

RESOLUTION

Date: May 1, 2012

Committee of Origin: Youth, Education & Libraries

Re: Site Plan for new approximately 600+ seat primary/intermediate school facility within the Riverside Center Development.

Full Board Vote: 38 In favor 0 Against 0 Abstentions 0 Present

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

- The recommendation and need for a new public school as laid out in Community Board 7's Riverside Center ULURP Report and supported in report section d.3.a is still fully applicable.
- There will be opportunity for CB 7 to consult with DOT on creating a safe streetscape before the school opens.
- The School Construction Authority (SCA) will provide regular updates on design and construction phases of the school.
- The SCA insures adequate school design to mitigate ongoing Riverside Center development construction from interfering with the school day and safety measures for arrival/dismissal of students during ongoing Riverside Center development construction.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan fully supports the site selection of PS342/Riverside Center School at Block 1171, Lot 165 on the corner of 61st Street and West End Avenue.

Committee: 6-0-0-0. Non-Committee Board Members: 6-0-0-0.

RESOLUTION

Date: May 1, 2012

Committee of Origin: Youth, Education & Libraries

Re: Manhattan Borough Board resolution in support of the NYS Dream Act and Dream Fund.

NYS Dream Act Full Board Vote: 25 In favor 1 Against 8Abstentions 0 Present

NYS Dream Fund Full Board Vote: 33 In favor 1 Against 1Abstention 0 Present

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

The Manhattan Borough Board, under the aegis of the Manhattan Borough President, has created a resolution that addresses the need for and timeliness of passing the New York State Dream Act and Dream Fund. Community Board 7 shares that concern for access and equality in achieving higher education for all.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan supports the Borough Board resolution for the passage of the New York State Dream Act and Dream Fund.

Committee: 6-0-0-0. Non-Committee Board Members: 6-0-0-0.

RESOLUTION

Date: May 1, 2012

Committee of Origin: Land Use

Re: 160 West 62nd Street & 150 West 62nd Street, Fordham University (Columbus-Amsterdam Avenues.)

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

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application by Fordham University, West 62nd Street LLC, and West 60th Street Realty, LLC, to the Department of City Planning for a Special Permit and a second modification of the restrictive declaration that would eliminate a roof over and enclosure of an 18' wide area located on the south side of West 62nd Street, 100 feet east of the intersection of Amsterdam Avenue and West 62nd Street, between the new residential building under construction and the new law school under construction.

Committee: 9-0-0-0. Non-Committee Board Members: 2-0-0-0.

RESOLUTION

Date: May 1, 2012

Committee of Origin: Land Use

Re: 61 West 62nd Street, New York Sports Club (Columbus Avenue.)

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

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application #69-91-BZ to the Board of Standards and Appeals by The 61 West 62nd Street Condominium for an extension of the term of a previously granted special permit allowing the operation of a health club in portions of the subcellar, cellar, first floor and second floor of a twenty-six story mixed use residential/commercial building. The application also includes an amendment for a change floor area and a waiver of the Rules of Procedure of a late filing.

Committee: 7-0-0-0. Non-Committee Board Members: 4-0-0-0.

RESOLUTION

Date: May 1, 2012

Committee of Origin: Land Use

Re: Legislation relating to the operations of the New York City Board of Standards and Appeals ("BSA") : Int. Nos. 680, 78, 650, 678.

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

Int. No. 680: A local law to amend the New York city charter, in relation to the creation of a community advisory review panel for zoning variance and special permit applications.

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

The Procedure that Intro 680 Would Institute

Intro 680 calls for the creation of a "community advisory review panel" ("CARP") to review and make recommendations on applications for zoning variances or special permits to the Board of Standards and Appeals ("BSA"). The CARP would be empowered to conduct its own hearing and render its own findings and recommendations. BSA would be required to refer any application to the CARP based upon a request made in "good faith" by a single member of the community in the affected District. The CARP is to consist of representatives from the Community Board and the Council Member for the affected district, and of the Department of City Planning. The CARP's review would commence immediately after the review and recommendation by the community board for the affected district.

Intro 680 Will Dilute Community Input

Creating a new layer of review will dilute community input on BSA variance and special permit applications.

- The technical findings required for these applications require assessments of the proposed project that should be informed by a complete record that reflects the views of neighbors as well as other community voices and experts.
- Holding a second hearing shortly after the community board hearing and vote will inevitably confuse some members of the public into missing one or the other, and overtax those who attend both.
- The net effect is that the complete picture about the application would likely be adduced and discussed at neither hearing, defeating effective community input.
- Inconsistent records at the two overlapping layers of review will enhance the likelihood of inconsistent results, further diluting community input.
- The second layer of review at the CARP would also add delay to a long process, and tax the financial resources of all involved, especially community members who are frequently at a disadvantage in terms of resources to analyze and respond to proposed projects.

The goal of ensuring that all voices concerned with an application are heard and that decisions relating to those applications reflect consideration of those voices can be achieved without Intro 680, by expanding the scope of Intros 78 and 678 to include the views of City Council Members and Department of City Planning representatives among those whose views should be specifically referenced and reported upon by the BSA in making final decisions.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** Int. No. 680; and

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan **approves** Int. Nos. 78, 650, and 678.

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

RESOLUTION

Date: May 1, 2012

Committee of Origin: Land Use

Re: 207 West 75th Street. Response to developments around application #142-11-BZ to the Board of Standards & Appeals (BSA) by The Philippe for a special permit to construct a 14-story building at 207 West 75th Street.

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

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

In October 2011, the developer of 207 West 75th Street, appeared at Community Board 7/Manhattan (CB7) seeking a special permit to construct a 14-story building, double the height of an as of right building. The developer argued then that the "A" finding necessary for a BSA variance relating to the unique physical characteristic of the zoning lot was satisfied because the lot was in a mid-block zone and was next to a landmark from which it could not acquire air rights. CB7 rejected this basis for reaching an "A" finding and recommended disapproval of the proposed special permit. Thereafter, BSA members appeared disinclined to make the "A" finding based on the developer's rationale, but gave the developer an opportunity to amend its filing. The developer then claimed that the site was "unique" because of the presence of subsurface bedrock. The application is still pending before BSA, but the developer has not sought any approval from CB 7 of its new application.

In view of the foregoing developments, CB 7 authorizes its Chair and the Co-Chairs of the Land Use Committee to communicate in writing with the BSA strenuously objecting to consideration of the special permit based on the developer's new rationale for the following reasons: 1) the Charter requires that application for a special permit be reviewed by the affected community board prior to consideration by BSA. In this instance, the community board has been deprived of the opportunity to review the developer's rationale for the "A" finding because it was first promulgated after the CB7 vote, and after the initial hearing at BSA. 2) CB7 views with skepticism any claim that the existence of bedrock under a proposed zoning lot in Manhattan is, in any respect, "unique". Satisfaction of the "A" finding based on a claim of subsurface bedrock would effectively eliminate any requirement of uniqueness. Such a finding would appear particularly inappropriate with respect to this application because the lot is already partially excavated.

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

RESOLUTION

Date: May 1, 2012

Committee of Origin: Transportation

Re: Columbus Avenue Greenmarket.

Full Board Vote: 38 In favor 0 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the application to the Mayor's Office for Street Activity Permits by Greenmarket/Grow NYC to hold the Columbus Avenue Greenmarket on the western sidewalk between 76th and 77th Streets on Sundays from April 29, May 6, 13, with a rain date on May 20, and on October 7, 14, 21, with a rain date on October 28.

Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.

RESOLUTION

Date: May 1, 2012

Committee of Origin: Transportation

Re: West 68th Street – Metered parking for commercially zoned frontage between Broadway and Amsterdam Avenue on both sides of West 68th Street.

Full Board Vote: 13 In favor 19 Against 3 Abstentions 0 Present

The resolution was not adopted.

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

In an effort to solve the problem of the vendor parking and operating continually on the corner or 68th and Broadway, to make parking W68th St more like the other blocks directly to the north and south, to raise additional money for the city, to make more spaces available for short term parking to visit local business, and to eliminate some free parking from the neighborhood and thereby discourage car ownership and use,

Community Board 7Manhattan **approves** the change from regular alternate side parking to metered parking on West 68th Street between Broadway and Amsterdam Avenue at the four corners on the block extending 100 feet from each corner toward the middle of the block for the length of the commercial frontage along West 68th Street.

Committee: 6-1-1-0. Non-Committee Board Members: 3-0-0-0.

RESOLUTION

Date: May 1, 2012

Committee of Origin: Housing

Re: NY City Council oversight proceedings on the NYCHA procedures and grounds for the implementation of downsizing policies.

Full Board Vote: 34 In favor 1 Against 1 Abstention 0 Present

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

The New York City Housing Authority has distributed letters to the tenants of under-occupied units informing them of their obligation to downsize. These letters were unnecessarily ambiguous and place undue stress on long-term NYCHA residents. Despite the linguistic diversity of the NYCHA population, the letter was only provided to tenants in English.

The Housing Committee has received testimony that incomplete information has been provided to tenants by management officers pertaining to an individual's rights of unit selection as they go through the under-occupancy process.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan calls upon Chairman John Rhea and the entire NYCHA board to minimize the hardship of down-sizing through the implementation of four reforms prior to NYCHA beginning the under-occupancy process with any more tenants:

1. All written communication from NYCHA must contain unambiguous language which includes a statement of a tenant right's as they pertain to their development. For tenants in developments that contain studios or 1-bedrooms units, it must be clearly conveyed that tenants have a right to stay in their current unit until appropriately sized units become available in their development. For tenants in developments that don't contain studios or 1-bedrooms, the letter should clearly spell out that tenants will have to leave their development but will be allowed to relocate to the most proximate development containing an appropriately sized unit and will maintain their present residency until such time.
2. We call upon NYCHA to institute mandatory training for all staff on the rights of tenants being down-sized to prevent the further dissemination of misleading and incorrect information.
3. All written and verbal communication should be available in, at a minimum, English, Spanish, Russian, and Chinese.
4. To help tenants going through this process we recommend that all under-occupancy form letters be copied to the appropriate tenant association president.

AND BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan calls upon the City Council Committee on Public Housing and its chair Councilmember Rosie Mendez to convene oversight proceedings on the procedures and grounds for the implementation of downsizing policies.

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

RESOLUTION

Date: May 1, 2012

Committees of Origin: Preservation and Parks & Environment

Re: Central Park. Application #12-9479 to the Landmarks Preservation Commission for the permanent installation of antennas to provide free wifi coverage at Mineral Springs and the Central Park Zoo.

Full Board Vote: 21 In favor 12 Against 3 Abstentions 0 Present

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

- The method of antenna installation is designed to conceal equipment where possible (horizontal installation of the “access point” component on the roof surface); and to minimize the visibility of exposed components (mounting vertical antenna component on the lower flat-roofed section of each building).
- The visible 20” tall vertical portion of each antenna will be painted “Silver Sky” to minimize the visual contrast against the sky on all but clear-blue days.
- The installation of these two antennas will provide wifi coverage for the Sheep Meadow and along the two primary walkways adjacent to and south of the Central Park Zoo, which is desirable for the Central Park constituency.

The Preservation Committee and the Parks and Environment Committee of Community Board 7/ Manhattan believe that the design and location of the two proposed antennas are minimally appropriate to the historic character of the buildings and of Central Park. Furthermore, the Committees believe that wifi service is an amenity that will be attractive to many users of the subject areas of the Park.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the proposed antennas, but urges the Department of Parks and Recreation to develop more historically appropriate design and installation guidelines for future proposals..

Preservation and Parks & Environment Committees Joint Vote: 5-1-0-0.

RESOLUTION

Date: May 1, 2012

Committee of Origin: Preservation

Re: 349 Amsterdam Avenue, dba “to be announced” (West 77th Street.) Application to the Landmarks Preservation Commission to replace existing storefront.

Full Board Vote: 34 In favor 0 Against 0 Abstentions 0 Present

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

- The existing storefront, including signage and awning will be removed.
- The original façade materials – brick cladding and steel columns – will be stripped and cleaned, and will remain exposed in the new storefront design.
- The new storefront design will consist of tall bifold glass doors installed between exposed steel columns.
- Metal diamond-shaped “security gate” material will be installed as a visual screen in front of glass transoms over the bifold doors.
- All metal (columns and “security gate” screening) will be painted black.
- Exposed brick will be stained pale gray.
- Signage over the front door will be bronze metal, mounted to the “security gate” mesh behind. It will be front-lit by small LED’s recessed in the soffit overhead.
- A two-sided blade sign will be anchored to one of the central steel columns, internally illuminated.

The Preservation Committee of Community Board 7/ Manhattan believes that new storefront design 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 proposed storefront design.

Committee: 5-0-0-0. Non-Committee Board Member: 0-0-1-0.

RESOLUTION

Date: May 1, 2012

Committee of Origin: Preservation

Re: 308 West 88th Street (West End Avenue.) Application #12-3115 to the Landmarks Preservation Commission.

Full Board Vote: 34 In favor 0 Against 0 Abstentions 0 Present

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

i. Front façade work includes:

- Stripping the paint from the front facade.
- Repairing and restoring the original brownstone material at the two lower floors, and the brick cladding at the upper floors, including cleaning and re-pointing.
- Repairing and restoring original brownstone details, including keystones and cabling details at doors and windows.
- Replacement of existing aluminum double-hung windows with new wood one-over-one double hung wood windows with historic trim, painted dark brown
- Installation of new pair of mahogany and glass entrance doors with new wood transom above. Dark brown stain.
- Reconstruction of original low masonry knee walls as railings, replacing existing metal railings at existing L-shaped stoop.
- Replacing concrete paving at lower level entry court with bluestone paving.
- Removal of existing metal leaders and gutters, and repairing original internal storm drainage system.

ii. Rear façade work includes:

- Cleaning and repairing rear masonry façade. Masonry cladding to be painted to conceal varied-age brickwork.
- Replacement of existing aluminum windows with new clad wood windows of similar design at existing openings.
- Removal of existing at-grade greenhouse. In its place, construction of new one-story brick clad addition, projecting 3 feet less than greenhouse to comply with 30-foot setback requirement.
- Installation of new wood and glass doors at garden level and to access addition's new roof terrace, with black metal railings.
- Replacement of concrete paving in rear yard with bluestone paving, and addition of new planter boxes.

iii. Rooftop addition:

- To be set back from front façade gable front, which fully conceals the new structure.
- To be set back three feet from rear façade to preserve existing brick corbelling detail at original rear façade roof line.
- Brick veneer cladding at front and rear. Sides to be faced in stucco.
- Mechanical units to be mounted on low platform on roof of rooftop addition.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed front facade and stoop restoration, the rear façade repair work, the new rear-yard addition and the new rooftop addition 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 facade and stoop restoration, rear façade repair work, new rear-yard and rooftop additions.

Committee: 5-0-0-0.

250 West 87th Street New York, NY 10024-2706

Phone: (212) 362-4008 Fax: (212) 595-9317

Web site: nyc.gov/mcb7 e-mail address: office@cb7.org

COMMUNITY BOARD 7 Manhattan

250 West 87th Street New York, NY 10024-2706
Phone: (212) 362-4008 *Fax:*(212) 595-9317
Web site: nyc.gov/mcb7 e-mail address: office@cb7.org

RESOLUTION

Date: May 1, 2012

Committee of Origin: Business & Consumer Issues

Re: 998 Amsterdam Avenue (West 109th Street.)

Full Board Vote: 29 In favor 0 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the application to the State Liquor Authority for a two-year liquor license by 31 St and 7th Hospitality LLC, d/b/a To be Determined.

Committee: 10-0-0-0. Non-Committee Board Members: 2-0-0-0.

RESOLUTION

Date: May 1, 2012

Committee of Origin: Business & Consumer Issues

Re: 995 Amsterdam Avenue (West 109th Street.)

Full Board Vote: 29 In favor 0 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the application to the State Liquor Authority for a two-year liquor license by LHT 109 Inc., d/b/a Lions Head Tavern.

Committee: 10-0-0-0. Non-Committee Board Members: 3-0-0-0.

RESOLUTION

Date: May 1, 2012

Committee of Origin: Business & Consumer Issues

Re: Unenclosed Café Renewal Applications.

Full Board Vote: 29 In favor 0 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the following unenclosed café renewal applications:

- **193 Columbus Avenue** (West 69th Street.) Renewal application DCA# 1216111 to the Department of Consumer Affairs by Yunhua on Columbus, Inc., d/b/a Empire Szechuan Kyoto, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.
Committee: 9-1-0-0. Non-Committee Board Members: 2-0-0-0.
- **477 Amsterdam Avenue** (West 83rd Street.) Renewal application DCA# 0883095 to the Department of Consumer Affairs by 83/ Amsterdam Restaurant Corp., d/b/a Hi Life Bar & Grill, for a two-year consent to operate an unenclosed sidewalk café with 9 tables and 26 seats.
Committee: 10-0-0-0. Non-Committee Board Members: 2-0-0-0.
- **2518 Broadway** (West 94th Street.) Renewal application DCA# 1353701 to the Department of Consumer Affairs by 94 Corner Café Corp., d/b/a Corner Café 94, for a two-year consent to operate an unenclosed sidewalk café with 4 tables and 16 seat.
Committee: 10-0-0-0. Non-Committee Board Members: 2-0-0-0.
- **718 Amsterdam Avenue** (West 95th Street.) Renewal application DCA# 1277777 to the Department of Consumer Affairs by Iano Corp., d/b/a Acqua, for a two-year consent to operate an unenclosed sidewalk café with 18 tables and 36 seats.
Committee: 10-0-0-0. Non-Committee Board Members: 2-0-0-0.

RESOLUTION

Date: May 1, 2012

Committee of Origin: Business & Consumer Issues

Re: New Unenclosed Café Applications.

Full Board Vote: 25 In favor 0 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the following unenclosed café new applications:

- **1900 Broadway (West 65th Street.)** New application DCA# 1422807 to the Department of Consumer Affairs by TS3 Hospitality, LLC, d/b/a The Smith, for a two-year consent to operate an unenclosed sidewalk café with 24 tables and 54 seats.
Committee: 9-0-0-0. Non-Committee Board Member: 1-0-0-0.
- **2169 Broadway (West 76th – 77th Street.)** New application DCA# 1420618 to the Department of Consumer Affairs by CB-NACT 2169, LLC, d/b/a Coffee Bean & Tea Leaf, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 32 seats.
Committee: 9-1-0-0. Non-Committee Board Member: 1-0-0-0.
- **429 Amsterdam Avenue (West 81st Street.)** New application DCA# 1421365 to the Department of Consumer Affairs by Vai UWS, LLC, d/b/a Vai Restaurant, for a two-year consent to operate an unenclosed sidewalk café with 11 tables and 26 seats.
Committee: 9-1-0-0. Non-Committee Board Member: 1-0-0-0.
- **473 Amsterdam Avenue (West 83rd Street.)** New application DCA# 1421013 to the Department of Consumer Affairs by Camelias, LLC, d/b/a Café Deux Margot, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.
Committee: 9-1-0-0. Non-Committee Board Member: 1-0-0-0.
- **509 Amsterdam Avenue (West 84th – 85th Street.)** New application DCA# 1416762 to the Department of Consumer Affairs by New York Beer Co, LLC, d/b/a Jacob's Pickles, for a two-year consent to operate an unenclosed sidewalk café with 9 tables and 18 seats.
Committee: 9-1-0-0. Non-Committee Board Member: 1-0-0-0.
- **2756 Broadway (West 106th Street.)** New application DCA# 1421212 to the Department of Consumer Affairs by Five Lamps Corp., d/b/a Five Lamps Tavern, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 30 seats.
Committee: 10-0-0-0. Non-Committee Board Member: 1-0-0-0.