

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

RESOLUTION

Date: May 2, 2023

Re: MCB7 Public Hearing on the Safe Haven at 106-108 West 83rd Street.

Full Board Vote: 27 In Favor 6 Against 3 Abstentions 0 Present

The following information was taken into consideration:

- As a result of court actions between 1981 and 2008, homeless people in New York City have a permanent right to shelter. In January 2023, a record high 70,525 people slept in NYC Department of Homeless Services (DHS) shelters, an increase of 51% since the start of 2022.¹
- New Yorkers experiencing unsheltered homelessness are a uniquely challenging segment of the homeless population to engage. Efforts to aid this population require persistent and compassionate outreach and dedicated services including stabilization beds, safe havens, and drop-in-centers which are tailored to meet their needs.
- CB7/M's Capital Budget Priorities for several years have included a request for a safe haven which meets "best practices for the population being served" and provides housing for no more than 50 individuals in mostly single and double rooms.
- The New York City budget has allocated \$300 million a year beginning in FY23 to address unsheltered homelessness.
- DHS has selected 106-108 West 83rd Street as the site for a safe haven. Previously, this site was used by the DHS as a shelter annex for homeless men for over 10 years. The buildings are in the final stages of being refurbished for use as a safe haven.
- Community Board 7 was first informed of DHS's selection of the site in February 2023.
- DHS has selected Breaking Ground, an experienced non-profit service provider, to operate this safe haven in addition to five other safe havens it manages in other neighborhoods of the City.
 - The safe haven will be equipped with on-site services including health and mental health services, case management specialists and other professional staff and resources to provide wraparound support to help stabilize the lives of individuals as they transition off the street and move on to permanent housing.
 - The planned staffing ratio is approximately 1 staff to every 2 residents.
 - Breaking Ground has agreed to organize a Community Advisory Board for the safe haven, including representation from CB7, local elected officials, resident associations, NYPD 20th Precinct, schools and community-based organizations.
 - It is the practice in Breaking Ground facilities that whenever residents re-enter the building, they undergo a search to prevent the introduction of weapons, alcohol and drugs.
 - Breaking Ground has offered to maintain and publicize a phone line that the public may use if serious issues arise.
- Breaking Ground will coordinate with DHS's HOME-STAT outreach teams, managed by Goddard Riverside, a member of the Manhattan Outreach Consortium assigned to homeless outreach on the Upper West Side.

¹ City Limits, January 17, 2023

- Street homeless individuals will have access to a bed in the safe haven only if referred by a HOME-STAT outreach team.
- In many cases, outreach teams have extended contact with and understanding of the needs of those they refer.
- Outreach teams reserve beds for those they refer and check that the client has no record of a criminal offense that requires residence restriction under New York State law.
- The site will prioritize services for vulnerable unsheltered homeless in the Community District and nearby areas of Manhattan.
- Breaking Ground data that compare the number of 311 street homeless complaints in nearby neighborhoods six months before the opening of a safe haven and six months following opening show a significant decline.
- The announced capacity of the safe haven is 108 residents to be served in a mix of single, double, triple and quadruple rooms. Men and women will reside on separate floors.
- A reduction of the planned capacity of the safe haven to 84 residents would permit all clients to be housed in single and double rooms.

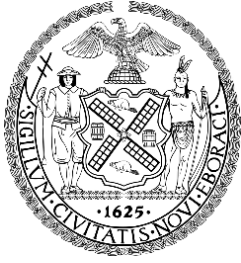
THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **supports** the establishment of the planned Safe Haven at 106-108 West 83rd Street with Breaking Ground as its service provider **with the expectation** that all applicable building codes and zoning laws will be complied with.

BE IT FURTHER RESOLVED THAT, where Breaking Ground determines it to be advisable, cubicles be created to provide privacy for residents where single rooms are not available, as many residents are likely to have chosen street life after negative experiences in congregate shelters.

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan **strongly urges** DHS, Breaking Ground, the NYPD 20th Precinct and the PS 9, Center School, and Brandeis Campus communities to work together to develop safety protocols to ensure the safety of students, families, school personnel and the public in the immediate area.

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan **requests** that the DHS provide notice to community boards of the opening of a homeless facility in the district when construction permits for a site are filed and a minimum of 60 days before opening (rather than the 30 days' notice that is current practice). The gathering of information to inform and engage the public and address concerns requires a longer lead time.

BE IT FURTHER RESOLVED THAT, due to the concerns expressed by some parents at nearby schools, Community Board 7/Manhattan **requests** that DHS consider close proximity to schools when locating safe havens.



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RESOLUTION

Date: May 2, 2023

Committee of Origin: Land Use

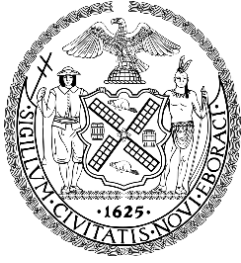
Re: ABC Properties and Lincoln Square Special District, funding for map amendment to Lincoln Square Special District to include former ABC sites on W66th/67th Streets.

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

The following facts were taken into consideration:

- a. On May 4, 2021 CB7/M approved a resolution in support of the proposed action to amend the Lincoln Square Special District map to include the entire ABC site as part of Sub-District C, and agreed to be a co-applicant within the ULURP process with Landmark West because of reasonable worst cast scenarios developed by George Janes for CB7/M in a study predicting massing and height.
- b. Landmark West at that time anticipated covering the costs; however additional renderings were required by City Planning along with more involved reports and responses to the environmental impact statement.
- c. CB7/M hired and paid George Janes to do work on a different project. Mr. Janes completed work on that project without spending all the money. The money was given to CB7 in fiscal year 2021 to be spent that year.
- d. Mr. Janes has agreed to provide at no additional cost to Cb7/M with respect to the proposed rezoning of Morningside Heights as it affects CB7/M. His work will include a detailed analysis of the two sites in CB7/M identified in the Morningside Heights planning study. He will produce massing and floor area schedules using recent standards for such sites, so that the sites and the zoning options can be compared in an apple-to-apples fashion.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **authorize** George Janes to use the money toward the increased costs, and for a presentation to CB7/M during the ULURP process.



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RESOLUTION

Date: May 2, 2023

Committee of Origin: Transportation

Re: 43 West 74th Street (Columbus Avenue – Central Park West.)

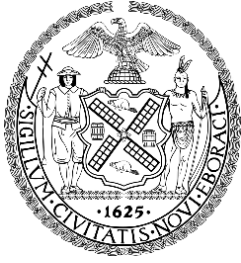
Full Board Vote: 32 In Favor 0 Against 0 Abstentions 0 Present

Committee: 8-0-0-0. Non-Committee Board Members: 5-0-0-0.

This resolution is based on the following facts:

- The application concerns the restoring of the front facade of a townhouse, including replication of the stairs and stoop to the parlor floor of a townhouse.
- The stairs and stoop were removed prior to the designation of the Historic District in which the townhouse is located and diminished its contribution to the character of the neighborhood.
- The correct procedure is for the Department of Transportation to issue a revocable consent to use a portion of the sidewalk for the stoop/stairs.
- The CB7 Preservation Committee and the Landmarks Preservation Commission have previously approved the design and materials for the proposed stair/stoop.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan resolves to **approve** the issuance of a revocable consent for the restoration of the stairs and stoop at 43 West 74th Street.



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RESOLUTION

Date: May 2, 2023

Committee of Origin: Transportation

Re: Secondary Street Renaming, "Didi Ford."

Full Board Vote: 30 In Favor 0 Against 2 Abstentions 0 Present

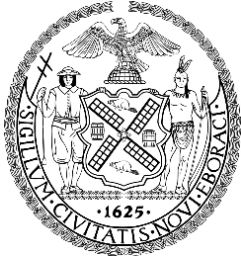
Committee: 5-0-4-0. Non-Committee Board Members: 5-0-0-0.

This resolution is based on the following facts:

Didi Ford worked at the Riverpark Nursery School at 711 Amsterdam Avenue (adjacent to the proposed location) from 1969 until her retirement in 2012 (and continuing thereafter as a volunteer at the school).

- Ms. Ford progressed from an assistant teacher to master teacher to School Director.
- Her efforts touched the lives of over 1,000 children over her tenure.
- Ms. Ford advocated for inclusiveness in early childhood education, including supporting and encouraging families to accept their children's developing capabilities at each child's own pace. She was a champion of individuality and enriched the lives of children and their families.
- She infused music into all aspects of curriculum, reaching and nurturing the differing learning styles of the children in her charge.
- This resolution is in substantial compliance with the guidelines established for secondary street renaming in our District.
- Ms. Ford's contributions to the Upper West Side Community, and in particular to our children, merits recognition through secondary street renaming.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan resolves to **recommend** the renaming of the northeast corner of West 94th Street and Amsterdam Avenue in honor of Didi (Desiree) Ford.



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RESOLUTION

Date: May 2, 2023

Committee of Origin: Transportation

Re: Concerning Obscured License Plates – Law and Enforcement.

Full Board Vote: 26 In Favor 3 Against 4 Abstentions 0 Present

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

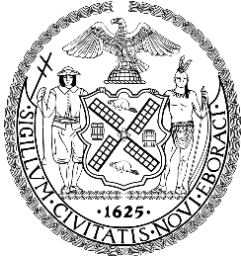
This resolution is based on the following facts:

1. The practice of using a variety of materials and techniques to obscure license plates from being scanned or read by electronic means is on the rise in New York City, with a recent estimate that 4% of vehicles employed such materials and techniques to evade detection.
2. These practices include without limitation scraping off contrasting colors from plate numbers or covering the numbers with spray paint; using false paper “temporary” plates; bending license plates to inhibit readability from certain angles; and using plate holders with tinted plastic or opaque covers.
3. The consequences of obscuring plates include rendering the plates unreadable by electronic toll collection systems on bridges, tunnels and highways, as well as by red light, speed and bus lane cameras.
4. The loss of revenue from obscured license plates has been estimated by the New York City Department of Transportation and the New York City Comptroller’s Office to exceed \$75-Million in tolls and fines in a two-year period.
5. These same electronic scanning devices are anticipated to be part of the fare-collection system to be used when Congestion Pricing is implemented, presenting the likelihood of even greater financial losses to the City and State.
6. Evading speed and red light cameras also makes the vehicle functionally immune from enforcement of road safety laws, including the New York City Reckless Driver Accountability Act of 2020 that imposes penalties on vehicles repeatedly used to violate such enforcement cameras.
7. While Section 402(1)(b) of the NYS Vehicle and Traffic Law prohibits most means of obscuring license plates, the fines available for violations of this law range in New York City from \$65 to \$300, which do not sufficiently deter such violations compared to the economic consequences of evasion of tolls and fines.
8. New York State law also prohibits the sale of materials whose purpose is to be used to obscure license plates.
9. In the spirit of addressing the undetectability of vehicles on our streets, CB7 has previously adopted resolutions calling for the enactment of laws requiring that ebikes be registered and be covered by insurance (December 7, 2021) and calling for enhanced enforcement of ebikes and scooters used in violating traffic regulations (September 9, 2021).
10. Enforcement against parked vehicles with obscured plates is complicated by the bifurcating of jurisdiction between State and local law enforcement.
11. The New York City Law Department has pursued retailers that provide materials used to obscure license plates, demanding compliance with applicable laws. Online and out-of-state retailers, however, continue to provide access to these materials.

12. Senators Brad Hoylman-Sigal and Andrew Gounardes are sponsoring State legislation S4494 that would empower bystanders to initiate enforcement of existing laws against parked vehicles.
13. The fines and penalties for violations of these laws must be increased for first-time and repeated violations to create a meaningful financial deterrent to such practices.

NOW, THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan (MCB7) resolves as follows:

- A. MCB7 **calls** on the New York State Legislature and the Governor to enact legislation significantly increasing the fines and criminal consequences equivalent to transit fare evasion for violation of existing laws prohibiting the obscuring of license plates, with escalating penalties for the use of materials whose primary purpose or effect is to obscure the plates and/or for repeated violations, and to empower law enforcement to seize the offending materials, devices and equipment; and
- B. MCB7 **calls** on the Legislature and Governor to enact legislation such as that proposed by Senators Hoylman-Sigal and Gounardes aimed at empowering bystander reporting of violations evident on parked cars in New York City, with streamlined local enforcement procedures to respond to such reporting; and
- C. MCB7 **commends the New York City Law Department** for pursuing retailers within the City of New York that make available for purchase materials and devices whose purpose or reasonably anticipated effect is to obscure license plates from electronic scanning.



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RESOLUTION

Date: May 2, 2023

Committee of Origin: Business & Consumer Issues

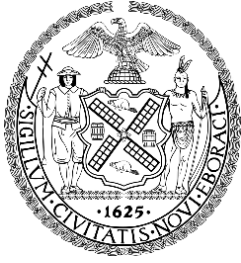
Re: 975 Amsterdam Avenue (West 59th Street).

Full Board Vote: 31 In Favor 0 Against 1 Abstention 0 Present

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

The applicant did not show up.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves without prejudice** New and Temporary Retail Permit application to the SLA for a two-year liquor license by 975 Amsterdam, Inc. d/b/a Spice.



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RESOLUTION

Date: May 2, 2023

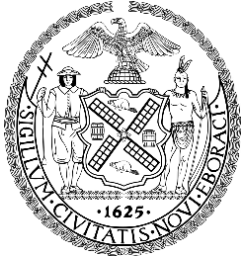
Committee of Origin: Business & Consumer Issues

Re: 174 West 72nd Street (Amsterdam Avenue.)

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

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

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** New applications to the SLA for two-year liquor licenses by 17 West 72nd Café, LLC d/b/a To Be Determined.



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RESOLUTION

Date: May 2, 2023

Committee of Origin: Preservation

Re: 199 Columbus Avenue d/b/a Chanel (West 69th Street.) Application to the Landmarks Preservation Commission for a certificate of appropriateness for storefront infill modification, alteration of an historic window, and restoration of existing finishes and surrounding fabric, including new signage and new doors.

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

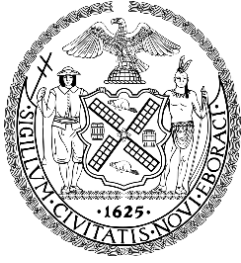
Committee: 5-1-1-0.

This application is based on the following facts.

- The application concerns the ground floor storefront infill of a 5-story apartment flats building with ground floor retail. The building above is clad in brick and stone and was designed by architect Gilbert A. Schellenger in the Renaissance Revival and Romanesque Revival styles and built in 1892-93. It is included in the Upper West Side – Central Park West Historic District.
- The existing storefront condition consists of three large modern glass and steel picture window bays fronting Columbus Avenue with a recessed door between the northern two bays and a masonry pilaster between the southern two bays.
- The subject storefront includes a window facing West 69th Street. That window has a slight arch at the top, and it is surrounded by rusticated stone.
- There is a sign band and mini cornice above the storefront infill, including a pediment-like square element above the southern-most window bay that is connected to a metal fire escape serving the apartments above.
- The proposal includes replacing the windows and doors with new metal and glass floor-to-ceiling windows in the northern two bays and unifying the metal details above all three window bays and the recessed entry doors. The modest plinth at the base of the window bays would be reclad in new stone tiles to match the original.
- The southern-most window bay will be enclosed from within to preclude visibility from/to Columbus Avenue. Concerns relating to the obscuring of the transparency of that window were noted but believed to be the province of a Department of Buildings Zoning analysis, not a question of appropriateness for Landmarks review.
- Certain aspects of the restoration of the cornice above the southern-most window bay were represented to be the subject of LPC Staff-Level review.
- The application also includes the installation of a blade sign into the masonry at the corner of the building on the Columbus Avenue side. The dimensions and height from the sidewalk of the sign are consistent with similar signs in the Historic District. The specific lettering and design of the sign was not presented, as the identity of the applicant is not yet public.
- The window facing West 69th Street will also be obscured from view since its height and arrangement make it unsuitable for the display of the type of merchandise to be sold at the store.
- The arrangement, color, materials and configuration of the proposed storefront infill, including the obscuring of the window facing the side street and the window bay facing Columbus Avenue, the modified recessed entrance, and the restoration of the cornice and related elements, are appropriate to the character of the Historic District. To the extent it is a subject of a public hearing,

the restoration of the cornice should match as closely as possible the materials and design of the original condition.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the application for the modification and restoration of the storefront infill and surrounding masonry and elements as appropriate to the character of the Historic District.



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RESOLUTION

Date: May 2, 2023

Committee of Origin: Preservation

Re: 154 West 73rd Street (Amsterdam – Columbus Avenues). Application to the Landmarks Preservation Commission for a certificate of appropriateness for restoration of the front façade, a rooftop terrace, and a tiered full-width rear-yard addition and back yard improvements.

Full Board Vote: 31 In Favor 0 Against 1 Abstention 0 Present

Committee: 7-0-1-0.

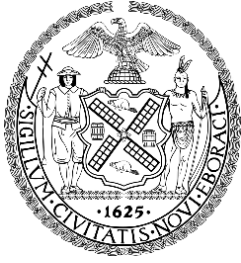
The following facts were taken into consideration:

The front facade and windows of this 1882 townhouse are being approved at staff level. The portico will match the one next door.

As there are many rear yard extensions and varied heights of buildings on West 73rd Street this proposed 30-foot rear extension and cellar are appropriate. The existing hardscape will be replaced by imitation grass and surrounding plantings. Much of the brick will be reused. Second and third floors will be set back, and fourth floor will be width of original brownstone.

As the rooftop stair and elevator bulkheads and fencing around the roof are not visible from the public way.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan resolves to **approve** the application for a certificate of appropriateness for a rooftop terrace, and a tiered full-width rear-yard addition and back yard improvements.



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RESOLUTION

Date: May 2, 2023

Committee of Origin: Parks & Environment

Re: 79th Street Boat Basin. Dock house Conceptual Design.

Full Board Vote: 27 In Favor 2 Against 0 Abstentions 0 Present

Committee: 4-0-0-0. Non-Committee Board Member: 8-0-0-0.

The following facts and concerns were considered in arriving at our conclusion:

- The 79th Street Boat Basin is operated by NYC Dept. of Parks and Recreation (NYC DPR). It is located near W79th Street and the Henry Hudson Parkway, NY, NY, adjacent to the National Register of Historic Places (NRHP)-listed Riverside Park and Drive Historic District (NRHP No. 90PR03411). Riverside Park and Drive is historically significant for its landscape architecture designed by Frederick Law Olmsted and Calvert Vaux. Any structure built within this area must be contextually appropriate in size, design, and materials regardless of the funding source as mandated by federal and city authorities (the NRHP and Landmarks Preservation Commission, respectively).
- NYC DPR has applied to FEMA for Public Assistance grant funding under DR-4085 Sandy New York. As such, FEMA must consider effects to historic properties under Section 106 of the National Historic Preservation Act (NHPA).
- NYC DPR has proposed construction of a two-story dock house elevated on an additional story in a location south of the existing dock house. The new dock house will be within the Riverside Park and Drive viewshed, impacting views to the Hudson River.
- FEMA determined with concurrence from the NY State Historic Preservation Office that the proposed undertaking would constitute an Adverse Effect to Historic Properties.
- At 4:46PM on Monday, April 17, 2023, CB7 received notice from FEMA in a letter dated April 12, 2023 seeking public input and comments on this project reflecting any knowledge of, or concerns with, this historic property or those within the project area.
- Written comments can be mailed to: DHS-FEMA Region 2, Office of Environmental Planning & Historic Preservation, 26 Federal Plaza, Suite 1802, NY, NY 10278-0002 or via email, at
 - FEMAR2COMMENT@fema.dhs.gov. FEMA will respond to any substantive comments in the
 - format they are received. If no substantive comments are received, FEMA will proceed with the Section 106 Adverse Effect process outlined under the NHPA.
- The comment period for the undertaking detailed above will end 15 days from the date of this publication or from the posting of this notice in [newspaper, website, etc.], whichever date is later.
- MCB7 has been granted an extension for the public comment period by FEMA until May 4th, 2023, based on receipt of the letter on April 17th.

THEREFORE, BE IT RESOLVED THAT Community Board 7 / Manhattan **opposes** the current 79th Street Boat Basin plan in light of FEMA's ruling of Adverse Effect to Historic Properties. We respectfully request that EDC and DPR modify the project as currently configured to remedy the Adverse Effect on the Historic Properties.

BE IT FURTHER RESOLVED THAT any modifications to the 79th Street Boat Basin **must be contextually appropriate** for this historic district as mandated by the National Register of Historic Places and Landmarks Preservation Commission.