

BUSINESS & CONSUMER ISSUES COMMITTEE

George Zeppenfeldt and Michele Parker, Co-Chairpersons

July 12, 2017

Business & Consumer Issues Committee of Community Board 7/Manhattan met at the District Office, 250 West 87th Street. The meeting was called to order at 7:00 pm by Co-Chairperson Michele Parker.

Committee Members Present: Michele Parker, George Zeppenfeldt-Cestero, Linda Alexander, Christian Cordova, Paul Fischer, Brian Jenks, Seema Reddy

Committee Members Absent: Marc Glazer

Non-Committee Members Present: Roberta Semer, Mark Diller

The following matters were discussed:

New applications for two year on premises liquor licenses:

1. **36 West 106th Street** (Central Park West) 36 West 106th Street Venture, d/b/a Jazz on the Park, for a two-year Beer & Wine license.

Presenting for the Applicant:

- Terry Flynn, attorney for the applicant; 718-954-1000; trflynnjr@gmail.com
 - Moshe Ziv, owner of the building and applicant for the beer and wine license, also present.
- Hours of operation would be from 11 a.m. to 12 a.m. daily; there will be food served.
- Email from architect alleges that serving beer and wine would be an ancillary use permitted at the site.
- The owner is allowing a theater group to utilize the space in the basement for performances; group can use the space for 6-7 years for \$1/year.
- No alcohol or food will be served outside; The commercial space will have 25 seats and would be covered by the proposed beer and wine license; downstairs in the “performance” space, there will be additional seating, up to 74 seats per the application, which would also be the maximum allowed under the application. People from the public would have to be allowed into the space as well.
- Must be buzzed into the building, which allows people to go to the lobby; to get to the hostel rooms, additional screening is required.
- The Committee inquired about complaints regarding guests from time to time: The owner indicated that he has never had any violations or any complaints. Despite extensive public comment to the contrary, he indicated that there have been no issues whatsoever. He indicated that, again, despite extensive public comment to the contrary, the roof is not used by guests. Members of the Committee pushed back regarding the fact that there haven’t been any complaints at all.
- Attorney made the argument that the license would cause the applicant to be more accountable because monitoring guests and the front of the premises would be required under the rules of the license.

Public Comment:

- Elizabeth Kellner, 132 Manhattan Ave.; intensely familiar with the history of the building, as she has lived in the neighborhood for over 40 years.
 - Brought up past code violations at the property.
 - Brought up previous efforts to organize neighbors against the applicant, as they appeared at our committee meeting last month.

CB7 Comments:

Community Board 7/ Manhattan

- There was push back with the applicant regarding the statement that there have not been any complaints.
- A member inquired into the use of the roof at the property—there are cameras installed throughout the building and on the roof, per the applicant.
- A comment was made about the need to build trust between the proprietor and the residents, and that denying that any complaint had ever been made would not build such trust.
- The co-chair presented the following: Jazz on the Park is an SRO; alcohol and café are solely for the use of residents at the location; SRO hotels cannot be used as a transient hotel; there is a current stop work order on Jazz on the Park from 2011 for being an illegal hotel, and 4 summonses had been issued, which were resolved and closed; articulated the complaints from the community.
- A non-committee member board member provided a Certificate of Occupancy that showed that this may be a legal hotel; but that it is in an R-8 zone, which is purely residential, and thus should end the application. The architect included a statement that an accessory use is permitted; such a use is appurtenant to the operation; but this, in fact, is limited to the gusts of the hostel; the intended use of the proposed application is not so limited and it would violate zoning to permit this to go forward; should advise SLA to not grant an exception to their internal rules; have heard complaints in other areas that are similarly zoned; would set a bad precedent for our Board as we strive for consistency if we were to grant an application.
- The Chair of the Board agreed that the Committee should vote to disapprove the application.

*After due deliberation the resolution to **disapprove** was adopted:*

Committee: 7-0-0-0

Non-Committee Board Members: 2-0-0-0

2. **155 West 62nd Street** (Amsterdam Avenue.) Big Top Works LLC, d/b/a Big Apple Circus, Damrosch Park, Lincoln Center.

Presenting for the Applicant:

- Neil Kahanovitz, Chairman of the Big Apple Circus; Michael Couper, CEO, Big Apple Circus; mcouper@bigapplecircus.com; 646-849-4621; Susanne Harbour, VP of Special Events, for Big Apple Circus
 - Just informed this morning of need to attend the meeting tonight.
 - Big Apple is now a for-profit entity; 15-20 individuals are owners; Neil is a stakeholder, approximately 7%.
 - Are requesting a full liquor license; similar to what Big Apple Circus had previously.
 - No posting for tonight's meeting.
 - Only ticket holders will be able to buy a drink; drinks only allowed in the tented area; sales only in the main tent and the concessions tent adjacent to it.
 - There will be one show a week where no ticket will be over \$10; 4 shows to be accessible to varying communities, including those with autism or who lack hearing or sight; tents to be empty by 10 p.m.
 - Tent will not be permanent
 - From Oct 17-Jan 7, the tent would be up during that entire time; shows are at 11, 3, 7 on the weekend.

Community Comment:

- Councilmember Helen Rosenthal: there are concerns in the community related to the use of this space by a for-profit entity; Lincoln Center and Big Apple have both been invited to the Parks Committee meeting to address community concerns; There is a desire by the Councilmember to have community review.

CB7 Comments:

- There were comments by member of the committee that they would support approving the SLA application, but that notice would be needed.
- Others agreed with the idea that notice would be needed before the other meetings. Will post for the Parks meeting and the Full Board meeting.

*After due deliberation the resolution to **approve** was adopted*

VOTE:

Committee: 4-2-0-0

Non-Committee Board Members: 0-0-2-0

3. **21 West End Avenue** (West 60th Street.) Café 21, d/b/a Café 21.

Presenting for the Applicant:

- Terrence Flynn, counsel for the applicant. Application for an accessory café; only to be used by tenants and guests.

CB7 Comments:

- Actual location is on Freedom Place. 80/20 rental building with 660 units, 20% are affordable.
- Café would be in the cellar.
- Well posted.

*After due deliberation the resolution to **approve** was adopted*

VOTE:

Committee: 6-0-0-0

Non-Committee Board Members: 1-0-0-0

4. **200 West 84th Street** (Amsterdam Avenue) Westside Ratpack Inc., d/b/a Twin Palms.

Presenting for the Applicant:

- Tim Harris, tim@mccnewyork.com
 - Owner of Bourke & Wills and MCC
 - This space will be very intimate; only about 1000 square feet. Hoping for 50 seats, and 9 at the bar.
 - Small modification to hours, opening at 11 on Saturday and Sunday for brunch.
 - Will be completely renovated.

CB7 Comments:

- No live music, no deliveries.
- List of postings sent into the office. 40 notices posted. No delivery.

*After due deliberation the resolution to **approve** was adopted*

VOTE:

Committee: 6-0-0-0

Non Committee Board Members: 1-0-0-0

5. **506 Amsterdam Avenue** (West 84th Street.) Victor Ebadi, d/b/a Kureiji Inc.

Presenting for the Applicant:

- Used to be a children's store.
- Incorporated in 2016. 11 a.m. to Midnight, but for Shabbat, when it will be closed.
- Small

CB7 Comments:

- Well posted.

*After due deliberation the resolution to **approve** was adopted*

VOTE:

Committee: 6-0-0-0

Non Committee Board Members: 1-0-0-0

6. **2350 Broadway** (West 85th Street.) 217 W 85 LLC, d/b/a To be Determined.

Presenting for the Applicant:

- Reno Christou, managing partner, reno@kyma-roslyn.com

CB7 Comments:

- 11:30 a.m. -12 a.m. Monday through Thursday; only background music; unknown as to whether there will be delivery, but doesn't anticipate that there will be. Has another restaurant in Long Island.

*After due deliberation the resolution to **approve** was adopted*

VOTE:

Committee: 6-0-0-0

Non-Committee Board Members: 1-0-0-0

7. **768 Amsterdam Avenue** (West 98th Street.) Guacamole Midtown Corp, d/b/a Guacamole Taqueria.

Presenting for the Applicant:

- Jared Cooper, attorney for the applicants, who could not attend the meeting. Mr. Perez is the sole operator. Has a restaurant uptown operating under the same concept. Menu provided. Intends on using the backyard, but that area has not been included in liquor license.

CB7 Comments:

- Backyard was being used by previous occupants.
- Amsterdam Ale House was going to go into this spot, but was never opened.
- List of postings provided.
- We got them to exclude the rear yard; hours amended to 2 a.m. on Thursday; allowed until 4 a.m. on Friday and Saturday.
- Informed attorney that the proprietor should be informed that there is already concern about noise from patrons, smoke from patrons, and the potential noise from the HVAC.

- We have proposed that they withdraw the application and agree not to send the application to the SLA and send another notice to us for us to reconsider in the presence of the owner.

Public Comments:

- William Caine, 768 Amsterdam Apt. 2N, Married couple live directly above Guacamole; concerned about smoking, noise, and hours. Concerned based on previous tenant Chico Julio. Previous tenants left because of this. Previously spoke against Amsterdam Ale House.
- Mark Dobbs, 202 N. 98th, lives above the patio, also concerned about the potential issues related to noise.

The representative withdrew the application and agreed to resubmit.

New Unenclosed Sidewalk Cafés:

8. **472 Columbus Avenue** (West 82nd – 83rd Streets.) New application #9394-2017-ASWC to the Department of Consumer Affairs by 472 Columbus Bagel Corp, d/b/a Jumbo Bagel, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.

Presenting for the Applicant: Did not appear.

*After due deliberation the resolution to **disapprove** was adopted*

VOTE: 6-0-0-0

9. **2309 Broadway** (West 83rd – 84th Streets.) New application #8529-2017-ASWC to the Department of Consumer Affairs by The Pickle People, LLC, d/b/a Maison Pickle, for a four-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats on West 84th Street.

Presenting for the Applicant:

- Arsham Kamali, applicant, director of operations; Jacob Hadjigeorgis, owner of Maison Pickle and Jacob's Pickle
- Seeking to get a sidewalk café on W. 84th Street, near the middle of the block. Presented a packet of information, including postings, inherited condition of side street, a petition and letters in support, examples of flat grates and reduced tree pits that would allow for the café.
- Seeking 10 two-top tables; two by two; there would be clearance of less than 8 feet between the tree grates to the tables.
- Need to do a better job of protecting our businesses.
- Jacob spoke to the residents' concerns, but believes that the concerns are exaggerated. Under these circumstances, they will withdraw the application for the side street. Would like support to acquire café on Broadway. Regarding rats and trash, have only been operating for 6 months. Spoke to department of health regarding trash disposal, which is done in the alley; areas where there was evidence of droppings included trash that were not served in the restaurant; Maison Pickle's areas were clean. Noise levels have been tested and they've passed every time. Received about 20 visits. Want to address the issues related to rats.

CB7 Comments:

- There was concern about the lack of space for clearance and the existence of a sidewalk café here.

- A non-committee board member pointed out that we rejected the application by Five Napkin Burger for a wrap-around café up the block.
- A suggestion was made that perhaps they consider having a sidewalk café in front of their restaurant if they would not be able to fit the five tables on Broadway.
- Chairs suggested approval of Broadway café with the caveat that it does not extend beyond five napkin burger's café;

Public Comments:

- Gerald Yosef Shine, 120 Riverside Drive, synagogue of temple at 84th street; strongly opposes the application; small synagogue already cramped for space; would obstruct the observance.
- Steve Ceransky, lives 251 w. 87th street, member of synagogue on 84th street, would also object to the resolution: synagogue is in effect one building over from where the restaurant wants its café, the street is relatively narrow, lots of residents on the street; there would be noise from the café; this would resonate in the small street, which would be detrimental to the synagogue.
- Jesse Hecht, also here on behalf of the synagogue; lives at 175 Riverside, temporarily residing on W. 85th street; congregation holds three services daily; attracts non-members because of this fact; evening services are tied into the end of day; classes are also held in the evening and on the Sabbath; the sidewalk is very narrow. The tree boxes would make passing difficult. Nothing against the proprietors or small businesses, many members are such themselves.
- Cynthia Swaine, 255 W. 84th street, apt. 7B, lives above the restaurant. Ventilation noise unbearable from the restaurant, noise abated after complaints, but then it returned, very difficult to sleep since the ventilation system is combined with 5 napkin burger.
- Jim Brom, 255 W. 84th St., Apt. 6C, faces street, doesn't have anything against proprietor, concerned about the potential noise that would come from a sidewalk café.
- Don Shea, resident 255 W. 84th Street, would bring commercial activities to a residential street; wants a reprieve from the commercial activity of Broadway on 84th street; does not want to change the character of the street. Sound would negatively affect the quality of life on the street. Opposes the application.
- Laura Dartnell, 255 W. 84th Street, apt 12B, faces street, worried about the noise, street is too narrow for an outdoor café. Food on the street brings mice and rats, which would increase. Same issue with the ventilation system as neighbor.
- Sherry Leipzig, 255 W. 84th Street, has complained several times to the City related to the ventilation system for the restaurants; something needs to be added to quiet the systems; raw food has been thrown on the street, has complained about this as well. Noise from café also a concern.
- Avram Shapiro, 255 W. 84th Street, supports Jacob's Pickles, but the noise factor is tremendous when the windows are open downstairs, only 9 feet from tree to the building, too narrow for a café, supported five napkin Broadway café, but opposed the wrap around, would take away from the character of the street. Concerned about noise and rats.
- John Losk, 255 W. 84th Street, resident for about 20 years, was there when the space was an old dry cleaner, had no connection with Broadway, Ovest connected to Broadway, but didn't have a café, Ollie's closed without a café, but Five Napkin Burger came in and asked for a wrap around, recalled rejection of sidestreet portion based on precedent of the Board; In the middle of a residential block and it's not right; private use of public land.
- Larry Weiss, 255 W. 84th Street, Apartment 4C, living and bedroom over restaurant, open windows results in very loud noise, increased trash and traffic is not in the best interest of the community, sidewalk café not warranted.
- Jane Eddy, 255 W. 84th Street, moved from west 86th street a year ago, appalled at the number of rats, there's been a large increase due to the trash.

- Greg Brodski, 255 W. 84th St., expects 84th street to maintain its residential character, concerned about noise during evening when he has his windows open.
- Michael Gellman, 255 W. 84th street, been there for about 19 years, worried about noise and activity that would come with the café, all rooms face the restaurant.
- Neri Bukspan, 255 84th Street, surprised considered the quality of the owners instead of the practical issues related to the café, spoke to noise at Jacob's Pickle, which is not the applicant. Tables outside will draw people waiting near them, and that will occupy the entirety of the sidewalk in that area, concerned about dogs taking up space as well.
- Helen Thurston, 255 W. 84th Street, concerned about the garbage here and the increase in the rats, not good neighbors, doors open all of the time which increases the noise in the area, providing photographs that she took of garbage. Owners have clarified that the bins are not theirs, but speaker clarified that trash has been thrown from the restaurant on 84th street.
- Tully Cullen, speaking for 500 West End, concerned about people smoking on the side street, the noise is enough on the street, and there is no need to add to it. Building is also against it.

*After due deliberation the resolution to **approve** as amended to exclude 84th street proposal and stipulate that the Broadway café doesn't extend beyond five napkin burger's footprint was adopted*

VOTE:

Committee: 6-0-0-0

Non-Committee Board Members: 2-0-0-0

10. New business.

- Councilmember Rosenthal brought up the issue of electric bikes; at her town hall, an individual came to discuss the issue and she asked that we again consider the issue and weigh in on the matter. The Committee discussed its previous consideration and the difficulties attendant to monitoring the bicycles.

The meeting ended at 10:10 p.m.

Full Board Meeting Minutes

Roberta Semer, Chairperson

July 5, 2017

Community Board 7/Manhattan's Full Board met on Wednesday, July 5, 2017, at Congregation Rodeph Sholom, 7 West 83rd Street (Central Park West), in the District. Chair Roberta Semer called the meeting to order at 6:33 pm after the Secretary confirmed the existence of a quorum.

The following matters were discussed and actions taken:

Minutes from the June 6, 2017, Full Board meeting were **approved**.

VOTE: 26-0-0-0.

Chair's Report: Roberta Semer:

- Thanks to the many CB7 members that participated in either or both of two hearings – one offering comments on the contents of the Draft Environmental Impact Statement for the proposed expansion at the American Museum of Natural History, and the other offering comments on the Scoping for the Environmental Impact Statement to be prepared for the proposed project on West 108th Street involving the West Side Federation of Senior Supportive Housing.
- Schedule updates: Housing will meet at 7:00 pm on Monday 7/10; Communications Committee on Tuesday 7/11.
- New members are encouraged to attend as many of the committees as possible in July with a view to expressing their preferences for service; the Chair will make final committee appointments in September.

Announcement of Election of Board Officers for 2017-2018: Andrew Albert for Howard Yaruss, Chair, Elections Committee:

- Nominations will be taken at the September full Board meeting for Chair, 2 Vice Chairs, and 2 Co-Secretaries.
- The election will be held at the October full Board meeting; those elected will take office in November.
- Q: Recommend that election committee members meet prior to the election in October to discuss the process of counting votes to avoid irregularities or issues such as those encountered in a previous special election.

Community Session:

Peter Arndtsen – Columbus-Amsterdam Business Improvement District

- The Columbus-Amsterdam BID's annual meeting will be held at the American Youth Hostel on Amsterdam at West 103rd Street on 7/20. All encouraged to attend; speakers will highlight aspects of interest to the community.
- Free movies offered during the summer at the Bloomingdale Playground (Amsterdam Avenue at West 104th Street) and at St Michael's Church, 225 West 99th Street. BID flyer has details.
- Jazz performances being offered certain evenings at the Ellington Restaurant, Amsterdam at West 106th – BID flyer has the details.

Win Armstrong – Park West Village Tenants Association

- Update on the Jewish Home Lifecare proposal to build a new nursing facility on West 97th Street:

Community Board 7/ Manhattan

- The Community supports JHL's rebuilding on West 106th Street where it has been located for years.
- The West 97th Street proposal has been 7 years in gestation, with two court challenges (one concerning the Environmental Impact Statement; the other challenging whether the project comports with applicable zoning) still working their way through the courts.
- Concern continues to be expressed that West 97th Street is already a dangerous traffic corridor.
- Q: Any idea when the court cases will be adjudicated?
- A: the Zoning case is being heard by the New York State Court of Appeals – our highest State appellate court. The parties will brief the case in July; interested non-parties may have an opportunity to file briefs as “amicus” or friends of the court. Oral argument is likely to be scheduled in the Fall.

Samuel Bartels – Executive Director of the Ryan Health Center Community Network.

- Reaching out to the Community for awareness and support.

Ashley Gonzalez – St. Agnes Branch of the New York Public Library

- Summer reading programs and story-telling will be held in River Run Playground in Riverside Park.
- The Library will sponsor a Planetarium show on 7/30.

Bill Raudenbusch

- Thanks to those who attended the hearing on the Draft Environmental Impact Statement regarding the proposed expansion of the American Museum of Natural History, and the rally announcing the filing of the zoning challenge with the Department of Buildings regarding the proposed tower at 200 Amsterdam Avenue.
- Thanks to Olive Freud and the Committee for Environmentally Responsible Development for pushing forward on the zoning challenge.
- Formerly an officer with Community United to Protect Theodore Roosevelt Park – stepping down to run for City Council.
- Community United commissioned its own Environmental Impact Statement review commentary by GHB Associates concerning the AMNH project – copies available.
- Copies of the Zoning challenge concerning 200 Amsterdam Avenue are also available.

Laura Messersmith

- Appreciate the community's support for Community United to Protect Theodore Roosevelt Park.
- Encourage reading the study by GHB Associates regarding the real environmental impacts of the proposed expansion of the Museum.

Jim Dingeman - Board member of WBAI radio's parent organization - Pacifica Radio

- Concern for New York City's terrible record in resolving missing children/missing persons cases.
- WBAI/Pacifica is being gouged at the Empire State Building, which has increased transmitter fees by 400%.
- Asking Community Boards to adopt a resolution to encourage our electeds to call for a fairer deal for transmitter fees, especially for public and user-supported not-for-profit stations.
- Draft resolution offered.

Harbachan Singh - Member of the Community Advisory Board of WBAI/Pacifica Radio

- The station supports a diversity of opinions.

Community Board 7/ Manhattan

- Fees for access to the antenna on Empire State Building have increased. The market price for access is \$12K per month, but WBAI/Pacifica is being charged \$53K per month.
- Loss of the broadcast antenna on the World Trade Center in the 9/11 attack gave the Empire State Building monopoly power over the access fees.
- WBAI should be released from the terms of its onerous lease.

Reports by Elected Officials:

Helen Rosenthal, New York City Council Member (6th District):

- Working on three projects of note:
- Support for victims of domestic violence – including a bill to train cosmetologists and barber shops on how to recognize incidents of domestic violence and how to report those incidents. Many in these professions already recognize the signs of domestic abuse, but need the tools on how and when to report them.
- Clean Energy Forum – convened under the aegis of the Council Member’s office, gathered experts to provide answers about what individual homeowners can do take up the slack from the Administration’s withdrawal from Paris accords. Pressing Con Ed for additional information/clarity on what an ESCO (Energy Services Company) does.
- Consumer victory – Icon Parking passed along \$25 per month surcharge with a claim that it was based on an increase in wages. The increase was not legal, and was way out of proportion to the increase in wages. Referred the issue to the Department of Consumer Affairs, who required Icon to refund the increase and reform its communications.
- Fresh Fruits and Vegetables program with Borough President Brewer - \$8 per bag, at Goddard-Riverside.

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

- Extell filed plans to build a 25-story building on West 66th Street, but the surmise is that the building would be much taller. Extell refused to respond to the Assembly-Member’s letter asking about their intention because the tone of the letter suggested opposition.
- The tall tower planned for 200 Amsterdam Avenue is on hold due to a zoning challenge at the Department of Buildings. The issue concerned the transfer of development rights from Lincoln Towers – can’t transfer rights from land that the owner doesn’t control.
- Lincoln Towers was built on land cleared by condemnation and Urban Renewal, and its open space was specifically required under the terms of the condemnation. So the owner does not own the development rights.
- When zoning was enacted in 1961, technology did not permit an 80-story building on a narrow lot. City needs to place a moratorium on height and examine whether zoning should limit height.
- Mayoral control of schools was renewed for two years in a special session of the Legislature. It is important that the school system be run with accountability, whether one likes the Mayor or not. The State Senate tried to tie Mayoral Control to charter school concessions. The Assembly tied Mayoral Control to concessions on Upstate local control bills (e.g. local sales tax). Mayoral Control was extended without charter school concessions.
- Q: CB7 and residents are concerned and should join together to look at safety issues related to the construction techniques for tall buildings – technical issues that should be addressed.
- A: If developer really did buy rights, could be as-of-right, but those who sold didn’t own!

Brian Benjamin, NY State Senator (30th District):

- Elected on May 23rd in a special election; sworn in June 5th.
- Introducing Neal Reilly – will represent Sen at CB7.
- Signed on to co-sponsor Assembly-Member Gottfried’s single-payer health care bill.
- Signed on to co-sponsor Assembly-Member Linda Rosenthal’s bill to repeal vacancy decontrol.
- Sponsored the Neighborhood Integrity Act – Requires a community process before a community can be renamed.
- Sponsoring a bill to require the Attorney General, not the local District Attorney, to investigate incidents of police action injuring civilians.
- Concern re Rikers Island jail: must separate those awaiting trial from those convicted.
- Supports efforts to end mass incarceration. Turnstile jumping should not lead to jail time.
- Commercial rents are rising at precipitous rates – will be working on remedies going forward.
- Opposing the IDC (Independent Democratic Coalition) – we need Democrats to caucus together as a majority.
- Q: Separating populations of those awaiting trial from those convicted. Can we also separate those more violent or older inmates from those accused/convicted of more dangerous offenses?
- A: Yes – must end prison/jail pipeline, and mixing of the populations fosters that pipeline.

Jerrod Nadler, U.S. House Member (10th District):

- The original ACA (Affordable Care Act) was enacted with rigorous debate in the House and Senate.
- The ACA depends on the private sector to provide policies of health insurance.
- The ACA also allowed States to expand Medicaid to make more people eligible; 30 States agreed.
- For those above 138% of the Poverty Level, the ACA mandated that insurance companies participate in exchanges offering policies subsidized by the Federal government. The ACA also uses federal funding to stabilize premiums to support insurance companies who are hit hard or priced incorrectly.
- The ACA also requires employers above a threshold number of employees to offer health insurance.
- Paul Ryan fundamentally misconstrued the nature of insurance by saying it was wrong for healthy people to subsidize those who are sick – all insurance is premised on the sharing of risk.
- Trump Administration is refusing to commit to the stabilization fund, which creates uncertainty that drives companies out of the exchanges and the ACA system, and drives premiums up.
- House voted 62 times over 7 years to repeal the ACA; in 7 years, the House has yet to come up with a substitute.
- The CBO (Congressional Budget Office) concluded that 22-24 million will be uninsured if the ACA is repealed.
- Senators Cruz, Paul etc. want a straight repeal. Moderate Republicans refuse to remove coverage from so many.
- Every time Congress has enacted complicated social legislation, it needs adjustment. Yet the House leadership will not entertain any revisions. Democrats willing to negotiate improvements, not replacements.
- Repeal will harm the middle class – which is the Republican voter base.
- Passed a bill to close a loophole to help co-ops and condos obtain FEMA relief in the event of another disaster.
- Passed another bill that requires a protective mesh for airliner cockpits.
- Emoluments Clause lawsuit:

- The Constitution (Article I, Section 9) provides that No one enjoying a position of trust in the federal government may accept a gift from any foreign government, absent approval from Congress.
 - The Clause arose from a concern of the Framers over their experience with the monarch's officials' corruption.
 - There is very little precedent to guide its interpretation – lawsuits over it rarely come up.
 - We now have a president who owns businesses overseas – vast possibilities for benefits from foreign powers. Examples of the President's businesses securing Chinese trademarks; Saudi's use of the President's hotels. The President has refused to divest of his business interests.
 - Three lawsuits are now pending based on the Emoluments Clause. One by restaurateurs losing business to Trump Hotel; one by the State of Maryland and the District of Columbia.
 - The Third is by Representative Nadler and 200 other House members, alleging that the President, by receiving emoluments without approval deprives Congress of its Constitutional right to vote to approve/disapprove.
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- Q: Is there another way to fix the ACA?
 - A: ACA already requires insurers to pay out benefits at least 80-85% of premiums received.
 - A: The repeal legislation proposed is not simply repealing ACA – it would tear Medicaid to shreds.
 - A: There is a difference between entitlement programs (e.g. Medicaid) and non-entitlement (e.g. Section 8).
 - A: Bill would change Medicaid from an entitlement (i.e. funding available to cover all who are eligible) to a capped block grant. Increases per inflation (at a rate lower than the rate of inflation of medical care). Once the cap is reached, those eligible would not be covered.
 - A: Note that 70% of nursing home beds are paid by Medicaid.
 - Middle class families tend to spend down retirement savings, and then rely on Medicaid.
 - The cost of half of all births also covered by Medicaid.
 - Block grants will destroy all of this, and leave eligible and needy individuals without coverage.
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- Q: Concern about saber-rattling re North Korea. President spoke rashly about using nuclear weapons.
 - A: President does not understand nuclear weapons. Their only purpose is deterrence.
 - A: President was irresponsible in stating North Korea cannot use missiles.
 - A: President cannot initiate military action in North Korea without Congressional approval.
 - A: Dangerous game, as there are 20-million people in Seoul and surrounding areas, just 25 miles from the DMZ.
 - A: No evidence that North Korea is irrational – just brutal. Better to negotiate than posture.

Reports by Elected Officials' Representatives:

Sean Coughlin, Office of Council Member Corey Johnson (3rd District):

- Fresh fruits and vegetables program is also available at a senior center at 239 West 49th Street. It is a steal at twice the price.

Gus Ipsen, Office of Assembly Member Linda Rosenthal (67th District):

- Thrilled to pass Child Victims Act in the Assembly.
- Passed an amendment to the Clear Air Act prohibiting e-cigarettes wherever smoking is prohibited.

- Testified at the Rent Guidelines Board, which did not roll-back rents, but adopted only a modest increase.
- Shredding event 7/16 at the District Office.

Tara Klein, Office of State Senator Brad Hoylman (27th District):

- Senior resource fair and health screening 7/25 at New School on West 13th Street.
- Sponsoring the Child Victims Act in the State Senate, this would extend the Statute of Limitations to allow victims of child sexual abuse to bring legal action against their abusers well past their 21st birthdays. The State Senate refused to call the bill for a vote. Thanks to A-M Linda Rosenthal for sponsoring in the Assembly.
- Calling for an audit of MTA bus service.

Daisy More, Office of State Senator Jose Serrano (29th District):

- Office hours 7/6 at JASA, 120 West 76th Street. 212-828-5829.

Michael Stinson, NYC Comptroller Scott M. Stringer's Office:

- Scott Stinger ordered the divestment of the NYC pension funds from companies running private prisons – responsible for mass incarceration.
- Eid al Fitr event next week at DC 37.

Business Session:

BUSINESS & CONSUMER ISSUES COMMITTEE

Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

Resolution Re:

1. 36 West 106th Street (Central Park West.) New application to the State Liquor Authority (SLA) for two-year beer and wine license by 36 West 106th Street Venture, d/b/a Jazz on the Park.

Presentation by Michele Parker:

- Application for a wine and beer license by a business operating a hostel that includes a basement nightclub called Jazz on the Park, on West 106 Street between Manhattan Avenue and Central Park West.
- The applicant is returning to the BCI Committee at its July meeting. On 7/5 Terrence Flynn, attorney for applicant communicated with John Martinez, CB7's Assistant District Manager, and undertook to (a) come to BCI on 7/12 accompanied by applicant's owner to answer questions, and (2) not to file its application with the SLA until after the CB7 September full Board meeting.
- The BCI Committee recommends a Resolution to disapprove, which can be revisited at the 7/12 BCI meeting if the situation warrants it.

CB7 Comments:

- Q: Why not disapprove without prejudice?
- A: At the SLA, disapproval without prejudice is viewed as an approval.
- Concern is that the hostel and nightclub are in a residential zone with no commercial overlay. Granting an on-premises license is contrary to zoning, and would set a dangerous precedent for other areas of our District.
- Concern that the hostel itself is operating an illegal hotel.

Community Board 7/ Manhattan

- Concern that there are competing explanations, especially for a disapproval that could become approval later.
- Chair – CB7 must take action to ensure we are heard.
- The nearby restaurants are in a different (commercial) zone.

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

VOTE: 32-0-3-0.

LAND USE COMMITTEE

Richard Asche and Page Cowley, Co-Chairpersons

Resolution Re:

2. **584 Columbus Avenue** (West 88th – 89th Streets.) Application to the Board of Standards and Appeals by the Fitting Room for a special permit for a physical culture establishment on the first floor of an existing 9-story building.

Presentation by Page Cowley:

- The Land Use committee first heard this application on 5/17, at which questions remained unanswered.
- Application is actually a legalization, as the applicant has been operating without the required special permit.
- Returned to the Land Use committee on 6/21, but neither the owner nor architect were available.
- Third meeting tonight at a Land Use pre-meeting.
- The applicant operates from the former site of Bella Luna restaurant - two joined storefronts.
- CB7 worked hard to modify the Urban Renewal streetscape text amendment years ago to require transparency for storefronts in the former Urban Renewal special district.
- The applicant's premises are fully built, and the owner has commenced operations.
- The combined stores include 44 linear feet of glass, with only a small portion with an unobstructed view.
- The applicant operates two workout places – one is an exercise room, with opaque glazing.
- There is a half-height wall for acoustical containment just inside the window, eliminating transparency.
- Another panel in the window conceals a lift for ADA access.
- Architect agreed to explore whether the half-height wall could be removed and let the lift stand without a wall to provide transparency. The applicant was also willing to explore removal at least part of the full height of another sheetrock wall within the window.
- The applicant also agreed to lighting and decorative changes to aid transparency and enliven the street.
- CB7 places high priority on transparency as it creates sight-lines for safety, and enlivens the street.
- Applicant contended that the walls were necessary to contain noise.
- The ADA lift was not on the original plans.
- Agreed to lighting, decorative treatments.
- The Land Use Committee, based on the applicant's concessions, adopted a resolution to approve the special permit subject to the applicant providing revised plans based on the results of exploring these changes.
- Concern that promise to explore modifications may not be kept.
- Concern that we are going overboard rather than supporting small businesses.

Jay Goldstein – attorney for the applicant.

- If feasible to increase transparency at the handicap lift, happy to do so – applicant wants a retail window.

Board Comments:

- The transparency of the street wall is important.
 - No one is micromanaging the applicant’s business.
 - Tough negotiation, as the applicant was initially adamant that was fait accompli.
 - This is not a good deal. CB7 should not indicate approval.
 - Not anti-small business to require transparency.
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- The negotiations yielded a commitment to change decoration and transparency; and a commitment to try to change the handicap lift.
 - Land Use Committee’s judgment was that the community would secure greater benefits with this deal than might emerge from the Board of Standards and Appeals without such an agreement.
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- Support committee’s result. This is an awful situation – without these changes, Columbus Avenue, which already has design challenges from the previous zoning text, will get a lot worse. Must push transparency.

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

VOTE: 24-7-5-0

PRESERVATION COMMITTEE

Jay Adolf and Gabrielle Palitz, Co-Chairpersons

Resolutions Re:

3. **23 West 69th Street** (Central Park West – Columbus Avenue.) Application to the Landmarks Preservation Commission to extend rear façade by 2½’ and make façade all glass, replace windows on front façade, expand penthouse, add elevator bulkhead on roof.

Presentation by Gabrielle Palitz:

- Front façade, rear yard renovation, and rooftop addition.
 - Not changing the bulk of the rear yard L-extension.
 - Proposal to remove the entire rear façade and replace with full-width, fill-height glass and steel window system.
 - Steel and glass rear façade includes the west face of the L-extension.
 - Tall, thin rectangles of glass in sets of four.
-
- Rear façade is drastically different than typical rear yards, especially since all masonry was proposed to be removed.

*After deliberation, the resolution to **approve the front façade window replacement, rooftop additions and HVAC unit locations and to disapprove the rear façade extension and rear yard addition renovation work** was adopted.*

VOTE: 35-1-0-0.

4. **122 West 73rd Street** (Amsterdam – Columbus Avenues.) Application to the Landmarks Preservation Commission for a rear extension and 4th and 5th story addition.

Presentation by Gabrielle Palitz:

- Rear yard and rooftop additions.
- Window replacements on the front façade were considered appropriate.
- Proposal to remove the existing L-extension and create a full-width extension.
- The proposed rear fenestration of steel and glass on the extension extends to the basement, parlor and second floors, and leaves the original masonry fabric and punched windows intact on the top floor.
- The proposal also includes a greenhouse on the ground (basement) floor in the rear, which is to be used as a permanent structure.
- The proposal calls for adding two floors at the top (lowering the ceiling height of the existing fourth floor).
- This townhouse is in the middle of a group of three – immediate neighbors are smaller.
- Concern that there is just too much being added to a small structure – overwhelmed.

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

VOTE: 35-1-0-0

5. **113 West 77th Street** (Amsterdam – Columbus Avenues.) Application to the Landmarks Preservation Commission for legalization of 2nd and 3rd floor windows, and an areaway hall.

Presentation by Gabrielle Palitz:

- Small co-op in a townhouse building.
- Several windows were replaced by prior owners without appropriate LPC approval. A violation issued.
- Front façade curved windows were not replaced in kind, and now resemble a square peg in curved hole.
- The current owners only discovered the violation when applying to the Department of Building for a permit.

- Application was to legalize.
- Committee believed that legalizing not appropriate, as it would not have approved the application ab initio.
- LPC allows an applicant to clear the violation via depositing funds in escrow, but on onerous terms.
- Committee resolution disapproved legalization, but called for LPC to offer a longer time frame to cure, and to reduce the amount in escrow. Here the typical escrow would have been in excess of \$60K.

- LPC sympathetic. Went further – gave time-limited 6-year Certificate of Appropriateness without escrow.
- LPC Counsel explained that the Commission did not want Staff to have to monitor these changes.

*After deliberation, the resolution to **disapprove, with its strong recommendation that the applicant be given 15 months to change the windows, and that the amount required to be held in escrow pending the replacement be set at one half of the lowest bid** was adopted.*

VOTE: 36-0-0-0.

6. **169 West 85th Street** (Amsterdam – Columbus Avenues.) Application to the Landmarks Preservation Commission for rear extension with a green roof and a new stoop to match stoop at 167 West 85th Street.

Presentation by Gabrielle Palitz:

- Proposal includes the restoration of an original stoop.
- Application is to convert the ground floor apartments to commercial use with a full-depth rear yard infill; also create a front door to the proposed retail space consisting of a fixed panel and an operable door with curved tops.
- Rear yard one-story infill would be 12' high.
- Proposal to add a door on the west side of the space under the stoop – recommendation to change to a gate with a door underneath the stoop rather than on its side.
- Asked that the commercial space door be more consistent with neighborhood.

Community Comment

Lawrence Katz – neighbor

- Changing windows and an elaborate grille – believed not permitted.
A: Changes must be approved.
- No doors in the areaway of any townhouse in the neighborhood.
- Should not remove the historic grille from the areaway windows.
- Also displacing a rent-stabilized tenant.
- People renovating this building have 3 Stop Work Orders for using unlicensed electricians.
- Concerned about safety.
- A: Encourage close coordination with the CB7 District Office.

CB7 Comments:

- Never seen a storefront use this sort of door.
- Concern that excavation is colossal – TPPN (DOB Technical Policy and Procedure Notices) regulations will need to be addressed.
- Believes that full-depth addition can only be allowed for not-for-profits.
- Infill wall will change the dynamics of rear yard experience.
- Same architect as the controversial additions to 315 West 103rd Street.
- Should not hide behind our jurisdiction – more substantive issue of the displacement of rent-regulated tenants needs to be addressed directly and now.
- Must monitor neighboring building for vibrations.
- Concern that this will be a prelude to modifications that will result in the entire building being demolished.
- Site within 100' of Amsterdam Avenue – different zoning allows the one-story rear yard infill.
- Stoop is a reconstruction of the one removed long ago – replacing as a twin.
- Concern that the applicant did not address appropriateness, notwithstanding the stoop restoration.
- No argument about conversion of window.
- Concerns of neighbors are well-taken.

Dividing the resolution into two parts:

6A: resolution to approve as modified the new stoop, parlor level doors, areaway storefront door and fixed sidelight.

6B: resolution to approve the new rear yard addition with green roof.

*After deliberation, the resolutions to **approve** failed.*

VOTE: 6A: 9-24-4-0 (resolution fails).

VOTE: 6B: 7-27-3-0 (resolution fails).

*After further deliberation, a resolution to **disapprove** the entire application was adopted.*

VOTE: 29-5-2-0

7. **6 West 95th Street** (Columbus Avenue – Central Park West.) Application to the Landmarks Preservation Commission replacement of windows and doors, rebuilding the rear extension, adding rooftop skylights, relocating roof hatch and condensing units.

Presentation by Gabrielle Palitz:

- Proposal includes rooftop skylights and a rear façade restoration.
- Replacing the L-extension with a modest full-width addition.
- Fenestration on the proposed rear façade with large windows framed by masonry on all sides.
- Keeping the plane at the top floor – converting one window into a door.

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

VOTE: 35-1-0-0.

TRANSPORTATION COMMITTEE

Andrew Albert and Howard Yaruss, Co-Chairpersons

Resolutions Re:

8. **S/E/C Broadway and West 88th Street.** New application # 5359-2017-ANWS to the Department of Consumer Affairs by Muhammad Amjad to construct and operate a newsstand on the southeast corner of Broadway and West 88th Street.

Presentation by Andrew Albert:

- Based on the site plan – will not block access to the medical facility on the corner.

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

VOTE: 33-1-1-0.

9. NYC DOT (Department of Transportation) notification of community boards regarding Citibike operations.

Community Comment:

Richard Barr

- Attended Transportation committee – only learned about a new site as an aside from DoT at the committee meeting. The new location as installed before notice or chance to deliver results of a community poll.
- Neighborhood wants notice too.

CB7 Comments:

- Installed Citibike site at 400 CPW without notice. DoT notified wrong people if at all.

- Should include in the resolution a requirement for notice to cyclists as to why the change is being made.
- Proposal for a further “resolved” clause to call for notices to be posted at the former station location and on the online app giving the reason for the closure and the expected date of it being restored.
- Add to the resolution the words “in advance.” Timing should be 45 days.
- Be it further resolved that the notice should also be posted within one square block.

*After deliberation, the resolution to **ask Motivate and DOT to notify Community Boards of any changes, moves, new stands, or removal of stands, as modified**, was adopted.*

VOTE: 31-0-2-0.

10. Driveway safety on 97th Street, (Amsterdam – Columbus Avenues.)

Presentation by Andrew Albert:

- Several curb cuts – driveways across a very wide and generous sidewalk.
- No warning system.

Community Comment

- Bob Leonard supports the resolution.

CB7 Comments:

- Resolution proposed by Transportation committee member Lillian Moore, with the assistance of many others.
- Coalition of buildings on West 97th Street – several surrounding buildings, working with schools and electeds.
- Want to keep West 97th Street a viable community place.
- Hazardous driveways - 7 driveways between Columbus and Amsterdam Avenues.
- None are adequately marked. The sidewalk and street experience heavy pedestrian and commercial traffic.
- Ryan Center, 3 schools, 2 supermarkets are all located on this block.
- There is no warning to pedestrians that vehicles are entering/exiting through these curb cuts.
- Trying to work with owners to remedy these problems. Owners cite DOT’s resistance to such warnings.
- DoT has no regulations to cover this phenomenon.
- Offered to paint the driveways, but told it would violate City law.
- There will be more tragedies unless corrective action is taken.
- Several community members recognized as supporting.
- Examples of huge trucks making deliveries in situations where the driver could not see a small child.

*After deliberation, the resolution to **request our elected officials to enact legislation which will mandate protective devices on all driveways/garage entrances/exits that empty onto the public streets of New York City** was adopted.*

VOTE: 31-0-0-0.

BUSINESS & CONSUMER ISSUES COMMITTEE

Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

Resolutions Re:

11. New applications to the SLA for two-year liquor licenses:

Community Board 7/ Manhattan

- 267 Amsterdam Avenue (West 72nd Street.) M.O.A. Sabry Corp, d/b/a Utopia Diner.
- 2735 Broadway (West 105th Street.) Serafina 2735 Corp., d/b/a Serafina.
- 2758 Broadway (West 106th Street.) ISG Restaurant LLC, d/b/a Il Gatto Nero.

Presentation by Michele Parker:

- Il Gatto Nero is in the space occupied by the former Machina.

CB7 Comments:

- The Utopia Diner is a great community gathering location.

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

VOTE: 31-0-0-0

12. **Renewal application to extend hours to 4AM:**

929 Columbus Avenue (West 105th Street) 929 Columbus Ave, LLC, Bob's Your Uncle.

Presentation by Michele Parker:

- Bar – wants to extend its hours of operation to 4 am all week.
- Committee proposed that the license allow operation to 4 am on Thursday, Friday and Saturday nights (i.e. Friday/Saturday/Sunday mornings).

CB7 Comments:

- Several other neighboring establishments were drawing away clientele.
- Concern about impact on Children's Aid Society – Douglass Houses.

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

VOTE: 25-3-3-0.

13. **New Unenclosed Sidewalk Cafés:**

- **189 Columbus Avenue** (West 68th Street.) New application #6814-2017-ASWC to the Department of Consumer Affairs by VLC Upper West, LLC, d/b/a Vive La Crepe, for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 8 seats.
- **416 Amsterdam Avenue** (West 80th Street.) New application #6360-2017-ASWC to the Department of Consumer Affairs by Ain Jupiter LLC, d/b/a La Sirene UWS, for a four-year consent to operate an unenclosed sidewalk café with 5 tables and 10 seats.
- **480 Amsterdam Avenue** (West 83rd Street.) New application #7833-2017-ASWC to the Department of Consumer Affairs by Two Melons LLC, d/b/a JG Melon, for a four-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats.
- **489 Columbus Avenue** (West 83rd – 84th Streets.) New application #7821-2017-ASWC to the Department of Consumer Affairs by Shivhari, Inc., d/b/a Ashoka, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.
- **532 Columbus Avenue** (West 85th – 86th Streets.) New application #7062-2017-ASWC to the Department of Consumer Affairs by VLC Upper West, LLC, d/b/a Vive La Crepe, for a four-year consent to operate an unenclosed sidewalk café with 7 tables and 17 seats.
- **566 Amsterdam Avenue** (West 87th – 88th Streets.) New application #7399-2017-ASWC to the Department of Consumer Affairs by La Petit Amelie LLC, d/b/a Amelie, for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 8 seats.

Community Comment:

- Given lack of commercial rent control, when a bar closes with an enclosed sidewalk café, the café should not carry over to the next tenant.
- Examples of Artie's, Copper Hatch – should not carry forward.

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

VOTE: 28-0-0-0.

The meeting was **adjourned** at 9:25 pm.

Present: Roberta Semer, Jay Adolf, Andrew Albert, Linda Alexander, Richard Asche, Tina Branham, Steven Brown, Elizabeth Caputo, Joshua Cohen, Christian Cordova, Kenneth Coughlin, Page Cowley, Louisa Craddock, Catherine DeLazzer, Mark Diller, Robert Espier, Sheldon Fine, Paul Fischer, Sonia Garcia, Meisha Hunter Burkett, Amy Hyman, Madelyn Innocent, Audrey Isaacs, Genora Johnson, Natasha Kazmi, Blanche E. Lawton, Ira Mitchneck, Lillian Moore, Klari Neuwelt, Gabrielle Palitz, Michele Parker, Jeannette Rausch, Richard Robbins, Melissa Rosenberg, Katie Rosman, Peter Samton, Susan Schwartz, Ethel Sheffer, Polly Spain **Absent:** Isaac Booker, Miki F. Fiegel, Marc Glazer, Benjamin Howard-Cooper, Brian Jenks, Seema Reddy, Suzanne Robotti, Madge Rosenberg, Mel Wymore, Howard Yaruss, George Zeppenfeldt-Cestero

TRANSPORTATION COMMITTEE

Andrew Albert and Howard Yaruss, Co-Chairpersons
July 11, 2017

Present: Andrew Albert, Howard Yaruss, Ken Coughlin, Miki Fiegel, Richard Robbins and Suzanne Robotti.

Absent: Isaac Booker, Marc Glazer and Lillian Moore.

Chair: Roberta Semer

Non-Committee Board Members: Mark Diller and Christian Cordova.

Meeting was called to order at 7:05 P.M.

Secondary street namings

The committee discussed the issue, including the handout that Roberta gave to members, explaining what other Community Boards in Manhattan do, with respect to secondary street names. CB's 1,2,3 have guidelines. CB's 4,5,6 don't do secondary street naming. A discussion ensued about whether CB7 should have guidelines or not. Ken asked if we wanted to do secondary street naming at all. Miki said she thought the secondary names gave the area character, and spoke to the history of the neighborhood. Some secondary names have political connotations, and a brief discussion was held about whether those types of names were taboo. If CB7 were to have guidelines, some of the them would include: 1) petitions containing a certain number of signatures 2) support of the block association (if any) 3) connection to the location. After more discussion, the committee voted to have guidelines for secondary street naming. They will be drawn up.

Discussion of 96th St exit for southbound HHP

A discussion of the next steps to bring back the 96th St exit for southbound traffic on the Henry Hudson Pkwy took place. Present were representatives of two State elected officials - Nicole Migliore of Assemblyman Danny

O'Donnell's office, and Brennan Ward, of State Senator Marisol Alcantara's office. Both representatives said that a short history of the changes to the approaches & exits to the HHP would be helpful, as well as CB7's position on restoring the 96th St exit. We will put together a fact sheet with history, as well as our resolution on restoring the exit and get this to both representatives. Nicole also said we should probably get city DOT's position on this change.

Citibike stand i/f/o 585 West End Ave entrance

Dru Carey, of the 585 tenants group spoke about where she posted the notices about the possible move of the Citibike rack from the west side of West End Ave to the east side of the Avenue. After a discussion of the issue (for the third time), the committee decided to schedule a meeting prior to the September full board meeting to issue a final decision, pending notification to Congregation B'nai Jeshurun.

New Business

David Zelman brought up the issue of the parking signs in front of Manhattan Day School, as well as the large number of construction containers in the neighborhood. He also mentioned that worker's cars for the Hotel Ascot are parked on West 76th St, west of Broadway.

Richard Barr mentioned that many streets are dug up on the West Side, largely due to Con Ed gas line work. He said permitting for so many streets dug up at once should be regulated.

PRESERVATION COMMITTEE

Jay Adolph and Gabrielle Palitz, Co-Chairpersons

July 13, 2017

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

Non-Committee Board Members: Natasha Kazmi

1. 124 West 88th St (Col's and A'dam Aves).

Application to Landmarks Preservation Commission for a new front stair; enlargement of rear façade openings with new windows and doors; installation of mechanical equipment, roof hatch and skylights on the roof.

Presented by: Will McLoughlin of Oliver Freundlich Architects

Work includes: masonry cleaning, repair and repointing new windows with new operations in existing fenestrations at first and second floors, direct replacement of third floor fenestration And an enlarged opening for new fenestration at basement level. Windows will match the existing. LPC has requested simulated muntins at Parlor floor to reference existing. Third floor casement windows will be replaced with new. Masonry will be cleaned, repaired and repointed. The primary entrance at the basement will be realigned to be in line with existing fenestration above. Owner proposes a new entryway with new stair from street, planting zones, concealed rubbish and bluestone pavers.

The roof will have a new guard railing, a new hatch, new skylights and mechanicals none of which are visible from the street

Rear façade will have new fenestration on all levels. The white painted brick will be repaired and repainted. A new stair will be installed with storage underneath it. Wood siding encloses storage space. Stairs are open and run along the party wall. The windows will be realigned and enlarged.

Community discussion: Adrian Weindling, a neighbor pointed out other houses which used bluestone on the block in front areaways.

Committee: Peter concerned about the height of the roof railings and stairs. Asked if they are to code. Applicant will check.

Louisa: Approves but not happy with the stairs at rear yard. Wants top floor windows to remain one over one

Mark: Asked applicant to rethink the rear yard stairs and top floor windows

Gabby: Disagrees. Thinks rear now looks like a properly composed façade

Miki: Agrees with Gabby and states the stairs are the choice of the owner and as such should be placed as they wish.

Resolution to approve: 4-1-0-0 non committee member 1-0-0-0

2. 72 West 69th Street (CPW -Col's) Application to the Landmarks Commission for a handicapped accessible lift and metal platform to provide access to a new Physical Culture establishment.

Presented by Guy Cohn Architect

This is for a new gym to be opening in the old Telepan Restaurant space. This is a black metal and glass structure built to ADA code. Besides the lift itself there will be a platform of black diamond plate metal and new stairs to access the door of the establishment.

After some discussion as to placement of the lift. The committee agreed there was no other place for it than the one presented

Resolution to approve: 5-0-0-0 Non-committee board member 1-0-0-0