

RESOLUTION

Date: September 6, 2011

Committee of Origin: Steering

Re: "Donuts".

Full Board Vote: 31 In favor 1 Against 5 Abstentions 0 Present

The following facts and concerns were taken into account in arriving at our conclusion:

- When seen as a whole, the adjoining rear yards and rear facades of 19th century rowhouse blocks common on the Upper West Side, often referred to as "the donut", create a unique sense of place for the semi-public space of the block interiors. This historic character is being compromised with the construction of new rear yard additions even as they erode the open space of the donut.
- There are about 53,000 acres of residential open space in New York City located behind apartment buildings and rowhouses that can be revived to enhance quality of life while improving the environment.
- There are about 115 acres of residential open space on the Upper West Side.
- Living near "greener" urban settings is linked to improved quality of life and increased sense of well-being.
- Permeable urban open space is known to convey significant environmental benefits with regard to storm water runoff, summertime temperature reduction and air quality improvement.
- Tree planting in rowhouse and apartment courtyards and back, side and front areas would support PlaNYC's "million trees" planting initiative.
- Contiguous backyards encourage biodiversity and supports bird migration patterns.
- Paving urban backyards costs more than keeping the area vegetated.¹
- Such permeable surface encouragement could be employed at little upfront cost that would offer payback in reduced water treatment costs² and appraisal values.
- City trees reduce energy costs by \$11.2 million annually.³ Trees growing on one NYC rowhouse block reduce energy costs by about \$950 annually.⁴

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan calls upon its elected representatives, public officials and appropriate agencies to initiate and support measures to encourage the preservation of permeable urban land including, but not limited to, the enactment of legislation and/or the promulgation of regulations:

- a) establishing incentives for the removal of concrete and other non-permeable materials and the replacement with, and installation of, permeable surfaces in residential open space; and
- b) requiring the issuance of permits for installing non-permeable surfaces or replacing permeable surfaces with concrete or other non-permeable materials in residential open space.

Committee: 12-0-0-0

¹ Recent estimate for the Olmsted Center project indicated asphalt at \$5/sf and landscape (including trees, topsoil and ground cover at \$2/SF. Cement concrete and pavers are much more expensive.

² Currently, the City pays for the treatment of water, passing on the cost to the property owner through maintenance, rent and other fee structures.

³ Nowak, D.J., R. Hoehn, D.E. Crane, J.C. Stevens and J.T. Walton. *Assessing Urban Forest Effects and Values: New York City's Urban Forest. Northern Resource Bulletin*. Newtown Square, PA: U.S. Department of Agriculture, Forest Service, 2006.

⁴ Mason, Evan, *Sustainable Yards*, Urban Field Station/NYC Parks & Recreation, 2009. Using Stratum computer modeling.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Transportation and Parks & Preservation

Re: 96th Street IRT Subway Station.

Full Board Vote: 30 In favor 2 Against 6 Abstentions 0 Present

The following facts and concerns were taken into account in arriving at our conclusion:

The reconstruction of the West 96th Street IRT station and the construction of the new headhouse between West 95th & 96th Streets necessitated the enlargement of the Broadway Mall in that block and this enlargement of the mall necessitated the narrowing of the sidewalks on both sides of Broadway between West 95th & 96th Streets.

The enlargement of parkland and concomitant narrowing of the street area required a mapping change, subject to ULURP.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** ULURP 100122 MMM application to the Department of City Planning by the Department of Parks & Recreation and the Department of Transportation for changes to the City map involving:

- the elimination, discontinuance and closing (narrowing) of portions of Broadway between West 94th Street and West 97th Street;
- the establishment of parkland within Broadway between West 94th Street and West 97th Street;
- the establishment of various block dimensions and street widths;
- the adjustment of grades necessitated thereby, including authorization for any acquisition or disposition of real property related thereto, to facilitate the construction of a subway Station House and other improvements at the West 96th Street Subway Station.

Joint Committees: 5-1-0-0. Board Members: 3-0-0-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Transportation

Re: Newsracks/newsboxes.

Full Board Vote: 39 In favor 0 Against 0 Abstentions 0 Present

The following facts and concerns were taken into account in arriving at our conclusion:

The proliferation of newsracks has created cluttered, dangerous, and unsightly conditions on the streets of New York City.

The owners of the various publications distributed by the newsracks have largely failed to maintain their newsracks according to applicable regulations.

The Department of Transportation has not effectively enforced newsrack regulations because of deficiencies in the current law and lack of personnel.

Many of these newsboxes are not publications, but rather advertisements for various services, and

use of the 311 system for complaints about unlawfully placed or improperly maintained newsracks has not produced meaningful results.

Many of these newsboxes have become a repository for garbage and other unsanitary deposits, and

In this era of security-awareness, these newsboxes may become a repository for the stashing of weapons or other illegal substances.

Other cities have enacted legislation limiting the number of newsracks on each corner, mandating size, appearance, maintenance, and other requirements and have imposed fair licensing fees to fund enforcement activities.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan requests that:

- The City Council study newsrack legislation in other municipalities and enact a newsrack law, which will curb the current abuses and unsafe conditions on our sidewalks.
- The Department of Transportation provide sufficient administrative and personnel resources to satisfactorily enforce the newsrack regulations.
- The Office of the Mayor take necessary action to encourage and enable the Department of Transportation to more promptly and effectively respond to 3-1-1 newsrack complaints; and

BE IT FURTHER RESOLVED THAT Community Board 7 supports Councilman Vacca's oversight hearings on newsboxes.

Committee: 7-0-0-0. Board Member: 1-0-0-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Parks & Environment

Re: Broadway Mall Association and the Morrison Gallery temporary installation of art works by Peter Woytuk on 18 malls for 6 months.

Full Board Vote: 39 In favor 0 Against 0 Abstentions 0 Present

The following facts and concerns were taken into account in arriving at our conclusion:

Community Board 7/Manhattan welcomes temporary public art exhibits in the park areas in its District. This proposed exhibit includes sculptures by Peter Woytuk in a range of materials and colors will be an attractive amenity for visitors to the Broadway Malls in the coming months.

The proposed placement of the sculptures at specific locations on the Broadway Malls takes into account pedestrian safety.

Some of the sculptures will be in locations outside of the Community Board 7 boundaries, up to 168th Street. The Parks and Environment Committee of Community Board 7 applauds the decision to include placing public artworks such as these in neighborhoods to our north.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the proposed installation of sculptures by Peter Woytuk on the Broadway Malls for six months beginning on September 15, 2011.

Committee: 8-0-0-1.

RESOLUTION

Date: July 5, 2011

Committee of Origin: Business & Consumer Issues

Re: 70 West 68th Street, (Columbus Avenue)

Full Board Vote: 37 In Favor 0 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** application to the State Liquor Authority for a two-year liquor license by Second Wind Restaurant LLC, d/b/a “To be determined”.

Committee: 8-0-0-0. Board Member: 1-0-0-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Business & Consumer Issues

Re: 53 West 72nd Street (Columbus Avenue.)

Full Board Vote: 37 In favor 3 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** application to the State Liquor Authority for a two-year liquor license by 53 West 72nd Street Café LLC, d/b/a To be determined.

Committee: 9-0-0-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Business & Consumer Issues

Re: 2161 Broadway (West 76th Street.)

Full Board Vote: 37 In favor 3 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** application to the State Liquor Authority for a two-year liquor license by FLB Viktoria Corp., d/b/a Fratelli La Bufala.

Committee: 9-0-0-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Business & Consumer Issues

Re: 175 West 90th Street (Amsterdam Avenue.)

Full Board Vote: 37 In favor 3 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** application to the State Liquor Authority for a two-year liquor license by Casa 91 LLC, d/b/a Blockheads.

Committee: 9-0-0-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Business & Consumer Issues

Re: 2799 Broadway (West 108th Street.)

Full Board Vote: 37 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** New application DCA# 1394145 to the Department of Consumer Affairs by 2799 Broadway Grocery, LLC, d/b/a Cascabel Taqueria, for a two-year consent to operate an unenclosed sidewalk café with 21 tables and 44 seats.
Committee: 9-0-0-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Business & Consumer Issues

Re: 316 Columbus Avenue (West 75th Street.)

Full Board Vote: 36 In favor 0 Against 2 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** assignment of consent application DCA#1395732 to the Department of Consumer Affairs by Pappardella Rest. Corp, d/b/a Pappardella, for a two-year consent to operate an unenclosed sidewalk cafe with 10 tables and 20 seats.
Committee: 9-0-0-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Business & Consumer Issues

Re: 413 Amsterdam Avenue (West 80th Street.)

Full Board Vote: 36 In favor 1 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** assignment of Consent Application #1396587 to the Department of Consumer Affairs by Flagship S.B. Amsterdam NY, LLC, d/b/a Saravana Bhavan, for a two-year consent to operate an unenclosed sidewalk café with 11 tables and 22 seats.

Committee: 6-0-0-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Business & Consumer Issues

Re: 441 Amsterdam Avenue (West 81st Street.)

Full Board Vote: 24 In favor 10 Against 3 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA# 1283643 to the Department of Consumer Affairs by JPS Ventures, Inc. d/b/a St. James Gate, for a two-year consent to operate an enclosed sidewalk café with 5 tables and 16 seats.

Committee: 9-0-0-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Preservation

Re: 163 West 87th Street (Amsterdam – Columbus Avenues.) Application to the Landmarks Preservation Commission for roof-top and rear-yard additions and window replacement.

Full Board Vote: 33 In favor 0 Against 0 Abstentions 0 Present

The following facts and concerns were taken into account in arriving at our conclusion:

- In the front façade, the original wood windows were replaced with aluminum double-hung windows, which are now in poor condition. These will be replaced with new one-over-one, double hung, aluminum-clad wood windows, painted black.
- Other front façade work includes refinishing the (probably original) wood front door pair; replacing the existing wood transom above with a new transom of similar design, with insulated glass; and power washing and repointing the masonry, patching and repairing where required.
- The building lot is narrow – only 17 feet wide.
- The existing four-story rear yard addition is 7’-9-1/4” wide x 16 feet long, set back 26 feet from the rear property line.
- The new rear yard addition will retain only the top two floors of the existing narrow rear yard addition. Below, on the bottom two floors (Garden and Parlor floors), the rear facade of the proposed addition will be cut back 5 feet, located 31 feet back from the rear property line. It will extend full-width (17 feet wide total), with the top two floors partially cantilevered over the west portion.
- The north-facing and east-facing facades of the new rear yard addition - including the renovated upper floors of the existing addition - will all be faced in gray stucco, with large-scale glazed opening and doors. The doors and windows will be aluminum-clad wood, in battleship gray.
- The exposed portion of the original building’s rear façade will remain masonry. The original brick will be stripped, left exposed if possible, painted brick color, or faced in brick-color stucco.
- The roof-top addition will be similar in design, with gray stucco facing, and battleship gray aluminum-clad large wood windows and doors. Only the single chimney extension will be partially visible from the street.
- The east side wall of the rooftop addition will be structured to frame over the adjoining neighbor’s stair bulkhead, which sits partially on the party wall of 163 West 87th street.

The Preservation Committee of Community Board 7/ Manhattan believes that the front façade window replacement, and the roof-top and rear yard additions are reasonably appropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the front façade window replacement, and the roof-top and rear yard additions.

In addition, the committee recommends that the applicant maintain and augment the existing planting beds to include additional greenery within the rear yard.

Committee: 6-0- 0-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Preservation

Re: 285 Central Park West (West 88th – 89th Streets.) Application to the Landmarks Preservation Commission to replace two windows on the 8th floor on the building's interior courtyard.

Full Board Vote: 30 In favor 0 Against 3 Abstentions 0 Present

The following facts and concerns were taken into account in arriving at our conclusion:

- While the window is located within a completely enclosed interior courtyard and in no way visible from the public way, it is considered a “special” window by LPC, requiring public review.
- The building does not permit any through-wall air conditioners or other cutting of the exterior masonry.
- The building has a general master plan for replacement windows in the interior courtyard, which includes permitting double-hung one over ones. All replacement windows are to be bronze finish.
- There are both original “special” multi-paned casement bay windows and replacement double-hung one-over-one windows installed randomly throughout the interior courtyard facades.
- The existing “special” window in question is a shallow bay window, consisting of two angled single casement side sashes, and a straight central pair of casement sashes, all with transoms above. The sashes are multi-paned, bronze painted wood.
- The proposal is to replace the two center sashes and transom units with solid linear exhaust grilles to provide ventilation for a four-zone condensing unit installed within. The metal grille will be dark bronze aluminum to match existing windows throughout courtyard facades.
- The amount of noise generated by the proposed interior condenser is believed to be less than the noise generated by four window air conditioner units.

The Preservation Committee of Community Board 7/ Manhattan believes that the courtyard window replacement is reasonably appropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the courtyard window replacement.

Committee: 4-2 -1-0.

RESOLUTION

Date: September 6, 2011

Committees of Origin: Preservation

Re: 327 Central Park West (West 93rd Street.) Application to the Landmarks Preservation Commission for window replacement master plan.

Full Board Vote: 33 In favor 0 Against 0 Abstentions 0 Present

The following facts and concerns were taken into account in arriving at our conclusion:

- 100% of the building's original 6-over-6, double-hung wood windows have been replaced with one-over-one, double-hung bronze-colored aluminum windows.
- Of the replacement window pairs (two windows within a single window opening), the majority have been installed with a wide center mullion, similar to the original paired window installation.
- There are also some replacement window pairs installed with a narrow center mullion, which creates a lack of uniformity in the overall facades.
- New replacement windows will be similar in profile, dark bronze anodized aluminum finish, with a flat brick mold.
- While the Condominium is requesting that both the wide mullion ("Alternate A") and the narrow mullion ("Alternate B") options be available for replacement window pairs, only the wider mullion option is similar to the original paired window installation.

The Preservation Committee of Community Board 7/ Manhattan believes that the window replacement Master Plan, with the single option of a wide central mullion at window pairs ("Alternate A"), is reasonably appropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the window replacement Master Plan, with the single paired window wide mullion option.

Committee: 7-0- 0-0.