BUSINESS & CONSUMER ISSUES COMMITTEE MINUTES

Michele Parker and Christian Cordova, Co-Chairpersons July 11, 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 at 7:00 pm by Co-Chairperson Michele Parker.

Committee Members Present: Michele Parker, Christian Cordova, Linda Alexander, Paul Fischer, Doug Kleiman, Seema Reddy, Andrew Rigie.

The following matters were discussed:

New application to the SLA for a two year liquor license:

1. **519 Columbus Avenue** (West 85th Street) A. Shapiro d/b/a to be Determined. Presenting for the Applicant: Alexandra Shapiro, owner (alex@flexmussels.com); Zara Lucas, Elke & Hofmann.

- The owner said it was their third unit in Manhattan.
- They will use third-party delivery.
- No live music.
- They will be putting in a second ADA-compliant bathroom.

CB7 Comments:

• Doug Kleiman confirmed the applicant's signage was well posted.

After due deliberation the resolution to approve was adopted VOTE: 7-0-0-0

Enclosed Sidewalk Café Renewal:

 180 Columbus Avenue (West 68th Street.) Renewal application ULURP# N180102ECM/ DCA #13399-2017-ASWC to the Department of Consumer Affairs by COBP, Corp. d/b/a II Violino, for a four-year consent to operate an enclosed sidewalk café with 15 tables and 36 seats.

Presenting for the Applicant: Blanca Megia, Owner.

• No change in the number of tables, no deliveries.

CB7 Comments:

• Christian Cordova said the applicant's signage was well-posted *After due deliberation the resolution to* **approve** was adopted VOTE: 7-0-0-0

New Unenclosed Sidewalk Cafés:

3. **411A Amsterdam Avenue** (West 79th – 80th Streets.) New application #11260-2018-ASWC to the Department of Consumer Affairs by Shree Laxmi Restaurant, Inc., d/b/a Swagat, for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 9 seats.

Presenting for the Applicant: Abishek Sharma, Owner.

- Owner brought in photographs of postings.
- They use Relay, a third-party bike delivery service.

CB7 Comments:

• Seema Reddy suggested they convert one of the tables to a four-top in order to comply with the DCA three-foot serving space requirement.

After due deliberation the resolution to approve was adopted

VOTE: 7-0-0-0

4. **464 Amsterdam Avenue** (West 82nd – 83rd Streets.) New application #11272-2018-ASWC to the Department of Consumer Affairs by Danica, LLC, d/b/a To be Determined, for a four-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.

Presenting for the Applicant: Jason Mizrahi, Kalyan Law Group, Mizrahi.jason@gmail.com

• No deliveries, no music.

CB7 Comments:

• Committee suggested applicant place a flat grate over the tree pit to conform with DCA clearance requirements.

After due deliberation the resolution to **approve** was adopted with the requirement of a flat grate over the tree pit that will be flush with the height of the sidewalk. VOTE: 7-0-0-0

5. Update on the committee's section of CB7's District Needs Statement for Fiscal Year 2020. CB7 Comments:

- Seema suggested sourcing data so that vacancies can be identified.
- NYC SBS could be highlighted through links on the CB website.
- 6. New Business:
 - a. Seema sent a notice from the Lincoln Square BID regarding a meet-and-greet to the officers of the 20th Precinct.
 - b. Discussion of "neighborhood night" event to introduce people to CB7.
 - c. Discussion of the impact of bike lanes on businesses.
 - d. Discussion of problems caused by motorized bicycles going the wrong way.
 - e. Discussion of B&H response to stipulations requested by BCI, which have been resolved.
 - f. Discussion of new SLA language requirements.
 - g. Discussion of Crain's article about decorative scaffolding. Andrew Riggie will be meeting with the owner of Urban Umbrella.

The meeting ended at 9:00 pm.

COMMUNITY BOARD 7/MANHATTAN

Full Board Meeting Minutes July 17, 2018

Community Board 7/Manhattan's Full Board met on Tuesday, July 17, 2018, at Goddard Riverside Community Center, 593 Columbus Avenue (West 88th Street) in the District. Chair Roberta Semer called the meeting to order at 6:35 pm after the ad hoc secretary of the meeting confirmed the existence of a quorum.

The following matters were discussed and actions taken:

Resolution to approve the Minutes from the June 5, 2018, Full Board meeting, subject to changing a reference on item 12 of the Business Session to reflect that it was the enclosed sidewalk café referenced in that matter, and not the entire building, that is slated to be torn down.

Subject to that amendment, the minutes from the June 5, 2018, full Board meeting were approved. VOTE: 29-0-0-0

Chair's Report: Roberta Semer:

- Greeting from Executive Director Rod Jones of the Goddard-Riverside Community Center:
- Goddard Riverside is a "cradle to grave" settlement house whose mission is to strengthen the community.
- Inviting all to join G-RCC in serving the community.
- G-RCC operates a total of 22 locations, with its headquarters on the Upper West Side.
- There are many opportunities to engage with G-RCC, including its Book Fair, which has been going strong for some 32 years. The fair opens the week before Thanksgiving.
- Q: How is G-RCC preparing for potential cuts in federal funding based on warnings from Washington?
- A: Most of the allocations that G-RCC receives whose source comes from federal funding are pass-through funding from City and State agencies those agencies are seeking to cover those projected and existing cuts. Since G-RCC serves every age group, there are many agencies involved in its funding streams, so it is critically important not to wait for cuts to come, and to prepare now for future needs and the impact of budget movements.
- Greeting and thanks to Larry Wood, longtime G-RCC staff leader on a host of issues including affordable housing and protecting tenants' rights.
- Chair's Report:
- While most committees do not meet in August, Land Use will hold a special meeting devoted to issues of "super-tall" towers on 8/1, and Preservation will hold a regular monthly meeting to hear applications on 8/2.
- There will be numerous changes to the September and October committee meeting schedules due to the high holy days and other religious and civic observances. The CB7 Office will publish a revised calendar shortly.
- The Housing Committee will staff a table at a 8/19 street fair to reach out to constituents and to offer voter registration.

- Jennifer Markas and Tinia Pina formulated a survey on constituent needs, which will also be available at the Street Fair table.
- Madelyn Innocent / Task Force on Public Housing Update:
- Continuing to meet to address the needs of NYCHA residents, and to create a positive dialogue between NYCHA residents and their neighbors.
- Thanks to Elizabeth Caputo for getting the Task Force off the ground.
- Thanks to Mark Diller for suggesting CB7 as means to serve.
- Thanks to Task Force members including Shelly Fine, Ethel Sheffer, Genora Johnson, Linda Alexander, Madge Rosenberg, Su Robotti, Rich Robbins and so many others for helping move the Task Force forward especially in its formation stage. Great to see enthusiasm and empathy for serving NYCHA residents.
- Thanks to Melissa Rosenberg, Jennifer Markas, Tinia Pina, Jeannette Rausch, Susan Schwartz, among others for coming out to NYCHA forums and showing support in many ways.
- Special thanks to Roberta for guiding the discussions, helping to secure panelists, collaborating with CB9, arranging for NYCHA representatives and others to attend the forums, and related support.
- The next NYCHA Forum, joint with CB9, will be on Saturday, 9/29 to discuss Succession rights.
- Shelly Fine Update on the Playground Task Force:
- The Playground Task Force has been accepted to participate in a fellowship academy with a goal of creating and nurturing a "friends of" support group for the Bloomingdale Playground.
- Congratulations also to Catherine DeLazzero and the entire Task Force for recent actions to begin construction at the Bloomingdale Playground after a lengthy and productive community outreach and design collatoration.
- Best wishes to Board member Amy Hyman and her husband on the occasion of the birth of baby Dylan.
- Captain Timothy Malin Commanding Officer, 20 Precinct Update:
- Joined by with Neighborhood Coordination Officers ("NCOs") Rob Vazquez and Clifford Jean, who are the NCOs for "Sector Charley" the north side of the precinct.
- The Neighborhood Policing effort divides the 20 Precinct into Sectors A (West 59-70 Streets); B (West 70-79 Streets); and C (West 79-86 Streets).
- Radio patrols now are now coordinated with the NCOs.
- The NCOs will not be tied to the radio / 911 calls.
- The goal is for the NCOs and the leaders in the community to work together to respond to crime concerns and to marshall the resources necessary both from within the precinct and beyond to meet the community's needs.
- The NCOs are more able to connect with constituents directly.
- Can connect with NCOs via email, cell phone, even Facebook.
- The 20 precinct has 6 NCOs plus 2 equivalent officer devoted to the Amsterdam Houses.
- The presence of NCOs is like a Force Multiplier for the Commanding Officer.
- Crime report: while the 20 Precinct struggles with larcenies, the good news is that these crimes are not street muggings or violent crime in general. Rather they are mainly identity theft (including stealing information from USPS mailboxes).

- Advice: do not mail paper checks using a postal service mailbox, as the old mailboxes are too easy to pilfer of envelopes containing checks that can be used for identity theft. Best practice is to hand an envelope with a check directly to a postal clerk in the post office. The Upper West Side will be the last to receive new "fishing"-proof mailboxes.
- The 20 Precinct has been active in bike enforcement with 40-50 summons issued last week alone.
- The Precinct is targeting the most serious infractions, such as running red lights, riding on sidewalks, and riding the wrong way on one-way streets/avenues.
- The issue of confiscating Electric bikes comes up at every CB7 and Precinct Community Council meeting. The Precinct has been active in this enforcement, although there are structural limits to the number of these actions that can be taken, as the work required after an e-bike has been confiscated is significant.
- Captain Malin will join CB7 Chair Roberta Semer on a future Twitter session.

<u>Announcement of Election of Board Officers for 2018-2019: Joshua Cohen, Chairperson, Elections</u> <u>Committee</u>:

- Joshua Cohen will be chair of election committee
- Notice of election to be held at the October full Board meeting. Nominations for Chair, two Vice Chairs, and two Co-Secretaries will be taken at the September full Board meeting.

Community Session:

Susan Roth

- Lives on West 86th facing the rear yard of the All My Children's Day Care and Nursery School.
- Concern for the excessive noise, that includes shrill shrieks that disturb all of the neighbors.
- The noise is piercing, and is far beyond what could be considered normal New York City noise levels.
- The noise disturbs frail elderly neighbors as well as professionals who work from home.
- Has written to the school, which claims it is trying to calm it down.
- Don't know what to do need advice.
- Zoning that allowed a noisy preschool in a residential building courtyard is insane.

Dan Cohen - Friends of Anibal Aviles Playground; State Committee Member; Former CB7 member

- Thanks to CB7's Parks Committee and chairs Klari Neuwelt and Ken Coughlin for supporting the Anabel Aviles successful "Its My Park" Day.
- The next "Its My Park" Day will be on 9/23 and will include a puppet mobile.
- Also working on securing a volume discount for replacement street trees for the Manhattan Valley area and to have them planted.
- Will attend the CB7 Land Use meeting to ask CB7 to consider a zoning amendment to add a Transit overlay for the southwest corner of West 110 Street and Broadway. Doing so now will facilitate the installation of an elevator for the No. 1 Train 110 Street Station as part of any redevelopment of the taxpayer buildings on the lot above.

Rita Lee

• Served as District Manager for CB2 from 1977-96

- Now helping spearhead a "New Lincoln Plaza Cinema" to revive art house movies on the Upper West Side in the wake of the loss of the original Lincoln Plaza Cinema. Will be presenting a program of movies at the JCC.
- Seeking help and guidance with finding a permanent location and with attendance and promotion.

Peter Arndtsen – Columbus-Amsterdam BID

- Family Days thanks for attending and participating at the Spring event.
- The next Family Days will be on 9/16 and 9/23 on Amsterdam between West 106-110 Streets.
- BID's Annual Meeting will be held at the Youth Hostel on Thursday 7/26, which will include a local history talk and fare from local restaurants.

Elaine Boxer – Bull Moose Dog Run

- Thanks to CB7 for its resolution to approve the plan for renovations. Parks' initial plan was beautiful.
- The renovations have stalled. Despite \$440K approved by Manhattan Borough President Gale Brewer and Council member Helen Rosenthal to support the plan to improve drainage and resurface the space, no work has begun.
- The existing condition is unhealthy, and the persistent ponding is a breeding ground for mosquitos.
- As reported at the July meeting of the CB7 Parks Committee, the Department of Parks and Recreation cannot implement the plan for which it sought approval through CB7's resolution last winter.
- According to DPR, the current plan will require another \$100K.
- The current plan is the result of 5 years of advocacy with no action taking place.
- While at one time there was hope to supplement the budget with private funding, the absence of any action over 5 years has effectively defeated private fundraising opportunities, and in the interim the wealthy neighbors who could have helped as seed donors either moved away or saw their dogs die.
- Council Member Rosenthal's chief of staff is working closely with DPR leadership to work within the existing budget and find a way to meet the most critical needs.

Rich Weil – Friends of the Bull Moose Dog Run

- The current surface of the dog run is dangerous to dogs jagged rocks instead of pea gravel routinely cuts dogs' paws.
- Sample of the jagged stones causing the unsafe and inhumane condition presented to the Board [on file at the Board Office].
- Allowing this condition to persist despite available funding is disgraceful.

Bill Raudenbusch – Committee for Environmentally Sound Development

- The zoning challenge to the out-of-scale building at 200 Amsterdam Avenue (at West 69th Street) was unsuccessful at the Board of Standards and Appeals.
- Grateful for the support voiced at the BSA and rallies by Manhattan Borough President Gale Brewer, Council Member Helen Rosenthal, Landmark West, and others.
- Evaluating next steps including the possibility of continuing the challenge in the Courts.

- Unacceptable that the Department of Buildings would declare the gerrymandered zoning lot that assembled the requisite "open space" for a building of this height and density to be bad policy, but the BSA ruled that DoB's approval of such density should not be rescinded.
- The Committee for Environmentally Sound Development has retained Richard Emery to analyze options.

Manhattan Borough President's Report, Diana Howard:

- The Manhattan Community Award grant program can provide seed grants of \$3,500 \$5,000 to support programming and operations for community projects and services. Applications now available.
- Funding for capital projects also available.
- The most recent City budget includes a one-time \$2.5MM addition to funding for Community Boards, which is approximately 43K per Community Board. Each CB will determine how to spend it.
- The Borough President's Office has been active Immigration matters, including convening a meeting of agencies and electeds to strategize on how best to serve children in our communities who have been separated from their families due to Immigration Enforcement.
- The fresh fruit and vegetables program continues, jointly between the Borough President's office and the office of Council Member Rosenthal. Seniors may purchase an \$8 bag of produce at Goddard-Riverside.
- Creative Aging program on 8/8 from 12-4 pm.
- Will participate in the Dominican Day Parade 8/2 in Washington Heights

Reports by Elected Officials:

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

- Brooklyn Borough President Eric Adams is now a vegan. Attended a forum with 300 people at Brooklyn Borough Hall to learn about plant-based diets.
- The Board of Standards and Appeals decision on 200 Amsterdam Avenue was disappointing. The fight is not over yet. The next step must await the release of the written decision. C-M Rosenthal's office will continue to work with Olive Freud and the Committee for Environmentally Sound Development to challenge the decision.
- Working on issues including waste equity; traffic congestion relating to taxi and black cars; among others.
- Q&A:
- Q: Mark Diller It is important to push the BSA to release the written decision on 200 Amsterdam Avenue, as any challenge to the BSA's decision requires the written text.
- A: The developer has agreed to work only up to the height that the challengers claim is as of right until the zoning challenges are resolved.
- Q: Page Cowley the developer must give a 10-day notice before finishing the foundation.
- Landmark West is hiring George Janes, the zoning expert who was at the heart of the challenge to 200 Amsterdam Avenue, to conduct a review of the sites that Disney/ABC recently sold to Silverstein Properties. Those lots could become yet another out of scale development that will further change the nature and demographics of the neighborhood.
- Grateful for the support of Council Member Rosenthal's office in these matters.

- A: MIH and ZQA (the zoning text amendments known as Mandatory Inclusionary Housing and Zoning for Quality and Affordability) will help keep the contextual character of the neighborhood similar to the existing condition at West 96th Street and Broadway.
- Q: Klari Neuwelt is it possible to study who is purchasing the units in the supertall buildings being built around Manhattan. It appears that many are being bought by LLCs whose members are unknown.
- A; LLC information is cloaked we don't know who is buying these units or whether anyone is living there.
- A: when speaking with the Department of City Planning, became furious upon learning that in the Extell building planned for West 65-66 Streets, a 775foot building will only create 127 residential units. Using such building design techniques will not address the City's need for housing.
- A: The Mayor at the Upper West Side Town Hall in July did commit to combat the abuse of the zoning and building codes (for example the use of extraordinary ceiling heights in mechanical room spaces) but has taken no affirmative steps to do so.
- Q: Jeannette Rausch We need new tools to combat excessive development, such as imposing a tax on the height of buildings or per bathroom.
- A: Only the State has the authority to change the tax structure not the City.
- A: State Senator Brad Hoylman is carrying bill to tax pieds a terre, but the opposition party refuses to let the bill come to a vote in committee.
- Of the two Charter revision commissions, the Mayor's is only looking at Campaign Finance Reform.
- The City Council is holding a more in-depth review of the City Charter, under the leadership of Executive Director Mark Shaw. The Council Commission will hold public meetings and give suggestions as to what should be in the Charter. Considering asking to include a requirement of fiscal responsibility be imposed on the MTA with respect to its capital projects and procurement.

Reports by Elected Officials' Representatives:

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

- Speaker Johnson is participating in the food bank program, offering 7 sites at which to sign up to receive bags of healthy fruits and vegetables.
- The next Rat Academy will be held at the LGBT Center on West 13th Street, with a chance to win rodent-resistant garbage bags.

Alek Miletic, Office of Assembly Member Richard Gottfried (75th District):

- Testified before the Rent Guidelines Board to freeze regulated rents. The RGB approved increases of 1.5% on a 1-year lease and 2.5% on 2-year lease.
- Bill carried by A-M Gottfried to prevent the Governor from raiding MTA funds to balance the State budgets passed the State Senate and awaits the Governor's signature.
- Will conduct a Town Hall in Chelsea on 8/13 at Hudson Guild.

Elena Sorisi Office of State Senator Brad Hoylman (27th District):

• Free mammograms via mobile van on 8/22 at Peter Cooper Village.

- Passed 10 Bills in the State Senate, including a bill to require that at least one New York City resident be a member of the State Liquor Authority.
- Supports artist David Hammonds creating an outdoor artwork in Hudson River Park.

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

- Senator is sponsoring a Senate summer reading program.
- Conducting a bike safety seminar.

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

• Sponsoring a forum for free legal help for tenants to address harassment, including the opportunity to speak to a lawyer pro bono.

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

- The Comptroller's office released an Audit report on residential security deposits that revealed that over 300,000 New Yorkers must tie up over \$500,000,000 in security deposits, creating an enormous drain on finances.
- Also released an Audit report on ADA accessibility to the subway and the economic impact on those who cannot use the subway's services.
- Co-sponsoring a personal Shred day 7/29 from 10 am to 2 pm at Assembly-Member Linda Rosenthal's office.

Business Session:

TRANSPORTATION COMMITTEE

Andrew Albert and Howard Yaruss, Co-Chairpersons Resolutions Re:

1. NYC Department of Transportation proposal for Protected Bike Lanes and Bike Safety Improvements on 8th Avenue and Columbus Circle, between West 56th and 58th Streets.

Presentation by Howard Yaruss:

- The proposal from the Department of Transportation follows up on prior CB7 resolutions seeking action on a dangerous portion of the routes available to cyclists.
- Over a year ago, CB7 called on DoT to reconfigure Columbus Circle, including installing protected bike lanes without losing travel lanes. Key to the proposal was separating cyclists from motorists and pedestrians.
- Proposal also addresses dangerous points of entry to Columbus Circle from the south (on 8th Avenue) and east (along Central Park South).
- Prior resolution also sought to close a 2-block gap between Columbus Circle and the beginning of the (unprotected) Central Park West bike lane from West 60-62 Streets.
- The current redesign meets most of those goals, although it does not solve the gap from the Circle to the beginning of the CPW bike lane at West 62 Street.
- The proposal is a giant step in the right direction.

CB7 Comments:

• Concern for a variety of individual solutions that could have been better designed.

- A: The perfect should not be the enemy of the good in this case.
- A: Looking for physical separation of cyclists, motorists and pedestrians inevitably creates aesthetic issues that could be in conflict with the award-winning park design in the center of Columbus Circle.
- The same presentation and proposed solution has been presented to CBs 7, 5, 4.
- Amenable to changes. Suggestions are important but it is important to get this done.
- Impressive effort.

After deliberation, the resolution to approve was adopted. VOTE: 36-0-2-0

2. NYC Department of Transportation proposal for Protected Bike Lanes and Bike Safety Improvements on 10th Avenue and Amsterdam Avenue between West 52nd and 72nd Streets.

Presentation by Howard Yaruss:

- This proposal also follows up on a CB7 resolution from 2 years ago. At the time that CB7 approved the creation of the Amsterdam Avenue protected bike lane, the lane only began at West 72 Street.
- This proposal will extend the bike lane to West 52 Street, and will be a protected bike lane except at bow-tie intersections.
- The Committee offered suggestions to DoT to address bike and pedestrian safety, including the need for separate phases of certain traffic controls.
- Mostly this proposal is a completion of what we requested.

CB7 Comments:

- The intersection of West 72, Amsterdam Avenue and Broadway remains a concern.
- A: Between West 70-71 Streets, left-turning cars (using West 71 Street to access the highway) and bikes need to share a lane, so turning vehicles will compete for space in that lane with bikes heading straight through.
- While the same condition occurs between West 71-72 Streets, only the M5 bus can make left turn at West 72 Street, so there will be minimal overlap
- Those crossing vehicles are a weak link in the proposal.
- The creation of a protected bike lane in this area will be perilous to pedestrians.
- Need to have enforcement so that bikes do not travel in the wrong direction, creating a deadly condition.
- A: Whole idea is to corral bikers into a protected zone and eliminate the need for irresponsible bike behavior.
- A: Street design can make streets safer; enforcement always remains a separate issue.
- Concern that the new bike path will be interrupted by construction at 200 Amsterdam Avenue.
- An advantage of the proposal is that current curb extensions done with paint and planters will be replaced with concrete barriers, which will make a bigger impression.
- Changing the culture of bikers starts with having a place for everyone.

- Safety is promoted by bicycle safety hundreds of people are hit by cars, not bikes.
- The ability to do meaningful enforcement begins with having an appropriate and dedicated space for all street users.

After deliberation, the resolution to approve was adopted. VOTE: 36-2-0-0

3. West 82nd Street (Columbus – Amsterdam Avenues.) Proposal to change street cleaning regulations by Captain Thomas Palmer, Executive Officer of the 20th Precinct.

Presentation by Andrew Albert:

- West 82 Street between Amsterdam and Columbus Avenues is rarely swept due to the timing of street cleaning and the change in shifts of the officers and staff of the 20 Precinct.
- The resolution calls on all concerned, including the Department of Sanitation, to work out an alternative schedule that will allow the street to be cleaned regularly.

CB7 Comments:

- Much progress has already been made, including arrangements so that officers' cars can be moved when they are away from the Precinct house.
- DoT will change the parking regulation signs to conform to the new timing.

After deliberation, the resolution to approve was adopted. VOTE: 37-0-0-0

4. **43 West 65th Street, d/b/a Shun Lee West** (Columbus Avenue.) Request by owner to install a <u>bike</u> <u>corral</u> in front of premises.

Presentation by Andrew Albert:

- Proposal is to create a bike corral in front of Shun Lee on West 65th.
- The Lincoln Square BID and CB7's Transportation Committee did a walking tour.
- The residential neighbors and the owners of Shun Lee are in favor; Shun Lee agrees to use the corral for its delivery bikes, and there will be sufficient space for other bikes as well.

CB7 Comments:

- Shun Lee has agreed to maintain the corral (e.g. clear it of snow). The planters used to demark the corral will be a benefit.
- An example of a successful bike corral is the one at Henry's Restaurant on Broadway.

After deliberation, the resolution to approve was adopted. VOTE: 33-2-1-0

 Theodore Roosevelt Park's Greenmarket. Request by Greenmarket to add an extra day (Wednesday) on the East side of Columbus Avenue between West 79th and 81st Streets during the summer and fall seasons.

Presentation by Andrew Albert:

- The Greenmarket is proposing to add an extra day to the existing farmers market on Columbus Avenue on Wednesdays, in addition to the current market on Sundays.
- The Wednesday market will be smaller than the current Sunday market, and run only from West 79-81 Streets.
- The current proposal is for a trial only during the Summer and Fall.
- Both the Columbus Avenue BID and the American Museum of Natural History have approved the proposal.

CB7 Comments:

- Q: How will the proposed AMNH expansion/construction affect the market?
- A: The Wednesday market will be a pilot for now, and will be re-evaluated when construction begins.

After deliberation, the resolution to approve was adopted. VOTE: 37-0-0-0

6. Secondary Street Naming Guidelines.

Presentation by Andrew Albert:

- The proposed guidelines have been revised to eliminate ambiguity.
- The guidelines make clear that applications including all requested supporting documents must be submitted to CB7 at least 30 days in advance of the Transportation Committee meeting at which the proposal is to be heard.
- The guidelines call for a minimum number of signatures on petitions, and make clear that those signatures must include the assent of neighbors and those in the immediate geographic area of the proposed street renaming.

CB7 Comments:

- Q: Concern that secondary street namings should avoid intersections where there have been large number of crashes.
- A: The Committee will check with the 20 and 24 precincts as a matter of routine before adopting a proposal.

After deliberation, the resolution to approve was adopted. VOTE: 33-3-1-0

YOUTH, EDUCATION & LIBRARIES COMMITTEE

Blanche Lawton and Mark Diller, Co-Chairpersons Resolutions Re:

7. Forced separation of children and families intercepted at the border.

Presentation by Mark Diller:

- The proposed resolution would add our voice as a Community Board to make clear that the forced separation of children from their families is in irreconcilable opposition to our values as a Board, a Community, a City and a nation.
- While some families have started to be reunited, it has been done not because the federal Administration has relented on this practice, but because a federal court has ordered the

Administration to do so. The separation was conducted as an in terrorum maneuver, and the immigration officials took no care to identify which children belonged to which parents, with the result that the government may not be able to determine the correct parents.

- Children brought to New York from the border in Texas have often been transported away from their parents by immigration officials who do not speak the child's native language many of the children are under the age of 5 years.
- While it is correct that Community Boards do not have jurisdiction over federal immigration policy, and the President is unlikely to mark what we say, the use of children as an instrument of a "zero tolerance" policy, using abject cruelty as a deterrent against future undocumented immigration (as was admitted by the Immigration and Customs Enforcement Agency), is a moment in time in which we owe it to ourselves and our community to express our opposition to such tactics in the strongest possible terms.

CB7 Comments:

- Q: To whom will the resolution be sent?
- A: The resolution will be sent to our federal officials, with copies to interested local officials.
- Q: Should the resolution be sent to the courts?
- A: Courts are not equipped to consider resolutions of this type, as they tend to receive only evidence and legal briefs, but we can explore whether advocacy groups appearing before the courts could make use of this resolution.

After deliberation, the resolution to approve was adopted. VOTE: 39-0-0-0

8. Middle school admissions procedures.

Presentation by Mark Diller:

- The middle schools in Community School District 3 (which overlaps with CB7's District and also includes a portion of South Central Harlem) are among the most segregated in the City, whether measured by demographics or student performance on various tests and measures.
- Admission to CSD3 middle schools is through a "choice" program in which every student ranks choices on a common application. Most of the CSD3 middle schools evaluate candidates using a screening rubric, although the rubrics vary from school to school.
- Four of the most sought-after middle schools in CSD3 currently only screen candidates who rank that school as a first choice. The school is aware of what ranking each candidate assigns to that choice. The net effect is that most students can only realistically apply to one of the four most sought-after middle schools.
- The Department of Education in 2017 unilaterally adopted a rule that will take effect for applications submitted in the Fall of 2018 (for applications to enter middle school in Fall 2019) that will prevent schools from learning how each candidate ranked that school as a preference. The net effect of this change is to open up the possibility that candidates could realistically apply to more than one of the four most sought-after schools.
- This change in turn raises the realistic likelihood that the segregation and isolation of students by demographics and by student performance and by special needs already evident in CSD3 middle schools would be exacerbated.
- The Community Superintendent of CSD3, in consultation with the CSD3 Community Education Council, the principals of all middle schools in the District, the CSD3 District Leadership Team, the relevant offices of Central DoE, and others, developed a series of scenarios intended to

counter-act the potential of the implementation of ranking-blind admissions to exacerbate the segregation and forced isolation of students based on these factors.

- The proposal finally adopted by the Community Superintendent requires each middle school in the District to set aside at least 25% of its seats for students who (a) score below grade level on Statewide standardized tests in English Language Arts and Math; (b) have report card grades below grade level in ELA and Math; and (c) are eligible for free or reduced-price lunch (the DoE's measure of poverty).
- While the DoE's analysis reveals that the implementation of this change may not produce dramatic effects, it is a first step toward addressing the segregation of students by demographics and abilities in our District.
- The proposed resolution is to support the adoption and implementation of the further changes to the middle school admissions process adopted by the Community Superintendent.
- The resolution makes clear that this is just a first step, and expresses significant concern for and a call to action to address the needs of the majority of students currently below grade level who will not receive priority admission as a result of the new policy. In particular, the resolution highlights the potential need to ensure that all middle schools, especially those serving populations that do not score above grade level on standardized tests or report cards, receive all of the funding needed to address the needs of their students.

CB7 Comments:

- It is important that the new policy be implemented in a way that allows the DoE and each school to track and assess the effectiveness of the further changes to the admissions process, and to adjust accordingly.
- A: The resolution incorporates a call for such tracking and reporting.
- While CB7's District is limited to the Upper West Side to West 110 Street, CSD3 continues into a portion of Harlem, and the process being supported will be implemented throughout the District.
- Concern that the admissions priority created by the further revisions to the admissions process would not be available to a student with below grade-level test and report card scores, but who does not meet the socio-economic status standard.
- Concern that qualifying for free or reduced-price lunch is not an effective proxy for low socioeconomic status.
- A: While eligibility for free/reduced-price lunch is a questionable means of measuring poverty, it is the only available statistic routinely gathered by the DoE>
- The ranking-blind middle school admissions policy has been implemented in most other Community School Districts throughout the City already, but few have the diverse population yet persistent segregation found in CSD3.

After deliberation, the resolution to approve was adopted. VOTE: 35-0-2-0

LAND USE COMMITTEE

Richard Asche and Page Cowley, Co-Chairpersons Resolutions Re:

 118 West 72nd Street, d/b/a Dakota Personal Training & Pilates (Columbus Avenue.) Application #2018 66-BZ to the Board of Standards and Appeals by Sheldon Lobel, PC to permit the legalization of a physical culture establishment within the existing building.

Presentation by Page Cowley:

- Despite its name, the applicant is not located in or near the Dakota apartment building.
- The entrance to the gym/training facility is on the ground floor.
- The workout space occupies portions of the basement and 2nd floor.
- The program and the hours of operation are consistent with other similar establishments.

CB7 Comments:

• Notice of the meeting was posted only two days in advance of the committee meeting at which the application was discussed.

Fayanne Betan, Esq. – Office of Sheldon Lobel (applicant's attorneys)

- The applicant only learned of the committee meeting 2 days before.
- The applicant reposted notices containing the details of this Full Board meeting (evidence provided).
- Q: Is the permit a one-time authorization?
- A: The permit is specific to the operator, and runs with land as long as operator is in control of the space.

After deliberation, the resolution to approve was adopted. VOTE: 37-0-0-0

10. **344 Amsterdam Avenue** d/b/a **Equinox** (West 76th Street.) Application #272-07-BZ to the Board of Standards and Appeals by Equinox 76th Street, Inc. to allow a physical culture establishment within portions of the building.

Presentation by Page Cowley:

- The Committee has expressed concern in the past for health / exercise facilities that take ground floor spaces and then obscure the transparency of the street-facing windows. The effect is to deaden the liveliness of the streetscape.
- This applicant does not block the transparency of its storefront windows, and allows visibility all the way into the facility.

CB7 Comments:

• [none]

After deliberation, the resolution to approve was adopted. VOTE: 36-0-0-0

PRESERVATION COMMITTEE

Jay Adolf and Gabrielle Palitz, Co-Chairpersons

Resolutions Re:

11. **2080** Broadway, d/b/a Mattress Firm (West 71st – 72nd Streets.) Application to the Landmarks Preservation Commission for restoration of the Broadway and West 72nd Street parapets and new signage.

Presentation by Gabrielle Palitz:

- The proposal includes restoring the existing decorative large blue terra cotta panels that form the façade above the top floor of the building, using a new composite material.
- The proposal also includes restoring the capping stones above the parapet, and the egg-anddart detail work below the capping stones.
- The proposal also includes restoring and using the existing sign band on the façade, and removing the existing illuminated signage that obscures many of the period details in this building.

CB7 Comments:

• The revised façade as proposed appears quite beautilful.

After deliberation, the resolution to approve was adopted. VOTE: 36-0-0-0

- 12. **3 Riverside Drive** (West 72nd 73rd Streets.) Application to the Landmarks Preservation Commission for restoration of front stoop and areaway, new openings at the 2nd and 3rd floors, rooftop elevator and stair bulkhead, rear-yard addition and 7'-deep rear addition at 2nd floor.
- A. Regarding the proposed reconstruction of the front entry steps and areaway;

Presentation by Gabrielle Palitz:

- The application concerns a stand-alone beautiful building at the beginning of Riverside Drive, just as the Drive turns from West 72 Street.
- It remains a unique building with a front dormer and incredible details.
- The steps to the grand main entrance were chopped off decades ago. The façade consists of highly decorated limestone.
- The proposal includes creating a restored areaway that would be 1 foot larger (i.e. extending 1 foot further into the sidewalk) than the original.
- Committee believed the extra 1' was asking too much, and recommends limiting the restoration of the areaway to the original footprint, in view of the occasional heavy use of the sidewalk by the neighboring Mosque.

CB7 Comments:

- This building is an individual landmark. Heightened scrutiny is appropriate.
- Correct that there is heavy foot traffic.
- Committee is right not to give away more of the sidewalk away.
- The structure is in an important view corridor opposite the Eleanor Roosevelt monument in Central Park.

After deliberation, the resolution to disapprove Part A of the application was adopted. VOTE: 35-0-1-0

B. Regarding the rear yard addition, and the modification of the south façade at the front entry court;

Presentation by Gabrielle Palitz:

- The existing rear yard is a tiny jigsaw-puzzle-piece, mostly because the lot is somewhat pie-piece shaped due to the curve of Riverside Drive. As a result, the rear yard is quite small, and has little direct sunlight.
- The proposal includes infilling the rear yard on the first floor, then stepping back to a modest extension at the second floor.
- The proposal also seeks to add new windows on the side yard above the main entrance toward the front of the building. The side yard windows are situated behind a small colonnade effect in a space between the side façade and the neighboring building. The new windows would slightly expand the existing openings, and would align them with an axis to appear more unified.
- The side yard windows are at best obliquely visible from the street, and would present no harm to the historic fabric of the building.

CB7 Comments:

- Concern about infilling a rear yard for residential uses.
- A: The existing rear yard is a fraction of the typical 30 foot townhouse lot, and is situated behind a 6-foot retaining wall. The effect on the rear yard neighbors' experience would be de minimus.

After deliberation, the resolution to approve Part B of the application was adopted. VOTE: 35-0-1-0

C. Regarding the rooftop addition:

Presentation by Gabrielle Palitz:

- The proposed extension of an internal grand staircase so that it would reach the roof in turn resulted in a proposal for a 900 square foot mechanical space, which was viewed as excessive and unnecessary.
- The addition of an elevator that serves the roof increases the height of the rooftop elements even further.
- The occupiable space in the proposed rooftop addition is situated hard against the building to the north.
- The enormous bulk on the roof is the result of the extension of the internal staircase.
- The railings and a portion of the rooftop addition are visible from Riverside Park and through an alleyway from West End Avenue.
- Overall, the rooftop addition as proposed is much larger than it needed to be, and overwhelms the structure.

CB7 Comments:

• Several neighbors appeared at committee and protested the rooftop addition because it would interfere with their experience of the rear yards and with their light and air.

After deliberation, the resolution to disapprove Part C of the application was adopted. VOTE: 37-0-0-0

- 13. **163 West 76th Street** (Amsterdam Avenue.) Application #LPC-19-20777 to the Landmarks Preservation Commission to construct rear yard and rooftop additions.
- A. Regarding the rear yard addition;

Presentation by Gabrielle Palitz:

- Applicant appeared before the Committee 3 times, and each time refined its proposal to address concerns raised by the Committee and the neighbors.
- The final proposal is much more consistent with the character of the neighborhood.
- Neighbors had serious concerns with the rear yard extension and the rooftop addition.
- Great example of working together to make a better project.
- Rear yard proposal is for a full-width addition that will create a small notch between the new rear façade and the neighboring townhouse due to the unusual center/beveled extension on the rear of the neighboring townhouse.
- The proposed rear façade fenestration is in keeping with precedent previously approved by CB7, and improved with iterative comments and revisions that reduced the risk of light pollution and of overwhelming the rear façade.
- The most recent proposal changed window heights to evoke the punched-window effect that unifies and relates the applicant's rear façade with those of its neighbors in the donut.
- The proposal includes excavating a trench in the rear yard all the way to the rear lot line to along the east edge to allow the placement of potentially noisy HVAC mechanicals as far from the house and neighbors as possible.
- Will harm a mature mulberry tree on the neighboring yard that overhangs the applicant's rear yard.

After deliberation, the resolution to approve Part A of the application was adopted. VOTE: 34-1-0-0

B. Regarding the rooftop addition:

Presentation by Gabrielle Palitz:

- Building had a pre-designation rooftop addition that created a lower-height penthouse.
- Proposal was to reconfigure the rooftop addition to extend the existing penthouse and infill to within a few feet of the new rear façade.
- The new rooftop addition will replace an existing wood clad condition.

CB7 Comments:

- Concern that the proposed rooftop addition breaks a consistent line of roofs in a largely-intact donut.
- Feels like putting an addition on top of an addition.

After deliberation, the resolution to approve Part B of the application was adopted. VOTE: 28-3-2-0

14. **410 Amsterdam Avenue, d/b/a Boka** (West 79th – 80th Streets.) Application #LPC-19-21829 to the Landmarks Preservation Commission to replace storefront infill.

Presentation by Gabrielle Palitz:

- This application was approved by CB7 and LPC in November 2016, but was never built.
- The committee found the application to be appropriate (as it had two years ago).

CB7 Comments:

• [none]

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

- VOTE: 32-2-1-0
- 15. **466 Amsterdam Avenue** (West 82nd 83rd Streets.) Application to the Landmarks Preservation Commission for a new wood storefront with bi-fold windows.

Presentation by Gabrielle Palitz:

- The proposed wood bi-fold doors include decorative brackets.
- The proposal uses historic materials and details without pandering.

CB7 Comments:

• [none]

After deliberation, the resolution to approve was adopted. VOTE: 32-1-1-0

16. **309 West 85th Street** (West End Avenue.) Application to the Landmarks Preservation Commission to legalize window replacement without a permit.

Presentation by Gabrielle Palitz:

- The application is to legalize a window that the applicant changed without filing an application with LPC.
- The applicant replaced a divided light window with one with false grids that were not up to character of the building.

CB7 Comments:

- Q: What is the effect of a disapproval?
- A: In a legalization, the Committee considers whether it would have approved the existing condition if it were a fresh application, neither penalizing the action without a permit nor accepting a condition simply because it had been built.
- A: The applicant must cure the violation, which typically includes a fine and adjustment if needed.
- The applicant presented two different options, one being acceptance of the existing condition, and another being a vaguely presented middle ground for a replacement window.
- The Committee addressed only the four corners of the application, which sought to legalize the as-built window, and declined to engage in re-designing their replacement for them.

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

PARKS & ENVIRONMENT COMMITTEE

Klari Neuwelt and Kenneth Coughlin, Co-Chairpersons Resolution Re: 17. American Museum of Natural History relocation of the *Times* Capsule in Theodore Roosevelt Park in connection with Gilder Center project.

Presentation by Ken Coughlin :

- The Times capsule has been a feature in Theodore Roosevelt Park on the Columbus Avenue side since 2001.
- Its location is in the area that is to be redeveloped as part of the new Gilder Center.
- The Times capsule is a sculpture created by Santiago Calatrava, who also designed the occulus subway station near Ground Zero.
- The Times capsule is to be opened in 3000.
- The proposal is to move the Times capsule to the West side of the Rose center with explanatory paving.
- At the time it was created, the planners did not anticipate that the sculpture would become an "attractive nuisance" for children to climb or bike upon.

CB7 Comments:

• [none]

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

BUSINESS & CONSUMER ISSUES COMMITTEE

Michele Parker and Christian Cordova, Co-Chairpersons

Resolutions Re:

New application to the SLA for a 500 Foot Hearing for a two-year liquor license:

18. **2756 Broadway** (West 106th Street) Awesome Beer & Burger LLC d/b/a To be Determined. Disc Jockey, garden/patio and sidewalk café.

Presentation by Michele Parker:

- The resolution is to disapprove unless the stipulations negotiated by the committee are incorporated into the method of operation of the SLA license.
- The SLA has already granted licenses to this establishment (including a rear yard service area) for more than 3 years.
- Installed fabric soundproofing fabric against walls, plus umbrellas to mitigate the sound in the rear yard.
- In 3 years no complaints to the operator.
- The operator has made good faith efforts to cease serving in the rear yard at the hours to which they agreed so as not to disturb the rear courtyard residential neighbors.
- Close backyard at 10 pm M-W; 11 pm Thurs Sat
- The existing SLA license permits serving in the rear yard, interior and the sidewalk café on the Broadway sidewalk.

Michael Ferrari – attorney for the applicant:

- New SLA application required because two owners are leaving the business, two remaining.
- The new shareholders have other restaurants in NYC outside the District.
- The rear yard includes fabric and artificial greenery and soundproof padding on the walls to deaden sound.

CB7 Comments:

- No complaints received at committee.
- Concern that previous operators of this space served in the rear yard without it having a required Certificate of Occupancy.
- A: Michael Ferrari the SLA approved a previous license knowing of the history of serving alcohol in the rear yard.

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

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

- **417 Amsterdam Avenue** (West 80th Street) BL 417 Amsterdam LLC, d/b/a Bluestone Lane.
- **519 Columbus Avenue** (West 85th Street) A. Shapiro d/b/a To be Determined.

Presentation by Christian:

- New applications.
- No issues raised or perceived at committee.

CB7 Comments:

• [none]

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

20. Unenclosed Sidewalk Café Renewals:

- 269 Columbus Avenue (West 73rd Street.) Renewal application #1423787-DCA to the Department of Consumer Affairs by 72nd & Columbus Restaurant, LLC, d/b/a AG Kitchen, for a four-year consent to operate an unenclosed sidewalk café with 8 tables and 16 seats.
- **422** Amsterdam Avenue (West 80th Street.) Renewal application #2036391-DCA to the Department of Consumer Affairs by Beer Shop, LLC, d/b/a Beer Shop NYC, for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 8 seats.
- 429 Amsterdam Avenue (West 80th 81st Streets.) Renewal application #1421365-DCA to the Department of Consumer Affairs by Vai UWS, LLC, d/b/a VAI, for a four-year consent to operate an unenclosed sidewalk café with 16 tables and 32 seats.
- **718** Amsterdam Avenue (West 95th Street.) Renewal application #1277777-DCA to the Department of Consumer Affairs by Iano Corp., d/b/a Acqua, for a four-year consent to operate an unenclosed sidewalk café with 16 tables and 32 seats.

Presentation by Michele Parker:

• Renewals – no issues raised or perceived at committee.

CB7 Comments:

• [none]

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

VOTE: 31-0-0-0.

Enclosed Sidewalk Café Renewals:

21. **180 Columbus Avenue** (West 68th Street.) Renewal application ULURP# N180102ECM/ DCA #13399-2017-ASWC to the Department of Consumer Affairs by COBP, Corp., d/b/a Il Violino, for a four-year consent to operate an enclosed sidewalk café with 15 tables and 36 seats.

Presentation by Michele Parker:

• The enclosed café has been in place for several decades and dates back to a different era.

CB7 Comments:

- The rent collected by the City for exclusive use of the sidewalk is not sufficient to justify the privatization of public space.
- The streetscape is nicer with cafes.
- The restaurants in these applications are the small businesses we need to support.
- It is rare that cafes are removed.
- Some existing enclosed cafes are poorly placed. Just because one already exists should not mean we should vote to renew. Should look at each one individually.
- Concern about incivility in the discussion over enclosed cafes, which is not becoming to CB7.
- There are a variety of reasons to oppose enclosed cafes, including renewals. Would welcome a discussion about the implications of this policy.
- CB7 members should vote our conscience on enclosed cafes.

After deliberation, the resolution to approve was adopted. VOTE: 17-9-3-0

44 West 63rd Street (Columbus Avenue.) Renewal application ULURP# N180110ECM/ DCA
#1229629-DCA to the Department of Consumer Affairs by ERS Enterprises, Inc., d/b/a PJ Clarke's, for a four-year consent to operate an enclosed sidewalk café with 22 tables and 46 seats.

Presentation by Michele Parker:

• Another long-standing enclosed café.

CB7 Comments:

- [see the discussion at item 21 above]
- Concern that the sidewalk outside this location is much too narrow with the café in place.

After deliberation, the resolution to approve was adopted. VOTE: 19-8-2-0

23. New Unenclosed Sidewalk Cafés:

- **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.
- 411A Amsterdam Avenue (West 79th 80th Streets.) New application #11260-2018-ASWC to the Department of Consumer Affairs by Shree Laxmi Restaurant, Inc., d/b/a Swagat, for a four-year consent to operate an unenclosed sidewalk café with 4 tables and 9 seats.

- **464 Amsterdam Avenue** (West 82nd 83rd Streets.) New application #11272-2018-ASWC to the Department of Consumer Affairs by Danica, LLC, d/b/a Danica, for a four-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.
- **938** Amsterdam Avenue (West 106th Street.) New application #9936-2018-ASWC to the Department of Consumer Affairs by Seinfeld Squared, LLC, d/b/a Dive 106, for a four-year consent to operate an unenclosed sidewalk café with 10 tables and 23 seats.

Presentation by Michele Parker:

• All applications from reputable and experienced restaurateurs.

CB7 Comments:

• [none]

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

The meeting was **adjourned** at 9:45 pm.

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

Parks & Environment Committee Meeting Minutes July 16, 2018

<u>Committee Members present:</u> Klari Neuwelt, Co-chair; Ken Coughlin, Co-chair; Natasha Kazmi; Susan Schwartz; Cindy Cardinal; Jennifer Markas; Jennifer Nitzky. Parks & Environment Committee members absent: Steven Brown; Tinia Pina. Transportation Committee members present: Andrew Albert, Co-Chair; Su Robotti; Richard Robbins. Non-Committee Board members present: Roberta Semer, CB7 Chair; Mark Diller.

The meeting was called to order at 7:03 p.m. by the Co-chairs.

1. Brief Update on Bull Moose Dog Run (Theodore Roosevelt Park) Renovation Project.

The Committee discussed with interested community members the fact that the budget of \$440,000 for this project allocated by Borough President Brewer and Council Member Rosenthal had turned out to be insufficient, per recent information from Steve Simon, Manhattan DPR Chief of Staff, to Neuwelt. CB7 had approved the proposed DPR design several months ago, but DPR has put the project on hold pending finding further funds. Meanwhile, the dog run has flooded in heavy rain conditions. Marisa Maack, Chief of Staff for Council Member Rosenthal, stated that she had spoken with Simon earlier in the day, and that he had told her that the funding was about \$100,000 short, with DPR trying to secure that additional funding for it. So the project is still in the "design phase", though as of now DPR is not seeking to "value engineer" any reduction in scope of the project. Neuwelt also reported, in response to dog run user comments, that their prior request for DPR to install some surface gravel as a short-term measure had, per Simon, proved too expensive and impractical for DPR. The Committee suggested that the user group attempt to work on their own about this with DPR.

Peter Wright, President of Friends of Theodore Roosevelt Park, reported that extensive discussions at the previous P&E Committee meeting on the dog run about possible noise abatement measures, and further investigation with acoustical consultants, had come to nothing.

2. DPR Presentation on Planned Improvements and Safety Measures on bike path and haul (service) road in Riverside Park South. (Joint with Transportation Committee.)

Michael Bradley, DPR, and Andreas Naughton and Sue McCoy, Philip Habib & Associates (consultants to DPR and the current Riverside South Developer), presented and responded to questions and comments, joined by John Herrold and Margaret Bracken, both DPR. They explained that DOT, which, along with DPR and DOS, is developing a plan for traffic management at the intersection of Riverside Park South/Riverside Boulevard and West 59th Street, was not ready to present their plan this evening, but would come to the Committee in the fall along with DPR to discuss that plan. In the meantime, DPR and Habib presented at this meeting various safety measures planned for the pedestrian intersections along the bike path and haul (service) road in Riverside Park South, which would be put in place as Phases 5 and 6 of the park are being completed.

McCoy presented slides showing photos and drawings of the relevant parts of the park. There are to be stripes across the pedestrian crosswalks with stanchions, three-inch-high speed bumps on the haul road, rumble strips on the haul road at the 59th Street entry and at 61st and 62nd Streets, and a 10-mile/hour speed limit on the haul road. The designers have looked at the whole park holistically, in light of the phenomenal amount of use of the bike path (Greenway), which had not been anticipated when the park

was first planned. Additionally, Amtrak and Con Ed are still doing substantial work at the north end of the park, necessitating regular use of the haul road (primarily overnight), and the haul road will remain in place permanently for use by service vehicles. Pedestrians share the haul road at some points, though primarily not for through north-south pedestrian use, for which the pedestrian pathways closest to the river are designed. The bike path is separated from the haul road by a raised concrete barrier that will have a pipe rail fence, and lighting.

Members of the Committees and the community made various suggestions and asked DPR and Habib to discuss these suggestions with DOT and to report on them when they return in the fall. The suggestions included: speed limits for cyclists on the Greenway (bike path); flashing lights at pedestrian intersections with the bike path and the haul road; additional signage for motor vehicles on the haul road, and for cyclists and pedestrians at the pedestrian intersections; reflective paint on the rumble strips; requiring motor vehicles (service vehicles) to use flashers while on the haul road; and anti-terrorism protections.

On related matters, Bradley reported that Phase 6, which is to be constructed by the Developer, is in the bidding stage. Bracken reported that Phase 5 construction, by DPR, is ongoing, having incurred delays, and that the "Brewer Money" project at the north end of Riverside Park South is being prepared to be bid for a third time. Neuwelt noted that she had been told recently by Bracken and then Steve Simon that the "architectural" components of Phase 5 (the comfort station and concession building(s) had not yet gone out to bid. Bracken explained that there would be a different construction contract for the "architecture" and that the existing Phase 5 contractor was installing the utilities for the "architecture". Bracken and Bradley were asked to investigate and report back as to whether the process for the "architecture" could be moved forward as the rest of Phase 5 nears completion, not only because the comfort station, in particular, is a feature of Phase 5 that the public is eagerly expecting, but because construction costs have been rising rapidly while Phase 5 has been under construction.

As it had at several previous meetings, the Parks & Environment Committee asked DPR to work with DOT and the Developer to come up with a feasible plan to use the tongue of land under DOT jurisdiction between the northbound and southbound lanes of Riverside Boulevard and between 59th and 60th Streets for an appropriate "green" use. Possible uses mentioned included a dog run, a garden of some sort (though the area is under the highway and has horticultural challenges) and a small skate park. The concern was not only that valuable public real estate should not be wasted, but also that the strip of land would become a garbage dump, with no agency keeping it clear and clean.

Andrew Albert also asked that the agencies explore adding or modifying a bus route to cover Riverside Boulevard.

Susan Schwartz asked Bracken about the progress on the "Rosenthal Bypass" project. Bracken said that it is part of the three-part contract, with the Crabapple Grove component being under construction first and the "Greenway" portion anticipated to go into construction in the early fall and be in use next spring.

3. Welcoming Discussion with Dan Garodnick, New President and CEO of Riverside Park Conservancy.

This item was postponed because Garodnick had to leave the meeting, but it will be rescheduled.

4. Welcoming Discussion with New Parks & Environment Committee Members.

New members Cindy Cardinal, Jennifer Markas and Jennifer Nitzky briefly introduced themselves and were welcomed. The Committee discussed with them how they could be come familiar with the operations and issues of the Committee. Neuwelt suggested that they read the minutes of the last few meetings on the CB7 website. There was also a general discussion about how to streamline the minuteswriting process

5. Update on Committee Discussions:

Susan Schwartz introduced the issue of lack of recycling in Riverside Park. The Committee discussed that bottle and can recycling is more of a concern in the park than paper recycling. The Cochairs agreed to raise the question with DPR and report back. Further discussion of other Committee business was deferred to the next meeting.

6. Discussion of the Committee's Section of the District Needs Statement for Fiscal Year 2020.

Board Chair Roberta Semer led a brief discussion.

The meeting was adjourned at about 9:15 p.m.

Preservation Committee – Community Board 7/Manhattan Minutes July 12, 2018

The Preservation Committee of Community Board 7/Manhattan met on Thursday, July 12, 2018, at the CB7 District Office, 250 West 87th Street. The meeting was called to order at 6:30 pm by co-chairs Gabrielle Palitz and Jay Adolf. Committee members Mark Diller, Miki Fiegel, Peter Samton, and Susan Schwartz participated in the meeting. The following discussions were had and actions taken.

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

Presentation by: Michael Mazzella, Architect

This is the third presentation by this architect to the Preservation Committee, incorporating additional revisions to the elevations, isometrics, and sections. The top floor has been lowered and the chimney removed, with decreased massing in the upper levels. This project will be presented to LPC on July 31, 2018.

Community Comment:

- Karen Mintz, 160 W. 77th Street, objects to potential damage to the mulberry tree in the rear yard and to the height of the rooftop addition, particularly given that it will be used as a poolroom.
- Joyce Hackett, 160 W. 77th Street, is concerned about the HVAC installation hurting the rear yard trees and the precedent that will be set by the rear yard and roof top additions, adversely affecting the quality of life in the donut and reducing light and air for the neighbors.
- Sherry Scribner, 160 W. 77th Street, presented photos of the massing from the rear of the building, which she believes is inconsistent with the neighboring buildings.

Committee Discussion:

- Opposing the application:
- Concerns about potential damage to the mature rear yard trees, impact on the donut, and the height of the rooftop addition, with mild concern about the full-width rear yard addition and concerns about the HVAC excavation below the building (rather than placing the mechanicals on the top of the building)
- Supporting the application:
- This application, with its revisions since it was first presented to the committee, while somewhat disruptive to the donut and opposed by some of the neighbors, is not inconsistent with other applications the Committee has reviewed and approved.

Regarding the rear yard addition, the following facts and concerns were taken into account in arriving at our conclusion:

--A new three-story full-width rear yard addition will replace the existing three-story partial width addition and the garden level greenhouse. Its rear façade is located four feet back from the neighboring building to the west.

--The existing fourth level will be expanded out to the rear slightly to align with the adjacent existing rear façade to the west.

--The existing top floor will be expanded slightly, set back five feet from the existing adjacent building to the west.

--Resulting from prior interior reconfiguration and adjustment of several upper floor levels in conjunction with the 1980's construction of the existing rooftop addition, the top two stories of the building have higher interior floor-to-ceiling heights than the original rowhouse, and so the height of the rear façade windows in these two top floors is taller, and the heads no longer align with the windows in the rear facades of the adjacent rowhouses.

--The existing rear façade is clad in brick, whitewashed.

--The new rear façade and the rear yard addition will be clad in common red brick.

-- All fenestration will be new wood multi-pane French doors with fixed transoms, painted black. --The width of the French doors will decrease in size as the building rises: three contiguous pairs at the garden level, three wide individual pairs at the next two floors of the rear yard addition, then narrower pairs to approximate the solid-to-void relationship of the typical punched openings at the rear facades. At the top floor, there will be no transoms above the French doors, to roughly align with the heads of the adjacent windows to the west.

--All new openings will be capped by cast stone lintels. At the rear yard addition, the lintels will be continuous across the three openings. At the two top two floors there will be separate lintels for the three separate openings.

--Railings at the Juliet balconies will all be vertical wrought iron bars, painted black.

--Railings at the upper level terraces and rooftop addition will be clear glass.

It should be noted that there will be no HVAC units at the roof level. Instead, they will be located in the excavated Cellar. There will also be excavation in the rear yard to create a U-shaped trench along the north, west and south edges of the garden, providing space for supply and return air to enter and exit at the garden level.

The Committee strongly urges the applicant to take great care with the excavation work in order to protect and to preserve the existing tree at the rear yard, and also if possible the mulberry tree at the neighboring garden to the west, which overhangs this rear yard. In the event these mature trees and plantings cannot be saved, they should be replaced with suitable replacements.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed design of the rear yard addition is appropriate to the historic character of the building and the Historic District.

THEREFORE, BE IT RESOLVED THAT the Preservation Committee of Community Board 7/ Manhattan **approves** the rear yard addition and urges the applicant to take great care with the excavation work to preserve the existing mature trees to the extent possible.

Preservation Committee: 6-0-0-0.

Regarding the rooftop addition, the following facts and concerns were taken into account in arriving at our conclusion:

--During the 1980's construction project, a small rooftop addition was created by restructuring several upper floor levels and the roof. This work will be replaced by a larger and taller rooftop addition in a similar location, with a new elevator bulkhead. It will not be visible from the public way.

--The new rooftop addition will be clad in textured spruce boards at the front and rear, with dark wood windows. The side walls will be clad in red brick to match the rear façade. --A new metal ladder will provide access up to the penthouse roof deck.

The Committee urges the applicant to reduce the overall height of the rooftop addition by one foot.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed design of the rooftop addition is appropriate to the historic character of the building and the Historic District.

THEREFORE, BE IT RESOLVED THAT the Preservation Committee of Community Board 7/ Manhattan **approves** the rooftop addition.

Preservation Committee: 5-1-0-0.

The Committee commends the applicant on working with both the Committee and the neighbors to create a more harmonious and appropriate design within the context of the block.

2. **3 Riverside Drive** (West 72nd-73rd Street). Application to the Landmarks Preservation Commission for restoration of front stoop and areaway, new openings at the 2nd and 3rd floors, rooftop elevator and stair bulkhead, rear-yard addition and 7-foot deep rear yard addition at the 2nd floor. Prior below-ground work was previously approved. This project will be presented to LPC the first week of August.

Presentation by: Juan Matiz, Architect, and Hilda Cohen, Project Manager

Regarding the proposed reconstruction of the front entry steps and areaway, the following facts and concerns were taken into account in arriving at our conclusion:

--When originally constructed in 1899, the building had an areaway enclosed by low walls extending west into the sidewalk, and an exterior staircase down accessing the Cellar.

--At the entry court to the south of the areaway, a short run of steps leading up to the entry doors extended out to the areaway enclosure wall.

--When the six-story building to the south was constructed half a century later, the steps extending past the building line of this newer building were eliminated, the areaway was covered over and the existing staircase was enclosed under a sidewalk hatch.

--The proposal is to construct a new areaway with low walls modelled on the original design, but which would extend approximately 1'-9" further west than the original in order to provide sufficient space for a new Cellar stair with a shallower pitch. New steps up to the entry court would be added, aligning with the location of the new areaway enclosure walls.

--At its narrowest point, the unobstructed sidewalk width would be reduced to approximately 20 feet.

Community Comment:

 Monroe Warshaw, 5 Riverside Drive, Apt 10F, a 35 year resident in a studio apartment in the back of the adjacent building with a terrace looking out into the donut, is concerned about the impact this project will have on the apartments looking down upon it from other buildings in the donut and is also concerned about the large amount of traffic (up to 60 taxis) on Friday afternoons, visiting the nearby mosque.

• John Connelly and James Parker, 5 Riverside Drive, live in a 9th floor apartment on the front of the building and have been bothered by the noise of the below-ground construction for the past four months and are offended by the "chutzpah" of the new owner "making the building better"

Committee Discussion:

- Opposing the application:
- Concerns about the size of the mechanical room and the out of scale nature of the rooftop addition, as well as concern about the reduction in sidewalk to increase the entryway to the building
- Supporting the application:
- The rear yard addition does not block any windows in the adjacent building and is not negatively impacting the donut

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed design of the reconstructed front entry steps and areaway, in extending further out than those in the original design, are inappropriate to the historic character of the building and the Historic District.

THEREFORE, BE IT RESOLVED THAT the Preservation Committee of Community Board 7/ Manhattan **disapproves** the proposed reconstruction of the front entry steps and areaway.

Preservation Committee: 5-0-1-0.

Regarding the rear yard addition, and the modification of the south façade at the front entry court, the following facts and concerns were taken into account in arriving at our conclusion:

--A new two-story brick clad rear yard addition is proposed.

--The ground level of the rear yard addition will fill the entire rear yard, with no window penetrations to its vertical enclosure walls.

--The second story of the rear yard addition will be set back, projecting 7 feet from the building's rear facade, to allow skylights to be installed over the eastern end of the first floor space below.

--The second floor fenestration will be glass and steel windows, different from all the other proposed replacement windows, which are to be double-hung, insulated one-over-one wood windows. --The rear yard addition is not visible from the public way.

--At the front façade, along the south-facing façade of the entry court, new window openings are proposed at the second and third floors, and an enlarged door opening, shifted to the east is proposed at the fourth floor. These new windows and doors are to be wood with insulated glass, designed to match the rest of the new replacement windows throughout.

--Along the south wall of the entry court, limestone cladding will be installed at the ground level, to mask the brick façade cladding of the building to the south,

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed design of the rear yard addition and the proposed modifications to the south façade front entry court are appropriate to the historic character of the building and the Historic District.

THEREFORE, BE IT RESOLVED THAT the Preservation Committee of Community Board 7/ Manhattan **approves** the rear yard addition and the modifications to the south façade of the front entry court.

Preservation Committee: 6-0-0-0.

Regarding the rooftop addition, the following facts and concerns were taken into account in arriving at our conclusion:

--The rooftop addition will be constructed on the rear half of the existing rooftop, including a 940 sf Mechanical Room, and a similar amount of vertical and horizontals circulation space (stairs, a hallway and elevator.)

--The existing external rooftop HVAC units will be replaced with more efficient and more extensive mechanical equipment, now enclosed in the new mechanical room.

--The rear facade of the rooftop addition will be enclosed by metal louvers painted greyish red to match the brick at the addition's side walls.

--A small stair bulkhead and elevator overrun shaft will be constructed along the north edge of the rooftop, abutting the adjacent high-rise apartment building. They will extend 8 and 11 feet respectively above the rooftop addition.

--The rooftop addition and extensions are partially visible from various viewpoints to the west, south and east.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed design of the rooftop addition is unnecessarily overscaled for the building and is inappropriate to the historic character of the building and the Historic District.

THEREFORE, BE IT RESOLVED THAT the Preservation Committee of Community Board 7/ Manhattan **disapproves** the rooftop addition.

Preservation Committee: 6-0-0-0.

3. Update on the committee's section of CB7's District Needs Statement for Fiscal Year 2020.

The committee was unanimous in its recommendation for more LPC staff.

The meeting was adjourned at 9:05 pm.

Transportation Committee Meeting Minutes July 10, 2018

1. Presentation by Patrick Kennedy, NYC DOT Cyclist Team 8th Ave / Columbus

Background:

- Growth in cycling 156% growth 2006 2016, 70,000 Citibike trips / day. 16M total Citi Bike trips. 1.3 million started and/or ended in CB7.
- Gap in protected bike lane network 8th avenue ends at 56th Street.
- 8th avenue is a Vision Zero priority corridor. 8th avenue 46-58 and Columbus Circle has 145 total injuries 2012-2016.
- Total injuries go down with installation of protected bike lanes.

Specific Proposal:

- Current condition existing protected lane ends at 56th street and cyclists must cross at 57th.
- Proposal extends protected lane to Columbus Circle.
- Install pedestrian refuge islands at 57 and 58
- At Columbus Circle, bike lane goes on inside of circle.

Board Comments:

- Ken Bikes are likely to look for a break in traffic at north side of Columbus Circle.
- Rich Bikes will cut across between CPS and CPW looking for a gap in traffic.
- Howard Concern about gap between 60-62.

• Mark Diller – Did you consider having bikes go up Broadway and then back to CPW? Community Comments:

- Reed Rubey Vertical demarcation between bike lane and vehicle lane needed. Westbound bikes on 59th Street don't have protections.
- James Miller No easy opportunity for southbound bikes on Broadway to get into bike lane. DOT
 - We need to take incremental steps and not worry about gap between 60/62 or steering bikes to Broadway.

Recommendations – CB7 approves plan as presented. CB7 also suggests:

- Physical protection of bikes on inner bike lane in Columbus Circle
- Close the gap in bike lanes between 60/62 on CPW (east side of street)
- Improve entrance westbound at 59th street for cyclists
- Better entrance for bikes heading southbound on Broadway into Columbus Circle bike lane
- CB7 requested real concrete pedestrian islands on Amsterdam, not just paint

Passed 6-0-0-0 (Committee), 8-0 (non-committee)

10th Avenue / Amsterdam Avenue between 52/72.

Background:

- 2 cyclist fatalities 55th and 72nd
- 8 pedestrians severely injured / 4 cyclists severely injured
- 277 total injuries 2012 2016
- 79% of vehicles travel above speed limit off-peak.

Specific Proposal

- Remove west travel lane and install protected bike lane.
- Add painted pedestrian islands (would like to do concrete but limited resources)

- Split phase signals 57th and 66th
- 44 parking spaces turn into pedestrian islands or left turn treatments.
- 70-72, transition curbside bike lane out into lane that's mixed with left turning vehicles onto 71st street, bikes go inside left turning buses between 71/72.
- Adding metered commercial loading zone
- Will cause increase of <5 seconds in peak PM period

Board Comments:

- Ken: Concerned about mixing of cyclists and vehicles between 70/71. Ted from DOT: This is the choke point. There are points where you have to make the conflict noticeable to let cyclist and vehicle know there's a potential for conflict.
- Rich: 71/Amsterdam is a really dangerous intersection. Should we ban left turns onto 71?
- Mark: From 66-70, trucks double park outside loading zones and use loading zone as staging area. Answer is that we don't have enough loading zones. We need more loading zones.

Community Comments:

- Amanda Dunn from Lincoln Center: Make area behind Metropolitan Opera striped, not loading zones, so trucks can get in.
- Richard ??: Protected bike lanes in commercial areas cause need for loading zones
- James Miller: There needs to be a better way where cyclists have the right of way.
- Reed Rubey Mixing zones are bad, split phases are good.

Recommendations – CB7 approves plan as presented. CB7 also suggests:

- DOT to check on light pattern for buses turning left from northbound Broadway to Westbound 72nd Street to ensure no conflict with bikes. DOT Ted says he believes bikes will cross with the pedestrians but DOT will check.
- DOT look at eliminating left turn on 71st Street.
- Add more loading zones on both sides of Amsterdam.

Passed 6-0-0-0 (Committee), 7-0 (non-committee)

2. Colleen Presentation by NYC DOT

DOT explored creating a mid-block between Amsterdam / Columbus.

Looked and saw 22 pedestrians crossing in an hour in the morning. 17 midday, 44 5pm – 6pm Need minimum of 107 pedestrians crossing

Rich: It's the wrong measure to look at volume – the issue is that it is a hardship for elderly people to have to go all the way to avenues up/down hills to cross from one center to another. Colleen will go back to see if they will revisit.

3. District Needs – Elizabeth working on it and will have it by end of July.

4. New Business –

Committee members discussed plan to organize the information committee members collected regarding proposed loading zones on Central Park West and West End Avenue. The objective is to have a proposal for increasing loading zones in CB7 in order to reduce double parking which is a serious safety hazard for all street users (particularly pedestrians), improve traffic flow and allow for efficient pickups/deliveries. Suggestions included: 1) Ensuring safety by not having loading zones impede pedestrian view of oncoming traffic, 2) Making loading zones more easily entered / exited by trucks by placing them adjacent to fire hydrants (obviously without blocking the hydrants), 3) Putting loading zones near larger buildings that are more likely to get a greater number of deliveries.

Nick Hara. Works for Tableau. Lives on UWS.

Looked at NYPD crash data and presented a report.