

THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 7

250 West 87th Street, New York, NY 10024 • Phone (212) 362-4008

Website: <https://nyc.gov/mcb7> • E-mail: mn07@cb.nyc.gov

Steven Brown, Board Chair

Michelle P. Booker, District Manager

RESOLUTION

Date: December 7, 2021

Committee of Origin: Youth, Education and Libraries

Re: Ensuring Transparency and Communication from the PSAL

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

Committee: 7-0-0-0.

The following facts and concerns were taken into consideration:

- All Public-School Athletic League (PSAL) activities ceased on March 12, 2020 as New York City began to shut down in response to the COVID-19 pandemic.
- City public school sports programs remained closed in the months that followed, even as local recreation leagues and private schools returned to the field of competition.
- The PSAL provided no official statements regarding plans to return to competitive play until December 22nd, 2020, when they posted a statement on the PSAL website which provided no additional guidance, only that the organization “hope[s] to be able to come back to you soon with news about next steps for PSAL, depending on the health situation and data for the city.”¹
- On August 20th, 2021, PSAL announced a vaccine mandate on all sports deemed “high risk,” including basketball, football, (stunt) volleyball, (boys) lacrosse, rugby, and wrestling. The PSAL vaccine mandate was announced just 2 weeks prior to the start of school, and – in the case of some sports – several days after practices were scheduled to begin, leaving many schools scrambling to determine whether they had enough time to complete the number of practices required by PSAL prior to the first competition, or sufficient rosters of vaccinated students to field a team at all.
- Because of the timing of the announcement, school officials were forced to work quickly to reach student-athletes with the new information that, if vaccinated with their first dose by the first day of competitive play, they would be allowed to participate. The delay in announcing the new rules meant students, families, and caregivers did not have this information when weighing whether to get the vaccine over the summer.
- The PSAL ban on spectators at events was not lifted until October 21st – well into the fall season – hindering those athletes’ opportunity to be seen by college recruiters and scouts.
- On November 12, 2021, following petitioning and complaints from teams, families, and coaches who had not received information regarding whether their teams would be allowed to compete in statewide championship matches, the PSAL released an updated mandate, allowing the “high risk” teams to compete against non-PSAL teams only if all participants (including opponents) are vaccinated and/or the competition takes place at a location which required vaccination. Many of the non-PSAL leagues do not have a vaccination mandate in place, leaving many teams, de facto, still barred from state championship competition.

¹ <https://ny.chalkbeat.org/2021/1/4/22213792/nyc-covid-school-sports>

- Furthermore, the late-in-the-season announcement from the PSAL created challenges once again for school officials, with NYC schools struggling to schedule winter sports championship play as many non-league schools not bound to the same COVID-19 mandates have already locked in their schedules for the 2021-2022 season.

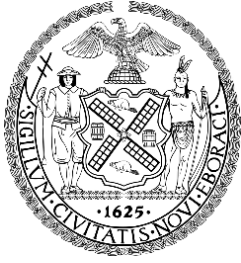
Community Board 7/Manhattan believes that providing New York City students with athletic outlets is a critical component of the city's educational mandate, and that participating in school sports provides valuable opportunities for social and emotional growth and development.

Additionally, although COVID-19 has created challenges for every organization forced to pivot frequently as new information becomes available, this board believes that the city's students, families, caregivers, school officials and coaches deserve – at the very least – for the agencies which serve them to proceed with as much transparency as possible, and for those organizations to provide critical policy updates in a timely fashion designed to enable families and caregivers to make the most informed decisions possible. Better communication is the least this city can offer, considering the weight and significance of the sacrifice that has been asked of its children since the pandemic began. One lesson learned from our community during the pandemic is that uncertainty as to opportunities, strategies and plans can be worse than hearing a disappointing or “wrong” answer; it is uncertainty that drives families from our schools and leads to choices that are sub-optimal for both the families and the schools. Parents and students report that outreach and questions to PSAL leadership has been met with little to no response; this lack of communication is utterly unacceptable.

Lastly, school athletics provide many city students with access to resources (including college scholarships) which provide a pathway to higher education – and to the life-changing opportunities that advanced degrees can unlock. In addition, school athletics provide crucial opportunities for students to distinguish themselves and build resumes as well-rounded candidates for admission, ensuring diversity in higher education on multiple levels. Indeed, many New York City students would be unable to attend college without the financial boost offered by scholarships linked to athletics, or to gain admission to competitive schools without the boost athletics offer to stand out as an applicant. Closing off access to these opportunities has a disproportionately negative impact on students from lower-income households – the same students left most at risk and in need of support during the pandemic.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **calls** on the PSAL to revamp its communication strategy, rededicating its efforts to transparency and regular communication, and endeavoring to include critical stakeholders (students, families and caregivers, school officials and coaches) in the decision-making process via meetings at regular scheduled intervals so that concerns can be heard and considered on issues impacting athletic participation and experience. CB7 recommends that a single point person, with adequate resources and timely internal access to information, be charged with implementing the strategies needed to enhance this goal of transparency, and that access by families and caregivers be facilitated through multiple platforms. Furthermore, this board calls on the PSAL to make any policy announcements with sufficient time, clarity, and certainty to enable better planning and more informed decision-making by those same critical stakeholders.

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan **requests** that the PSAL regularly review its policies to ensure they reflect the current best scientific practices based on updated data and CDC guidelines to ensure maximum safety and participation for all.



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Steven Brown, Board Chair

Michelle P. Booker, District Manager

RESOLUTION

Date: December 7, 2021

Committee of Origin: Business & Consumer Issues

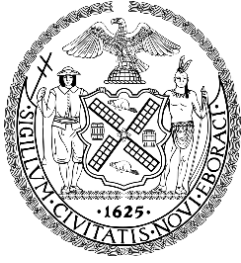
Linda Alexander and Christian Cordova, Co-Chairpersons

Re: 710 Amsterdam Avenue (West 94th – 95th Streets.)

Full Board Vote: 38 In Favor 0 Against 1 Abstention 1 Present

Committee: 5-0-0-1.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approve** new application to the SLA for two-year liquor license by Seafood 710, Inc. d/b/a To Be Determined.



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RESOLUTION

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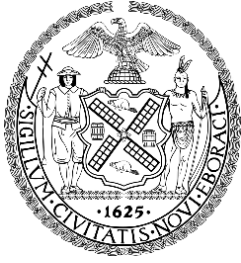
Committee of Origin: Business & Consumer Issues

Re: 2751 Broadway (West 105th – 106th.)

Full Board Vote: 39 In Favor 0 Against 1 Abstention 0 Present

Committee: 6-0-0-0. Non-Committee Board Member: 1-0-0-0.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approve** alteration Licensee #1027462 to the State Liquor Authority for two-year liquor license by SMK Entertainment Group, Inc. d/b/a Smoke Jazz Club. Alteration is to relocate the bar and add more space to their location.



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RESOLUTION

Date: December 7, 2021

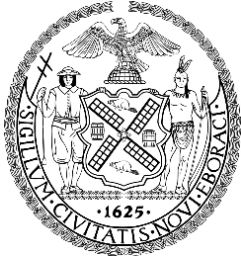
Committee of Origin: Business & Consumer Issues

Re: 240 Columbus Avenue (West 71st – 72nd Streets.)

Full Board Vote: 39 In Favor 0 Against 1 Abstention 0 Present

Committee: 6-0-0-0.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approve** expansion onto municipal property Licensee #1334573 to the State Liquor Authority and Department of Transportation by Felice 240, LLC d/b/a Felice to allow use of the municipal space.



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RESOLUTION

Date: December 7, 2021

Committee of Origin: Parks & Environment

Re: Sanitation Issues in the Community Board 7 Area: A Comprehensive Look at Problems and a Collaborative Approach to Solutions.

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

Committee: 6-0-0-0.

WHEREAS, the condition of cleanliness and hygiene on the streets, sidewalks, parks, and playgrounds of the CB7 District (the "District") has deteriorated significantly since the beginning of the COVID-19 pandemic, this problem has become urgent, very visible, and is affecting everyone; *and*

WHEREAS, the District has generated the second highest number of rat complaints in the City this year, due to the complete pause in rat abatement and prevention work done by the Department of Health and Mental Hygiene ("DoHMH") since the start of the pandemic; *and*

WHEREAS, CB7 collected data from 28 neighborhood organizations and 314 residents in the District about their sanitation-related experiences, observations, and needs; *and*

WHEREAS, despite reports that sanitation services have now almost entirely been restored, conditions keep worsening, proving that these services are not only critical but also cumulative in nature and cannot be switched off without devastating consequences for quality of life and public health even when they are switched back on after a while.

THEREFORE, BE IT RESOLVED THAT Community Board 7 / Manhattan **urgently requests** of the NYC Mayor's office that:

- DSNY's services and budget to be restored, at a minimum, to pre-pandemic levels in the District, if not enhanced even more, including litter basket pick-up seven days a week and street cleaning at least twice a week. Resources should be supplemented to help DSNY enforce basic laws related to pet waste cleanup and illegal garbage dumping by commercial or residential establishments or construction sites, *and*

FURTHERMORE, in order to manage the crisis of an exploding rodent population in the District, Community Board 7 / Manhattan **strongly** recommends that:

- DoHMH services and budget (especially within the Neighborhood Interventions Group, Bureau of Veterinary and Pest Control Services) be restored, at a minimum to pre-pandemic levels, if not enhanced even more, *and*
- DSNY should roll out Curbside Composting immediately and without further delay throughout the District and should consider automatic enrollment of all buildings instead of requiring sign up, *and*
- In addition to restoring litter basket pickup seven days a week, DSNY should also support (with financial and other resources) the work of community groups in the District that supplement the agency's work (like OneBlock, DoeFund, Goddard Green Keepers, etc), *and*

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Committee of Origin: Parks & Environment

Re: Sanitation Issues in the Community Board 7 Area:

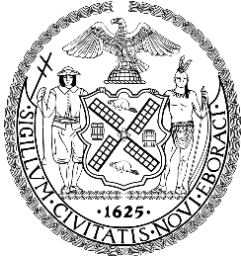
A Comprehensive Look at Problems and a Collaborative Approach to Solutions.

Page 2 of 2

- DoHMH should review outdoor restaurant dining sheds that are present throughout the District and their impact on the rodent population, sharing its findings with other City agencies that are currently debating making these outdoor dining fixtures permanent.

ADDITIONALLY, as **requested** by a majority of Neighborhood Groups in CB7's outreach survey:

- DoHMH should increase the frequency of its rat prevention training (Rat Academies) and consider making it mandatory for residential buildings as well commercial establishments like restaurants, *and*
- DSNY should provide more training and education regarding garbage disposal to personnel in residential buildings as well as to commercial establishments like restaurants, *and*
- DSNY should provide more training and education regarding the practice and benefits of Curbside Composting in order to ensure the success of this program, *and*
- DSNY should reinstate collection of e-waste, fabrics, and hazardous materials and chemicals within the District, as well as considering inviting in private organizations also doing this work, and supporting them as much as possible, *and*
- DSNY should provide more options for the collection of organic waste (in addition to Curbside Composting), expanding Collection Events to all greenmarkets in the District, as well as restarting and expanding collection in schools. Inviting in private organizations also doing this work, and supporting them as much as possible, should also be considered.



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RESOLUTION

Date: December 7, 2021

Committee of Origin: Parks & Environment

Re: Restoration of the Kinderberg & Renovation of the Chess & Checkers House

Full Board Vote: 42 In Favor 0 Against 0 Abstentions 0 Present

Committee: 6-0-0-0. Non-Committee Board Member: 3-0-0-0.

WHEREAS, the original Kinderberg, a children's shelter or nursery was located near the southeast corner of Central Park, north of the 59th Street Pond and south of the 65th Street Transverse (between Center Drive and the East Drive); and

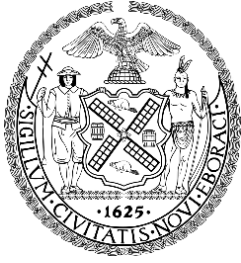
WHEREAS, this area historically is known as The Children's District, comprising the Children's Cottage, the Dairy; and

WHEREAS, the Kinderberg sat on a large outcropping of rock overlooking the Pond, offering shade, seating and tables, but was razed in the 1940's, with the Chess & Checkers House built on the same outcropping of rock in 1952, but has since undergone significant settling and deterioration with a roof, cupola, etc. that has not been replaced since its construction; and

WHEREAS, there is no longer a public restroom in all of the Children's District or the main Visitor Center and Gift Shop.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** and Applauds this project, which would include the following elements:

- Recreation of a rustic shelter, based on the original Kinderberg structure, encompassing the original Chess & Checkers House
- Replacement of existing asphalt hexagonal pavers with asphalt block (as in the original brick paving pattern)
- Restoration of the exterior of the Chess & Checkers House
- Replacement of the roof, cupola, windows and doors in-kind
- Renovation of the interior to include men's and women's restrooms, as well as a gender-neutral restroom with utility room, and space to support public programs
- Upgrading of the existing mechanical and utility systems
- Constructing an ADA-accessible ramp to the facility in the slope on the east side of the Kinderberg, adjacent to the existing stairs; and
- Restoring the existing stairs and add handrails.



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RESOLUTION

Date: December 7, 2021

Committee of Origin: Transportation

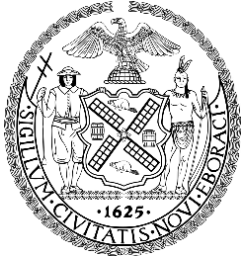
Re: Spike in Traffic Fatalities

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

Committee: 11-0-0-0. Non-Committee: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/Manhattan supports amending the necessary law(s) to remove the limit on the number of street speed and red-light cameras, to remove any restrictions on where they can be placed and to allow all such cameras to be kept in operation at all times.

BE IT FURTHER RESOLVED Community Board 7/Manhattan supports the provisions of any legislation that would implement the foregoing.



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RESOLUTION

Date: December 7, 2021

Committee of Origin: Transportation

Re: Electric charging station pilot by DOT and Con Ed at West 76th/Columbus Avenue and West 84th/Amsterdam Avenue.

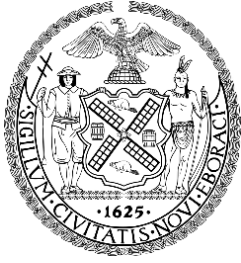
Full Board Vote: 39 In Favor 0 Against 0 Abstentions 0 Present

Committee: 8-0-1-0. Non-Committee: 4-0-0-0.

WHEREAS, electric vehicles promote cleaner air; and

WHEREAS, in order for them to have increased popularity, charging stations are essential. As two of the locations that were chosen in the past are now not available.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the application to install two pilot electric charging stations, one to be on West 76th Street between Columbus and Amsterdam Avenues on the north side of the street, and the other between West 84th Street between Columbus and Amsterdam Avenues on the north side of the street.



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RESOLUTION

Date: December 7, 2021

Committee of Origin: Transportation

Re: eBike safety and Registration Insurance.

Full Board Vote: 19 In Favor 15 Against 1 Abstentions 0 Present

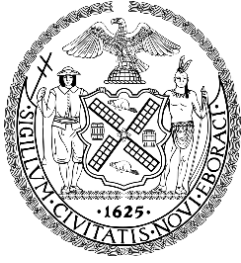
Committee: 6-2-0-0. Non-Committee: 0-1-1-0.

The following facts and circumstances were taken into consideration:

- the greatly increased use of e-bicycles has caused serious issues concerning public safety; and
- anyone involved in an accident with an e-bicycle should be able to identify the owner of such a vehicle and should have adequate financial recourse for injuries sustained in such an accident; and
- operators of e-bicycles should be required to wear protective headgear.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan calls upon the New York State Legislature, the New York City Council, the Governor of New York State and the Mayor of the City of New York to enact the necessary statutes, rules and regulations to require that class 2 and class 3 bicycles with electric assist as defined in the New York State Vehicle and Traffic Law:

1. Be registered pursuant to Article 14 of said Law; and
2. Be subject to the financial responsibility requirements of Article 6 of said Law; and
3. That operators of such bicycles be required to wear protective headgear; and
4. That in the case of any food delivery company contracting with individuals using such e-bikes to provide food delivery, the company shall satisfy the financial responsibility requirements at its expense.



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RESOLUTION

Date: December 7, 2021

Committee of Origin: Transportation

Re: Secondary Street Naming for Ballet Hispánico for West 89th Street between Columbus and Amsterdam Avenue.

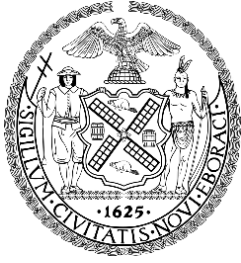
Full Board Vote: 27 In Favor 4 Against 3 Abstentions 0 Present

Committee: 7-1-0-0. Non-Committee Members: 3-1-0-0.

WHEREAS Ballet Hispánico is seeking approval from Community Board #7 for a secondary street signage on West 89th Street between Columbus and Amsterdam Avenues to recognize the legacy of Ballet Hispánico on the Upper West; and

WHEREAS Ballet Hispánico has met the requirements for such street naming.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the secondary naming of West 89th Street as Ballet Hispánico Way.



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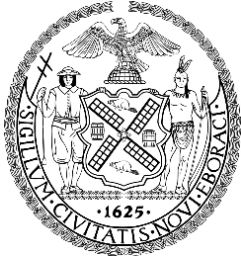
Committee of Origin: Transportation

Re: "NYCDOE Employee-Only Parking" zone, request by DOE Staff from the Joan of Arc Educational Campus.

Full Board Vote: 29 In Favor 3 Against 0 Abstentions 0 Present

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

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** request by DOE Staff from the Joan of Arc Educational Campus to extend the "NYCDOE Employee-Only Parking" zone and associated street signage.



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RESOLUTION

Date: December 7, 2021

Committee of Origin: Preservation

Re: 393 West End Avenue (West 78th – 79th Streets.) Application to the Landmarks Preservation

Commission to:

- replace the canopy at the West End Avenue entrance;
- install 1:1 double-hung windows on the west/secondary facade;
- increasing the height of the parapet and roof of the existing rooftop penthouse;
- enlarging opening and installing new windows and doors in the penthouse; and
- recladding the penthouse in porcelain tile.

Full Board Vote A: 32 In Favor 1 Against 0 Abstentions 0 Present

Committee: 8-0-1-0. Non-Committee Board Members: 2-0-0-0.

Full Board Vote B: 28 In Favor 1 Against 0 Abstentions 0 Present

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

Full Board Vote C: 16 In Favor 12 Against 0 Abstentions 0 Present

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

This resolution is based on the following facts:

- The subject building is a fifteen-story apartment building in the Colonial Revival style designed by Goldner and Goldner and completed ca. 1927. It is included in the West End – Collegiate Historic District Extension.
- The existing front façade is composed of light-colored brick with spare ornamentation in stone, cast stone and terra cotta.
- The application includes the installation of a proposed redesigned canopy above the main entrance; the widening of 6 window openings on the northern column of windows on the west façade; and the renovation and expansion of an existing penthouse.

Canopy:

- The existing condition is a generic green fabric canopy with ribs underneath and stanchion poles at the far end embedded in the sidewalk. The existing canopy did not reach the curb.
- The canopy was not original to the building.
- The proposal is to replace the canopy with bronze and glass marquis-like shelter structure that would proceed from the façade a shorter distance.
- The design calls for a square frame of medium-colored bronze, with glass panels above with a slight bend to allow for drainage. The drains would tie back to conduits within the façade walls.
- The proposed marquis canopy would be secured to steel within the existing façade, and include rods tying back to a point above the structure for additional support.
- No additional lighting under the canopy is planned.
- The reason for the change is that the existing canopy obscures the detail of the stone and terra cotta ornamentation surrounding the main entrance.

Window Openings on West Façade:

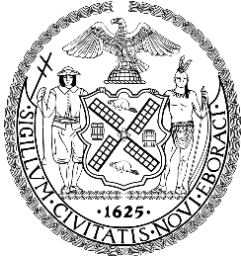
- The application concerns the column of windows at the northern (left) most edge of the west façade at the top 6 floors. The west façade is a secondary façade with no ornamentation and is clad in light-colored common brick.
- The existing condition consists of a column of 1:1 double-hung windows with a much smaller window to the south (right).
- The proposal is to widen the existing large window opening to the north (left) and install a pair of 1:1 double-hung windows. The configuration, color and materials would match the other windows on that façade.
- The expanded window openings would not interfere with the solid pier that forms the north corner on the west façade.

Penthouse Renovation:

- The existing condition consists of a 1-story penthouse that wraps around the two primary facades on the north (West 79th Street) and east (West End Avenue), with elevator and stair bulkheads and a water tower at the southwest and west portions of the roof. There are currently 3 apartments within the penthouse structure, which is set back from all facades.
- The proposal is to (a) increase the footprint of the existing penthouse by approximately 300 square feet; (b) increase the ceiling height throughout the penthouse from between 8'2" (to the beams) & 8'11" (to the plane of the ceiling) to approximately 12'; (c) construct a covered walkway connecting the two stair bulkheads; and (d) reclad the entire penthouse with porcelain panels.
- The increase in the footprint of the penthouse would be built in the open space to the southwest of the existing roof, between the current walls and the water tower. There is sufficient FAR to accommodate the increased footprint of the penthouse.
- The ceiling heights would increase throughout, with slightly higher ceilings at the northeast and northwest corners.
- The covered walkway would be built of dark steel with glass surfaces between the framing members.
- The proposed cladding would consist of porcelain tiles with a textured surface and arranged in large tiles to emulate the appearance of stone blocks. The color would be slightly lighter than the existing stucco cladding.
- No planters, gazebos or trellises are planned as rooftop structures. The roof of the proposed penthouse would include a small green roof feature.
- The existing penthouse is visible from various locations in all directions, although the extent of visibility is minimal from many such vantage points. The proposed increase in height of the penthouse will be additionally visible from all such locations.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan resolves as follows:

- Approves** the replacement canopy as appropriate to the character of the Historic District.
- Approves** the enlarging of the west windows as appropriate to the character of the Historic District.
- Approves** the penthouse renovations, with a recommendation to lower the overall height of the proposed penthouse.



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RESOLUTION

Date: December 7, 2021

Committee of Origin: Preservation

Re: 114 West 86th Street (Amsterdam - Columbus Avenues). Application to the Landmarks Preservation Commission to legalize the installation without the required permits of aluminum replacement windows that do not conform to the original building fenestration.

Full Board Vote: 28 In Favor 2 Against 0 Abstentions 0 Present

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

This resolution is based on the following facts:

- The subject building is a 16-story apartment building constructed ca. 1927-28 by architect J.M. Felson in the Neo-Renaissance style. The primary façade is composed primarily of brick with stone cladding at the lower floors and stone and terra cotta detail above. It is included in the Upper West Side / Central Park West Historic District.
- The application concerns a violation issued by LPC in 1999 relating to the installation of 1:1 double hung windows on the primary façade without an LPC permit.
- The original window configuration consisted of divided light, believed to be either 6:6 or 9:9 panels.

Community Board 7/Manhattan has been presented with insufficient information and detail to determine whether the legalization of the installation of the replacement windows could be considered appropriate to the character of the Historic District.

The Applicant has agreed to adjourn its public hearing before the Landmarks Preservation Commission and to return to the Committee and Board with additional information.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the application without prejudice to the applicant re-presenting the application to the Preservation Committee and Board with additional information, explanations and arguments at a later date.