



RESOLUTION

Date: December 6, 2016

Committees of Origin: Land Use

Re: 8-10 West 70th Street, Congregation Shearith Israel. Application #74-07-BZ to the Board of Standards and Appeals by Congregation Shearith Israel for an extension of time to complete construction and for a minor amendment to plans.

Full Board Vote: 26 In Favor 1 Against 3 Abstentions 0 Present

Congregation Shearith Israel (CSI) is applying to the Board of Standards and Appeal for:

1. An extension from February 2016 to February 2020 of the deadline imposed by the Board of Standards and Appeals (BSA) pursuant to a hardship variance granted by BSA in 2008 to complete substantial construction of its proposed community facility and residential building at 6-10 West 70th Street;
2. A waiver of BSA rules which require that extension requests be made prior to the expiration of the original permit; and
3. Approval of certain changes in its plans for the building, including but not limited to: realignment of the eastern façade of the new building, rearranging of interior space to accommodate a moved interior stairwell, modifications and increase in height of the roof top bulkhead, enlargement of the creation of two levels of sidewalk vaults to the sub-cellar and cellar on 70th Street, changes in the location of ventilation systems and HVAC servicing the sub-cellar, cellar and first floors, including the increased mechanical equipment at the main roof and on the bulkhead of the proposed building.

CB 7's 2007 resolution: By resolution dated December 4, 2007, CB7 disapproved CSI's original application for variances. For the reasons set forth in that resolution, CB7 reiterates its opposition to the proposed variances, and accordingly, disapproves the current application.

Change in economic conditions underlying the "E" and "B" findings: Community Board 7 further observes that at least two of the mandatory findings made by BSA in granting CSI's original application for a hardship variance were based on economic conditions prevailing in 2008, nearly nine years ago, and that these economic conditions no longer exist:

- The "E" finding requires an affirmative showing that the requested variance is the "minimum necessary" to alleviate the hardship. CSI claimed that its ability to fund construction of the community house portion of the project was dependent upon the opportunity to construct five floors of condominium units. Even assuming that the sale of rights to construct five floors of condominium units was the "minimum necessary" to fund the project in 2008, it is likely that, given the sharp increase in real estate values in the interim, CSI would today be able to finance its project with a more modest condominium portion.

- BSA applied the "B" finding – that the developer is unable to obtain a reasonable return by construction of an as-of-right building – to the condominium portion only and held that the finding had been met. However, what may have been necessary for a reasonable return eight years ago is likely no longer necessary.

With regards to the current set of submissions received on November 15, 2016 that now include the addition of finalized structural and mechanical scopes of work we have the following comments:

The air handlers: One aspect of the proposed construction, not present in the original plans, is the inclusion of “air handlers” on the second floor rear roof. These air handlers include exhaust from an enlarged kitchen in the community facility. Before any extension is granted, BSA should fully explore issues of noise, odor and increased ambient outside air temperature, with respect to the inclusion of these units and their impact on the adjacent residential buildings. The revised technical statement does provide information for each type of mechanical units/equipment unit except for the completion of the duct layout for the Kitchen Precipitator. However, there is no cumulative data provided when it is assumed that the majority of the equipment at the 2nd floor rear roof or on the main roof are all in operation presumably at the same time.

The Sub-cellar Cellar vaults beyond the property line under the 70th Street Sidewalk: The extension of the building below grade was also not included in the original plans. There is no information provided as to the protection, shoring or extent of underpinning that may be required to both the existing landmarked synagogue and the adjacent building, 18 West 70th Street, within the Central Park West Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** CSI's application for the reasons set forth above. At a minimum, further exploration is required concerning the economic assumptions underlying the variance and the environmental concerns raised by the addition of air handlers on the second floor roof.



RESOLUTION

Date: December 6, 2016

Committees of Origin: Preservation

Re: 39 West 67th Street (Columbus Avenue – Central Park West.) Application to the Landmarks Preservation Commission for a window replacement master plan.

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

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

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

- All the fenestration on the primary street façade is set within two vertical copper-clad bays.
- New 6 over 6 double hung aluminum thermal windows are proposed to match the original window pane configuration.
- The new windows will match the original dark olive color.
- In order to avoid damaging the existing copper bay sheathing, the new windows will be installed within the existing copper-clad wood frames of the original windows.
- Replacement windows at the west and east side facades will be double-hung, multi-paned aluminum thermal windows modelled on the originals. These side facades are minimally visible from the public way.
- The rear (north) facade is not visible from the public way. Since no original windows remain, the proposal is to replace the existing windows in-kind with new aluminum thermal windows, a combination of double-hung units of various widths and heights, fixed and operable transom units.

The Committee expressed concern that a master plan should seek to restore uniformity within the façade if possible, even when not visible from the public way. The Committee urges the applicant to model all seven of the window units in this western section on the middle three units.

The Preservation Committee of Community Board 7/ Manhattan believes that, especially with the recommendation to restore greater uniformity at the rear facade, the proposed window replacement master plan is reasonably appropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the window replacement master plan. The Board strongly recommends that the design for the vertical column of windows in the western portion of the rear façade be modified so the windows at all floors within this column have one similar design, modelled on the three window units at the center.



RESOLUTION

Date: December 6, 2016

Committees of Origin: Preservation

**Re: 31 West 71st Street, La Quinta Inn & Suites Marquee (Columbus Avenue – Central Park West.)
Application to the Landmarks Preservation Commission to legalize and modify a canopy installed without LPC permits.**

Full Board Vote: 33 In Favor 0 Against 1 Abstention 0 Present

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

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

- In 2009, the design for a five foot wide blue canvas awning with two metal pole supports was approved by LPC.
- Prior to installation, the applicant discovered that the poles could not be installed in their required positions because of the presence of existing gas valves at those locations.
- In 2011, an alternative design was submitted to LPC for a blue canvas marquee, supported by two metal rods attached to two existing hooks in the mouths of two existing lion's heads, a remnant of a prior marquee. The new marquee is 9 feet wide, widened to work with the spacing of the lions' heads.
- When 30 days had passed and the applicant had not never heard back from LPC, he assumed it was approved by default and so installed the blue canvas marquee.

The Committee expressed a number of concerns:

- There is no historic precedent for a canvas marquee on a building of this age (early 20th century).
- The low flat arch shape of the marquee is more in the style of a canvas awning than to a marquee, which would more likely have been constructed of metal and glass.
- The marquee bears no meaningful relationship to the historic fabric of the entry and conceals some of the decorative details at the building entrance and in the façade above.
- Surface mounted conduit to provide power for the marquee downlights is unsightly.

Based on these concerns, the Preservation Committee of Community Board 7/ Manhattan believes that the design of the marquee is inappropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the legalization of the marquee.

**RESOLUTION**

Date: December 6, 2016

Committees of Origin: Preservation

Re: 310 West End Avenue, Apt 16B (West 75th Street.) Application to the Landmarks Preservation Commission for the modification of two windows.

Full Board Vote: 33 In Favor 0 Against 1 Abstention 0 Present

Committee: 5-0-1-0. Non-Committee Board Members: 1-0-0-0.

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

- There are no courtyard facing windows in this apartment, so any mechanical equipment must be installed in a street-facing façade.
- Although a master plan for the typical installation of through-wall air conditioners exists, the 16th floor has a unique facade condition which precludes adhering to that master plan. At the 16th floor, there is a decorative, projecting brick band below the 16th floor windows, so the two split system condenser units cannot be installed through-wall below the window sills.
- Instead, the two condenser units will need to be installed within two of the street-facing windows.
- The condensers will be located in the bottom sash of two new replacement window units. One unit will be located on West End Avenue-facing window, and the other unit will be located in a West 75th Street facing window.
- The building's standard window type is a multi-paned over single pane double hung design.
- The top sash of the proposed windows will maintain the pane configuration and overall dimension of the typical top sash. The condenser unit will be installed in the bottom of the bottom sash, with a narrow fixed pane of glass above.
- The top sash will operate as a casement.
- Replacement windows will be wood, true-divided lights, not insulated.
- The condenser grilles will be architectural style linear grille, brick-color finish to match the typical through-wall a.c. grille color prescribed by the master plan.
- The visibility of the two condenser grilles will be minimized by the high floor, the projecting brick band below the two windows, and by the decorative metal grillwork below the West End Avenue-facing window.

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

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the design of the two modified windows.



RESOLUTION

Date: December 6, 2016

Committees of Origin: Preservation

Re: 410 Amsterdam Avenue (West 79th -80th Streets.) Application to the Landmarks Preservation Commission for a modification of existing storefront.

Full Board Vote: 34 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:

- The existing wood panel and glass storefront consists of a central door and side light flanked symmetrically by two door pairs and two outer fixed sidelights.
- The new design is modelled on the existing storefront design of the neighbor directly to the north at 412 Amsterdam Avenue.
- The new design replicates the wood panel and glass storefront configuration of 412 Amsterdam: an uneven door pair at the entrance, now shifted to the south, with two tripartite hinged door panel sections extending across the rest of the storefront opening.
- The new storefront would maintain the black color of the existing storefront.

The Preservation Committee of Community Board 7/ Manhattan believes that the design modifications to the existing storefront are reasonably appropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the modification of the existing storefront.



RESOLUTION

Date: December 6, 2016

Committees of Origin: Preservation

Re: 351 Amsterdam Avenue (West 77th Street.) Application to the Landmarks Preservation Commission to request legalization of the first floor storefront façade.

Full Board Vote: 34 In Favor 0 Against 2 Abstentions 0 Present

Committee: 5-1-1-0.

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

- The design approved by LPC retains the horizontal and vertical brick framing element of the original building design, still present at the building to the south.
- The proportions of the glazing – the height of the transoms, the tall elongated pieces of fixed glass, and the door widths, all reinforce the verticality of the primary historic architectural detail - a pair of slender cast iron columns at the center of the storefront, still referenced in the design of the renovated storefront to the south
- The existing as-built design has introduced several additional metal verticals which visually detract from the central cast iron columns.
- The narrow pair of service doors now contained between the columns appears out of scale and out of context.
- The proportion of the new doors and windows are shorter and squatter than the approved design, bear less relationship to the more vertical original proportions.
- The installed signage board is taller than the horizontal brick sign band and fully conceals the historic fabric of the original brick band.
- The historic fabric of the side brick framing elements is also concealed by the new storefront structure.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed design of the existing storefront is inappropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the legalization of the existing storefront façade.

**RESOLUTION**

Date: December 6, 2016

Committees of Origin: Preservation

Re: 170 West 79th Street, Rodeph Sholom School (Amsterdam Avenue.) Application to the Landmarks Preservation Commission for a new rooftop play deck.

Full Board Vote A: 26 In Favor 10 Against 1 Abstention 0 Present

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

Full Board Vote B: 33 In Favor 1 Against 1 Abstention 0 Present

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

a. Regarding the new and enlarged bulkheads and the mechanical equipment, and the rooftop playdeck fencing materials, the following facts and concerns were taken into account in arriving at our conclusion:

- A new outdoor play space will be created on the building roof, to provide additional outdoor play space for the school's older middle school students.
- To provide code-compliant foot access to the roof, the two existing staircases will be enlarged slightly.
- To make the rooftop fully accessible, a LULA elevator will be installed.
- The elevator and stair bulkheads will be clad in light beige horizontal cement panels.
- Low mechanical units will be installed on the northernmost part of the roof, concealed from view by the building's street facade cornice.
- Neither the new and modified bulkheads nor the mechanical are visible from the public way.
- In addition to installing full height fencing at the sides of the playdeck, overhead fencing must also be installed.
- The fencing material is currently proposed to be a chain link installed on a metal structural frame, natural metal finish, or possibly vinyl coated in white or black. The final fencing material finish and color will be selected to minimize its visibility from the neighboring buildings, and to provide maximize visual openness.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed design of the new and enlarged bulkheads, the mechanical equipment, and the rooftop play deck fencing materials are all reasonably appropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the new and enlarged bulkheads and the mechanical equipment, and the rooftop play deck fencing materials

b. Regarding the specific design of the rooftop playdeck, the following facts and concerns were taken into account in arriving at our conclusion:

- The original roof will be built-up 2.5 feet to create a level surface.
- The playdeck fence enclosure will extend 20 feet above the new rooftop surface, which creates an 18'-8" clear interior height. This height was chosen to permit the installation of basketball hoops installed at the required height for middle school students.
- A portion of the new rooftop playdeck enclosure will be visible from the public way – through the open side court of the neighboring apartment building to the west.

The Committee finds the visibility of the proposed 20 foot high enclosure to be significant, NOT minimal. Accordingly, the Committee requested the overall height of the enclosure be reduced 8 feet to minimize the impact of its visibility from the public way and from the east-facing façade windows of the neighboring apartment building. The lower height enclosure would still permit some outdoor ball play but preclude middle school student scaled basketball.

The Committee suggested that the basketball function be shifted to another outdoor playdeck on a lower floor as this rooftop enclosure (currently being renovated), since that lower level playdeck is fully contained within the rear yard, fully concealed from the public way.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed design of the new rooftop play deck is partially visible from the public way is overscaled for the building, too tall and therefore inappropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the design of the rooftop play deck.

**RESOLUTION**

Date: December 6, 2016

Committees of Origin: Preservation

Re: 51 West 81st Street (Columbus Avenue.) Application to the Landmarks Preservation Commission for window replacement.

Full Board Vote: 35 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:

- A building-wide window replacement plan is master plan is proposed.
- The building was originally constructed as a hotel. It was later converted to an apartment building, altering the internal plan configuration, which impacts some of the window openings and the design of the windows contained within.
- The original window design appears to have consisted of individual one-over-one double hung wood windows, and pairs of one-over-one double hung wood windows, with center mullions.
- All the original windows have been replaced with new aluminum replacement windows, typically one over one singles, and window pairs butted together with no center mullion where the internal plan permits.
- Arch-headed window openings at the second floor (the top story of two-story high arched masonry enclosures) are currently made up of shorter double-hung flat-topped windows with fixed curving head transom units.
- The proposed master plan proposes to replace all the existing windows in kind, modelling the new windows on the current existing windows.
- Upon closer inspection of historic photos presented, the Committee found evidence that the proportions of the original windows were different, heftier, designed to complement the robust architectural vocabulary of the building, which includes a three-story rusticated stone base and a red-brick clad façade with distinctive contrasting limestone lintels.

The Committee urged the architect to conduct further research and modify the proposal to create windows with proportions and details that approximate the originals windows in heft and design.

The Preservation Committee of Community Board 7/ Manhattan believes that the proposed replacement window master plan does not reflect the proportions or the details of the original windows within the building's architecturally robust facades, and is inappropriate to the historic character of the building and of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** the proposed window replacement master plan.

**RESOLUTION**

Date: December 6, 2016

Committees of Origin: Youth, Education & Libraries

Re: New York Public Library for an addition of one exterior canopy lighting fixture outside the Library for the Performing Arts' Lincoln Center Plaza entrance, and replacement of lighting fixtures within the exterior blade signs over the Amsterdam Avenue entrance.

Full Board Vote: 27 In Favor 0 Against 0 Abstentions 1 Present

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

This Resolution is based on the following facts:

The Library for the Performing Arts (the "Performing Arts Library") is a specialty branch of the New York Public Library housing a collection of manuscripts, texts, audio, video and other media relating to the study, history, analysis, practice and presentation of a wide variety of performing art forms. The branch is located on the campus of Lincoln Center and is integral to the Eero Saarinen-designed complex that is home to the Vivian Beaumont, Mitzi Newhouse and Claire Tow theaters.

The Performing Arts Library has entrances on the Lincoln Center plaza and on Amsterdam Avenue. The plaza entrance is protected by a glass and steel canopy that currently has panels of lighting along its length filtered through perforated steel and opaque plexiglass covers. The Amsterdam Avenue entrance has a series of five blade panel signs above the entrance opening, which blade panels are illuminated from within. Neither the blade signs nor the glass and steel canopy are original to the building or the Saarinen design.

The NYPL proposes to replace the current lighting under the plaza canopy with a series of LED strips that will focus light on the entranceway. The strips providing the lighting will be concealed behind the existing steel front frame of the canopy and will reduce the visual impact of the lighting feature. The strips will focus illumination on the entranceway and will be angled not to be in the line of sight of a pedestrian unless she/he looks directly at the proposed apparatus.

The NYPL also proposes to replace the internal lighting within the blade signs with an LED system that will provide more diffuse light in the existing blade panels without the need for panels and materials to scatter and diffuse the light to create an even internal illumination of the sign. The power for the new lighting will be obtained through the existing conduits located in the anchors for the blade signs.

The two proposed lighting changes are sensitive to their surroundings, will increase safety while lowering energy consumption, and are appropriate to the design and nature of the building to which they will be added.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the proposal to modify the lighting systems at the plaza canopy and the Amsterdam Avenue blade signs, and recommends to the Public Design Commission that the NYPL application be approved.



RESOLUTION

Date: December 6, 2016

Committees of Origin: Business & Consumer Issues

Re: 166 West 75th Street (Amsterdam Avenue.)

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

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

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application to the SLA for two-year liquor licenses by S&G Food Group, d/b/a Cesca.



RESOLUTION

Date: December 6, 2016

Committees of Origin: Business & Consumer Issues

Re: 473 Columbus Avenue (West 83rd Street.)

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

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

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application to the SLA for two-year liquor licenses by ACS Columbus LLC, d/b/a To be Determined.



RESOLUTION

Date: December 6, 2016

Committees of Origin: Business & Consumer Issues

Re: New Unenclosed Sidewalk Cafés.

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

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

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

- **676 Amsterdam Avenue** (West 93rd Street.) New application #7967-2016-ASWC to the Department of Consumer Affairs by Sunflower Amsterdam, LLC., d/b/a Sunflower Cafe, for a four-year consent to operate an unenclosed sidewalk café with 8 tables and 24 seats, on the condition that the applicant provides new photos of delivery personnel and a revised 9-foot café floor plan.
- **2737 Broadway (West 105th Street.)** New application #9793-2016-ASWC to the Department of Consumer Affairs by The Westside of Broadway Restaurant Group, Inc., d/b/a Toast, for a four-year consent to operate an unenclosed sidewalk café with 15 tables and 30 seats.