

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: October 3, 2023

Committee of Origin: Budget and Strategy

Re: Top Three Pressing Issues for FY 2025 District Needs Statement

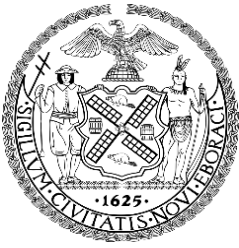
Full Board Vote: 38 In Favor 0 Against 1 Abstentions 0 Present

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

The following facts were taken into consideration:

1. Over 25% of residents in Community District 7/M are food insecure, including a large number of children. The numbers continue to increase due to inflation, and a large number of migrant families being housed in shelters in the district.
2. Affordable housing is a critical need; over 20% of CD7/M households are severely rent burdened. The district continues to lose affordable housing stock, which is not replaced.
3. All public-school students in CD7/M were adversely impacted by the pandemic and are still disadvantage. There are increased needs for educational, emotional and social support for all students and services for students with special needs. The continually increasing migrant student population require multiple services.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan top three pressing issues for Fiscal Year 2025 are Food Insecurity, Affordable Housing and Public Education.



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RESOLUTION

Date: October 3, 2023

Committee of Origin: Bylaws Task Force

Re: Revision of bylaws.

Full Board Vote A: 39 In Favor 1 Against 1 Abstentions 0 Present

Full Board Vote B: 31 In Favor 9 Against 3 Abstentions 0 Present

Full Board Vote C: 35 In Favor 1 Against 0 Abstentions 0 Present

- a. OML
- b. Steering Committee
- c. By-Laws Amendments

Note: New language in bold. Brackets indicate language deleted.

The following facts and circumstances were taken into consideration:

A. OML:

- Pursuant to the recently enacted and amended Open Meetings Law (OML) CB7 previously adopted a resolution permitting members to participate in meetings remotely providing the participation is in compliance with that law.
- The OML requires that members “be physically present” at all meetings.
- Exceptions to the aforesaid requirement may be made for “extraordinary circumstances” or if a member has a disability (as defined in the NY State Executive Law) which “renders such member unable to participate in-person at any such meeting location where the public can attend.”
- It is necessary therefore, for CB7 to establish a procedure for determining eligibility for the allowed exemptions.

B. STEERING COMMITTEE:

- A primary function of the Steering Committee is reporting by committee and task force chairs on forthcoming agendas and proposed resolutions.
- It is often unnecessary that both co-chairs of a committee be present at a Steering Committee meeting.

C. BY-LAWS AMENDMENTS:

- An expedited process for amending the By-Laws upon a proposal originating in the Steering Committee would enable a more expeditious response to changes in the Law.

THEREFOR, IT IS HEREBY RESOLVED that the By-Laws be amended as follows:

A. III.B. Quorum

1. A quorum for Full Board meetings shall be a majority of the members of the Full Board. Ex: if the Board is fully appointed with 50 members, 26 members must be present **in-person at the meeting site** for actions taken during a meeting to be valid.

2. A quorum for committee or task force meetings shall be a majority of the members of the committee or task force. A quorum for Steering shall be a majority of the total members of Steering. For a ULURP-required public hearing, a quorum shall be 20 percent of the appointed members of the Community Board, but in no event fewer than seven members. The minutes of a meeting at which a public hearing was held shall include a record of the individual members present.

III.K.3. A. [Attendance and] Excused Absences:

A. Board members shall be properly excused from a meeting for any of the following reasons, after sending written notification in advance of the meeting to the Board Chairperson:

1. Military service.
2. Jury duty.
3. Personal illness.
4. Illness or death in the immediate family.
5. Attending to Board business at the request of the Board Chairperson. The reason for their absence [will] **shall** be noted in the meeting minutes.

- B. 1. Waivers for remote attendance at individual meetings due to extraordinary circumstances. Members shall be present in-person at all Board and committee meetings unless they are unable to be present in-person due to extraordinary circumstances. Such circumstances include, but are not limited to, disability, illness, caregiving responsibilities, unexpected work travel, unexpected weather conditions that cause unsafe travel conditions due to accessibility needs and medical conditions creating increased vulnerability to COVID.**

Waivers for remote attendance at Full Board meetings due to extraordinary circumstances shall be granted at the discretion of the Board Chair in accordance with the requirements of the OML and these Bylaws. Board members seeking a waiver pursuant to this section must e-mail the Board Chair at least five hours prior to the meeting and provide a qualifying reason. The Chair shall provide a written response.

Waivers for remote attendance at committee and task force meetings due to extraordinary circumstances shall be granted at the discretion of the Committee/Task Force Chairs in accordance with the requirements set forth above.

2. Waivers for remote attendance due to permanent or extended disability shall be granted at the discretion of the Chair in accordance with the requirements of the OML. Pursuant to the OML, a member seeking such a waiver must have a disability as defined in the New York State Executive Law “where such disability renders such member unable to participate in-person at any such meeting location where the public can attend”.

A member seeking such a waiver may self-certify the nature of the disability in writing accompanied by appropriate documentation.

A member granted a waiver under this section shall be eligible to vote.

- C. VI.C. Proposed Amendments to the Bylaws.**

1. Proposed amendments to the Bylaws may be introduced in [two (2)] **three (3) ways:**

A. Introduction by a Board member at a regular monthly Full Board meeting and a vote to put the

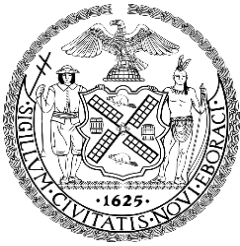
proposed amendments on the agenda at the following regular Full Board meeting; [or]

B. Through notice (written or email) by the Borough President’s office at least thirty (30) days

prior to a regular Board meeting,

C. A resolution passed at a Steering Committee meeting which may be introduced at the next

Full Board meeting and voted upon at the subsequent Full Board meeting.



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RESOLUTION

Date: October 3, 2023

Committee of Origin: Land Use

Re: 36 West 66th Street (Columbus Avenue and Central Park West.) Application BSA Cal #2023-25-BZY to the Boards and Standards of Appeal for an extension of time (§11-332) to complete construction and obtain a certificate of occupancy for a period of two year after April 28, 2024, of a development commenced under the prior zoning. C4-7 & R8 Special Lincoln Square District.

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

Committee: 7-0-0-0. Non-committee Board members: 1-0-0-0.

Background:

36 West 66th Street consists of several parcel on which the owner, Extell Development Company, is constructing a 39-story building, to a height of approximately 775 feet. The extraordinary height of the building was to be achieved, in part, through the use of extra-tall mechanical spaces at intervals throughout the building.

A building permit for the project was issued on June 7, 2017. Construction of the foundation commenced upon issuance of the permit and was completed on April 28, 2019.

In response to the use of extra-tall mechanical spaces in several buildings in Manhattan, the Department of City Planning proposed an amendment to the Zoning Resolution which would impose height limits significantly lower than the proposed heights of the mechanical spaces at the subject building. The City Council approved the amendment on May 29, 2019, one month after the subject building's foundation was completed.

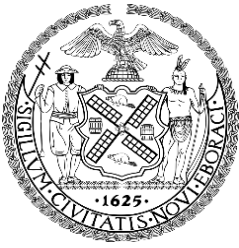
Section 11-331 of the Zoning Resolution provides that if construction of the building's foundation is complete prior to the effective date of an amendment which would render the building non-conforming, the plans originally filed are vested, and construction can proceed notwithstanding the Zoning Resolution amendment. However, Section 11-332 of the Zoning Resolution provides that completion of construction of a non-conforming but vested building must be complete within two years of the date of the Amendment.

The proposed building was the subject of multiple litigations commenced by neighbors and civic organizations. The litigation ended favorably to the building owner on April 28, 2022. Thus, the building was required to be substantially completed by April 28, 2024.

Section 11-332 provides that an owner may apply for a two-year extension of its time to complete construction if it has engaged in substantial construction and expended substantial funds towards completion. Pursuant to this section, Extell has filed an application to extend the building permit an additional two years (until April 28, 2026), asserting that substantial construction has taken place at substantial expense, resulting in a superstructure and concrete slabs up to approximately the 19th floor, but that it cannot complete construction by April 2024.

Based on the foregoing, it is

RESOLVED that Community Board 7 / Manhattan **does not oppose** the proposed extension of the applicant's time to complete construction.



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RESOLUTION

Date: October 3, 2023

Committee of Origin: Land Use

Re: 1991 Broadway, Bel Canto Condominium (West 67th & 68th Streets.) Application [M790651GZSM](#) to Department of City Planning by the Board of Managers of the Bel Canto Condominium requesting approval of the eighth (8th) proposed modification to a previously approved special permit for a covered plaza bonus approved pursuant to Section 82-10 of the 1980 Zoning Resolution.

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

Background:

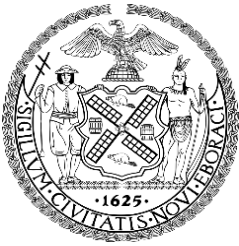
The Bel Canto, a condominium residence built in 1984, received a covered plaza bonus special permit pursuant to section 82-10 of the Zoning Resolution. The floor area bonus amounted to 19,7334 square feet, in return for which the building constructed an enclosed plaza consisting of 1,518 square feet. The plaza, on the ground floor, was required to be open to the public and is commonly known as a POPS (Privately Owner Public Space).

The Zoning Resolution requires that POPS submit for approval in connection with the issuance of a special permit all of the details, including lighting, seating, signage, garbage disposal and wall decoration. Since 1984, the applicant has sought and received several amendments to the special permit.

The current proposal would reduce the number of tables (19) or chairs (42), and would change their configuration, provide for the realignment of trees and planters, change the lighting to high efficiency LED lighting, replace existing signs with new signage identifying the space as open to the public, provide for non-illuminated commercial signage, create two-person curved benches around building columns, and remove artwork from interior walls.

The proposed changes appear to be minor and benign, and accordingly, it is

RESOLVED, THAT Community Board 7 / Manhattan **approves** the proposed minor modification to the special permit Issued to the Bel Canto condominium and urges the applicant to maintain the space in compliance with the permit as modified and in accordance with the spirit of the City's POPS regulations.



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RESOLUTION

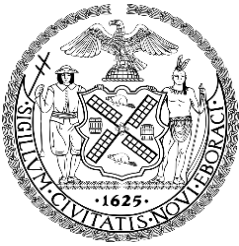
Date: October 3, 2023

Committee of Origin: Business & Consumer Issues

Re: 130 West 72nd Street (Broadway – Columbus Avenue.)

Full Board Vote: 32 In Favor 2 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** new Application & Temporary Retail Permit to the State Liquor Authority for two-year liquor licenses by La Caridad 72nd Inc. d/b/a La Caridad Restaurant.



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RESOLUTION

Date: October 3, 2023

Committee of Origin: Preservation

Re: 1000 Fifth Avenue, The Metropolitan Museum of Art. Application #LPC-24-01774 to the Landmarks Preservation Commission for a certificate of appropriateness for the installation of a permanent display screen in the Great Hall.

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

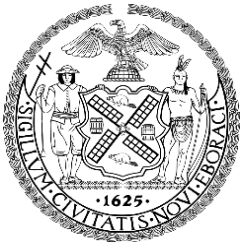
Committee: 6-1-0-0.

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

The Great Hall is an interior landmark within the landmarked Metropolitan Museum. Electronic signage at the north and south ends of the hall are proposed to inform visitors about exhibitions.

- Signs will replace much of the print matter that was used formerly. Similar signs exist now but will be replaced by smaller, thinner sign mounted closer to the walls.
- The existing signs are not obtrusive.

THEREFORE, BE IT RESOLVED THAT Community Board 7 / Manhattan **approves** the application for two signs each against both the north and south walls of the Great Hall.



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RESOLUTION

Date: October 3, 2023

Committee of Origin: Parks & Environment

Re: Central Park, reconstruction of the concession and addition of pergola structure at Mineral Springs.

Full Board Vote: 25 In Favor 5 Against 4 Abstentions 0 Present

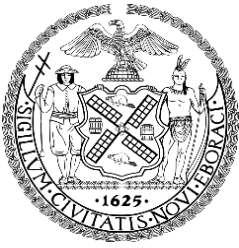
Committee: 6-0-1-0.

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

Application for a new pergola structure to allow indoor and outdoor dining year-round at Mineral Springs in Central Park, which is in the southwest portion of the Park, near Sheep's Meadow, operated by Le Pain Quotidien (the "Applicant" or "LPQ").

The Applicant will maintain current footprint and seating, reconfiguring their own space to create a patio and garden area, maintaining the current number of tables. Five pergola structures will be installed with motorized retractable louvered ceiling and screens that will open and close depending on the weather. A heating system will be mounted on the interior beams, and marks will be added to prevent birds from hitting the glass portions of the building.

THEREFORE, BE IT RESOLVED THAT Community Board 7 / Manhattan **approves** the reconstruction of the LPQ concession at Mineral Springs in Central Park, with limitations on the number of private events, an unchanged footprint for the concession, maintained public access for people and their pets, and the following of all regulations to make exterior glass surfaces safe for birds.



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RESOLUTION

Date: October 3, 2023

Committee of Origin: Parks & Environment

Re: Central Park, Restoration of the Delacorte Theater and Great Hill Comfort Stations.

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

Committee: 7-0-0-0.

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

Central Park Conservancy and DPR will be renovating and restoring the comfort stations at the Delacorte Theater and the Great Hill, including accessibility improvements, and interior and exterior restoration work, as follows:

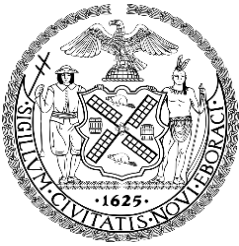
- Delacorte Theater Comfort Station

Replace all windows and doors with historic features, clean and point building facade, replace missing architectural elements as well as light fixtures, clean post and lanterns, and reconstruct light fixtures lost over time. All interior fixtures will be removed, and capacity will be increased with eight additional fixtures in the ladies' facilities, and baby-changing stations in both the men's and ladies' facilities. One of the trails reaching this comfort station will be made ADA-accessible. Construction will be coordinated with the renovation of the Delacorte Theater, and is expected to take one year.

- Great Hill Comfort Station

This comfort station is currently closed during the cold winter months and has limited ADA-accessibility. The restoration of historic windows and doors will involve exterior and interior restoration, plus the addition of a baby-changing table in both men's and ladies' facilities. One of the trails reaching this comfort station will be made ADA-accessible. The stalls within will also be made accessible. When the work is complete (expected to last nine months), the facility will be open year-round.

THEREFORE, BE IT RESOLVED THAT Community Board 7 / Manhattan **approves** the restoration of both comfort stations – at the Delacorte Theater and the Great Hill – both in Central Park.



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RESOLUTION

Date: October 3, 2023

Committee of Origin: Parks & Environment

Re: Riverside Park, reconstruction of the West 91st Street Staircase.

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

Committee: 7-0-0-0.

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

The site of the project concerns the staircase located at West 91st Street inside Riverside Park (the "Site"); and

The goal of the project is to reconstruct the bluestone stairs and to improve accessibility and the adjacent pavement at the Site; and

All of the bluestone risers will be replaced with thermal bluestone. The natural cleft will be replaced in-kind with natural cleft pavers. The foundation will be reconstructed; and

The cheek wall has been determined to be in good overall structural condition, and will likely be replaced only in portions; and

The existing three-foot wrought iron fence on either side will be replaced with a 4-foot fence with a handrail; and

Remedial paving will be needed at the top of the stairs to address the noticeable grade change between the existing pavement at the top of the stairs and the top riser of the staircase. A new small landing and two or three additional risers will be added so that the grade change can be addressed. The cheek wall will be extended to that level and a little bit north. Remedial paving will be done at the bottom of the stairs as well, if needed; and

THEREFORE, BE IT RESOLVED THAT Community Board 7 / Manhattan **approves** this proposed restoration, which is true to the historic character of Riverside Park. We believe this project is much needed to improve the condition of the Site and the safety of visitors' experience in this area.