

BUSINESS & CONSUMER ISSUES COMMITTEE MEETING MINUTES

Michele Parker and Christian Cordova, Co-Chairpersons

May 9, 2018

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

Present: Christian Cordova, Michele Parker, Linda Alexander, Joshua T. Cohen, Doug Kleiman, Seema Reddy and Andrew Rigie. **Board Member:** Andrew Albert. **Absent:** Paul Fischer.

The following matters were discussed:

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

1. 108 West 74th Street (Amsterdam Avenue) B&H Restaurant LLC, d/b/a Leyla.

Presenting for the Applicant: Attorney Donald Bernstein initially presented on behalf of applicant Huseyn Ozer, principal.

- Mr. Bernstein pointed out Mr. Ozer's position as an experienced operator. He added information about the restaurant's small size with only 48 seats, its proximity to Columbus Avenue and other mid-block precedents. Promised last seating between 10- and 11pm. In addition, he said the sidewalk café will only have 12 seats. Mr. Ozer explained his methods of vendor deliveries and garbage pick-up.
- Speaking on behalf of the applicant was architect John Ellis who discussed the below-grade HVAC system. He said that LPC would not allow the restaurant to enclose the backyard.
- Mr. Bernstein, after listening to the community comments, suggested the applicant rescind his application for a backyard space.

CB7 Comments:

- Andrew Rigie inquired about back yard usage.
- Michele inquired about reducing the hours. Mr. Bernstein concurred the restaurant will close at 10pm.

Community Comments:

- Joyce Cohen, 124 West 73rd Street resident in the applicant's building, is concerned that people will stand out on the street screaming and trucks will be "throbbing." Is concerned with added noise.
- Colleen Farrell, 105 West 73rd Street in which there are 38 apartments. Did not previously know about the SLA application. Feels there are open areas in which she anticipates trash will be stored. She also complained about the HVAC noise level.
- Adam Sokolow, 124 West 73rd Street, has lived in the building for 30 years and is concerned about the noise.
- Thomas Kelly, 102 West 73rd Street, loves the neighborhood, works odd hours and his three windows overlooking the space designated for the restaurant. He feels it would ruin his apartment experience and would be a significant change in the neighborhood.
- Pat Still, 122 West 74th Street for 40 years. She says she was misinformed about the garden and was led to believe it would be enclosed.
- Erica Herlich, 105 West 73rd Street, bought the apartment because of the backyard and spoke to the owner of 108 West 74th Street to review his backyard. She is an architect with three young children and does not want the restaurant.
- Chris Whitley, 110 West 74th Street, leaves adjacent to the proposed area. His wife is a nurse and works at night. He is concerned the noise would impair her sleeping. He would support a fully enclosed patio.

- Pam Gheysen, 105 West 73rd Street board member. She does not face the building and cited Arte Café as disruptive with screaming people and she believes this applicant's new restaurant mirror the same noise level. She asked the applicant how he apprised the community through postings.
- Adrienne Angel, 115 West 73rd Street, has four rooms in the back overlooking the proposed restaurant. She feels she will be impacted by the noise. She thinks the restaurant will exacerbate the problem of the backyard noise and it is "unfair."
- Kali Theofanous, 106 West 74th Street, addressed the applicants' landlord's tenants who just last weekend were making too much noise. She said a fire was started in the applicant's space, which was refuted because it was from another floor and the fire department broke their door down. Her husband, Paul Theofanous, said he feels the applicant was disingenuous. He added previous use was as a dance school and milliner, but never a restaurant.

*After due deliberation the resolution to **disapprove** unless certain stipulations are agreed upon:*

- *Reduced hours of operation with last seating 10pm weekdays; 11pm weekends;*
- *Applicant agrees to amend the application so that there is no use of backyard outdoor space for any purpose*

VOTE: 5-0-0-1; 1-0-0-0

2. **417 Amsterdam Avenue** (West 80th Street) BL 417 Amsterdam LLC d/b/a Bluestone Lane.

Applicant requested to be hold over to next month.

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

VOTE: 6-0-0-0

3. **153-155 Amsterdam Avenue** (aka 148 West 67th Street) 153 Amsterdam Rest., LLC d/b/a Damiana.

Presenting for the Applicant: Charles Linn, attorney, with owners Julian Medina and Louis Skibar.

- Mr. Medina implemented three layers of soundproofing. Previously a deli and now a seafood-focused Mexican restaurant, owner of Taloache. The restaurant will have 10 tables, 40 seats and 9-seat bar. There will be delivery with their own group and confirmed there will be vests with signage and no motorized bikes. Presented list of places where signage was posted. Restaurant plans to open in three months. There will be no live music.

CB7 Comments:

- Josh Cohen pointed out that sheetrock soundproofing is not efficient.

Community Comments:

- Elizabeth Bejarano, 148 West 67th Street, lives above the restaurant. She wanted to know who was responsible for the construction and said the permits had expired the previous years. For over a year she has suffered through the construction because of the noise. She is greatly concerned. Her son works evenings; she works during the day. She said the sheetrock does not mitigate the noise at all. She asked the owners to provide their methods of soundproofing the board.

After due deliberation the resolution to be presented at full board and Committee will meet with applicant prior to full board:

4. **680 Columbus Avenue** (West 93rd Street) New Amsterdam Burger and Bar LLC with patio/deck

Presenting for the Applicant:

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- Marek Schwedt, representative for Yosef Charlap and Renee Charlap, owners. They are moving from original restaurant and will open a Kosher fast-casual restaurant with 60 seats inside and 40 seats outside. There will be bicycle deliveries and will use a service, but they do have an alcove on the side for bikes.

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

VOTE: 6-0-0-0

5. 886 Amsterdam Avenue (West 103rd Street) Nuoro LLC d/b/a Arco Cafe.

Presenting for the Applicant:

- Vincent Barile, expeditor, and Daniele Fiori, owner presenting. It is a transfer of ownership requires new application. Closing at 10:30pm Monday through Saturday. Sunday nights they close at 10pm. 24 tables, 56 seats; bar with 9 stools.

Community Comments:

- Peter Arndsten said they are great operators.

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

VOTE: 6-0-0-0

Unenclosed Sidewalk Café Renewals:

6. 450 Amsterdam Avenue (West 81st – 82nd Streets.) Renewal application #1341925-DCA to the Department of Consumer Affairs by D & D Thai Restaurant, Corp. d/b/a Land Thai Kitchen, for a four-year consent to operate an unenclosed sidewalk café with 5 tables and 11 seats.

Presenting for the Applicant:

- Vincent Barile, expeditor

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

VOTE: 6-0-0-0

7. 650 Amsterdam Avenue (West 92nd Street.) Renewal application #1352255-DCA to the Department of Consumer Affairs by Ava Olivia, Corp. d/b/a Edgar's Café, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.

Presenting for the Applicant:

- Benny Benideto, co-owner.
- Said he didn't receive poster for posting but will call the office to send them.
- Joedibesq@gmail will receive the posting forms.
- He agreed to put out the postings.

CB7 Comments:

- We have to disapprove unless posted by Full Board.

*After due deliberation the resolution to **disapprove** was adopted unless proof of postings are presented at Full Board, June 5.*

VOTE: 6-0-0-0

8. **2518 Broadway** (West 94th Street.) Renewal application #1353701-DCA to the Department of Consumer Affairs by 94 Corner Café Corp. d/b/a 94 Corner Cafe, for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 16 seats.

Presenting for the Applicant:

- Alexander Zarwi, owner

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

VOTE: 6-0-0-0

Enclosed Sidewalk Café Renewals:

9. **200 West 60th Street** (Amsterdam Avenue.) Renewal application ULURP#N170480ECM/#098435-DCA to the Department of Consumer Affairs by Heledona, Inc. d/b/a Olympic Flame Diner, for a four-year consent to operate an enclosed sidewalk café with 11 tables and 32 seats.

Presenting for the Applicant:

- Jorge Pacheco, authorized representative, presented. Posted late but now posted and presented list. He said the owner is going to dismantle the enclosed sidewalk café. He is not renewing, is removing the enclosed sidewalk café in May 2018.

CB7 Comments:

- Christian Cordova suggested we still should vote on the original application.

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

VOTE: 6-0-0-0

10. **368 Columbus Avenue** (West 77th – 78th Streets.) Renewal application ULURP#N170486ECM/#1392090-DCA to the Department of Consumer Affairs by IXEL Corp. d/b/a Café Frida, for a four-year consent to operate an enclosed sidewalk café with 10 tables and 28 seats.

Presenting for the Applicant:

- Vincent Barile

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

VOTE: 6-0-0-0

Modification Sidewalk Café:

11. **1018 Amsterdam Avenue** (110th Street.) Modified application #2050848-DCA to the Department of Consumer Affairs by Madrel, LLC d/b/a Marlow Bistro, for a four-year consent to operate an unenclosed sidewalk café with 30 tables and 58 seats. Added more seats but within same footprint.

Presenting for the Applicant:

- Donald Bernstein, owner; and Elaina Ristovski, owner

*After due deliberation the resolution to **approve** was adopted and applicants will present at Full Board*

VOTE: 6-0-0-0

New Unenclosed Sidewalk Cafés:

12. **247 Columbus Avenue** (West 71st – 72nd Streets.) New application #6375-2018-ASWC to the Department of Consumer Affairs by Joe & The Juice New York, LLC d/b/a Joe & The Juice, for a four-year consent to operate an unenclosed sidewalk café with 1 table and 3 seats.

*After due deliberation the resolution to **disapprove** was adopted because applicant did not appear*
VOTE: 6-0-0-0

13. **343 Amsterdam Avenue** (West 76th – 77th Streets.) New application #5121-2018-ASWC to the Department of Consumer Affairs by Joe & The Juice New York, LLC d/b/a Joe & The Juice for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 10 seats.

*After due deliberation the resolution to **disapprove** was adopted because applicant did not appear*

14. **VOTE: 6-0-0-0774 Amsterdam Avenue** (West 98th Street.) New application #9089-2018-ASWC to the Department of Consumer Affairs by Rojita Management, LLC d/b/a To be Determined, for a four-year consent to operate an unenclosed sidewalk café with 7 tables and 22 seats.

Presenting for the Applicant:

- Daniel Zerkowitz, owner. He has operated 22 fast casual restaurants in the past. He says his restaurant has improved the street presence.

CB7 Comments:

- Christian Cordova said the postings needed to be more prominent.

*After due deliberation the resolution to **approve** was adopted*
VOTE: 6-0-0-0

15. **1012 Amsterdam Avenue** (West 109th – 110th Streets.) New application #9039-2018-ASWC to the Department of Consumer Affairs by 1016 Amsterdam Ave, LLC d/b/a Infamous Chicken, for a four-year consent to operate an unenclosed sidewalk café with 11 tables and 22 seats.

Presenting for the Applicant:

- Donald Bernstein, owner; and Elaina Ristovski, owner. Mr. Bernstein spoke to the office because they were never informed by the board office.

CB7 Comments:

- Floorplan conforms with CB7 requirements

*After due deliberation the resolution to **approve** was adopted*
VOTE: 6-0-0-0

16. New Business: Jeff Bank is going to ask for an enclosed sidewalk café at Carmine's. He has had the restaurant for 30 years. Because of the wage increase he has a choice to cut staff or hours if he doesn't increase the footprint and so would like an enclosed sidewalk café on a 24.5-foot wide street.

The meeting ended at 10:00 pm.

Communications Committee

Linda Alexander and Su Robotti, Co-Chairpersons

May 2, 2018

Committee Members Attending: Linda Alexander, Suzanne Robotti

Non-Committee Members Attending: Roberta Semer, Nicholas Hara (public)

The meeting was called to order at 5:30 p.m.

1. Twitter Chat Topic: Mother's Day on the Upper West Side
 - a. Responses less robust than April's Lighthouse topic.
2. June 6 Twitter Chat subject is "Honor thy Father" for Father's Day
 - a. Communications and CB7 will send out emails to invite elected officials, BIDs, etc.
 - b. Twitter handle is #dadsdayuws
 - c. Communications will direct tweet elected officials
3. Communications Committee set up digital sign-in page for the public at committee meetings:
 - a. Signees will automatically receive CB7 newsletters and updates.
4. Following up on resolution writing guidelines from Borough Board handbook.
5. Continued discussion on which committees will use Facebook Live

Meeting was adjourned at 7:30 p.m.

FULL BOARD MEETING MINUTES

Roberta Semer, Chair

May 1, 2018

Community Board 7/Manhattan's Full Board met on Tuesday, May 1, 2018, at Mount Sinai West, 100 Tenth Avenue in the District. Chair Roberta Semer called the meeting to order at 6:37 pm after the Secretary confirmed the existence of a quorum.

The following matters were discussed and actions taken:

Minutes from the March 6, 2018 and April 3, 2018, Full Board meeting were **approved**.

March VOTE: 24-0-4-0

April VOTE: 23-0-5-0

Chair's Report: Roberta Semer:

1. Thank you to George Zeppenfeldt-Cestero for his wonderful service for the last 20 years on the Community Board.
2. Welcome new members. Jennifer Markas, Jennifer Nitsky, Tinia Pina, Cindy Cardinal, Lolita Ferrin and Doug Kleiman
3. NYCHA Taskforce Meeting in April was a success. It was held in Manhattanville and discussed Sanitation and Garage.
4. NYCHA Taskforce Meeting in May is on Safety and Security and will be held at Frederick Douglass Center.
5. June 9th is Family Day with Amsterdam-Columbus BID- CB7 will have a table there.
6. May 15th is Annual Welcome New Members Potluck at the Community Board Office. Micki will co-chair.
7. July 3rd is the next Board Meeting and we would like to move it to the following week considering that July 4th is the next day. Board approves the moving of the board meeting to the following week. We will work it out with Transportation Committee.
8. Councilmembers Helen Rosenthal's forum called Ask the Agencies was held and it was quite good. The discussion was around M4 Bus, homelessness, e-bikes, and more specific questions.

Community Session:

9. Mel Wymore:
 - a. Announce he is resigning from CB7. He has been a member of the board for the last 23 years and together we have shaped the Upper Westside, which is a treasure in the middle of NYC.
10. Peter Arndtsen: Columbus Amsterdam BID:
 - a. Jane's Walks by Municipal Arts Society.
 - b. Wednesday on May 9th- historical walk at Hostel.
 - c. Moody Pottery- 35 years in existence- event on 109 and Amsterdam on June 1.
11. Fabrice Armand: Department of Correction:
 - a. Upcoming Correction Officer Exam Dates:
 - i. Exam No. 8834 May 1-May 31, 2018
 - ii. Exam No. 8338 June 1-30, 2018
 - b. Now Hiring: Non-Uniform Career Opportunities
 - i. nyc.gov/jointheboldest for more information.
12. Jennifer Zarr: St. Agnes Library:
 - a. Budget season is upon us. Tony Morrison wrote a piece that is posted on the website. We are requesting additional 16 million and 60 million in capital. This money will strengthen services, allow

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for libraries to be research centers. Please sign letters of support at the libraries. Tech upgrade for three UWS libraries.

- b. Question: M. Diller: what does the 16 million include?
 - i. Answer: Professional staff, filling all the vacancies.
 - ii.

13. Nina Psonchak: Lincoln Square BID:

- a. Annual Meeting on Thursday May 24 (8:15am) at Fordum Law School (150 West 62nd Street, 2nd Floor).

14. Chris Giordano: 65 + 66 Street Block Association:

- a. Thank the chair and transportation committee for the walk around the neighborhood and for coordination with Police in regards to the crime at Duane Reade.

15. Nicole Paynter;; Columbus Ave BID:

- a. Taste of UWS May 18-19. Enter CB7friends to get 20% off in the promotion box online.
- Captain Malin from the 20th Precinct. timothymalin@nypd.org
 - Happy to be working with us and in this community.
 - Community Policing is coming to UWS. July- neighborhood policing three sects in each station. More cops and more cars out there. Decentralize the way NYPD works and allow for cops to have more control and decision making.
 - Body Cameras- training and equipment to ensure that this works. Cops want them too- protect the public and cops. Lots of talent at the station.
 - Comments:
 - S. Fine: Thank you for helping. Certification Team came to roll calls. Had a chance to address the officers and how we can partner.
 - S. Schwartz: Saw the presentation on Duane Reade and its issues with shoplifting. What is the follow up?

Answer: An analysis on the crime in 20th shows that it is a safe area in the city. Thefts is our highest crime. Number one driver is the 6 Duane Reade locations in our precinct. Only 3% of the people who stole from Duane Reade's live in the neighborhood. We have sat with Duane Reade and they spoke about their willingness to lose on thefts. We stated that the people who are stealing from them are people with criminal backgrounds and are reselling the products they are stealing. We discussed that they put in protocols like they have in other areas of the city to ensure thefts decrease. They were open to our suggestions and we will continue to update you on the progress with them.

- M. Fiegel: What about the Duane Reads in the 24th Precinct?

Answer: The 19th and 24th were at the meeting with me. Goal is to work together and address the issue as partners.

- A. Robbins: Work together thrilled to have you back. Great asset to the community.
- B. Lawton: Are the Duane Reade stores 24 hours?

Answer: Crimes during daytime hours. Mostly ones by subway lines. Give them uniformed security guards. Same resources as dedicated to other areas.

Manhattan Borough President's Report, Diana Howard:

16. Welcome to new members.

17. May 22nd: East Side Town Hall on Charter Revision. Location to be announced.

18. Helen Rosenthal's office is continuing their initiative of fresh food for seniors.

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19. Continue to work with the City and DOE around PS 165's construction.

Reports by Elected Officials:

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

- Welcome to new members. Excited for what you have to offer to the board and community.
- Starting June 27th, Central Park's loop drive will be entirely and permanently closed to cars. This is a huge victory for every New Yorker and our environment. Thank you to all the advocates who fought to ensure that the parks are for people.
- New Commanding Officer at the 20th Precinct. We welcome him and believe that he is amazing. He has already won the community over.
- Participatory Budgeting- Voting went up by 500 votes from last year. The winners were: Technology Upgrades for 3 UWS Libraries; PS 166 Technology Upgrades; Tree Guards and Neighborhood Beautification; and Window Replacement at Engine Company 74 Firehouse.
- Mobile Care Clinic: No cost digital mammograms and clinical breast exams. Hosted by Council Member Helen Rosenthal and Goddard Riverside Community Center. Friday, May 18 at 10am-4:30pm. Location: 593 Columbus Ave. For an appointment call: 212-873-0282

Comments:

- S.Schwartz: In terms of the participatory budgeting, at times the money is allocated for the project but then the project takes time to be completed.

Answer: The money stays locked in place regardless of the time frame to complete the project. It is not a perfect system but the projects do get done. Example of this is the Bike Path on the Greenway. There were several issues with the Parks Department stating they needed more money to complete the project. We have settled on a proposal and the work should be done by the end of summer.

- R. Robbins: With 2/3 of our Middle Schools being low performing, what are your thoughts about the new Middle School Admission Process being proposed?

Answer: The plan is to diversify our Middle Schools. Our Middle Schools are quite segregated in our district. The Superintendent has created two possible proposals: 1) blind admission 2) require that every school have 25% as lower scoring test in 4th grade. Support 2nd plan. Controlled choice option working.

- J. Adolf: What happened to the Sidewalk Shed Law?

Answer: It did not get passed in the first term. Not sure if it will be re-introduced. Advice for now is to call 311 and give them address which will hopefully speed up the time that the Department of Buildings comes to inspect.

- A. Albert: There is a proposal to bring parking permits to the neighborhood. Does this require State approval and when do you think it will advance? When will it advance?

Answer: We are creating Town Halls to hear what the community thinks.

- Jeanette- What is happening on 96th Street with the pedestrian and car traffic?

Answer: There are still signal problems on 96th and West End Ave. CB7 meet with Commission and the following issues were discussed: bump out on SW corner (someone will have to commit to maintaining the bump out) and median west of WEA they will put cones to make turns bigger.

- Catherine: I support the 25% plan for Middle School Admissions, when will decision be made?

Answer: End of June the decision will be made. Parents were supportive of plan.

- L. Craddock: We continue to have issues with rats in the neighborhood. There seems to be an infestation on 82nd and West End Ave.

Answer: Complaint to 311 and go online. One part should go to department of health. Builders should do more for rat abatement. Call the office with the complaint number and they will follow up.

- M Parker: Why is George not on the Community Board anymore?

Answer: George has been part of the board for many years... Unfortunately, there were several issues that arose that were addressed with George. He did not follow the rules, he had a business card that several board Chairs

told him not to have, and the decision was made to not extend a position to him this time around. We wish him luck and thank him for his contributions.

Reports by Elected Officials' Representatives:

Laurie Hardjocuirgo, Office of Council Speaker Corey Johnson (3rd District):

- Extension of Rent Stabilization Laws has been passed.
- Participatory Budgets kicked off in April- May 20th the citywide initiatives will be announced on the High Line.

Aldo Ponterosso, Office of Assembly Member Linda Rosenthal (67th District):

- Thank you for all who came out for Transit Meeting- looking to reevaluate plans
- Rally and March to Make Subway Stations Accessible. Monday, May 7 at 10:00am. 72nd Street and Central park West
- Child Victim Act passes again.

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

- May Monthly Report- Calendar for the month of May is located in the back.
- Mobile Office Hours on Thursdays at a local libraries or senior centers
- Next Mobile Office will be held on May 3 at St. Agnes from 3-6pm

Brennan Ward, Office of State Senator Marisol Alcantara (31st District):

- May 3rd: Housing Workshop 6-8pm
- Mother's Day Celebration May 11 at IS 218

Elie Peltz, Office of U.S. House Member Jerrold Nadler (10th District):

- Music Modernization Act:
 - Significantly reforms the process for licensing mechanical reproduction royalties.

- Number of provisions to ensure those songwriters and other music creators receive fair market value for their work.
- Introduced the Special Counsel Independence and Integrity Act, a companion bill to the bipartisan Senate legislation which would limit President Trump's ability to fire Special Counsel Robert Mueller and interfere in the Russian election meddling investigation.

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

- Thank you and welcome to new members.
- Released a report on the bus system. Bus system is the slowest if any city in the nation. They travel, on average, 7.4 miles per hour. Forty-three percent of their time is spent at red lights and bus stops, and on some particularly slow routes, most New Yorkers could probably walk quicker.

Business Session:

TRANSPORTATION COMMITTEE

Andrew Albert and Howard Yaruss, Co-Chairpersons

Resolutions Re:

1. Approval of Guidelines for Secondary Street Naming.

Presentation by H. Yaruss:

- Firm requirement for 100 signatures.

CB7 Comments:

- K. Neuwelt: How does one vote if you don't believe in secondary street naming?
 - Vote against.
- K. Coughlin: Confusing distracting for drivers dangerous because of that. Playing favorites because it is first come first serve. Review every 10 years but has not happened. Puts committee in awkward spot. Alternative a Hall of Fame on CB 7 website. Use same process and guidelines. World famous not community.
- A. Albert: Many long discussions on this issue. We have recognized many UWS over the years. Not easy to get passed. Not confusing. Should have a list of them. Refined the guidelines.
- R. Robbins: Always vote against them. Distraction to drivers. Bad way to celebrate these people and does not have information. More important things to discuss than secondary street names.
- M. Fiegel: in Favor- a few ways to say thank you to people who did something special for the community.
- P. Cowley: Support- put sign on lamppost and not building.
- A. Rigie: Guidelines do not just go to committee.

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

VOTE: 33-6-2-0

2. **Secondary Street Naming** request in honor of **Corine Pettey** by Paul Fischer at West 101st Street on the N/W/C of Central Park West.

Presentation by Howard:

- Proposed Paul Fisher

CB7 Comments:

- S. Fine: I worked with her. Dynamic principal and a community person.
- Jeanette: Say a few words about person.
 - Principal Civil Rights Activist- teacher in every sense of the word.

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

VOTE: 33-5-1-0

3. Congestion Pricing.

Presentation by Howard:

- Fee has been imposed on taxi and ride sharing. Step in wrong direction- ask state to add fees to private vehicles that and support of true congestion pricing.
- Could mean \$3.00 just to step into cab.

CB7 Comments:

- K. Neuwelt- silent on geographic areas- Shared taxis is limited to geographic areas. How would you enforce fees on private vehicles?
 - Answer: Readers will be installed to collect money.
- J. Adolf- fees will be passed onto the passengers. Opposite to what the philosophy of what we want.
 - Answer: We can oppose the fees but committee opinion was that we need this money for the MTA and we cannot forgo the money to MTA. This will be the first step to moving to congestion pricing.
- M. Parker: Private cars have to have the same device to collect fees?
 - Answer: The license plates will be read and fees will be collected by mail or EZpass.
- S. Brown: Terrible proposal and a horrible idea. Concerned that fees will be hurting the wrong people.

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

VOTE: 32-2-7-0

HOUSING COMMITTEE

Jeannette Rausch and Melissa Rosenberg, Co-Chairpersons

Resolutions Re:

4. NYS A741 - Preferential Rent.

Presentation by Susan Schwartz:

- Reclaiming affordable housing.
- Living in an apartment you would be entitled to keep your preferential rent at the allowed increase rate.
- Support a Bill that would be helping renters.

CB7 Comments:

- M. Fiegel: Rent is owned by one landlord- can a new owner change the rent?
 - Answer: Rent stabilization stays with the apartment.

- J. Adolf: Concept of being 250,000 with preferential rent seems counterintuitive to our landlord tenant relationship.
 - Answer: Preferential is when a neighborhood is not up and coming yet- a way to make sure that the apartment rented. Illegally de-regulated- preferential rent to keep you quiet to make it through the four years. Take away the preferential situation.
- L. Alexander: Heard about preferential rent- had nothing to do with rent stabilization- matrix came from DHCR.
- H/ Yaruss: How many are in our CB? ¾ rents below the preferential rent because the market does not support the legal rent.
 - Answer: no particular answer.

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

VOTE: 31-0-7-0

5. NYC Intro 601 - Fair Housing Plan.

Presentation by Melissa:

- April makes 50th Anniversary of Fair Housing. Carson delayed this for five years. Formalize an informal process

CB7 Comments:

- B. Lawton- What was the vote in the committee:
Answer: 5-0-0 pass.

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

VOTE: 37-0-2-0

PRESERVATION COMMITTEE

Jay Adolf and Gabrielle Palitz, Co-Chairpersons

Resolutions Re:

6. **104 West 76th Street, Apt #5** (Columbus Avenue.) Application to the Landmarks Preservation Commission for a rooftop addition and enlargement of two-rear-facing windows.

Presentation by Gabrielle Palitz:

- Voted it was reasonably appropriate.

*After deliberation, the resolution to **approve the rooftop addition and the enlargement of two rear-facing windows** was adopted.*

VOTE: 35-1-2-0

7. **47 West 94th Street** (Columbus Avenue – Central Park West.) Application to the Landmarks Preservation Commission for a set-back rooftop addition and extension of existing chimney, an expansion of the existing rear extension, an excavation to increase height of the existing cellar level, façade masonry restoration and window replacement.

Presentation by Gabrielle Palitz:

- Reasonably appropriate- More glass in the rear addition- recommendation only

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CB7 Comments:

- A. Albert- Proper names in resolution- Ans Statement of fact.

*After deliberation, the resolution to **approve the proposed rooftop addition, chimney extension, expanded rear yard addition, cellar excavation, and front façade restoration work including replacement windows** was adopted.*

VOTE: 37-1-2-0

BUSINESS & CONSUMER ISSUES COMMITTEE

Michele Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

Resolutions Re:

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

- **491 Columbus Avenue** (West 80th Street) Onur Oktas or Corp to be formed.
- **447 Amsterdam Avenue** (West 83rd Street) Gazala's 1, Inc., d/b/a Gazala's.
- **155 West 62nd Street** (Damrosch Park) Restaurant Services I LLC and Lincoln Center for the Performing Arts Inc.

Presentation by Michele Parker:.

CB7 Comments:

- M. Diller: Does Lincoln Center plan to serve when events are not going on? Ans. Only events and seasonal.
- K. Neuwelt: Lincoln Center- expensive in a public park- pricing is expensive Ans: open to public without the obligation to drink.

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

VOTE: 39-0-1-0

9. 108 West 74th Street (Columbus Avenue) B&H Restaurant LLC, d/b/a To be Determined.

Presentation by Michele Parker:

- Disapproval- applicant is a nice guy has two restaurants in neighborhood. Residential to commercial. Backyard- see handout.

CB7 Comments:

- G. Palitz- It's a mixed zoning location. Always permitted to be used as commercial. Impact on the donut- use of the backyard- is there a way to curtail that portion. Don't use the backyard- and then they are allowed to open restaurant.
- A. Rigie: use of restaurant was the concern. Use of right is not of concern. Whether the paperwork was filed with the city- was it approved.
- R. Robbins: we should have a policy about restaurants in donuts.
- Mark Diller: they did not have a certification of occupancy for backyard- beer garden is situated on someone else's backyard.
 - Ans: we can't have a policy- come to us as the last stop before SLA.
- J. Adolf: Rough idea of the restaurant space backyard vs. indoor
 - Ans: 1/3 is backyard.

- A. Albert: Applicant is a community minded guy. Agreed to keep garbage in his basement. We should help him with a new proposal. Was the situation explained by the landlord previous?
 - Ans. Who knows? Landlord said ducks are in place.
- D. Klein- client of mine- landlord built space for his own space- and got ill and went to find someone to open in the space.
- M. Fiegel- let's vote and wait for him to come back.
- M. Diller- modified application to come back.

Paul Theofanous: Community Member 106 West 74th Street: Have a chance to speak again if this issue goes before the committee again. There was no notice placed to state it was before the committee. Concern is noise and quality of life.

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

VOTE: 35-0-3-1

10. Unenclosed Sidewalk Café Renewals:

- **187 Columbus Avenue** (West 68th – 69th Streets.) Renewal application #2029490-DCA to the Department of Consumer Affairs by JAGR 187 Columbus LLC d/b/a Joe Coffee, for a four-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats.
- **426 Amsterdam Avenue** (West 80th – 81st Streets.) Renewal application #1428051-DCA to the Department of Consumer Affairs by Luke's Lobster III, LLC d/b/a Luke's Lobster for a four-year consent to operate an unenclosed sidewalk café with 3 tables and 6 seats.
- **433 Amsterdam Avenue** (West 81st Street.) Renewal application #1027125-DCA to the Department of Consumer Affairs by Haru Amsterdam Avenue, Corp. d/b/a Haru for a four-year consent to operate an unenclosed sidewalk café with 7 tables and 22 seats.
- **477 Amsterdam Avenue** (West 83rd Street.) Renewal application #0883095-DCA to the Department of Consumer Affairs by 83/Amsterdam Restaurant, Corp. d/b/a Hi Life Bar & Grill for a four-year consent to operate an unenclosed sidewalk café with 9 tables and 26 seats.

Presentation by Michele Parker.

CB7 Comments:

- M. Diller- unenclosed on Amsterdam Hi-Life.
- S. Schwartz: Joe's is by the curb. Letter to the café seats from Penny.

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

VOTE: 39-0-1-0

11. New Unenclosed Sidewalk Cafés:

- **158A West 72nd Street** (Broadway.) New application #5225-2018-ASWC to the Department of Consumer Affairs by Ephesus Corp., d/b/a Seven Hills Mediterranean Grill, for a four-year consent to operate an unenclosed sidewalk café with 5 tables and 10 seats.
- **267 Columbus Avenue** (West 72nd – 73rd Streets.) New application #5038-2018-ASWC to the Department of Consumer Affairs by TAP NYC, LLC, d/b/a TAP NYC, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.

- **2460 Broadway** (West 91st Street.) New application #5941-2018-ASWC to the Department of Consumer Affairs by SweetGreen New York, LLC, d/b/a SweetGreen 91st & Broadway for a four-year consent to operate an unenclosed sidewalk café with 12 tables and 28 seats.

Presentation by Michele Parker:

- Sweetgreens- clean the outside every twenty minutes.

CB7 Comments:

- Ethel: community support it- Rep from Sweet greens was pleasing to everyone.

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

VOTE: 38-0-1-0

12. **343 Amsterdam Avenue** (West 76th-77th Street.) New application #5121-2018-ASWC to the Department of Consumer Affairs by Joe & The Juice New York, LLC d/b/a Joe & The Juice for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 10 seats.

Presentation by Michele Parker

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

VOTE: 34-0-1-0

The meeting was **adjourned** at 8:51 pm.

Present: Roberta Semer, Jay Adolf, Andrew Albert, Linda Alexander, Isaac Booker, Steven Brown, Elizabeth Caputo, Cindy Cardinal, Joshua Cohen, Christian Cordova, Kenneth Coughlin, Page Cowley, Louisa Craddock, Catherine DeLazzer, Mark Diller, Miki F. Fiegel, Sheldon Fine, Paul Fischer, Amy Hyman, Madelyn Innocent, Audrey Isaacs, Natasha Kazmi, Doug Kleiman, Blanche E. Lawton, Jennifer Markas, Ira Mitchneck, Klari Neuwelt, Gabrielle Palitz, Michele Parker, Tinia Pina, Jeannette Rausch, Andrew Rigie, Richard Robbins, Suzanne Robotti, Madge Rosenberg, Melissa Rosenberg, Katie Rosman, Peter Samton, Susan Schwartz, Ethel Sheffer, Polly Spain, Howard Yaruss.

Absent: Richard Asche, Tina Branham, Robert Espier, Lolita Ferrin, Lillian Moore, Jennifer Nitsky, Seema Reddy.

HEALTH AND HUMAN SERVICES COMMITTEE MINUTES

Catherine DeLazzero and Marilyn Rosenberg, Co-Chairpersons

May 22, 2018

The meeting was called to order at 7:00 p.m. by Co- Chairpersons Catherine DeLazzero and Marilyn Rosenberg.

Present: Committee members Marilyn Rosenberg, Catherine DeLazzero, Sheldon J. Fine, Audrey Isaacs, Katie Rosman. **Absent:** Robert Espier.

The following matters were discussed:

1. Information that emerged from March meeting on mental health.

Madge Rosenberg: How can the WSFSSH* model for social services/programs be transferred elsewhere?

*West Side Federation for Senior and Supportive Housing

Sheldon Fine: WSFSSH has its own Social Service department that provides case work and support to every resident in every building. There are approximately 2000 residents served. The social workers have Masters degrees and experience with the populations WSFSSH serves. They also participate in ongoing professional development.

It would be great if all organizations could provide this, but most are non-residential service organizations. Other agencies that are servicing West Side seniors include: JASA's Club 76 Senior Center, DOROT, The New Jewish Home and Service Program for Older People (SPOP).

Fern Fleckman: To provide history, the way services are provided follows funding. Programs can't be mimicked unless funding is there. Agencies do share models but it is dependent on context.

Catherine DeLazzero: Is there anything we should follow up from the last meeting [on mental health]?

Sheldon Fine: We should post a description of programs available on the CB7 website. Fern: There are search engines online (examples: HITE and NYC.Well.City of NY.US).

2. Plan for HHS panels

Catherine: In terms of panels for next year, a suggestion is to focus on fewer topics (as well as more specific and actionable topics and questions). One meeting can function as a panel; the following meeting can serve as a discussion of next steps.

Fern Fleckman: We should focus on the needs of the community. Audrey: We could ask elected officials for information on current needs. Katie Rosman: I can research needs through 311 calls.

Catherine: Great. I'll take responsibility for the first panels: one on sexual assault (possibility police responses and reporting) and in future, maybe looking at educational and social services for children with severe disabilities (e.g., District 75 – Mickey Mantle is a D75 school). I have another idea as well. Katie, would you like to do the first with me?

Katie Rosman: Yes.

[Someone mentioned the State Office for Victims Services and a sexual assault advocate in the NYPD.]

Audrey: We need to follow up on the panel on Haitian Americans. Fern Fleckman: Let's find out what they want/need from us.

Catherine: Audrey, since you've been in communication with the panelists, will you reach out to see what they might be looking for?

Audrey: Yes.

Ideas for future/next steps:

- Researching community needs through 311 calls/complaints (Katie)
- Post artifacts from panels (e.g. PP presentations) on CB7 website (Sheldon and Madge will explore this)
- A suggestion: Publicize panels by notifying local media

HOUSING COMMITTEE MINUTES

Louisa Craddock and Melissa Rosenberg, Co-Chairpersons

May 29, 2018 6:30 PM

Present: Melissa Rosenberg, Louisa Craddock, Madelyn Innocent, Ira Mitchneck, Jeannette Rausch, and Susan Schwartz. **Chair:** Board Member: Mark Diller **On-Leave:** **Absent:** Robert Espier, Natasha Kazmi and Lillian Moore.

1. Presentation by Natasha Herrick on behalf of JustFix.nyc
 - JustFix is an app that enables tenants to document landlord harassment. Users can also sign up as housing advocates.
 - The app was developed in cooperation with the Right to Counsel Coalition.
 - The app provides linkages to tenant advocates.
2. Presentation by Professor David Wachsmuth, McGill School of Urban Planning, on the impact of Airbnb on affordable housing in New York.
 - Dr. Wachsmuth is a co-author of “The High Cost of Short Term Rentals in New York City”.
 - Airbnb activity has rapidly increased in the last 3-4 years and has now stabilized. It is most concentrated in midtown, the Lower East Side, and Williamsburg.
 - The rate of increasing postings is most significant in gentrifying neighborhoods like Bedstuy and Harlem.
 - The vast majority of income earned on Airbnb is going to extremely frequent posters offering entire home rentals. This indicates income is not typically earned by users occasionally renting an apartment or offering a spare room. Rather, units are being removed from the rental market to be offered as short term rentals.
 - Dr. Wachsmuth has also located “ghost hotels,” apartments that have been illegally subdivided into multiple units and are posted as entire apartment rentals.
 - In the Upper West Side, the postings are concentrated near Central Park West. The highest rate of increase is in Manhattan valley.
 - Policy recommendations
 - London and several other cities require self-policing by Airbnb. Users accounts are deactivated after more than 90 days of rental
 - NYC uses the Multiple Dwelling Law and the Office of Special Enforcement. This has challenges in terms of locating the postings to issue violations.
 - Countries could require all users are unique and provide an address to the government.
 - Questions from Board members and community members:
 - Can the exact location of postings be determined?
 - Dr. Wachsmuth (DW): it is possible but it would require about a week. Airbnb provides a 150 meter radius for each post. DW used probability of multiple posts to determine location of frequent posters.
 - Could NYC use a solution like London?
 - DW: NYC is complicated by the involvement of City and State government. In the UK the federal government handles enforcement. This would not be feasible.
 - What would it take for NYC to crack down further?
 - DW: NYC seems to be heading in that direction, based on the past experiences of other cities. Multiple Dwelling Law is being enforced more on frequent posters.
 - Helen Rosenthal: we could use a campaign of corporate shaming to push financial institutions/founders to require Airbnb to take action.
 - Further discussion and next steps will occur at June committee meeting.
3. Street fair planning and scheduling.

- CB 7 will have a table at the June 9th street fair at 105th and Columbus.
- Members will administer a survey about the state of NYCHA.
- The table will also have information about CB7, as well as materials from electeds and tenant advocacy groups.
- Melissa will work with Helen's office to get a one-pager about getting rental histories.

The meeting concluded at 8:45 pm.

PRESERVATION COMMITTEE MEETING MINUTES

Jay Adolf and Gabrielle Palitz, Co-Chairpersons

May 10, 2018 6:30 PM

The Preservation Committee of Community Board 7/Manhattan met on Thursday, May 10, 2018, at the District Office, 250 West 87th Street, in the District. The meeting was called to order by co-chairs Gabrielle Palitz and Jay Adolf.

Present: Jay Adolf, Gabrielle Palitz, Mark Diller, Miki Fiegel, Peter Samton and Susan Schwartz.

The following matters were discussed and actions taken.

1. 163 West 76th Street (Amsterdam Avenue.) Application to the Landmarks Preservation Commission for a rooftop and rear-yard addition.

Presentation by: Michael SJ Mazzella, architect

- Horizontal and vertical enlargement.
- Ca 1892-93.
- Most properties on the block had L additions. Proposal is to replace with a full-width rear addition at the 30' depth of the rear yard.
- Rear Yard
- The existing condition is an L extension that is 30' from the rear lot line. The neighboring building to the east has a similar L extension that extends 4' further into the rear yard.
- The existing condition includes a one-story greenhouse structure in the infill of the L extension to the west.
- There are multiple existing terraces on the rear façade, each formed by setbacks on the applicant's building above the 2nd and 3rd floors. The neighboring building to the east has a similar series of setbacks, but each extends approximately 4' further into the rear yard.
- The neighboring building to the west has a center-oriented extension with narrower voids on either side. The sides of that extension are angled from the extension back to the rear façade forming a squared-off V (_/) rather than an L.
- The proposal is to create a full-width extension at the 30' depth for the ground, parlor and 2nd floors, setting back at the 3rd floor and again at the 4th floor (with terraces above each setback).
- The proposal includes Juliet balconies with metal rails at the Parlor and 2nd floors of the full-width extension.
- The rear façade is to be clad in red common brick.
- The proposed rear windows are:
 - three pairs of French doors (with no space between each pair of doors) leading to the rear yard at the ground level;
 - three pairs of French doors with red brick courses between each pair on the Parlor, 2nd, 3rd, and 4th floors.
- Each window unit to have a lintel above composed of pre-cast concrete.
- The rear windows are to be wood on the interior with a black coating to be determined on the exterior.
- All windows on each level are to have divided light with operable transoms above (also with divided light).
- There is no work planned for the front façade other than minimal restoration to be approved at staff level. The building retains its original stoop.

- The floor area of the building will increase by approximately 1,200 square feet from the rear yard and rooftop additions.
- New windows on the front façade to be approved at staff level.
- Rooftop Addition
- The proposed addition is to be set back approximately 12' from the front façade and 10' from the rear façade at the 4th floor level.
- The proposal includes a terrace on the existing roof to each of the north and south of the proposed addition, as well as a terrace on the roof of the addition.
- Proposal is to place A/C units in the cellar rather than on the roof.
- The rooftop addition will require the extension of an existing chimney.
- The rooftop addition is to be clad in a new, modern, paper-based product. This includes the rear façade of the addition above a door leading to the rear terrace as well as surrounding and above a bank of windows at the front of the addition.
- One-half of the 4th floor of the existing structure was expanded in ca 1986 to increase the ceiling height and create clerestory windows facing south in a room at that level. The rear façade of the 1986 addition is clad in wood and must be replaced to meet Code.
- The proposal would reduce the ceiling height of the fourth floor, making the rooftop addition shorter than it might otherwise be.
- The rear façade of the 4th floor will be clad in brick and fenestrated with the same design as the floors below.
- Excavation
- The cellar is to be excavated down to bedrock (the existing load-bearing walls already rest on bedrock).
- The A/C units will be placed in the rear of the Cellar. The excavation will cut a narrow channel on the eastern edge of the rear yard to lead to grates through which exhaust from the A/C units will be vented. The conduit is aligned to avoid disturbing the roots of an existing mature tree in the rear yard.
- The project includes installation of a hydraulic elevator, which will be installed against a masonry interior wall, not a party wall.

Community Comment:

- Joyce Hackett – 160 West 77th Street – immediately to the north of the project.
- Q: how deep will the rear yard be excavated?
- A: 5' depth.
- Concern – the excavation will destroy the roots of the mature rear yard tree.
- Concern – exhaust from the A/C units vented at the rear lot line will affect children playing in the rear yard of the building to the north.
- A: The heat of the exhaust will be hardly noticeable behind a fence 30' away.
- Concern for neighbors in the donut who will lose light and air from the rooftop addition.
- Concern for excessive light emanating from the new windows. The windows are so large that the residents will be flooded with excess light.
- A: The series of setbacks will reduce the interruption of daylight.
 - also the solid parapets on each terrace will mitigate the amount of light emanating into the rear yard.
 - The mature tree sits on top of the bedrock, and the team will work to preserve the tree and its roots, while recognizing that some damage may ensue.
- Concern for the bulk that will be added to the donut.
- Amy Chartoff – President of West 76 Block Assn and 161 West 76th Co-op board.

- Concerns about mature magnolia in the back yard of 161 West 76th – the adjoining property that will be affected by the construction.
- A: Will work to save the tree. There is a retaining wall that is collapsing into the applicant's rear yard, whose repair may assist in preserving the tree.
 - the team is willing to hire an arborist to preserve both trees.
- Concern about terraces creating noise at so many levels.
 - A: new terraces will be behind the existing walls of the building to the east.
 - the terraces lead to bedrooms, so are not expected to add significantly to noise in the donut.
- Mark Lee – 160 West 77th
- Concern about the concept of visibility being discussed since the additions will be visible from neighboring buildings even if not from the street.
 - Chair: LPC measures visibility from the street. Every project is visible in some way for those who live above grade.
- Concern about use of the term “penthouse.”
 - Chair: CB7 typically uses the term “rooftop addition.”
- Concern that the proposed addition is inconsistent with the character of the historic district in terms of the scale of the windows the bulk of the surfaces and its overall effect.
- The proposal does not respect the nature of an 1892 building.
- Karen Mintz – 160 West 77
- Main concern is the loss of light for several buildings.
- Adding to a building that is already taller than its neighbors is problematic.
- Charles Moon – 160 West 77
- Concerned with the aesthetic of the rooftop addition. It is ugly, and is inconsistent with the historic fabric.
- Reducing the bulk with a railing in lieu of a solid parapet at the top of the rooftop addition would be welcome.

Committee Comment:

- Parapet on the terrace above the rooftop addition could be a clear railing to increase light and reduce the visual impact of the bulk.
- The scale of the project is significant, but it is not as intrusive as projects that routinely are approved by LPC.
- Recommend that the windows on the rear 4th floor be reduced in scale to align with the neighboring building precedent.
- LPC typically wants to retain the punched windows at the top floors.
- A: LPC Staff has not expressed concern with the window configuration, noting that 4th floor rear windows and façade are not historic.
 - LPC Staff actually only concerned about pulling the 4th floor façade out several feet.
- Should reduce the size of the top floor windows to reduce light pollution.
- Concerned by the incomplete presentation. Even the drawings are not marked or dated. No historic photos are included. The orientation of the proposed structures relative to the neighboring buildings is hard to discern because the drawings do not include those buildings.
- The parapet above the 4th floor could also be a railing to reduce the visual impact.
- Suggest that the rear-facing rooftop terrace could be reduced or cut back. Could help soften the façade for the neighbors.
- Complicated proposal that has not been effectively presented.
- Concerned about the glazing design

- Concerned by the number of terraces and the impact of those presences on the donut.
- Reducing the scale of the top floor windows on the rear façade could be achieved by eliminating the transoms on that floor.

Applicant:

- Willing to table this presentation and return to the committee in June.

RESOLUTION: Tabled to next month.

2. 381 West End Avenue (West 78th Street.) Application to the Landmarks Preservation Commission for a façade restoration, window modification and rooftop addition.

Presentation by: Michael Ingui, architect

- The subject building is a multi-unit structure being converted to a single-family residence. The building dates from 1884, and is one of a row of houses constructed in a Flemish style.
- The proposal to add a rooftop addition behind a tall mansard, and to restore the original facades.
- The building is at the corner of West End Avenue and West 78th Street, opposite the Apthorp. It is one of a beautiful row of red brick town houses in the same style.
- Examination revealed prior modifications to the structure, including the elimination of a former two-story bay window on the side street facade, the combination of prior punched windows on the rounded corner turret/tower into larger casements with widened openings, and the widening of a former large arched window into a rectangular divided light window.
- Prior changes infilled an areaway between the sidewalk and façade.
- The building has not been well maintained, and virtually all of the original detail of the interior has been replaced or compromised. A full gut renovation is planned.
- Proposal intent is to restore the prior facades on WEA and West 77th Street.
- Rooftop Addition
- The proposal includes creating a rooftop addition behind the tall mansard, with a pitched roof to reduce visibility.
- The rooftop addition is not visible from the street immediately nearby the location; the addition would be visible from several blocks away on WEA and from further down the street to the west and east.
- The roof addition walls and roof will be covered in a Kemper fiberglass surface (beige) that is monolithic. Color chosen to blend in with the roofscape beyond.
- The rooftop addition fenestration is a black-clad large fixed window with a narrow side door to the terrace beyond. The angle of the addition will create a trapezoid shape to the window.
- The project will include excavating a 7'6" cellar with underpinning of neighboring walls.
- House will also include a hydraulic elevator.
- The renovated structure will be a passive house. The replacement windows will be passive house windows by Zola, whose configuration nearly exactly emulates original 1:1 double-hung windows.
 - Experience with window manufacturer has shown that the windows appear the same as the originals.
- No boiler. Two Mitsubishi condensers to be located on the area outside the rooftop addition within a containment structure that will provide sufficient heat and cooling for the entire house.
- The main roof and mansard will be replaced with dark gray EcoStar recycled rubber tiles that are installed in pieces in a similar way as slate, and emulate the slate appearance and the pattern of the original slate tiles.
- A new two-story wood bay window will be installed at the location where the original was removed, and will have fixed small transoms in a tripartite composition with tall, thin passive windows below.

- Will restore/dig out the original areaway to the original dimensions, and restore the areaway windows that were lost during the infill.
- Also will restore the arched window on the WEA facade.

Community Comment:

- Deborah Asheim Weiss – 383 WEA (next door)
- Concerned about two issues – was promised copies of the architectural drawings and samples that have not yet been provided.
- Adjoining building includes three skylights on the roof – provide light and warmth, especially during the winter.
- Concern that the rooftop addition will cast shadows onto the neighboring property that will interfere with the light to the skylight.
 - applicant's drawings show a shadow approaching the skylights on the neighboring building from the proposed addition.
- Concern that the elevator construction and operation will impact their property.
- Request that the committee postpone consideration and action on the application so the neighbor may receive detailed plans and take measurements.
- A: Met with neighbor for several hours – with the plans. The design has not changed
- A: Seeking a party wall agreement, after which the applicant will construct a scaffolding and share plans.
- A: As to elevator –
 - track is not on the party wall
 - will be behind several layers of insulation that generally deadens noise.
- Chair: While interference with skylights is a serious matter, it is not a design feature within the purview of a Preservation discussion.

Committee Comment:

- Thrilled with the sensitive work, which doubtless will be quite expensive!
- Delighted to see the bay windows restored.
- The interference with light to the skylights is a serious issue, but not one that would render the project inappropriate. Such interference is an inevitable consequence of renovation and construction.
- Excited by the design.
- Q: If the elevator did not go to the top floor, would it impact the dimension of the rooftop addition or the shadows?
- A: Would not materially how tall the elevator would run at the roof or the shadows.
- Rescuing this structure is important to the District. It anchored a small historic district long before the West End Avenue historic district was designated.
- There may be solutions for the skylight problem, such as extending the skylights. While that is an important quality of life consideration, it cannot interfere with the preservation of a worthy structure.

RESOLUTION: Approve, noting the sensitive nature of the restoration and preservation of important architectural features, and appreciation for the incorporation of passive house precepts.

After deliberation, the resolution was adopted.

VOTE: 6-0-0-0.

3. **341 West 87th Street, Apt #1F** (Riverside Drive – West End Avenue.) Application #19-21667 to the Landmarks Preservation Commission for window replacement.

Presentation by: Mike Robarge of Panorama

- Proposal to replace windows on the front façade of the Parlor floor of a townhouse. The façade at this level is a bay configuration with two side windows flanking a center window/door unit.
- Current windows are aluminum double-hung windows on either side flanking a pair of aluminum sliding doors with a transom above at the center.
- The center doors lead to a terrace above the entranceway.
- Proposal is to replace the side 1:1 double-hung windows with wood 1:1 double-hung windows – mahogany with wood brick molds for the flanking windows. Replacement is to be brick-to-brick.
- Center opening will be a pair of French doors, also mahogany.

Community Comment:

- None

Committee Comment:

- The changes are appropriate and an improvement over the existing condition.

Resolution: Approve as submitted.

After deliberation, the resolution was adopted.

VOTE: 5-0-0-0

4. **600 West End Avenue** (West 89th – 90th Streets.) Application to the Landmarks Preservation Commission for wall condensing units.

Presentation by: Rachel Stollar, architect

- The application concerns a single apartment on the 4th floor of an apartment building on WEA at West 89th Street.
- The building has facades on the avenue and side street.
- There are multiple penetrations through the facades at various levels and for various purposes.
- Seeking vents for a split-system HVAC system's condensers.
- There is a decorative limestone band beneath all of the windows on the avenue and side street facades of this apartment. It is not appropriate, and LPC will not approve, breaking through such a decorative element.
- There are two options with sufficient size/space to break through the brick portion of the façade without interrupting the placement of windows or other elements, one on the avenue and one on the side street. The application is to break through on the side street façade.
- Each through-wall opening vent is 3' wide x 1'7" high – the proposal is to have two vents stacked vertically.
- The top of the higher proposed vent would align with the top of the adjacent pair of windows.
- There are no interior courtyard windows in this apartment that might have provided an alternative location to break through the façade.

Community Comment:

- none

Committee Comment:

- While breaking through the façade is not ideal, neither is a series of window air conditioning units from every room in the apartment.
- Given the configuration, this is the least intrusive option for these vents.

RESOLUTION: Approve as minimally appropriate.

After deliberation, the resolution was adopted.

VOTE: 4-0-1-0.

Adjourned: 9:05 pm.

YOUTH, EDUCATION & LIBRARIES COMMITTEE MEETING MINUTES

Mark Diller and Blanche Lawton, Co-Chairpersons

May 17, 2018

The meeting was called to order at 6:35 pm by co-chairs Mark Diller and Blanche Lawton.

Present: Blanche Lawton, Mark Diller, Isaac Booker, Steven Brown, Paul Fischer, Amy Hyman, Natasha Kazmi, Ira Mitchneck and Polly Spain. **Chair:** Roberta Semer. **Board Member:** Sara Lind.

Absent: Tina Branham and Catherine DeLazzero.

The following discussions were held:

Discussion of Middle School Admissions in Community District 3

Presentation by Ilene Altshcul, Community Superintendent for District 3; DJ Sheppard, District Family Leadership Coordinator; and Kristen Berger, First Vice President of the D3 Community Education Council:

- Each of the leadership of Community School District 3 (“D3”) and the Community Education Council for D3 (“CEC3”) have been engaging in productive conversations around the isolation of students in elementary and middle schools based on socio-economic status, race, ethnicity, special needs and other factors. This conversation has been on-going well before the 18 months of events, meetings and discussions that resulted in the rezoning and re-siting of schools that was approved by CEC3 in December 2016 and was subsequently approved by the Panel for Educational Policy.
- Admission to D3 middle schools throughout the recent past was based on a choice process by which students ranked their preferences to attend one or more middle schools in the District on an application that contained certain information about the student. Each school to which students applied had its own admissions process, most of which involved additional layers of screening. For example, Computer School required an on-site interview; MS 54 required a screening test; other schools required applicants to provide examples of classwork.
- Throughout this period, schools would know how the applicant ranked the school, and in turn four of the most sought-after middle schools would interview/test/consider only those students who ranked that school as a first choice. One effect of this process was to make it functionally impossible for most students to be considered for more than one of the four most popular schools.
- The Department of Education (“DoE”) unilaterally adopted a change in policy in 2017 that would prevent middle schools from knowing the rank which students ascribed to that school on her/his application. One effect of this change is that many more students could apply and be considered for admission to the schools that previously screened out those who did not rank that school as a first choice. D3 was one of only a few Districts at which the rankings in a choice application were revealed to the school.
- D3 schools are now engaged in internal discussions and consultation with the Superintendent’s office on how to revise or rewrite their screening processes to comply with the “ranking-blind” choice program.
- A concern that arose immediately upon the presentation of the decision by DoE and the PEP to adopt ranking-blind admissions was that the net effect of the change would be to further privilege the highest-achieving students in elementary schools. Since the highest achieving students on standardized tests and to a lesser extent on in-school report cards correlated with students of an affluent socio-economic status and certain racial and ethnic demographics, the concern included the exacerbation of the isolation of students along these achievement and demographic lines.

- The Superintendent had previously explored with the principals of the D3 middle schools various options to increase diversity in admissions. In or around 2016, the focus of the exploration used socio-economic status of students (measured by eligibility for free or reduced-price lunch in school, or “FRL”). The notion was to reserve a percentage of seats at each school for students who qualified for FRL. No consensus emerged from those discussions.
- With the advent of the DoE unilateral move to ranking-blind middle school choice admissions, and the concern that its implementation would exacerbate the isolation of demographic groups, the Superintendent raised the concept of a set-aside of a fixed percentage of seats for students at the lowest levels of achievement on standardized tests (those administered in 4th grade, since those are the latest results available during the middle school choice application timetable in 5th grade).
- The set-aside for lower-performing students was met with acceptance by middle school principals, and the Superintendent and CEC3 began a series of meetings with parents, elementary school educators, the Central DoE and every other possible stakeholder.
- The proposal at that time was to reserve 10% of seats at every D3 middle school for students at Level 1 (significantly below grade level), and 15% for students at Level 2 (below or approaching grade level).
- The Superintendent and CEC3 sought and received assurances from Central DoE that such an admissions rubric would be possible.
- CEC3 has conducted 25 meetings since the beginning of January 2018 that included discussion of this proposal.
- CEC3 has been striving to achieve greater diversity and greater equity in access to all D3 schools through the current term (beginning July 2017) and the previous term (2015-17). The rezoning and re-siting plan adopted in late 2016 was one aspect of that work.
- Parents at the meetings conducted by CEC3 with the participation of the Superintendent and others had mixed reactions to the proposals. There were no comments received that objected to the goals of diversity and equity. There were, however, expressions of confusion and at times frustration and concern with the options being offered and the perception of a limited number of appropriate choice options for certain students.
- At each meeting, the CEC believed that the level of concern and frustration was reported to be eased after a thorough explanation of the proposal and its practical impacts were fully aired at each meeting.
- Late in the process, Central DoE revisited the proposal and concluded that it had reservations about the plan not because of its goals or likely impacts, but because of a State statute that limits the extent to which admissions decisions for public schools could be based solely on the results of standardized tests.
- In response to the DoE concerns, Superintendent Altschul advanced two “scenarios” that are being considered among middle school principals, the CEC, parents and all other stakeholders.
- Scenario “A” would reserve 25% of middle school seats for students who performed at Levels 1 or 2 on the English Language Arts (“ELA”) and Math standardized 4th grade tests plus attended a school with a high Economic Need Index (“ENI”). ENI is an aggregate measure of poverty within a school based on the number and relative percentage of students who are eligible for FRL. A school with a high ENI rating can still have students who are not in poverty attending.
- Scenario “B” would reserve 25% of middle school seats for students who score at Levels 1 and 2 on the 4th grade ELA and Math standardized tests plus have report card classwork grades that similarly fall below grade level at Levels 1 and 2.

- The DoE has run simulations to determine the relative impact of using these criteria on the cohorts admitted to middle school for the 2017-18 school year, and found that the number of students who were accepted at one of their top 3 choices would be statistically very similar to the current practice, although with ranking-blind admissions, the baseline number would likely change significantly.

Committee and Community Discussion

- Of the 17 middle schools (including K-8 and 6-12 schools), only four schools have a majority of students performing at or above grade level on ELA and Math standardized tests. Those four schools correspond to the schools that are the most highly sought-after, and the ones who will need to revamp their admissions screening processes the most significantly.
- Concerns were raised about attempting to solve a lack of diversity by moving a handful of students from a school whose students do not meet grade level, and leaving a majority of such students in place.
- The need for additional resources permeates the discussion. There is a palpable need for additional resources among schools whose students chronically score below grade level.
- A corresponding concern for resources is identified in schools who will welcome students who perform below grade level to a program or school where the balance of the cohort performs at or above grade level.
- The practice of teachers differentiating their instruction, homework and reading assignments to create opportunities for participation and the sharing of ideas and experiences is key to the benefits of a diverse learning environment.
- Research has shown that in a diverse learning environment, it is not only the lower-performing students who benefit from inclusion in a program that includes higher-performing students; the higher-performing students also benefit measurably from a diverse learning environment.
- Concerns were raised for the spectrum of additional supports needed to bring all lower-performing students performing to grade level.
 - Schools already have Academic Intervention Supports to supplement and enhance instruction for those students not yet at grade level.
 - AIS is provided based on the number of students who are eligible for those supports, so an increase in a school's population of students eligible for those services would result in additional resources being provided.
 - the Superintendent is also providing "implicit bias" training to educators throughout the District, which assists in recognizing and finding alternatives to the ways in which all those involved with schools form assumptions and expectations of students' performance based on a variety of demographic and personal characteristics rather than authentic assessments.
 - the CEC has repeatedly sought additional AIS and related supports for students below grade level regardless of the school or learning environment.
- Concern that parents and students are being asked to sacrifice opportunity at appropriate placements for the sake of appearing to promote diversity without that opportunity carrying with it the chance to benefit meaningfully from the changed environment.
 - there is no one type of support or resource or assistance that would remedy the needs of all lower-performing students.
 - experienced educators have a "toolbox" of supports and apply them based on a diagnosis or assessment of those most likely to produce results.
- Schools should have a point person whose singular focus and responsibility would be to track needs and devise strategies.
 - most of those resources are already in place in every school, including IEP lead teachers at every school overseeing mandated services; special needs assessment coordinators and faculty to ensure needs are being addressed, and the AIS team.

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- Concern that K-8 schools will continue to experience erosion of grade-level performance in the middle school years.
 - Superintendent: K-8 schools can produce compelling results, but such environments work best when students remain for the middle school years.
 - Often, high-performing students at K-8s leave in the choice process for other schools, affecting the diversity and mix of achievement and abilities among the cohort that remains.
 - PS 165's K-8 has been truncated to K-5 with the middle school population transferred to Mott Hall II in order to address this phenomenon, among others.
- Concern that the ability of a handful of schools in D3 (both elementary and middle schools) have the ability to raise from their parent bodies enormous sums to supplement the educational and enrichment opportunities at that school.
 - some schools have made the benefits of such resources available beyond their own school's needs, although resource-sharing of this nature can require careful implementation.
- Renewed concern about the balance of the students who will not be among the perhaps 100 students gaining access to a school with higher performing students.
 - essential that more schools be perceived as high-performing. Example of PS 191, a K-8, which had traditionally served students who scored at Levels 1 and 2 in significant numbers, and which through a combination of an inspired principal and additional resources from elected officials has seen a turn-around in energy and performance.
 - opposed to tracking students within a school. Neither diversity nor achievement is served when a diverse population of learners is admitted to a school, but then separated by performance or achievement so that the students remain isolated.
- Must focus on the core concern that prompted the discussion and the need for additional changes to the admissions process.
 - DoE unilaterally adopted ranking-blind admissions, which is widely anticipated to reduce both diversity and equity.
 - the response of a heightened set-aside at every school for students at all levels of performance is one step – perhaps a modest first step – but one that continues the work of the local community to address the pernicious isolation of students by achievement, needs, race, ethnicity and related factors.
- Worth noting that the most significant attempts to address the absence of diversity in D3 schools has been championed and implemented through the effort of (a) volunteer parents who raise and insist upon solutions that include promoting the goals of diversity and equity, and (b) the local Superintendent and principals and their teachers in finding ways to make the goals of diversity and equity a part of the way they implement their missions. This is a grass-roots phenomenon.

No resolution was adopted relating to these issues.

The agenda for the June 2018 YEL meeting will feature a continuation of these discussions and an attempt to address the issues most immediately raised concerning diversity and equity in response to the ranking-blind admissions process, as well as the longer-term needs to confront the chronic circumstance of schools' students performing below grade level.

The meeting adjourned at 8:55 pm.