

RESOLUTION

Date: October 3, 2017

Committee of Origin: Land Use

Re: 95 West 95th Street, M920493 (J) ZAM

Full Board Vote: 40 In Favor 0 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** Application M 920493 (J) ZAM to the Department of City Planning for a modification of the previously approved West Side Large Scale Development within the former West Side Urban Renewal Area, pursuant to Zoning Resolution Section 98-06(b)(3). However, given the passage of time that this project has taken to achieve a well-coordinated design concept that now meets the satisfaction of the tenants and the special retail whole foods store, both of which have received agreements confirming the extent and level of amenity, the terms of any retail lease or residential rent scale, as well as the level of amenity and maintenance, we require and request that the applicant provide a set of completed and filed construction documents confirming the scope and materials that will be constructed. This set of documents needs to be sent attn: Penny Ryan, District Manager, Community Board 7, 250 West 87th Street #2, New York, NY 10024. This is to assure that the project will be completed as presented to CB7 and the public this week.

Please know that the resulting design is far better than previous attempts to resolve the public circulation and maintain the mature allee along Columbus Avenue with an appropriate scale and massing of the alteration to the base of the building comprising a two-story retail frontage with a pedestrian connection at the mid-point of the Avenue and a deep recessed residential entrance court. CB7 supports this application that will facilitate an enlargement with commercial and community facility floor area (27,544 square feet) on the first two floors of an existing mixed-use building.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Transportation

Re: 2 West 77th Street (Central Park West.)

Full Board Vote: 33 In Favor 2 Against 0 Abstentions 0 Present

Committee: 5-2-0-0. Non-Committee Board Members: 2-0-2-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** new Revocable Consent EIN#13-1624124 to the Department of Transportation by New-York Historical Society to construct, maintain and use a sidewalk “Macy’s” Plaque.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Transportation

Re: West 104th Street (Columbus-Amsterdam Avenues.)

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

Committee: 7-0-0-0. Non-Committee Board Members 2-0-2-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application by The Bloomingdale School, P.S. 145, for a playstreet on West 104th Street on school days from 10:00AM to 2:00PM while the school's playground is under construction.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Transportation

Re: 250 West 64th Street, Lighthouse Guild (Amsterdam-West End Avenues.)

Full Board Vote: 36 In Favor 0 Against 0 Abstentions 0 Present

Committee: 7-0-0-0. Non-Committee Board Members: 2-0-2-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** request to change two parking spaces in front of the entrance to “No Parking” to accommodate the access-a-ride vehicles dropping-off and picking-up clients and patients.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Transportation

Re: Newsstand, N/W/C Broadway and West 102nd Street.

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

Committee: 7-0-0-0. Non-Committee Board Members: 2-0-1-0.

The applicant did not appear;

BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** new application # 1880-2017-ANWS to the Department of Consumer Affairs by Seema Maheshwari to construct and operate a newsstand on the northwest corner of Broadway and West 102nd Street, I/F/O 2683 Broadway.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Preservation

Re: 3 Riverside Drive (West 72nd-73rd Streets). Application to the Landmarks Preservation Commission for rear yard excavation, replacement of rear window with grill, and replacement of HVAC rooftop unit in kind.

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

Committee: 6-0-0-0.

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

Proposed renovation work is almost exclusively excavation work, including the following:

- Excavation of the existing rear yard out to the rear yard lot line, which will be roofed over in concrete to maintain the existing rear garden area. Rear yard excavation to be approximately .25 feet deep.
- Excavation beneath the entire Cellar to increase the height of the Cellar and to create a Sub-cellar level, primarily aligning with the rear yard excavation depth. An existing interior swimming pool at the Cellar level will be removed.
- Near the west (front) of the building, the Sub-cellar depth to be 5 feet deeper to create a basketball court, and 8 feet deeper to create additional storage.
- There will be extensive interior structural work to support and reinforce the building during the excavation and for the construction of the new subgrade floors.

In addition to the excavation work, the following is proposed:

- Replacement of an existing rear yard level window and grille with a full size grille to increase Cellar ventilation. New grille to be anodized aluminum, dark finish to match the existing window frames.
- Replacement of the existing cellar access hatch at the north side of the front sidewalk with a new hydraulic hatch to match the existing, with similar diamond-patterned metal plate.
- Replacement of an existing HVAC unit with a similar-size, more energy efficient and quieter unit on the existing dunnage at the rear of the roof. Unit will not be visible from the street.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed excavation work, new grille to replace a rear window, new sidewalk hatch and new rooftop HVAC unit are all reasonably appropriate to the historic character of the building and the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the rear yard excavation, replacement of rear window with grill, replacement of sidewalk hatch and replacement of HVAC rooftop unit in kind.

Given the extensive nature of the excavation work, the Committee urges the applicant to take every precaution and be vigilant to protect the integrity of the building itself as well as the neighboring structures.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Preservation

Re: 7 West 83rd Street, Congregation Rodeph Sholom (Central Park West – Columbus Avenue.)

Application to the Landmarks Preservation Commission for replacement of windows.

Full Board Vote A: 37 In Favor 0 Against 0 Abstentions 0 Present

Committee: 4-0-2-0.

Full Board Vote B: 37 In Favor 0 Against 0 Abstentions 0 Present

Committee: 6-0-0-0.

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

- No work is proposed for the decorative multi-story leaded glass sanctuary windows.
- Excluding the sanctuary windows, all the existing windows, original to the building, are in poor condition and need to be replaced.
- While the proposal is for select window replacement, to be done in conjunction with planned interior renovation work, the intent is to create a master plan guiding future window replacement throughout the building.
- The existing steel windows have true divide lites, with muntins dividing single-pane art glass, which is in varying condition. The art glass limits the amount of daylight that enters the building interior.
- On the front façade and along the visible side facades, the original windows at the second through fourth floors are casements with a rectangular transom. On the fifth floor, they are double-hung windows with arched transoms.
- The new replacement windows will be narrow framed aluminum windows, in a dark bronze finish to match existing.
- All windows will have insulated clear glass.

Regarding the proposed front and side façade window replacement work,

- At the third floor (and serving as a model for the second and fourth floors), new aluminum casement windows with fixed transoms will replicate the multi-pane design with simulated divided lites.
- At the fifth floor, new double-hung aluminum windows with arched transoms will be installed. Proposal is to eliminate the muntin dividers on this top floor, as the windows are deeply set in the central portion of the facade, and the windows are set back from the street wall at the east and west ends of the front facades.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed replacement windows at the side facades and at the third floor of the front façade are reasonably appropriate to the historic character of the building and the Historic District.

The Committee further believes that the replacement of the art glass with insulated clear glass throughout is appropriate,

However, the Committee finds the elimination of the muntins inappropriate, as the presence of muntins throughout is an important element of scale and architectural detail and is an integral part of the building's original design.

THEREFORE, BE IT RESOLVED THAT the Preservation Committee of Community Board 7/ Manhattan **approves** the proposed side façade replacement windows and the third floor front facade replacement windows, but **disapproves** the fifth floor front façade replacement windows unless muntins are incorporated in the design..

Regarding the proposed rear façade window replacement work::

- At the rear façade, the existing windows in the original structure are similar to those in the front facade, except the double-hung fifth floor windows have rectangular transoms.
- The proposed replacement windows would be replaced with similar windows to those proposed for the front and side facades, but without muntin divisions, all clear insulating glass.

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

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

RESOLUTION

Date: October 3, 2017

Committee of Origin: Preservation

Re: 21 West 88th Street and 18 West 89th Street, The Dwight School (Central Park West-Columbus Avenue.) Application #19-15074 to the Landmarks Preservation Commission to perform excavation, construct rooftop and rear yard additions, and to alter the areaway.

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

Committee: 6-0-0-0.

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

Four areas of work are proposed:

- A. On the roof of 21 West 88th Street, extension of an existing penthouse structure on the newly acquired 21 West 88th Street building, now being joined with the two existing structures (17 and 19 West 88th Street) to the east. Height of the existing front penthouse will be reduced to align with the existing penthouse heights to the east, and the shortened penthouse will be extended back to within several feet of the rear façade wall.
 - The design of this new rooftop addition is modelled on the design of the existing rooftop additions at 17-19 West 88th Street and at 18 West 89th Street: natural aluminum frame and clear glass panels set behind an ochre-tones aluminum screen, with 50% transparency.
 - A new HVAC unit to be mounted on the new penthouse roof.
 - Neither rooftop addition nor HVAC unit is visible from the street.
- B. Also at the rear of 21 West 88th Street, construction of a new one-story 14 foot tall rear yard addition to fill a significant portion of the existing rear yard, including removal of a mature tree with an expansive leaf canopy; and reconstruction of the two upper stories of an existing partial width three-story rear yard addition.
 - Existing east-facing bordering concrete block wall of 19 West 88th Street will be modified, with two new full height window openings.
 - Cladding materials for the proposed rear yard addition and the side façade renovation work will be modelled on existing rear yard renovation and addition work previously done by the school within the past decade.
 - Materials include:
 - Stone schist veneer cladding at garden level
 - Stucco sheathing at upper stories, wine color, with new aluminum windows to match existing.
 - New flexible fencing for roof decks.
- C. Extensive excavation work is proposed beneath the 21 West 88th Street structure, extending 3 stories down under the new rear yard addition, and two stories down beneath the existing building cellar, to create three full underground stories.

- D. At 18 West 89th Street, extension of an existing penthouse structure on the 89th Street building to enclose the 30" roof overhang, which the applicant said was required in order to comply with the zoning code.
- The rooftop extension enclosure is not visible from the street

The Preservation Committee of Community Board 7/ Manhattan believes that the sum of all the proposed renovations and addition and excavation work is cumulatively too extensive for the scale of the original structures and so finds the proposed renovation work inappropriate to the historic character of the building and the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the rear yard addition, rear yard excavation, and two rooftop additions.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Preservation

Re: 771 West End Avenue (97th – 98th Streets.) Application #19-11185 to the Landmarks Preservation Commission to replace 17 windows and install through-window HVAC louvers.

Full Board Vote: 40 In Favor 0 Against 0 Abstentions 0 Present

Committee: 4-0-1-0.

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

- The apartment is on the twelfth floor, the top of the building
- All windows in the apartment are visible from the street, including those set within an interior front entry courtyard,
- The existing windows are one over one double-hung aluminum replacement windows installed as part of a building-wide window replacement effort in 1982. No original windows remain.
- New windows will be one-over one aluminum clad wood windows by Loewen, brick to brick installation.
 - Two windows are proposed which incorporate HVAC condensing units with architectural style metal grilles in the lower sash, and a third, small window will have an architectural grille at the upper sash for kitchen and bathroom exhaust. Dark color to match the window frames.
- Several other similar in-window HVAC units with grilles have been installed at the lower floors of the building.
- The small window and one of the larger windows are located within the entry court, while the other faces the street. They are minimally visible from the street.

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

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

The Committee urges the building to develop a Master Plan for replacement windows.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Business & Consumer Issues

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

Re: 128 West 72nd Street (Columbus Avenue.)

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

Committee: 6-0-0-0. Non-Committee Board Member: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the new application to the State Liquor Authority for a two-year liquor license by Thai72 Inc, d/b/a To be Determined.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Business & Consumer Issues

Re: 407 Amsterdam Avenue (West 79th Street.)

Full Board Vote: 35 In Favor 0 Against 0 Abstentions 0 Present

Committee: 7-0-0-0. Non-Committee Board Member: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/Manhattan disapproves the new application to the State Liquor Authority for a two-year liquor license by TBD 407 Amsterdam Ave, d/b/a To be Determined, unless the following are included in the method of operation: sufficient soundproofing be installed to satisfy neighbors requirements; hours of operation Sunday-Wednesday noon-2 am, Thursday-Saturday noon-4 am; and the louvered doors be closed by 10:00 pm Sunday to Thursday, and by midnight on Friday and Saturday.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Business & Consumer Issues

Re: 2028-2032 Broadway (West 69th – 70th Streets.)

Full Board Vote: 35 In Favor 0 Against 0 Abstentions 0 Present

Committee: 7-0-0-0. Non-Committee Board Member: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** new application #10928-2017-ASWC to the Department of Consumer Affairs by West D & P LLC, d/b/a Gina, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 26 seats, on the condition that the applicant modify the architectural drawings to pull back café from 10'8" to 9'.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Business & Consumer Issues

Re: 472 Columbus Avenue (West 82nd – 83rd Streets.)

Full Board Vote: 36 In Favor 0 Against 0 Abstentions 0 Present

Committee: 7-0-0-0. Non-Committee Board Member: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** new application #9394-2017-ASWC to the Department of Consumer Affairs by 472 Columbus Bagel Corp, d/b/a Jumbo Bagel, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Business & Consumer Issues

Re: Unenclosed Sidewalk Café Renewals.

Full Board Vote: 35 In Favor 0 Against 0 Abstentions 0 Present

Committee: 7-0-0-0. Non-Committee Board Member: 2-0-0-0.

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

- **570 Amsterdam Avenue** (West 87th – 88th Streets.) Renewal application #2023883-DCA to the Department of Consumer Affairs by Mermaid 88 LLC., d/b/a The Mermaid Inn, for a four-year consent to operate an unenclosed sidewalk café with 15 tables and 34 seats.
- **2580 Broadway** (West 97th – 98th Streets.) Renewal application #2023393-DCA to the Department of Consumer Affairs by 2580 Broadway Inc., d/b/a, for a four-year consent to operate an unenclosed sidewalk café with 8 tables and 16 seats.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Business & Consumer Issues

Re: 320 Amsterdam Avenue (West 75th– 76th Streets.)

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

Committee: 7-0-0-0. Non-Committee Board Member: 2-0-0-0.

Applicant did not appear;

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** renewal application #2021276-DCA to the Department of Consumer Affairs by Cactus Pear LLC, d/b/a Playa Betty's, for a four-year consent to operate an unenclosed sidewalk café with 18 tables and 54 seats.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Business & Consumer Issues

Re: 477 Amsterdam Avenue (West 82nd – 83rd Streets.)

Full Board Vote: 32 In Favor 4 Against 0 Abstentions 0 Present

Committee: 7-0-0-0. Non-Committee Board Member: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application #0885881-DCA to the Department of Consumer Affairs by 83/Amsterdam Restaurant Corp., d/b/a Hi-Life Bar & Grill, for a four-year consent to operate an enclosed sidewalk café with 6 tables and 16 seats.

RESOLUTION

Date: October 3, 2017

Committee of Origin: Steering

Re: Referendum on 11/7/17 calling for NYS constitutional convention.

Full Board Vote: 32 In Favor 0 Against 3 Abstentions 0 Present

Committee: 12-1-0-0. Non-Committee Board Members: 1-0-0-0.

The following facts were taken into consideration in proposing this resolution:

1. There are two ways of amending the NYS Constitution.
2. The first is for both the NYS Assembly and Senate to pass a proposed amendment, and then for the voters to pass the proposed amendment via a referendum.
 - a. We can anticipate that a single amendment will be proposed from time to time by our legislators.
 - b. When our NYS Assembly Member and NYS Senator propose an amendment, as their constituents, we have an ongoing relationship with them, and can communicate with them on the positives and negatives of adopting the amendment.
3. The second, under Article XIX section 2 of the NYS Constitution, is via a NYS Constitutional Convention.
 - a. A referendum on whether or not to call a NYS Constitutional Convention is on the ballot once every twenty years. This is the 20th year in the cycle.
 - b. As a result, the November 7, 2017 ballot will include a referendum stating, "Shall there be a convention to revise the NYS Constitution and amend the same?"
 - c. Article XIX section 2 of the NYS Constitution provides that if the referendum is passed on November 7, 2017, then the voters of each NYS Senatorial District (each with approximately 300,000 residents) shall have the opportunity to elect, on November 6, 2018, three delegates to the Constitutional Convention, and all the voters of NYS shall also have the opportunity to elect 15 delegates-at-large (representing NYS as a whole).
 - d. When we vote yes or no on the referendum on November 7, 2017, we have no idea who will be elected as delegates, what will be on the agenda of the Convention, how many provisions will be proposed for amendment, and what the position of each delegate on each agenda item will be.
4. Manhattan Community Board 7 prefers amendment via the legislative process rather than amendment via a Constitutional Convention, which Manhattan Community Board 7 considers a flawed process.

THEREFORE, COMMUNITY BOARD 7/Manhattan resolves to OPPOSE convening a NYS Constitutional Convention as proposed in the November 7, 2017 referendum.