wymore:

- Should celebrate 20% of the floor area being permanently affordable housing.
- Some amenities universally available, others paid. So less of an “us/them” effect.
- Must stay vigilant about the discount to the affordable tenants.

Ken Lowenstein:

- Interest is tax exempt to investors only on Federal taxes.
- Bonds only applied to affordable units.

Richard Asche:

- We don't know the cost of the amenities.
- We do know the initial rents of the affordable units based on the schedules provided.

Proposed amendment to the resolution: limit the cost of the amenities to 5% of the affordable rent.

- Amendment proposed and seconded.

Bob Espier:

- Proposal would mean that affordable renter would pay approximately \$50 per month.

Howard Yaruss:

- To the extent that cost of the amenities exceeds the 5% cap, the result of this amendment to the resolution would be to require other renters to subsidize the affordable tenants' access to the amenities.

Mel Wymore:

- Propose that the children's facility should not be a paid-for amenity.

[Accepted as a friendly amendment to the existing resolution.]

After deliberation, the proposed amendment to cap the cost of the amenities at 5% of the affordable rent was adopted:

VOTE: 29-11-5-0

Klari Neuwelt:

- Concern about the FAR that could be build off-site.

Ken Lowenstein:

- None of the affordable units will be off-site.
- The project is creating more affordable FAR than needed under the 2010 Restrictive Declaration. Developer can sell the excess affordable housing FAR to meet requirements of developments in other locations.

Jay Adolf:

- Concern that the language of the resolution speaks to requiring information to be provided that has now been provided.
- Also concern that the general language in paragraph 2 and 4 seeking equal treatment is aspirational.

*After deliberation, the resolution to **approve** failed:*

VOTE: 21-9-14-0

Substitute resolution:

Ethel Sheffer:

Resolution to approve the affordable housing plan as submitted by applicant, on condition that the amenities be capped at 5% of the affordable rent, and that the children's room not be an amenity for which any residents must pay extra.

Seconded.

After deliberation, the substitute resolution was adopted:

VOTE: 31-3-8-0

HEALTH & HUMAN SERVICES COMMITTEE

Catherine DeLazzero and Madge Rosenberg, Co-Chairpersons

INCLUSIVE PLAYGROUND TASK FORCE

Catherine DeLazzero, Coordinator

Resolution Re:

4. **Bloomingdale Playground.** Department of Parks & Recreation's proposed renovation of Bloomingdale Playground, Amsterdam Avenue and West 104th Street.

Ricardo Hinkel and Joan Furlong of NKW – project architects

- Existing condition includes a shaded nook on West 105th Street, a fitness area (raised 3' above main play space), the main school yard on West 104th Street, and seating and play equipment along Amsterdam Avenue.
- Camel in the playground area; also a spray shower.
- Comfort station includes a "nuisance nook" between the comfort station and the south wall of the Grosvenor House Center.
- In response to outreach through an April 2016 charette:
- Confirmation that the new playground should follow the precepts of Universal Design – not mere accessibility, but create a space in which all children will be able to play together.
- Also seek to make the park a place for those of all ages and abilities.
- Results of April outreach – objectives:
- A fully universally accessible space with active fitness, a water spray area, quiet recreation area, and a provision for adult fitness.

- Total budget is \$5.8MM – this is the rare fully-funded project.
- Proposal:
 - The main school yard would have basketball courts – 7 regular hoops and two with varying heights for multiple ages and abilities.
 - Inclusion of a performance space in the school yard.
 - Plantings and game tables around the perimeter of the school yard.
- Main play area along Amsterdam Avenue, with an adult supervision buffer between the play area and Amsterdam Avenue.
- Fitness area moved to an area within the adult buffer.
- Nuisance nook between comfort station and building to become a garden.
- Area opening onto West 105th Street would be for youngest children, replacing its current use as adult fitness.
- The area opening onto West 105th Street would be accessed by ramps instead of stairs.
- Equipment in the main play area would include a bridge over the path through the equipment, so creating an over/under effect. Visually interesting as well as an engaging play concept.
- Sway fun is a piece of equipment that appeals to all abilities – introduced by the IDeA Center.
- Also including a quieter zone within the play area.
- Separate play equipment for 2-5 year olds and 5-12 year olds.
- Creating a new entrance at the corner of West 104th Street and Amsterdam Avenue – will install a sun dial on the pavement at the entrance.
- Play area once inside will include spray water feature – will be partially interactive – water direction and pressure will respond to where children stand and how they manipulate the feature.
- Walls will include tiles with artwork from community members, and language panels with input from teachers in the schools.
- Chalkboard installed – will allow children to draw.
- Fitness area will include pull-up and parallel bars.
- Reconstructing bathrooms so doors will open into playground instead of toward nuisance area or the Avenue.
- Changing each to single-use bathroom for boys/girls to make it gender-friendly to all.

Steve Simon:

- Adding many more play opportunities so this is a real win.

Catherine DeLazero:

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- Task Force applauds the design and the process of meaningful engagement.
 - Parks isn't just claiming this conforms to Universal Design – it actually linked design choices to specific goals of Universal Design.
 - The conditions listed in the resolution have been acknowledged by Parks as feasible.
 - Playground is inclusive of all genders, including potential for a single gender-neutral bathroom.
 - Creating single-use bathroom will go a long way to that goal.
- A: Parks cannot have lockable bathroom doors.

Mel Wymore:

- Most amazing project – congratulations to the Task Force and the Parks Department.
- Never seen so much collaboration and such great community response.
- The critical importance of the availability of a safe space for a bathroom for a transgender person cannot be overstated. People are transitioning at a much younger age now than even a few years ago.
- It is essential that the gender neutral bathroom issue be accomplished, and not merely left to the results of consulting with Commissioner Silver or satisfying only the bare minimal legal requirements.
- A truly gender neutral bathroom is necessary to truly achieve this goal of a totally inclusive playground.

Klari Neuwelt:

- Applauds and supports the resolution.
- Water feature – user activated. Good thing.

Shelly Fine:

- Should have signage that announces that it is an inclusive playground, and explain what that means.
- Proposed amendment: this playground (basketball courts) should not be eligible for league permits that would exclude other users.

Jeannette Rausch:

- This renovation makes Frederick Douglass playground stick out as the next one in need of renovation.

Steve Brown:

- Great process.

Amendments included in the final resolution:

- The basketball court must not be the subject of league permits.
- The creation of a gender neutral bathroom is a condition of approval.

*After deliberation, the resolution to **approve** as amended was adopted.*

VOTE: 40-0-0-0

PRESERVATION COMMITTEE

Jay Adolf and Gabrielle Palitz, Co-Chairpersons

Resolutions Re:

5. Window replacements and terrace door replacements:

- **262 Central Park West** (West 86th – 87th Streets.) Application #18-7160 to the Landmarks Preservation Commission for window replacements

- **299 Riverside Drive** (West 102nd Street.) Application to the Landmarks Preservation Commission for a through wall AC and window replacement.
- **22 West 96th Street** (Central Park West.) Application #19-0009 to the Landmarks Preservation Commission for window replacement
- **340 Riverside Drive** (West 106th Street.) Application to the Landmarks Preservation Commission for window replacement.
- **213-215 West 79th Street** (Broadway – Amsterdam Avenue.) Application to the Landmarks Preservation Commission to replace two pairs of second story terrace doors in kind at street facade.

*After deliberation, the resolutions to **approve** were adopted.*

VOTE: 34-0-1-0

6. Various small projects:

- **1 Riverside Drive** (West 72nd Street.) Application #18-2950 to the Landmarks Preservation Commission to add exterior canopies/awnings above windows and the main entrance.
- **122 West 69th Street, Christ and St. Stephen's Church** (Broadway – Columbus Avenue.) Application to the Landmarks Preservation Commission to add gates at the entry points to the garden, rebuild the columns at the main entry, add a pedestrian path, and replace signage.
- **313 Columbus Avenue, Corks on Columbus** (West 75th Street.) Application to the Landmarks Preservation Commission to legalize signage.
- **121 West 81st Street** (Columbus Avenue.) Application to the Landmarks Preservation Commission for a bulkhead and 3rd floor windows.

*After deliberation, the resolutions to **approve** were adopted.*

VOTE: 32-0-1-0

- 7. 48-50 West 69th Street** (Columbus Avenue.) Application to the Landmarks Preservation Commission for alterations to areaway and entry, rear yard and rooftop additions, and excavation.

A. Regarding the modifications to front façade and areaway:

Presentation by Gabrielle Palitz:

- Application came before CB7 a few years ago – now before us with a modified design.
- Two neighboring townhouses are being combined.
- CB7 previously approved changes to the front façade and areaway.
- The new design proposes major changes to the rooftop and rear façade that was approved at LPC years ago.
- The new rooftop addition design spans the combined roofs and is minimally appropriate.
- Rear yard as presented a few years ago was problematic.
- Current proposal exacerbates concerns because the façade is too monumental, and eliminates any sense that the buildings were once separate buildings.
- Prior concern about what was once proposed to be a small window is now a monumental lancet.

*After deliberation, the resolution to **approve** Part A – Front Façade and areaway - was adopted:*

VOTE: 31-0-1-0

B. Regarding the revised design of the rooftop addition:

Presentation by Gabrielle Palitz:

- Shifting mechanicals to slot on roof from rooftop.

*After deliberation, the resolution to **conditionally approve** Part B – revised design of the rooftop addition - was adopted.*

VOTE: 30-2-1-0

C. Regarding the revised design of the rear façade and rear yard addition:

*After deliberation, the resolution to **disapprove** Part C – revised design of the rear façade and rear yard addition - was adopted.*

VOTE: 31-2-1-0

8. **164 West 74th Street** (Amsterdam Avenue.) Application to the Landmarks Preservation Commission to remove steps at the building entry and modify the doors to be ADA-compliant, restore the facade, install new windows, infill portions of the light-wells, expand the penthouse, and reconstruct the rear elevation.

Presentation by Gabrielle Palitz:

- Formerly Phoenix House. Conversion to residential.
- Current building has east and west light wells.
- Front Façade – project calls for restoration of the façade, and lowering the first floor to the street level to make the building ADA accessible.
- Building extends to within 10' from the rear property line.
- The design calls for an innovative chamfer effect that would create an angled cut-back from a depth of within 10' of the rear lot line to a depth of 22' at apex of the chamfer.
- The project involves no net addition to floor area – the floor area added by filling in the light wells approximates the amount lost to the chamfer effect in the rear façade.
- Using bands of brick spacing to create a rusticated effect on the rear façade – lightens and harmonizes the masonry with the rest of the building.
- Chamfer façade is glass and metal – interesting design.

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

VOTE: 32-0-1-0

9. **236 West 101st Street** (Broadway- West End Avenue.) Application #18-7577 to the Landmarks Preservation Commission for a penthouse and bulkhead addition and a rear extension.

Presentation by Gabrielle Palitz:

- Application concerns a block of small townhouses with an intact donut rhythm.
- Proposal is for fairly modest rooftop and rear yard addition.
- The scale of the rear yard addition would materially disrupt the intact rhythm.
- This creates a large imposition onto an intact donut.
- Metal cladding – only on the rooftop addition.

Caroline Asnea:

- Resides in 238 West 101st Street – attached to the applicant building.
- Deck on the rear façade overlooks the neighboring garden.
- The proposed rear yard extension will invade the garden.
- The design shows no consideration for the rear yard or its character.
- Back garden is an important element of the character of this district.
- Mature gardens with lush plantings.

Joan Paylo:

- Penthouse looks like a bunker clad in zinc.
- Can see the penthouse from Broadway.
- One of the last intact donuts – should be preserved.
- Plans were not well formulated.
- Architects dismissed the importance of the rear yard.

Marcus Sprock:

- Shares the rear yard with this building.
- Key is that this is a thoughtless proposal.

Board Discussion:

Gabrielle Palitz:

- Rear yard additions are still permitted.
- But invading an intact donut with a three story addition with bulky rooftop is not appropriate.
- Not that every rear yard addition is now inappropriate – this specific proposal overwhelms this particular building.

*After deliberation, the resolution to **disapprove** was adopted.*

VOTE: 28-0-2-0

BUSINESS & CONSUMER ISSUES COMMITTEE

Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

Resolutions Re:

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

- **924 Amsterdam Avenue** (West 105th -106th Streets) Amsterdam Ranchito Corp. d/b/a New Ranchito.
- **1012-1018 Amsterdam Avenue** (West 110th Street) Madrel LLC, d/b/a To Be Determined.

*After deliberation, the resolution to **approve** was adopted:*

VOTE: 30-0-1-0

11. Unenclosed Sidewalk Café Renewals:

- **483 Amsterdam Avenue** (West 83rd Street.) Renewal application #2007741-DCA to the Department of Consumer Affairs by Nicky Meatballs, Inc., d/b/a Polpette, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 15 seats.

After deliberation, the resolution to approve was adopted:
VOTE 30-0-1-0

- **936 Amsterdam Avenue** (West 106th Street.) Renewal application DCA# 6816-2016-ASWC to the Department of Consumer Affairs by Amsterdam GS Corporation, d/b/a The Ellington, for a four-year consent to operate an unenclosed sidewalk café with 27 tables and 58 seats.

After deliberation, the resolution to approve was adopted:
VOTE: 29-0-1-0

New Unenclosed Sidewalk Café:

12. **286 Columbus Avenue** (West 73rd – 74th Street.) New Application #7798-2016-ASWC to the Department of Consumer Affairs by Guyers, Inc, d/b/a Guyers, for a four-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.

*After deliberation, the resolution to **approve** was adopted:*
VOTE: 30-0-1-0

13. Disapprovals because the applicants did not attend the committee meeting:

- **625 Columbus Avenue** (West 90th Street.) Application to the SLA for a two-year liquor license by Fatmir Caushi, d/b/a To Be Determined.
- **489 Columbus Avenue** (West 83rd Street.) Class Change and Alteration application to existing Wine & Beer license Shree Laxmi Indian Cuisine, d/b/a Savoury Indian Cuisine.
- 2636 Broadway (West 100th Street.) New application under change of ownership ULURP# N160153ECM/ DCA# 15235-2015-ASWC to the Department of Consumer Affairs by Spectrum Restaurant, LLC, d/b/a Manhattan Valley, for a four-year consent to operate an enclosed sidewalk café with 8 tables and 20 seats.

*After deliberation, the resolution to **disapprove without prejudice** was adopted:*
VOTE: 30-0-1-0.

The meeting was **adjourned** at 10:55 pm.

Present: Andrew Albert, Audrey Isaacs, Benjamin Howard-Cooper, Blanche E. Lawton, Brian Jenks, Catherine DeLazzerro, Christian Cordova, Dan Zweig, Elizabeth Caputo, Eric Shuffler, Ethel Sheffer, Gabrielle Palitz, Genora Johnson, George Zeppenfeldt-Cestero, Howard Yaruss, Issac Booker, Jay Adolf, Jeannette Rausch, Kenneth Coughlin, Klari Neuwelt, Lillian Moore, Linda Alexander, Louisa Craddock, Madelyn Innocent, Madge Rosenberg, Manuel Casanova, Marc Glazer, Mark Diller, Meisha Hunter Burkett, Mel Wymore, Michele Parker, Miki F. Fiegel, Nick Prigo, Page Cowley, Paul Fischer, Peter Samton, Polly Spain, Richard Asche, Richard Robbins, Rita Genn, Robert Espier, Roberta Semer, Sarina Gupta, Seema Reddy, Sheldon Fine, Sonia Garcia, Steven Brown, Susan Schwartz, Suzanne Robotti, Tina Branham Meeting ended at 8:36 pm.

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Land Use Committee Meeting Minutes

RICHARD ASCHE AND PAGE COWLEY, CO-CHAIRPERSONS

SEPTEMBER 6, 2016 and SEPTEMBER 21, 2016

Pre-Full Board Meeting on September 6, 2016 at Fordham University

Convened at 6:00 pm by Co-Chairs Richard Asche and Page Cowley.

The meeting was concluded at approximately 7:00 pm.

Present: Richard Asche and Page Cowley, Co-Chairs, Louise Craddock, Sheldon J. Fine, Jeannette Rausch, Peter Samton, Roberta Semer, Ethel Sheffer, Howard Yaruss. Non-Committee Members of CB7: Mark Diller, Susan Reddy, Susan Schwartz, and Mel Wymore.

1. 10 West 70th Street, Congregation Shearith Israel. Update on CSI's responses to the Board of Standards & Appeals' questions regarding their application.

This meeting was to determine if any responses had been received after the July Land Use Meeting that would change the resolution drafted at that time. That resolution was a conditional disapproval until the BSA responses and all information relating to current proposed and approved plans are provided for the Committee to review. Mr. Bernstein, attorney for the applicant explained that the "BSA August 12th Notice of Comments" applicant responses were in progress and that they would be at the CB7 offices by the end of the week. Richard Asche asked if the vote could be deferred to be able to disseminate the new information to Land use Committee members in preparation for a possible second Land Use meeting that could be scheduled for the end of the month to bring a revised resolution before the Full Board on October 7th. This date would still permit the Full Board to hear the status with a revised resolution to be presented to the BSA in time for their October 14th Public Hearing. The applicant's attorney declined.

Given the amount of outstanding information, the resolution as drafted at the July Meeting, stating the project is disapproved, conditional to the receipt of responses to the BSA August 12th Notice of Comments, would remain and be presented to the Full Board for a vote.

Motion to approve: THEREFORE, BE IT RESOLVED THAT the Application by Congregation Shearith Israel for waiver of BSA rules, an extension of time to achieve substantial completion, and approval of changes to the project design is **disapproved**, without prejudice to renewal once the application is complete.

Land Use Committee: 6-0-1-0. Non-Committee Board Members: 4-0-0-0.

Committee Meeting on September 21, 2016 at the CB7 District Office

Started at 7:00 pm and was adjourned at approximately 9:15 pm.

Present: Page Cowley, Co-Chair, Louise Craddock, Sheldon J. Fine, Jeannette Rausch, Peter Samton, Roberta Semer, Ethel Sheffer, Howard Yaruss. Non-Committee Members of CB7: Mark Diller

The following matters were discussed and actions taken:

1. 10 West 70th Street, Congregation Shearith Israel. Update on CSI's responses to the Board of Standards & Appeals' questions regarding their application.

Congregation Shearith Israel's attorney provided a chart prepared by the BSA titled "Table of Responses to BSA Notice of Comments dated August 12, 2016. The responses to this list of comments was forwarded to the CB7 District Office on Thursday September 15, 2016 providing only a few days to review the responses and related documentation before this meeting. As these responses were promised at the end of the week, following September Full Board Meeting on September 6, having received no documentation, a Supplemental Land Use Meeting was scheduled to determine if the responses were adequate and satisfied questions raised at the July Land Use Meeting. The applicant's attorney was insistent that the BSA Hearing date of October 14 not be

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deferred.

The task before the Land Use Committee is therefore to determine **if any of these responses would reverse the Full Board resolution**. No presentation was necessary by the CSI attorney, members of the congregation or any consultants representing the Owner in any capacity, as this meeting was to discuss the materials now in hand.

As this meeting served as a discussion session to review the responses, questions or clarifications of the representative for the applicant, George Fontas from Capalino & Partners, attending as an observer, was available.

In order to become familiar with the extensive new material and make our meeting more productive, Page Cowley presented an expanded BSA chart in order to determine if the responses were adequate. Initially two categories were made to evaluate the responses based on the item being either a **Technical and / or Administrative Matter** or related to the **Owner's Unique Design**. You may recall that at the Full Board, there was a statement made that these "BSA Notice of Comments" are standard. We have since learned that this is a second set of comments, although no previous questions have been provided to the Community Board prior to this set. We know this because some of the responses in the BSA Notice of Comments refer to different page numbers than are provided with the new Statement of Facts indicating that a previous "Statement of Facts" was provided and presumably a previous set of BSA Notice of Comments. This complicated an easy review of the issues requiring a third criteria category headed **Question**.

The intent was to provide a summary and a simple analysis of the responses first by category and the second by acknowledgement that an item /issue was answered with the result marked with simply **Y = Yes** and **N = No**. The goal was to be as objective as possible and provide Land Use Committee members with an aid to facilitate understanding and assessment of the materials provided, aiming to keep the comments short and focused, while allowing what were anticipated as only a few clarifications from the applicant.

In the interest of time, the chair called for questions or comments from the Land Use Committee first. Following this segment of the meeting, questions from the members of the attending public were made **provided they related only to the BSA responses**.

There followed the following questions and concerns from the Land Use Committee:

1. Why were we concerned with the responses, isn't this the responsibility of the BSA to decide?
Response from Page Cowley: How can we determine if the three questions asked of the Community Board back in July when the request from the applicant for three actions:
 - a. A request to extend the expired permit(s) to complete construction.
 - b. Approval for certain changes in the plans all related to the modifications of the original design and resulting Waivers, as either "major" or "minor."
 - c. A waiver of the BSA rules for review by Special Order Calendar (i.e. without community review).
2. Did the code compliance impact time? Or was their adequate time to incorporate required code compliance from knowledge that the previous Building and Construction Codes would be phased out and newer more stringent requirements were coming into effect?
3. Apart from the lawsuit, what other delay prevented completion after the first extension was granted?
4. What is the definition of "major" and "minor" changes to the project and how do we determine this?
5. Given the extent of changes that include: redesign of the east wall to allow lot line windows by moving the facade approximately three feet westward, doubling the size of the kitchen, increased ventilation and exhaust for the kitchen by locating new mechanical equipment on the rear roof of the community facility, increased mechanical equipment on the roof and the requirement for a

generator, not previously considered, re-organization of the egress stairs, a second roof egress and stair, more developed structural systems and MEP systems, extended excavation for a deeper vault at the sidewalk (this needs to be confirmed as the previous or former drawings were not available at the meeting for comparison which would have taken considerable time), are a few of the modifications that were cited as being more major than minor.

6. Were the recently prepared drawings, dated September 8, 2016 reviewed and approved by both the Department of Buildings and the Landmarks Preservation Commission (LPC)?

George Fontas, from Capalino & Partners, seated next to a member of the Congregation Shearith Israel, Ari Sherizen, reported that the LPC had recently approved these plans on September 16, 2016.

Page commented that this Amendment to the C of A was not listed in the documents provided, and while the offer to read the approval on an I Pad was indeed expedient, a copy needed to be provided to all agencies involved with this project - the DOB, Department of City Planning, the BSA, in addition to the Community Board and we would need this submitted as a printed copy for verification and compliance with all of the other documents recently supplied by the applicant.

7. There were several comments regarding the continued state of incompleteness of the documentation, which makes this review even more complicated.
8. There followed a discussion of the validity of the Annotated BSA Chart as a basis for evaluation. It was agreed that committee members would review the chart and if there were any further questions or comments, they should be to be submitted to the CB7 office by Friday, September 30.

The meeting was opened to the public who offered additional comments. Page Cowley asked for written copies that could be submitted along with the land Use Committee minutes and comments. These comments were made by:

- Sean Khorsandi, Advocacy Director, Landmark West! cited five BSA Questions that raised concerns ranging from the "variant" office building version that was not included to the time line that was missing 18 months between the period that the BSA specifically asked for to determine the efficacy of work produce between 2012 and 2014.
- Lucas Geiger made suggestions to aid the extent of changes by comparing the previous 2015 drawings with those now submitted as the revised set of plans, which reverted 11 classrooms to offices. It was felt that this set of drawings should also be part of the public record.
- Cindy Antonucci spoke up about the increased mechanical equipment and the incomplete technical assessment that cited only the upper level equipment locations with no testing data on the lower level rear roofs adjacent to the two apartment buildings. Calculations were provided for measurement from only one building but not all properties affected.
- Jeanne Martowski wanted to clarify the definitions of "major" and "minor" in the context of the entire project and why the code compliance was not a factor in the interim design revisions since 2008.

Given the circumstances BE IT RESOLVED THAT the Land Use Committee agreed that there were still many outstanding and incomplete documents, and that the Land Use Committee members should use the Annotated BSA Notice of Comments as a guide to assess the completeness of the proposed project and return additional comments to the CB7 office by September 30th to determine if the September 6 Full Board resolution should be revised; and that members of the of the public attending this Land Use meeting should submit their comments also no later than September 30th to the CB7 offices so that a

single letter response to the BSA, copied to all agencies having purview over the project including a copy provided to the applicant. It is hoped that the applicant can better appreciate the mounting concerns of the community and the need for clarification, particularly to the neighbors adjacent to the project site.

A further clarification was made as part of this resolution that the previous resolution voted by the Full Board would remain in effect as a **disapproval** until the application was once again, considered complete with all questions and concerns responded to. This requirement was without prejudice, and the applicant could return to a future Land Use Meeting for reconsideration.

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

2. Personal initiative for Columbus Avenue, West 89th-97th Streets (the former Urban Renewal Area) by Peter Samton.

This next item was an amazing presentation that illustrated creative landscaping and streetscape improvements to Columbus Avenue between 87th Street and 96th Streets designed by Peter Samton titled "The Greening of Columbus Avenue.

Although Peter Samton is retired from the firm he founded, Gruzen Samton, Peter has been quietly pursuing a series of design concepts regarding the barren streetscape of the ten blocks along Columbus Avenue with some of his colleagues at his former firm. He introduced a team of his former Associates from his firm led by Frank Repas, AIA, who has been a long time design collaborator with Peter. The project documented the empty and lack luster concrete setbacks that were without activity, and provided little or no opportunity for landscaping or interesting public space. Through colorful drawings and perspectives, Peter and his team illustrated how seating, "pop-up" type retail, market stalls and canopies could be introduced along with additional planting beds and boxes to create a rhythm and an order of the random tree pits. Peter described a beautiful vision to enhance the wide street as a boulevard with more trees, street furniture and inexpensive lightweight framing and trellises to conceal the hardscape without impinging on private property.

The committee agreed that this series of discrete improvements, designed as a "kit of parts," could be a prototype for this barren stretch of Columbus Avenue.

The next step is to determine which agency could take this up as a sustainable and viable series of improvements. With thanks to Peter Samton and his colleagues for their ingenuity and time to prepare and share his design concept for the Greening of Columbus Avenue!

The meeting was adjourned.

Respectfully submitted by Page Cowley.

***Preservation Committee*, JAY ADOLF AND GABRIELLE PALITZ, CO-CHAIRPERSONS**
***Joint with Parks & Environment Committee*, KLARI NEUWELT, CHAIRPERSON**
September 20, 2016

The Preservation and Parks & Environment Committees of Community Board 7/Manhattan met on Thursday, September 20, 2016, at Goddard Riverside Community Center, 593 Columbus Avenue, in the District. The meeting was co-chaired by Gabrielle Palitz and Jay Adolf, co-chairs of Preservation, who called the meeting to order at 6:35 pm. The meeting was attended by Preservation committee members Louisa Craddock, Mark Diller, Miki Fiegel, Meisha Hunter Burkett and Peter Samton, and P&E committee members Ken Coughlin, Sarena Gupta, Meisha Hunter Burkett, and Susan Schwartz. Also attending were CB7 Chair Elizabeth Caputo, Co-Secretary Christian Cordova, and CB7 members Roberta Semer, Dan Zweig, Robert Espier, Paul Fischer, Madge Rosenberg, Sheldon Fine, Manuel Casanova, Michele Parker, Page Cowley, Mel Wymore and Ethel Sheffer.

The following topics were discussed and actions taken.

American Museum of Natural History. Application to the NYC Landmarks Preservation Commission for the construction of a new building on its campus adjacent to Columbus Avenue at West 79th Street within Theodore Roosevelt Park.

Elizabeth Caputo:

- Joint committee meeting to consider AMNH's application.

Jay Adolf:

- Reviewing the proposed design for AMNH's planned new building and the design for the proposed reconfiguration of Theodore Roosevelt Park.
- The goal is to arrive at a resolution to provide the LPC with CB7's advisory view on the application.
- The nature of the application is directed to the LPC's issuance of a binding report. This is not an application for a Certificate of Appropriateness, although the standards are equivalent.
- Issues related to matters other than the design of the building and the park, such as transportation impacts, construction impacts, program bona fides, etc. are not relevant to this application, and will be considered as part of the separate discussions relating to the preparation and evaluation of an Environmental Impact Statement that is expected to take place early in 2017.
- CB7 will go forward despite those who advocate that consideration of this application be delayed unless and until AMNH submits a master plan for the site as failure to reach a resolution may well result in CB7 forfeiting its opportunity to comment on this application.

Presentations by:

Ellen V. Futter, President of AMNH

Bill Higgins of Higgins Quasebarth, Preservation Consultants

Jeanne Gang of Studio Gang, Architects

Joe James of Reed-Hilderbrand, Landscape Architects

Sue Golden, Esq., Venable LLP

Ann Siegel, SVP of AMNH

President Futter

- Thanks to the large crowd for participating.
- Application for the Gilder Center.

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- Museum-wide building to integrate science, exhibition and education space.
- City-owned land – Parks must obtain a report and approval from LPC. Landmarked building on a public park.
- The current proposal includes changes that respond to the input received to date from public meetings.
- This is the first of two sets of public hearings – the second, expected in early 2017, will concern the Environmental Impact Statement.
- AMNH is the proud home of over 200 research scientists, with over
- 2 million artifacts on site
- Gilder Center will address internal and external needs.
- Currently the Museum welcomes 5MM visitors per year, including 500K students.
- Center will connect 10 different buildings to relieve congestion.
- External needs addressed by the Gilder Center – science education in the USA is in crisis.
- Major issues faced by public policy have at their roots the need for science competence.
- Changing the nature of a traditional school visit from looking at the museum to interacting with it on site.
- Provide access to scientists and authentic scientific materials.
- The proposed building will sit between existing structures and more than 80% of the proposed Center will sit on the footprint of existing buildings on the campus.
- After months of preliminary presentations, AMNH has conducted 3 input meetings with hundreds of attendees.
- Current footprint for the proposed Gilder Center will occupy ¼ acre of Park land; 80% of footprint will be within the existing space of the Museum.
- Since early 2016, working with a community park group to revise the plan for the park.
- Saved 2 additional mature trees.
- Footprint modifications affected the cost of the building, will require the demolition of three buildings, affected the program for the building.

Bill Higgins

- Demolition of existing structures.
- Demolition allows the Museum to pull the new building back to use less of the surrounding park space.
- The Weston building is 16 years old – not historic.
- Building 15 has been severely compromised over the last century. Building 15-A is a stucco box with no historic value.
- Master Plan in place since the 1870s. Theme and variation – followed and varied-from over the years.
- Architecture of the plan is principally rectilinear, but is informed by sculptural rounded edges such as at the towers on the corners of the West 77th Street elevation.

- The Museum infill of previously planned interior courtyards has resulted in numerous dead ends within the Museum plan, leading to unfortunate results.
- Park considered historically significant even though not designated part of the individual landmark of the Museum buildings, but is a part of the Historic District that surrounds.
- No master plan for TR Park.
- Frederick Law Olmstead commented in the 1870s that “something should be done” with the open space..
- Park plan has changed over time and as the Museum has evolved.
- Paths through the open space/Park curve – inform design.
- Proposed Gilder Center to continue the tradition of being a Museum in a Park.
- Different architectural styles used for each generation of buildings added to the site over time.
- Each new structure is of high quality, but each quite different.
- Materials – granite has been the primary material.
- Salmon-brown used in various elevations.
- Also used Milford Pink Granite in the TR Memorial structure on CPW.
- Quarry from which the Milford Pink Granite is still open, and will be approached to obtain the cladding for the Gilder Center as opposite on the axis from the TR Memorial.
- Granite on the West 77th Street elevation alternates between rusticated stone and smoother accents – akin to strata.

Jeanne Gang

- Design began with an analysis of the original master plan – recognizing that circulation and flow intended in the master plan had never been achieved.
- The Gilder Center as proposed would complete the axis along the extension of West 79th Street into the Park.
- 10 buildings would now be connected.
- Spaces in nature that informed the inspiration for the Center’s design – geologic pathways reminiscent of sculptural Canyonlands such as found in the Southwest.
- Interior of the Center Atrium – will make all of the functions of the Museum accessible and visible immediately upon entering the Museum. Visual accessibility.
- Sustainability features – natural daylight through the atrium in the central hall.
- High performance building envelope – very little exterior envelope because the building is now pulled back into the existing Museum campus.
- Walls in the center atrium are the walls holding up the roof.
- ADA completely accessible – at grade.
- 80% space comprised of Museum functions; 10% back of the house; 5% dining and gift shop, 5% back of the house operations.
- Exterior cladding – bedding layers of stone was inspiration – canyon-like rock space for exterior program.
- Coursing of granite to emulate rock striations.

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- Striations would follow the curves of the rounded window openings – not horizontal rows, but following the arch-like openings on the exteriors.
- Color is a light pink.
- Note that the building would be partially obscured by the existing trees both along the street as well as those in the Park.
- Elevation on the West would step back as it rises – both in plan and in section.
- The elevation would have irregular curved-shaped window openings with the atrium in the center.
- Each wing on either side of the atrium has a curved shape facing / heading west. Atrium on a bias between the two curved prongs of the West façade.
- Height of the building aligns with the buildings on either side in the campus.
- The façades of the two wings step back to form a reveal or shadow line where the new meets the existing.
- Existing north façade of building 8 has planned openings for anticipated connectivity that was never built.
- Building steps back once above the ground floor, and again as the building rises.
- North façade – will rise behind the pavilions in the central campus terrace (Ross Terrace) and existing red brick buildings.
- North façade will pick up on the copper banding on the wall above the Terrace. Elevation on the north will be “plaster”.
- Oval window on the east façade will provide sunlight.

Joe James

- Three themes for the Park –
- Building reads as set within a park
- Preserving the gem at the end of West 79th Street.
- Ensuring ADA access at grade.
- Preserving curvilinear forms in the existing park.
- Proposal for the Park includes widening the entrance at West 79th.
- Seven trees to be removed; one will be relocated in the Park. Nineteen new trees will be planted elsewhere in the Park
- New design adjusts Park paths – separating gathering/respice areas from Park circulation and the Museum access.
- Preserving the Pin Oak and another mature tree.
- Planted islands accomplish definition of separate spaces.
- Increased path size makes the Nobel monument more useable.
- Margaret Mead Green expands by appx 2,000 SF.
- Margaret Mead Green with new terrace/private space.

- No fencing shown in images, but under consideration. Will work with Parks Dept. and Parks working group for fence design.
- Adding circulation west and east of the Nobel monument.

Ellen Futter

- Thanks.

Joint Committee Q's

Peter:

- Pink granite looks different than renderings, which appear white.
- Pink actually relates to the TR façade.
- Plan – NW corner shows a deep reveal between the proposed and Bldg 17 – could be a place to hide/sleep not easy to defend.
A: will address through the landscape.
A: Need an additional fire escape at that location.

Louisa:

- 7 trees to be removed; large pin oak to be removed.
- A: most of the trees to be removed are shorter.

Gabby:

- Themes for park design

Jay:

- Adding trees
A: 6 canopy trees plus 13 understory trees

Ken:

- Parks involved in redesign of the Park?
A: yes – part of the Park working group
- If original rectilinear master plan were used, would take more of the Park.
A: yes

Sarena:

- Completion:
A: 2020

Meisha:

- Sense of tremendous effort to fashion a reasonable and thoughtful response to programmatic intention.
- Q: Does not understand the programmatic catalysts. After studying all materials.
- A: Futter – internal and external needs being addressed.
- Growing audience and circulation problems, dead ends create traffic flow problems.

- Programmatically the Museum needs space for all of its mission needs – education, exhibition, and connection to resources – collections, labs and scientists.
- Commends historic research.
- Did not see an evaluation of existing circulation and how the proposed building responds to those needs.
- A: Gang – studied circulation carefully. People travel along axes – E-W or N-S intended to be completed into the big square in the Master Plan. Currently results in reaching dead ends.
- A: With a few edits along the central core of the campus, the proposed Center creates a loop. Creates 30 connections.
- Q: New principal entrance?
- A: no, not intended to be the principal entrance.
- A: Do expect use of the west entrance to increase from 10% to 20% with the new building.
- Q: Materials – applaud the selection of the Milford Pink.
- Q: Concern re plaster.
- A: Plaster is found on interior edifices on campus.
- A: Want the color to emulate the Milford Pink – creates a lighter color (also helps energy use).
- Q: Design intent. Reference to geologic strata. Wondering why that was selected – what other options dismissed.
- A: studied other options.
- A: idea of flow and time in geology. Sense of discovery.
- A: Natural light and ability to see where one was going.
- A: Idea comes from mission of the museum to engage visitors from the moment they enter the space.
- Q: Sustainability. Energy, water – concepts. Assumes want to be at the forefront of these conversations.
- A: Gang – getting the sustainability features to work together. Harvesting natural light. Limited façade reduces energy lost. Atrium requires less to cool. Glass will have frit.

Susan:

- Q: Pleased not moving Nobel monument and increasing space around it.
- Q: Trees being removed – can they be salvaged.
- A: Ann Siegel – explored transplant with Parks – small dogwood can be transplanted; others cannot.
- Q: New trees – similar? How long to reach full size?
- A: Larger than saplings – elms grow quickly – will take 20 years to achieve full stature, but will be significant stature.

MND

- Volume of Atrium.
- A: Journey and reveal of Museum mission account for the need for the volume.
- A: Provides natural light.
- A: Solves dead ends in Halls of Gems, Pacific Peoples.

- A: Volume is on a par with the TR entrance Memorial.

Public Comment:

Claude Beller (with time from Carol Joseph) – Community United:

- Delusional to think a Columbus Avenue entrance will only add 20% more visitors.
- Additional visitors will eat up the new paths and space, along with vendors.
- Will destroy a part of the park that provides relief and repose.
- Change the entire aspect of the neighborhood.

Sean Khorsandi – LW!

- EIS scope will impact important public assets, including Museum and TR Park
- Acting on a 140 year old statute, enacted before the City of New York as we know it ever existed.
- Must develop a forward looking plan to balance Museum and Park.
- Met Museum established a master plan in 1971 re Lehman wing.

Olive Freud

- Not appropriate to build on public parks.
- Public trust doctrine prohibits alienation.
- In overcrowded neighborhood the priority should be to preserve the Park.
- 150 years of adding to the Museum – can't undo what has been done, but can hold the line.

Sidney Goldfischer

- Crisis in education is the problem of standardized tests.
- Many institutions already provide world-class science.

Lydia Thomas – Defenders

- Played a significant role in convincing the Museum to use less of the Park.
- Welcome progress, but still have serious concerns.
- Question the 6-story edifice.
- Necessary to resolve circulation.
- Should reduce bulk.

Tupper Thomas – New Yorkers for Parks

- Strongly support the revised landscape.
- Applaud the saving of the two large trees.
- Applaud working closely with the Parks Working Group.

Peter Wright – President of Friends of TR Park

- Support the redesigned park (no comment on building).
- Committee work has created an inviting park experience.
- Arthur Ross Terrace is 1 acre; this building uses ¼ acre of parkland.

Steve Anderson – 81st Street Block Assn

- Rarely are in favor of anything.
- Design brought forward is one that Block Assn endorses.
- Serious concerns raised over again about buses and congestion, even though not tonight's agenda.

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- Need to open up the South side of TR Park.

Barbara Adler – Columbus Avenue BID – ceding time to:

Andrew Ogulnik

- Building and Park are in the BID.
- Building is striking and impressive addition.
- Support redesigned park – more accessible and more inviting.
- Until now, west side was the back side of the Museum – now creating connections to BID entities and neighborhood.
- BID part of the Park Working Group.
- Museum an excellent listener – saving trees, scaling back the design footprint.

Stuart Blumin – Cornell Professor of History

- Member of the Defenders of TR Park.
- Museum and Park are part of UWS/CPW Historic District.
- Distinct package.
- At the heart of the Historic District.
- Invading the park means less of a museum in a park.
- Remain unconvinced that Museum has examined all reasonable ways to achieve its goals – could use less parkland with a less grand entrance.

Cary Goodman (with time from Ms. And Mr. Fernandez and Ann Russel)

- Today starts climate week.
- Sustainability issues at the fore – but no response from Ms Gang.
- Building will put 2MM metric tons of pollution into the atmosphere.
- Chutzpah. Plan around for months – 4,000 people have said we hate it.
- Appropriateness and form – caves and geologic design does not relate to the Park.
- Mass – building will eradicate sunlight for the community and take away the shade.
- Takes away sunlight and air.
- Nothing here will maintain or enhance the historic character of the UWS (Preservation committee purpose).
- Nothing aligns with P&E working principles.

Karen Moore – Goddard Riverside

- Preschoolers at G-R programs benefit from access to the Museum.

Katie White – science teacher, NYC public schools

- Students benefit from access to resources.
- Ignites curiosity to see science in action.

Michael Ong – NYPIRG, Save Great South Bay, Red Cross

- Public and Park has been taken into consideration.
- Building is a nationally and internationally recognized institution that must be allowed to improve to keep pace and remain relevant.

Melissas Schumer – Young Women’s Leadership School

- Students have had extraordinary experiences.

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- Student who once was not engaged is now studying astrophysics.

Michael Broomfield – West 81st

- Proposal addresses serious concerns.
- Thoughtful response; intelligent design.

Bill Roudenbusch – with time from 5 people (Dee Rieber, Sue Ellen Estey, Carol Ansorge, Hector Perez)

- Contrast to Romanesque revival design of existing structures.
- Curvilinear paths in park are not appropriate models for the form of the building.
- Proposed building is undulating – distinct from convex forms of Romanesque revival design.
- Pink granite not guaranteed.
- LEED sought is Gold. Should seek a higher level of rating.
- Pathways in Park will yield to Museum access and pass-through – Museum traffic.
- Cooling the glass atrium will be expensive.
- Public money being used.

Cristine Maisano – NYC DoE Teacher

- Professional Development at the Museum.
- Connects training to science taught in the classroom – helped learn how to teach science in a more engaging way.

Mack Jeffrey – 386 Columbus – Directly across Columbus Avenue

- In favor of the proposal.
- Will see it every day.
- On balance – will amplify and expand the mission of one of America's greatest institutions.
- Losing ¼ acre – not thrilled, but once in a generation opportunity to improve the park and make more welcoming.

Rachelle Travis – Teacher – students from NYCHA housing.

- Support expansion of PD and engagement.
- Learning how to make museum visits more meaningful for students.
- Need reflection time on the spot.

Regina Karp

- Personal history – took first trip to the Museum in 1949. Thrilled to be in the museum.
- Should offer more exhibition space, not classrooms.
- Husband studied under Margaret Mead.
- What would Margaret Mead do?

Lynne Glasner

- What percentage of Museum floor space is given over to Gilder University?
- How much of proposed center will be used for the Gilder University?

Martha Dwyer

- Museum programs are wonderful.
- But expansion has to stop.
- Must consider the support of the BID – good for businesses but not for residents/neighbors.

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- Mini Times Square.

Faith Steinberg

- Concern for Climate Change.
- Where are the solar panels?
- AMNH Board members are invested in fossil fuels – concern for type of education at the center as a result.
- How will trees survive against the traffic.

Barbara Sacks – Community United

- Key purpose of building is to provide enhanced visitor services, plus expanded gift shop – violates the purpose of the Landmark protection.
- Space will be used for gala events.

Steven Schutz

- Speakers in favor of project come from outside the neighborhood.
- Crisis of science – don't understand as reason for expansion into the Park.
- Make the west façade just an exit.
- Should put a limit on the entrants.

Howard Yurow

- Olmstead vs. United States – right to be left alone.
- Once a landmark is designated – should be left alone.

Gary Mayer – resident

- Draft scope for EIS – architectural approach must be responsive to the Museum's needs and the historic character of the neighborhood.
- Other buildings in the campus not similar.

Committee/Board Discussion.

Shelly:

- Applaud accessibility.
- Q: Will entrance doors be accessible – self-activating.
- A: Yes.

Ethel:

- Questions were raised tonight and at previous hearings/presentation – relating to external circulation for those entering the Museum.
- Circulation and congestion issues must be addressed – to be reviewed by the Board.
- A: Jay – will be considered in the EIS process.

Jay:

- Two resolutions – one each for Park and building.

Park:

Meisha:

- Concerned about encroachment.
- Landscape proposal – not enough evidence of conversation with existing landscape holistically.
- Loss of the trees – an issue, but applaud efforts to plant new trees – encourage planting even more new trees.
- Touchstone issue of trees.

Susan:

- Applaud the decision to pull back the footprint.
- Striking concern for the park – small, intimate park. Need to maintain that feel.
- Scale of the building is large for its context.

Sarena:

- Museum has accounted for the public's views.
- Demolition of park space is minimal.
- Building's benefits outweigh the intrusion.

Ken:

- Original master plan called for a structure at this part of the site – inevitable that Museum would fill the cavity.
- Could have been a lot worse.
- Under original plan park would barely exist at all.
- Concern – growth boundary – losing 7 trees and ¼ acre, how do we know this is where it will end?
- Q: was a growth boundary considered for further incursion into TR Park?
- A: Futter – It would be irresponsible to try to give an answer that would be binding forever, but Museum has no other plans to expand further into TR Park at this time.
- A: Done efforts to protect CPW and West 77th Facades.

MND:

- Need to replace the intimacy of the existing area of TR Park that has the feel of an intimate Town Square.
- Cul de sacs to separate circulation from respite/quiet reflection areas is the right idea, but not there yet.
- Continue to work with the Park Working Group.

Peter:

- Existing straight path is not that innovative. New design is an improvement.
- Curvilinear path proposed to run very close to the Museum façade. Want to feel as though in a park, not a few feet from a building.
- New entrance is much more dynamic.
- Sorry about loss of parkland.

Miki:

- Really appreciate that the landscape designers worked with the community.
- Recalls the Rose Center – originally criticized and now valued.
- Loss of ¼ acre is enough that its loss would be felt.

- Applaud hard work and listening.

Louisa:

- Museum relationship is very personal to most New Yorkers.
- Concerned about the Park because it is so small – the small size and quiet character are why it is special as a park.
- Museum entrance will change the character – wonderful activities accompany a Museum’s major entrance.
- Will overwhelm the experience of the Park.
- Can the landscape more definitively separate the Park experience from the Museum entrance – concern that Museum visitors will take over the Park.

Gabby:

- Redesign is an improvement.
- Enhanced design – separating entrance from quiet reflection and children’s areas.
- Painterly quality being created that is missing now.
- Appropriate to place a building in the Park – not ramming the building façade to the streetwall of this thoroughfare.
- Support.

Jay:

- Proposed Park design is vast improvement based on the renderings.
- Need to follow through to ensure that the design is fully achieved.
- Loss of ¼ acre – would prefer to see building built without loss of park space, but on balance is appropriate.
- Controlling the populations using the park – separating the Museum visitors from Park users through planting or fencing – is important and should be part of the resolution.
- Takes Museum at face value that there are no current plans for further incursions into the Park.

Peter:

- Use roof of Gilder Center as a rooftop Park?
- A: Roof proposed to be green/planted roof.

Mel:

- Chaired a task force on design of TR Park several years ago. Stakeholders from throughout the community participated.
- Broad consensus as to what the park should have.
- Agreed should have a better connection to Columbus Avenue.
- Needed to be educational – connection to the Museum.
- Needed to be truly green.
- Task Force dissolved.
- Sometimes need to say yes – Museum scaled back, made significant concessions.
- Fierce advocate for Parks, along with Klari and Olive.

Resolution to approve proposed design with a recommendation that the Museum strongly consider separating flow in/out of Museum from dedicated Park users.

VOTE: 10-0-0-0; non-committee Board – 8-0-0-0.

Building Design.

Peter:

- Enthusiastic about the design.
- Renderings should be changed to eliminate the grey cast that is not intended.
- Detailing needs to be revised in plans – looks too much like a concrete building.
- Early schematic stage.
- Complement on the design.

Miki:

- Old fashioned Preservationist – modern buildings usually leave one cold.
- Building is stunning.
- Building needs to work with the old – not trying to recreate history.
- Façade speaks to the community, to the undulating nature of the structure.
- Impressed with the open spaces upon entering the Museum.
- Size is appropriate; height is appropriate.

Louisa:

- Destination building – something people will make special trips to see.
- Thought this would be the main entrance.
- Concern about the volume and its relationship to intruding upon the Park.
- Design grows on you.

Meisha:

- Applaud creative and courageous vision in trying to imagine and refashion what can be done in this portion of the site.
- Some aspects of Preservation appropriateness argument that are hard to accept.
- Agree the demolition of the buildings to be lost are not part of the defining fabric and would not compromise the identity of the Museum as a landmark.
- Applaud the sincerity of effort.
- Rectilinear plan/curvilinear form argument not as persuasive – Museum is overwhelmingly rectilinear with accents of curvilinear forms.
- Curvilinear forms are not represented elsewhere on the campus.
- Design not fully baked yet – how the building meets the building to the south is particularly abrupt. Attempt to be sinuous does not succeed.
- Appreciates the effort not to extend height beyond the roof line.

Ken:

- Design exciting and interesting.
- Concern about carbon footprint – should be a model for the world on energy conservation.
- Would like to include a plank in resolution to call on Museum to limit use of fossil fuels.

MND

- Modern has its place, especially in Museum design – Rose Center, Roche & Dinkeloo, etc.
- Concern for volume of the Atrium and its relationship to the intrusion on the Park.

- Concern for reveal the undulating and multiple setbacks in plan will create an inconsistent shadow line that will be distracting, not pleasing.
- Agree on demolition – buildings to be sacrificed are non-contributing.

Shelly:

- Alignment on color of stone, height.
- Facilitating connection and flow is important and desirable.
- Plan to be fully accessible – very important.
- Landmark status does not mean that the building must be left alone, but rather must be taken seriously whenever changes are proposed.
- Criteria of appropriateness satisfied.
- Support approval.
- Volume – sense of awe is important part of discovery and exploration of science and learning.

Dan:

- Took modern design and incorporated with landmark elements.
- Taking as little as necessary to achieve goals.
- Improving the park – we would never get the funding to improve the park to that extent.
- Volume of the Atrium will inspire.

Christian/Jerry:

- Reduction of footprint – believes the Museum has gone as far as it could.
- Curved design helps reduce the intrusion into the park.
- Believes the Atrium will be spectacular.
- Museums should be destination spaces.
- Atrium will make this building a destination.

Mel:

- Museum should be a destination space.
- Can sustain our neighborhood without supertowers by creating such spaces.

Roberta:

- Appreciate that Museum has changed the design.
- Hopes for continued collaboration with the community.

Jay:

- Example of Peter Samton's design for Columbia Grammar. Learned to appreciate interplay of historic and modern through exhibit at NYU and influence of Lenore Norman, Meisha, Gabby and other colleagues.
- LPC expresses its desire to have the historic and modern be distinct.
- Proposed design is appropriate.

Gabby:

- Exciting design inside and out.
- Transitions from rectilinear of adjacent building to curves has details to be worked out, but are quite effective.
- Beautiful evolution – respectful while distinct.

- Color was initially a concern, but seeing the materials reassured.
- Plaster with lines will make it scaled appropriately.
- Atrium is a modern interpretation of the TR volume. Interesting space will make the Museum more appealing and inviting to visitors

Resolution to approve the design as proposed, with recommendation to maximize the use of alternative fuels to try to achieve a zero carbon footprint.

VOTE: 9-1-0-0; non-committee 7-1-0-0.

Adjourn: 10:15 pm

Preservation Committee Meeting Minutes

GABRIELLE PALITZ AND JAY ADOLF, CO-CHAIRPERSONS

SEPTEMBER 8, 2016

The meeting was called to order at 6:31 pm by co-chairs Gabrielle Palitz and Jay Adolf.

Present: Jay Adolf, Gabrielle Palitz, Louisa Craddock, Mark Diller, Meisha Hunter Burkett and Peter Samton.

120 West 74th Street (Columbus Avenue). Application for façade restoration, a front stoop, and a rear yard addition.

Presentation by: Amparo Vollert, Pachano and Vollert Architecture

- Thom and Wilson original architects of historic rowhouse, dated 1886-1887
- LPC designation report of row – 110 thru 128 West 74th Street
- Box Stoop was removed prior to 1939 tax photo
- Building has been vacant for many years
- Propose exterior renovations and interior gut renovation (multifamily to single family);
 - construct a new stoop based on stoop at 137 West 74th Street; existing entrance is from grade (basement level), 137 W 74th Street façade was selected because this building is “similar” to 124 W 74th, and the 137 W 74th Street box stoop is similar to what is currently being proposed; 137 West 74th Street stoop was refinished recently; unknown if this was a historic or newly created stoop
 - create new parlor entry, location of former parlor doorway is evident at location of current windows
 - restore brownstone at front façade;
 - construct a rear yard addition and rooftop addition;
 - Mock up of proposed addition at roof: elevator and stair bulkhead to provide access to the roof, bulkhead is not visible from the street; 10 feet high; no override for hydraulic elevator
 - Rear yard addition – demolish 3 stories, partial width addition, proposed is 4 story full width addition, will be pulled back closer to house, current projection is 27’ from rear lot line, new addition will be 30’ from rear lot line to comply with zoning resolution; Proposed increase to height of rear parapet wall about 3’ above existing
 - Rear yard – new wood fence with ipey finish, new permeable pavers with crushed aggregate
 - Excavation at rear yard – 36 inches at cellar only within footprint of addition; cellar will have a height of 8 ½ to 9 feet (current ceiling height is about 7 feet)
 - Front Façade windows to be replaced – new one over one, double hung wood windows, Marvin, with black finish to match historic condition, no change to window masonry openings except at parlor level where parlor windows will be replaced with new paired wood and glass doors to access new stoop;
 - Rear Façade Windows – double hung, wood frame existing at rear; proposed is 3 floors of sliding glass doors accessing the rear yard (basement) and Juliet balconies (2nd and 3rd floor), fixed and operable single pane casement windows at 4th floor, and 3 new doors at 5th floor accessing the terrace; dark brown finish for windows and doors; profile of metal railing with stainless steel finish; light fixtures (2) at basement level and (2) at 5th floor
 - historic drawings illustrate 2 concrete steps going down to basement level (these will be maintained), concrete pavers at areaway;
 - new trash enclosures to be sealed wood finish

- Working with LPC to determine finishes for rear – brownstone colored stucco proposed; existing red brick; 2 corbeled brackets under 2 windows on the left, no corbeled cornice at roof only a small single course projection; Neighboring rear facades are brick
- Condition of adjacent buildings rear extensions within the row - all have partial width additions, almost all intact, this will be the 2nd full width addition (after 126 West 74th Street)
- Calendared for 10/11 Public Hearing at LPC

Community Comment

- Patricia Still, resident at 122 W 74th Street, references stoop at 124 W 74th Street (straight stoop), lives in garden apartment at the back, will lose view, concerned about possible flooding, concerned about what is involved in demolition and new construction
 - o Architect – demolish existing extension, and construct new extension; will work with neighbors
- Joyce Cohen, 124 W 74th Street, resident, shows pictures of stoop, don't object to this project, haven't seen rats on site, who is behind the project; she and her husband have disabilities and cannot be exposed to noise; need owner information

Committee Discussion

STOOP

Gabby – concerned about incomplete presentation, not clear, vague and undecided elements; concerned about the proposed stoop since the design wasn't based on 122 West 74th Street stoop, or historic photo of stoop from 114-116 W 74th Street; stoop ought to be based on a stoop found within the row

Louisa – defer to Meisha's research, fantastic to find c. 1911 image from NYPL of stoops that existed within the row; needs to match up with 122 W 74th Street stoop

Meisha – agree with Gabby and Louisa

Jay - disagree

Gabby – would design team be willing to change stoop design?

Architect – no – the client felt strongly about the stoop

REAR

Peter – not pleased that the adjacent neighbors at rear are not shown; windows at top level – usually keep these windows intact, accommodate new door to access terrace; doesn't look like 3 equal width masonry openings; prefer to see more of a brick jamb in the middle; difficult to assess impact of new design without illustration of adjacent facades; consistency at 1st three floors but upper floors are all over the map; plus is getting the rear addition to be code compliant with 30 foot rear yard

Louisa – agree with Peter re windows; need to see adjacent facades; need punched windows at 4th floor; why Juliet balconies? Not decorative; need railing to meet code; concerned re existing dogleg at rear; don't have dimensions but may be less than 5 feet from adjacent building; smack up against neighbor;

Gabby – override Louisa's concern; this proposed rear extension is code compliant and CB7 has approved many others like this

Meisha – concerned about missing context information; intact rear extensions within row; not opposed to rear addition, not opposed to something higher; but hard to evaluate impact of this addition without contextual information, rear yard construction within the row, historic map research, no historic preservation argument

presented for appropriateness of rear work; applaud client and team for taking on a vacant building which is a huge challenge; can see the team is trying and may make a better proposal with a bit more work

Jay – important to look at condition of the donut; usually have a plot plan of the entire block; unfortunate that we don't have a complete picture here; Board has approved more modern additions with goal of getting more light and air is legitimate concern; not same concern as the principal facades; don't object to full width addition; prefer to see the masonry cladding be brick rather than stucco to match adjacent buildings; recommend keeping that material continuity; agree with Peter re upper floor masonry openings

Gabby – agree with Meisha; not enough of an evaluation of existing context; trouble with the stucco cladding at rear; recommend brick cladding not stucco – ought to be brick; losing brick details; middle of the road architecture; not making a statement to say it's different; need to see a scale and a relationship to what is located around this building; 1st three floors are neither here nor there; not sure about 4th floor; raising of rear parapet is inappropriate

Resolutions:

- a) Approve facade restoration and window replacement
VOTE 5-0-0-0
- b) Applaud construction of new stoop, however disapprove the proposed stoop design because it is not based on historic precedent
VOTE 4-1-0-0
- c) Approve Roof bulkhead
VOTE 5-0-0-0
- d) Disapprove rear addition due to incomplete presentation and insufficient contextual information to render evaluation
VOTE 4-0-1-0

50 West 77th Street (CPW – Columbus). Application to construct a vertical lift, remove terra cotta colored tile, and adding cement plaster at Scalletta Restaurant

Architect: Michael Gadeletta MG Architects

- Clarify – didn't bring the most up to date info at the last meeting
- Historic c. 1939 photo; mostly intact today
- Scaletta is located in the cellar of the building; ADA issues; 8 feet below street level; existing glass enclosure, stairs, sidewalk canopy and signage;
- Owner is under Federal mandate to make cellar level accessible
- Performed probes – several layers of tile and marble; thick; concrete is behind the tile layers; slate applied to steps;
- Ownership is negotiating with restaurant as part of lease renewal; will pay for ADA improvements; remove later accretions on walls and steps; restore to original condition; everything under canopy
- Proposed – new incline lift along the stair from sidewalk to areaway; remove existing vestibule to provide needed clearances; sleeping position can be set to high or low; entire run will take 1 minute; 90% of the time the lift will be in a folded position; self-contained lift; another interior stair provides 2nd means of egress; relocating doors currently in the way; will cement plaster the surrounding surfaces; remove slate from steps; will keep snow off the lift;

Committee Questions

Gabby – why not use existing center window to west of basement entry, with vertical lift? Up and down only? Try to get approval for something that sits at rail height; Michael says this isn't code compliant; need fully enclosed box 6-8 feet above sidewalk level, exposed to the weather

Meisha – did you call the Mayor's Office for Handicap Accessibility? Architect said yes, called but hasn't received a return call; told LPC and they will look into it.

Peter – agree

Meisha – impact of new lift on existing sidewalk canopy; Michael – at sidewalk, bifold metal gates, close off stair access; these doors will be removed; no change to canopy which will remain as is

Louisa – material of lift; Michael – steel pipe railing with concealed chain, paint light beige

Gabby – confirmed this proposal is the only alternative; no change from prior proposal design

Community Comments - none

Louisa – thanks for researching our questions and coming back to us to report

Peter – exiting restaurant on foot; need to wait if lift is in use; any kind of audible indicator the lift is in use; Michael – machine has a humming noise, not quiet; will look into this

Resolution to approve

VOTE 5-0-0-0

420 Amsterdam Avenue (West 80th Street). Application to modify storefront, install new signage and lighting.

Designer - Sergey Tishaev, EDA

- Proposed work: no change to existing retractable canopy except signage; new signboard above canopy; existing aluminum storefront; new bifolding windows in existing openings; new entrance doors; color is anodized; 4 sets of new flood lights; Olma Caviar Boutique and Lounge; adjust mount for light fixtures; similar to neighbor lighting; not calendared at LPC

Committee Comments

Gabby – odd to have the lights there, could you avoid impacting the corbelled brick cornice; Designer says yes and have 3 lights instead of 4

Peter – odd to see the different windows on one façade vs the other; try to make the windows more equal; won't look good; will see this from perspective at the corner; see different windows; lower windows; glass panel under the operable windows on side street

Gabby – do all the windows need to be operable? Maybe modify the proposed windows?

Community Comments - none

Resolution to approve with agreed modifications.: 3 lights; introduction of vertical mullions @ glazed panel

VOTE 5-0-0-0

127 West 88th Street (Amsterdam to Columbus Avenues). Application for legalization of replacement of metal fence installed without LPC permits.

Architect – Umberto Squarcia

Project: townhouse that was originally built without gates or fences in front; most of the properties have been changed at the entrances; many put gates or planters; seeking to legalize existing fence; prior non original fence was lower; existing fence is higher; tree was cut down since root structure was causing damage to cellar; fence was installed for concerns of the owner safety; height may be too high; 6 foot fence; proposed landscaping not implemented;

Committee Comments

Peter – no problem with replacement of fence; concerned about the much higher fence vs. lower fences elsewhere on the street; would have been appropriate to keep the same height; most fences are considerably lower

Jay – total height of other fences with kneewalls at other buildings?

Meisha – would have preferred to see survey with dimensions of other fences located elsewhere on the block

Gabby – fence at 127 W 88th Street is higher; issue of proportion; relationship to pedestrian scale; eye level most often is above fences;

Peter – opposite what other buildings have; lots of sun due to lower heights of buildings; stoops are available; no fences in front of stoop; people sit on kneewalls; no landscaping here

Gabby – prefer fence that is 4’6”

Community Comments – none

Resolution to Disapprove legalization of existing fence as being out of scale and too high

VOTE 5-0-0-0

840 West End Avenue (West 101st Street). Application for construction of penthouse addition.

Architect: Jay Valgora and Gordon Wilhem, Studio V Architects

Project: firm works a lot with historic landmarks (Macy’s Herald Square; Empire Stores; adaptive reuse Bronx Post Office as community college and incubator office space)

- Plan is for proposed penthouse addition at this handsome, simple building located within Riverside West End Historic District extension
- Historic 1904 photo; George Pelham architect; simple classic palazzo type building
- Have had extensive discussions with LPC and Thor Equities (client); calendared 10/11 at LPC
- Restoring some apartments; some market rate; some rent stabilized and rent controlled; PH will be rental
- Cornice will be restored to match historic condition except will check on the balustrade; If new balustrade is reconstructed, this will help to reduce visibility of rooftop addition
- Scaffold is up; mock up is not complete; will have strong colors to make it clear
- Existing antennas on the roof; long term lease; cannot eliminate the antennas; can do the cornice and balustrade; propose to relocate the antennas further away from the streetwall; arranged along fencing above cornice and above roof of new penthouse; antennas to be set back about 7 feet from the screen wall; Antenna mechanical equipment at roof; preexisting bulkhead will remain unchanged; not visible;

- Front facades – dressed stone and brick at base; quoining at corner; metal cornice; cast stone splayed lintels with projecting keystones
- Rear elevations – rough stone and brick; patched
- Penthouse – Penthouse addition will be set back to reduce visibility; setback 14 feet from inside of parapet wall; setback 17 feet from cornice; single occupant; 4 BDRMs; zinc cladding; height of penthouse will be 12 feet above existing roof; floor to ceiling height inside 8-11 feet; typical interior floor to ceiling height in lower floors? 9’8” at lower floor and upper floors are about 8 ft; no change to central court in existing building footprint; extending elevator one stop; only one elevator in the building which needs to be upgraded; can’t construct a new elevator or enlarge the existing elevator; elevator will extend to PH roof; cannot do a LULA (limited use limited access elevator); Zinc cassette system, natural matte finish; Small partition separating terraces at PH; Pipe rails and glass handrails at PH; Structure to reinforce the roof and support new PH, fireproofed; PH addition wraps around the courtyard; setback from courtyard in compliance with code; not encroaching on courtyard; New HVAC equipment will be on the backside of the roof of the PH, not visible; New drainage for PH will connect with existing internal drainage
- Not as of right: Client will require a variance for code relating to tenement law – if client gets approval, will provide fireproofing for entire building; 3 codes = old law tenement, new law tenement, 1938 and 1968 codes; under old law tenement cannot exceed 6 stories with this construction type; under 1968 code, if masonry bearing walls with wood floor joists protected by plaster, you could exceed 6 stories; going to BSA to seek clarifying code issue; no need to come to CB7 Land Use Committee; Building has masonry bearing walls with wood floor joists; “Deal on the table” is the variance granting for client and client to provide fireproofing; in apartments as the rent controlled apartments become available
- Not applying to CB7 for elevator; nothing to do with this application
- PH additions exist throughout the Upper West Side, and this street on West End Avenue
- Sightlines: PH and antennas sometimes silhouetted against other buildings, viewed from oblique angles; conservative viewsheds

Committee Questions

Meisha – possible to relocate the antennas into new fiberglass balusters; mixed in with other cast stone/GFRC balusters at reconstructed balustrade? Architect – maybe

Gabby – heads of windows don’t all line up on PH; Architect – will correct this, intention is that they align

Community Comments

Maggie Shaneman – resident of the building; nice rectangle with ceramic glazed brick at PH; new monumental structure on roof; match the surfaces of the existing building

Ilana Eberson – resident of the building, lived with 2 years of misery; have been flooded 3 times due to owners work on the roof; water pouring out of light fixtures; destroy furniture and carpeting; not good for structure of the building; 6 rent stabilized tenants left; others have been pushed out; combined many units already; horrific experience of elevator renovation; no communication by owner to tenants; maximizing profit; weeks or months without elevator; work from apartment; not a minute’s peace for 2 years; allowed to do construction work 6 days per week; at wits end; no light, no air, black scaffolding and netting for 2 years; had enough; frazzled out of my mind; no notices for work; spoke with landlord but didn’t get anywhere

Architect will reach out to the client; tenants will liaise with Penny Ryan and local councilperson to guide tenants through system and enforce rights

Ira Kellman resident of the building – how long will construction last? Architect - 12-18 months

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Brenda Bowen, 838 WEA, another Thor Equities building – was previously flooded and compensated; rent stabilized tenants; took landlord to court and settled; believe Thor is trying to change the neighborhood; appreciate time and thought of CB7; construction at roof of 838 WEA, gut renovation, new 4 bedroom PH rental, unoccupied unit \$14, 995 per month; Thor has unauthorized signage at 838 and 840 WEA; extraordinarily expensive units in neighborhood that isn't prepared for them; cavalier attitude of architect regarding elevator is consistent with Thor; my neighbors will now have a 12 foot wall in front of their view;

Carmen Isasi. 249 WEA – design question, no description of East end of the building; architect – intend to use high quality materials for cladding all sides of PH

Bill Wolf, 249 WEA – live across the alleyway from proposed PH; proposed design is more attractive than what was expected; relocate antennas is good; but what about 5 antennas that are angled towards our bedroom; admit antenna issue is difficult; not clear what we will look at; looms heavily over our apartment; relocate East facing antennas? will there be communal space for tenants? Architect- no, just for PH tenant, zinc cladding is not shiny or reflective, due East facing antennas cannot be relocated

Ronna Kellman, 840 WEA – look out at courtyard from kitchen; built up parapet to support new steel for HVAC units coming online, already approved by LPC; will new PH remove more light from my kitchen? Architect – most likely yes; will new PH have access to roof above my head? Architect – no, there is new structure for new PH

Committee Discussion

Peter –in view of some visibility issues, wondering why you can't reduce the height of PH; set back more on East façade also maybe by 5 feet; may not be able to cut visibility much; adding landscaping could help;

Louisa – what disturbed me, is the amount of PH that can be seen up and down the streets; Committee has often asked to reduce height with less visibility; very visible;

Gabby – unfortunate that building is surrounded by scaffolding; mock up isn't complete; hard to analyze context; Architect – can see thru mesh on lower scaffolding, and see mock up; prepare full colored renderings; can return with full color renderings; return to Full Board mtg.

Jay – assume that we are satisfied with visibility; applicant is willing to come to Full Board with revised renderings; no question that this won't be visible

Gabby – don't feel comfortable; don't know this can't be compressed; not minimally visible; investigate recreating the balustrade; don't want to imagine this; obligation to prove it to us or review the mock up; this isn't a water tower; this is solid, one story addition; modest background building;

Mark – St. Agnes reduced PH; not minimally visible; big old addition, not modest; compress from South and West elevations; add planting to reduce visibility;

Meisha –extremely visible; consider how to reduce height of PH, structure beneath; unresolved issue of balustrade; create solutions to antennas that could include camouflage; if applicant comes back, then it would be good to hear of communication between landlord and tenants who are very upset; chamfered corners

Jay – agree with Peter; don't place burden on applicant to reduce visibility of antennas; don't consider this at all more than minimally visible; don't think this is obtrusive;

Resolution to Approve

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VOTE 1-2-3-0

Peter – scheme is approvable if reduced visibility and add landscaping

Architect – ask for sufficient landscape to provide screening; explore the balustrade which will decrease the sightlines;

Resolution to Approve if historic balustrade be replicated

VOTE 3-0-3-0

Because the Committee could not reach a majority decision, the applicant will be returning to the Committee to present revised renderings which more accurately represent the visibility of the penthouse addition with the new balustrade cornice in place. That meeting will take place on Wednesday October 5, just before the October Full Board meeting.

307 West 103rd Street (Riverside Drive – West End Avenue). Application for restoration of the front façade, new windows and window replacement, and painted stucco surfacing on the rear façade.

Presentation by Peter Brotherton and Aaron and Menninga

- Townhouse ca 1895.
- Goal is to achieve passive house technology.
- Front Façade:
 - Painted surface – seeking to remove the paint and restore the original brownstone.
 - Seeking to install blue stone paving in the areaway.
 - New windows to be configured to resemble 1:1 double-hung windows typical of these structures, but with a tilt-and-turn mechanism on the lower pane of the window.
- Rear Façade:
 - Proposed one-story addition to infill the L extension.
 - The existing L extension and the new, shallower infill would be surrounded by a trellis-like feature extending into the rear yard.
 - The existing greenhouse is to be removed from behind the L extension.
 - Fenestration in the rear is now proposed to be punched openings on the main rear façade to emulate 1:1 double-hung windows – aluminum clad with the lower pane a tilt-and-turn operation.
 - Picture windows on the L extension facing north are now proposed to be reduced in scale with more masonry-like fabric surrounding. New configuration approaches symmetry with the smaller slit window on the floor above the parlor floor, which has been lowered to match the scale of the companion windows.
 - The reduction in the picture window scale now aligns with the window proposed on the parlor floor facing east over the top of the infill extension.
 - This rear façade takes advantage of the Zoning text amendment to allow additional insulation to be added to the outside of the building without violating FAR or rear yard limits.
 - In theory the new insulation – meant to be a replacement stucco finish but smoother – is removable, although the goal would be to keep the energy efficient properties into the future.
 - The insulation wrap is to be painted a cool grey color – open to considering other colors, including finding a slightly warmer shade of grey.
 - In dialogue with the garden neighbor to the east about ways to mitigate the impact of the infill of the L extension.
 - No rooftop addition is proposed.

Public Comment

Julie Davis – 309 West 103rd Street

- Notes the change in color. Will stand out, but acceptable.
- Concern about interior stairway.
A: Not connected to the party wall – will not experience vibration.

Committee Comments:

- Change to windows on the rear façade that emulate the 1:1 style typical on rear townhouse facades changed the overall impression of the design, which now will contrast the modern effects on the L extension with the conformity to the neighbor buildings on the main rear façade.
- Lingering concern about the green roof on top of the L extension, which may need a railing to conform to Code.

Resolution to approve as presented – with appreciation for the revisions in response to Committee comments at the August 11, 2016 meeting, and for a particularly clear presentation and set of diagrams – was adopted:

VOTE: 5-0-0-0.

The meeting was adjourned at 11:50 pm.

STEERING COMMITTEE MINUTES

ELIZABETH CAPUTO, CHAIR

SEPTEMBER 28, 2016

The meeting was called to order at 6:35 pm by Chair Elizabeth Caputo.

Committee Members Present: Andrew Albert, Audrey Isaacs, Catherine DeLazzero, Christian Cordova, Dan Zweig, Elizabeth Caputo, Jay Adolf, Klari Neuwelt, Madge Rosenberg, Michele Parker, Page Cowley, Polly Spain.

Non-Committee Board Members Present: Kenneth Coughlin, Madelyn Innocent, Roberta Semer, Susan Schwartz

The following matters were discussed:

Announcement:

- October 24th is the new date for the October Steering Committee meeting.

1. CB7 Elections

Elizabeth Caputo:

- Election of Board officers at the October 5th Full Board meeting.
- An Email will be send tonight to all Board members about the candidates and the election process.
- In the past we had the candidates come before the Steering Committee to answer questions that members may have had for them.
- Q: does anyone feels strongly about this being done again. A: no.

2. Street Fair protocol

Elizabeth Caputo:

- Need a resolution at Full Board meeting about the proposed changes to street fair rules.

Michele Parker:

- The City is revising the street fair rules.
- Hearing on October 13th.
- Attended borough board meeting about proposed changes to the street fair rules.
- No opportunity was provided at the meeting to comment on the proposed changes.
- One change limits the total number of street fairs in Manhattan; another change limits the application dateline to a one month period.
- Number of Multi-block fairs in the community boards cited as the CB where fairs are concentrated in Manhattan:
 - Community Board 5 – 35 Multi-block fairs
 - Community Board 2 – 22 Multi-block fairs
 - Community Board 7 – 12 Multi-block fairs
- The City wants to limit the number of fairs to 10 per Community Board per calendar year.
- 50% of vendors must be local to the Community Board.
- Fair sponsors have always tried to include local vendors.
- We feel this is onerous because you cannot force local vendors to participate.
- When asked about the data used to support the proposed changes, the City indicated that it will be provided after the October 13th Hearing.

Andrew Albert:

- You are lucky if you get 30% of local vendors to participate.
- Do you need to cancel the fair if you don't get 50% participation?
- The proposed new fee structure is so high that prohibits giving out free spots to non-profit and community based organizations.
- It is expected that costs will be \$5100 more under the new fee structure.
- Mayor Bloomberg put a cap on the number of fairs, so some producers dropped out.
- Each sponsor donates 20% of the profits to local organizations. Under the proposed new fee structure they may not be able to donate.
- The Application has to be in sooner.
- Permits will be granted in a first come first serve basis. Then they come to the CB for approval, which has to give good reasons to deny them.

Ken Coughlin:

- Q: Has the Business and Consumer Issues Committee voted on it?
- A: no.

Penny Ryan:

- The consensus of other community boards is: not enough time has been provided to respond and we don't understand the impetus to the proposed changes.
- The CBs were not consulted.
- The City indicated that they consulted Business Improvement Districts.
- We need to make that clear that we need more time to properly respond.

Audrey Isaacs:

- Q: Can we recommend language change to give priority to local businesses instead of having a 50% requirement of local businesses.
- A: yes.

Michele Parker:

- They will reconsider Rain dates; but we do not what that means.

Andrew Albert:

- Everywhere else but in Manhattan, RAIN dates are allowed.
- Vendors commit or not commit to the street fair based on the weather.
- It is ok not to have rain dates because the re-schedule date may be the same date as some else's fair.
- One good thing: you can only have one multi-block fair on the same day within the CB.

Elizabeth Caputo:

- Michele Parker will write a new resolution.
- Q: Do we need to do outreach for producers to come to the Full Board meeting?
- A: [Penny Ryan] we will send out a mailing about it.

3. Borough Wide Bylaws Discussion

Christian Cordova:

- Attended the August 11th Manhattan Borough President's Community Board Bylaws meeting.
- The meeting was to present a CB Bylaws template document.

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- The template was created from the collection of Bylaws of all CBs in the borough.
- The template contains items that should be included in every CB Bylaws.
- It was indicated at the meeting that every individual CB member vote has to be recorded for Full Board meetings and for every Committee meeting also.
- We do not currently record every individual CB member vote for Committee meetings.
- Suggested that a small group should revise the CB7 Bylaws to ensure that we are not missing any items included in the template document.

Roberta Semer:

- Each committee should have a voting sheet that lists each member's vote.

Penny Ryan:

- We will create customized voting sheets for the Preservation and BCI Committees; and will create a blank voting form for other committees.

Roberta Semer:

- We should add language to the current CB7 Bylaws about recording each individual member vote, so that we can vote for it at a Full Board meeting.

Elizabeth Caputo:

- Changes to the Bylaws should be presented at the October Steering Committee meeting so that we can vote on them at the November Full Board meeting.
- Christian Cordova will help organize this effort.

4. American Museum of Natural History

Elizabeth Caputo:

- Thanked Jay Adolf, Klari Neuwelt and Gabrielle Palitz for their help in preparing the September 20th joint committee meeting on the AMNH proposed expansion project.
- The meeting resolutions deal with the Park Design and the appropriateness of the Building Design.
- Both resolutions were approved with only one vote against.
- There were many comments by the community.
- We expect to follow a similar format during the presentation at the October 5th Full Board meeting.
- At the FB meeting there will be an abbreviated presentation by AMNH.
- We hope that the presentation will not turn into a long discussion.
- We ask all CB7 members to please read the proposal at the CB7 website.
- Jay Adolf and Gabrielle Palitz have a plan on how to proceed at the FB meeting.
- We will let people know the ground rules ahead of time.
- The Environmental Impact Statement discussion at a later time will provide opportunity to suggest changes to the expansion project.

Page Cowley:

- Did not realize it is a NYC Department of Parks and Recreation application.
- It is a building in park land (public land).
- No one from the Parks department has come to present anything.
- Was surprised that the lead architect decided to paint the building white and use stucco at the back of the building.

Jay Adolf:

- Because the building will be owned by the City and it is in park land, the Landmarks Preservation Commission issues a Binding Report instead of a Certificate of Appropriateness.

Penny Ryan:

- The NYC DPR is the lead agency.
- The Landmark's application gets added to Parks documentation.

Klari Neuwelt:

- The museum designed the project but the Parks department takes the lead in the EIS process.

Jay Adolf:

- The museum is the applicant for the design.

Dan Zweig:

- Q: Who selected Parks as lead agency?
- A: [Page Cowley] it goes back to original 1876 State statute that authorized the Museum to lease exclusive use of the buildings from the then Department of Public parks.

Christian Cordova:

- Encouraged all CB7 members that missed the meeting to watch the video recording; the link to the video recording is on the CB7 website.

5. Update on District Needs Statement and Budget Priorities for FY18

Penny Ryan:

- Posting DNS and Budget priorities to the CB7 website next Monday or Tuesday.

Elizabeth Caputo:

- Have everyone submit their budget priorities for discussion at the October Steering Committee meeting, to vote on them at the November FB meeting.

6. Finalizing October 5 Full Board Agenda

Elizabeth Caputo:

- Preservation and Parks & Environment Committees will go first to present the AMNH proposed expansion project.
- Q: Should we move the proposed changes to street fair rules to 2nd slot?
- A: yes.
- Then we will have the Transportation Committee present next.

Michele Parker:

- 2737 Broadway did not show up at the BCI Committee meeting.
- 2418 Broadway – a single member of the community was making life of the owner miserable with her complaints and behavior. Due to the complaints we added extra conditions to the resolution.

Elizabeth Caputo:

- Read in an article that Tavern on the Green is applying to use the adjacent parking lot for customer parking and to be able to host more private events – they need this to stay in business.

7. Committee and Task Force Reports

Madelyn Innocent:

- The Public Housing Taskforce has done a lot of outreach – they have met with NYCHA Tenant Associations, Block associations, and distributed a survey.
- We will like all CB7 members to fill the survey.
- Attended 2 street fairs, on September 18 and September 25.
- The weather was not good on September 18.
- Thanked Linda Alexander for helping translate for the Spanish speaking public on September 25.
- Received interesting feedback on September 25 – NYCHA residents between 100th and 110th streets feel neglected by the Community Board.
- People complained that CB7 is not involving the community in the issues that concern them.
- People asked how come their issues and concerns are not being their addressed by CB7.
- People asked how many black people are on the board.
- Elizabeth Caputo: we should provide the Taskforce with CB7 demographics to be able to give out to people.
- Wants to educate the community about NYCHA current conditions.
- The reason for the creation of the taskforce was to get NYCHA and the community working together.
- Not many people have been interested on what the taskforce is doing.
- The Taskforce has been tweaking the survey.
- They will analyze the survey data tomorrow.
- Google has given a number where you can call to provide information for the survey.
- She joined the Community Board to be able to get help for NYCHA residents.
- Her side of the NYCHA complex does not have a play area.
- Previously, participatory budget money was allocated for a play area and given to NYCHA for that purpose.
- NYCHA so far has not constructed the playground.
- We need all CB7 members to help with the Taskforce.
- There has been decades of NYCHA neglect.
- Asked CB7 members to reach out to her as to how they can help.

Michele Parker

- The Business to Business event may be another way to get people to help.
- Q: Can tours of NYCHA complex be offered?
- A: [Madelyn Innocent] – She is already giving individual tours.

Page Cowley:

- Land Use Committee can do an affordable housing meeting where people can provide input that we can pass along to city agencies like the City Planning Commission.

Elizabeth Caputo:

- Idea: find a local business that can get involved with NYCHA.
- Make announcement at committee meetings for to help with NYCHA.
- Should provide you with CB7 demographics to be able to give out to people.
- We need to have more people to come to meetings.

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Madge Rosenberg:

- Q: How can we get people from Douglas Houses to come to meetings?
- A: [Madelyn Innocent] will invite TA presidents and residents to come to meetings at the Taskforce kickoff event.
- A: [Polly Spain] for next meeting send notice to NYCHA managers who can disseminate information among all buildings in developments and in different languages.
- A: [Elizabeth Caputo] can add announcement at Full Board meeting.

Polly Spain:

- The Housing Committee will discuss new regulations that impact FDHCs on Columbus Day.
- Someone from NYC Housing Preservation and Development will be there.
- Can email regulations to CB7 members.
- Regulations on how owners can sell their properties affect their equity.

Elizabeth Caputo:

- Will work with Michele Parker to find a location for the B to B event.

Andrew Albert:

- Macy's is proposing a commemorative sign (like in the Hollywood Walk of Fame) embedded on the sidewalk at the corner of 77th Street and Central Park West.

8. New business

- No new business.

The meeting ended at 7:50 pm.

Transportation Committee

ANDREW ALBERT AND DAN ZWEIG, CO-CHAIRPERSONS

SEPTEMBER 13, 2016 7:00 PM

The meeting was called to order by Chairs Andrew Albert & Dan Zweig @ 7:03 P.M.

Macy's

Chuck Miller and Ashley Hughes, from Macy's, made a presentation to the Committee about the upcoming Macy's 90th Annual Thanksgiving Day Parade, and the request to place a sign, 36 inches in diameter, in the sidewalk at the corner of West 77th Street & Central Park West. Mr. Miller said he reached out to the NY Historical Society, who had no problem with the proposal. Andrew asked if he had reached out to the 77th Street Block Association, and he said he had not. It was suggested that he do so, which he agreed to do. Mr. Miller was told that if he had an answer from the Block Association in a timely manner, the issue could be heard at a special Transportation Comm meeting prior to the October full board meeting.

326 West 77th Street

The applicant was not present, so the issue was not discussed.

211 Central Park West (The Beresford)

Liz Farrell, Landscape Architect, John Phufas, the Beresford.

Proposal is for 4 concrete planters on the Central Park West side of the Beresford. It was stated that LPC approval is not required. The planters are 40 inches across by 30 inches high. Some concerns were stated about access to the subway entrance. Beresford representative stated that the planters actually make the sidewalk safer. A resolution to support the installation of the planters was approved. 7-1-0-0

Citibike stand - 87th St/West End Avenue

Natalie Hilzen of West 87th Street brought the issue to the committee. She said the block was not notified in advance, and there are many problems created by the Citibike rack on their block. Colleen Chattergoon, of the NYC Dept. of Transportation, stated that this rack will be moved to 88th Street, west of West End Avenue, for the duration of the construction that is occurring on 87th Street, and may be permanently located on 88th Street, pending the trial. A resident from West 87th Street read a letter from Councilmember Rosenthal about this Citibike rack. Ken Coughlin expressed concern about the move of this rack to 88th Street. Richard Barr stated that no one from DOT contacted his block either, before the placement of the Citibike rack that is on 87th Street, west of Amsterdam Avenue. The question was raised: "how can voices opposed to Citibike racks be heard?" Rich Robbins stated that signs should be put up in advance of the placement of Citibike racks. A discussion of which is more appropriate - the use of street space for the parking of cars vs. the parking of Citibikes took place.

Review of open DOT items

Andrew read through a list of items that have been requested of DOT, but not yet acted upon. An additional item - the closure of the left-turn from southbound Broadway into eastbound 64th Street was also mentioned. The issue of whether lighting is bright enough during the summer foliage season on West End Avenue was discussed. The committee will send a letter about 230 Riverside Drive's entrance on West 95th Street, referencing the need to remove approximately 6 car lengths for pickups/drop-offs. Another new item for DOT is the proliferation of open street lamp bases, and the danger this poses to both animals, as well as people using canes with metal tips. The issue of a dumpster at 88th & Amsterdam blocking the bike lane was also brought up. A suggestion to put the list of open DOT items in priority order was discussed, and will be done.

Budget Priorities discussion

Ask Penny about 104-110, Riverside Drive. Completed?

Pedestrian countdown timers may be removed from the list.

Police officers not trained for radar - is this a training issue, or a money issue?