

Community Board 7/Manhattan

JANUARY 2024 PROPOSED RESOLUTIONS

Land Use Committee, Richard Asche, Co-Chairpersons

Resolution Re:

1. City of Yes for Economic Opportunity.
Committee to present resolution and vote.

Transportation Committee, Andrew Albert and Mark Diller, Co-Chairpersons

Resolution Re:

2. **Re: West 97th Street Greenmarket** (Columbus and Amsterdam Avenues).

This resolution is based on the following facts:

- The Grow NYC Farmers Market located on the north sidewalk of West 97th Street between Columbus and Amsterdam Avenues (the “Market”) is a community resource of unparalleled importance to the community, providing neighbors and the broader community with access to healthy produce in season, and providing growers with direct access to an appreciative market.
- The Market has been a consistent presence on this block for many years, providing stability and security as well as a de facto meeting place for neighbors, elected officials, and service providers.
- The Market is located directly adjacent to PS 163, and provides a welcome example and fitting demonstration of what healthy living requires.
- The sidewalk on which the Market is located is significantly wider than the typical Upper West Side sidewalk due to its placement as part of the superblock of Park West Village.
- It is hard to imagine a more important or welcome use of the public realm than the Market.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **supports** the renewal of the Street Activity Permit for the Grow NYC Farmers Market at West 97th Street between Columbus and Amsterdam Avenues for as long a term as the Street Activity Permit Office will grant.

Committee: 8-0-0-0.

3. **Re: Curb access for mobility-challenged.**

This resolution is based on the following facts:

- West 97th Street between Central Park West and Columbus Avenue (the “Block”) is an exceptionally wide street that is one primary cross-town route from the 97th Street Central Park Transverse to the Henry Hudson Parkway, and is a designated truck route.
- CB7 has previously successfully called for traffic-calming measures on this block, including adjusting traffic signal timing to eliminate the incentive to speed to make the next light.
- There are more than 20 residents of 372 CPW who self-identify as mobility-challenged due to reliance on wheelchairs, walkers, canes and other devices. Many of these and other residents rely on Access-A-Ride and other vehicles for transportation, including to medical appointments and other destinations.
- Parking is permitted throughout the length of the north side of West 97th Street on the Block, except for fire hydrants. Parking is maximized by using the extra-wide street to call for back-in angled parking.
- There is insufficient open curb space on the Block adjacent to 372 CPW to allow an Access-A-Ride or other vehicle to reach the curb, requiring mobility-challenged residents to cross into the street to access a vehicle.
- At 400 Central Park West, a companion building in the Park West Village complex that fronts West 100th Street, a “No Standing” zone with pavement striping extends the area surrounding a fire hydrant for a length sufficient to allow Access-A-Ride and similar vehicles to reach the curb, creating safer access for mobility-challenged residents and visitors.
- There is a fire hydrant located in front of 372 CPW whose zone could similarly be extended to provide safe access for mobility-challenged residents and visitors to 372 CPW.
- This curb access area is distinguishable from residential loading zones requested in this District because it fronts an extra-wide street with greater than usual parking, and because of the numerous residents of the 372 CPW building who self-identify as mobility-challenged.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **calls on** the NYC Department of Transportation to create a “No Standing” zone to extend the area adjacent to the fire hydrant in front of 372 Central Park West by a sufficient length to permit an Access-A-Ride or similar vehicle to reach the curb.
Committee: 7-0-1-0.

4. Re: Proposal to ban gas-powered mopeds and imposing stricter point-of-sale regulations ensuring that only street-legal, registered and ensured mopeds are sold in New York State.

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

- Many people conflate legal e-bikes with illegal mopeds (aka “limited use motorcycles”);
- E-bikes are a key component of the city's goal of reducing its dependence on cars;
- E-bikes are classed as bicycles and they are restricted to speeds of up to 25 miles per hour;
- Mopeds are much heavier than e-bikes and are capable of going faster;
- Mopeds are classed as motor vehicles and require a Vehicle Identification Number (VIN) and must be registered and be operated by someone with a driver’s license;
- In order to obtain a VIN, a vehicle must meet all the relevant Federal Motor Vehicle Safety Standards, and vehicles must have a VIN to be registered with NYSDMV;
- Some illegal mopeds don't have VINs because they don't meet relevant safety standards. Others could have VINs but don't, and are illegal as well;
- Many “e-bike” dealers are actually selling illegal mopeds or selling legal mopeds to buyers who lack a driver’s license and who leave the store without registering their vehicle and obtaining a license plate;
- Gas-powered mopeds are noisy, pollute, contribute to climate change and have no place on New York City’s streets;
- A growing number of delivery workers are switching from legal e-bikes to illegal gas-powered mopeds because of the lack of charging facilities and the danger of fires from substandard lithium batteries;
- Many immigrant delivery workers are told by moped dealers that the vehicles are street-legal and the buyers are not informed that registration and a driver’s license are required to operate a legal moped;
- Confiscating illegal mopeds from delivery workers unfairly penalizes hard-working immigrants and takes away their livelihood; and
- A better and more humane approach would be to cut off the flow of these vehicles at the point of sale, before they get onto the streets.

THEREFORE, BE IT RESOLVED THAT:

- Community Board 7/ Manhattan **calls on** the New York State Department of Motor Vehicles to take a more active role in imposing civil penalties against unregistered dealers (dealers who sell legal mopeds without being licensed to do so); and
- Community Board 7/ Manhattan **calls on** the New York State DMV and/or the New York City Department of Consumer and Worker Protection (DCWP) to enforce existing laws prohibiting dealers from selling non-street-legal mopeds and those without VINs, including through joint operations conducted via a task force involving NYPD, DCWP and NYC DOT; and
- Community Board 7/ Manhattan **supports and asks** the State Legislature to pass S7703, introduced by Senator Hoylman-Sigal, and A08052, introduced by Assembly Member Bores, which will require that legal mopeds (those with VIN numbers) be registered before they can be removed from the point of sale; and
- Community Board 7/ Manhattan **urges** the City and/or State to ban the sale and use of any type of gas-powered moped and consider creating a buy-back program for those vehicles already in circulation.

Committee: 8-1-0-0.

Business & Consumer Issues Committee, Josh Cohen and Benjamin Wu, Co-Chairpersons

Resolution Re:

5. 2024 Street Festivals.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** applications to The Mayor's Street Activity Permit Office for Street Festivals in 2024.

Committee: 4-0-0-0.

New Application & Temporary Retail Permit

6. 102 West 86th Street (West 85th – 86th Streets)

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** New Application & Temporary Retail Permit to the State of Liquor Authority for two-year liquor license by 102 West 86, LLC.

Committee: 4-0-0-0.

7. 2170-2178 Broadway a/k/a 212-222 West 77th Street by Arthouse Hotel New York City

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** New Application & Temporary Retail Permit to the State of Liquor Authority for two-year liquor license by Arthouse Hotel New York City.

Committee: 4-0-0-0.

Preservation Committee, K Karpen and Madge Rosenberg, Co-Chairpersons

Resolution Re:

8. 160 West 74th Street (Amsterdam – Columbus Avenue.) **Application to the Landmarks Preservation Commission for a certificate of appropriateness for a roof and rear addition in addition to an ADA-compliant chair lift.**

Committee to present resolution and vote.

9. 418 Columbus Avenue, d/b/a % Arabica (West 80th – 81st Streets.) **Application to the Landmarks Preservation Commission for a certificate of appropriateness for storefront infill replacement, window replacement and installation of a louver.**

Committee to present resolution and vote.

10. 420 Amsterdam Avenue (West 80th Street). **Application #LPC-24-03142 to the Landmarks Preservation Commission to legalize or correct an LPC violation 17/0371 for the installation of enclosed areaway.**

Committee to present resolution and vote.

11. 173-175 Riverside Drive, 2nd Floor (West 89th – 90th Streets). **Application to the Landmarks Preservation Commission for a certificate of appropriateness to replace limestone panels in lieu of the current wood spandrel panels.**

Committee to present resolution and vote.

12. 40 West 106th Street (Manhattan Ave – Central Park West) **Application to the Landmarks Preservation Commission for a certificate of appropriateness for/to:**

a. Convert the rooftop of an existing rear L-extension into a rear balcony/terrace, and modify a second-floor window into a sliding door to provide access to the balcony/terrace; and

b. Install a staircase leading to the rear yard from the rear balcony/terrace on the second floor, which staircase is attached to the main rear facade and then to the east face of the neighboring building's existing L-extension.

Committee to present resolution and vote.