

COMMUNITY BOARD 7/MANHATTAN
Minutes of Full Board Meeting
March 6, 2012

Community Board 7/Manhattan's full Board met on Tuesday, March 6, 2012, at the Jewish Home Lifecard facility at 160 West 106th Street in the District. Chair Mark Diller called the meeting to order at 6:35 pm after the Secretary confirmed the existence of a quorum.

Minutes from previous full board meeting were **approved**: 27-0-1.

Chair's Report: Mark Diller

- Due to the length of the agenda, the neighbor of month recognition will be postponed, and it will be even more important for the public to please adhere to speaker time limits.
- Committee submissions to the Annual Report to the Borough President due before March 23.
- Update on Lincoln Center & Fashion Week: Attempting to manage noise and disruption and community impact; slow and incremental process.
- City Planning Commission considering CB7's resolution and letters re Jewish Home Lifecare application for a certification.
- CB7 and CAB involved in discussions re rezoning JHL's 106th Street site to end the carve-out.
- Stop & Frisk resolution: Shelly Fine's friendly amendments were adopted by Borough Board.
- Congratulations to Ethel Sheffer: elected a Fellow of the American Institute of Certified Planners.

District Manager's Report: Penny Ryan

- 732 WEA still has a partial Stop Work Order, not allowed to pour concrete but are allowed to build interior walls. Next step is peer review of the concrete plan by an independent certified engineer. CB7, along with Gale Brewer and AM Rosenthal, have asked DOB to ensure all outstanding violations and fines are resolved prior to work being resumed.
- Working with Fordham and Glenwood on improving temporary sidewalks and lighting around West 62nd Street/ Amsterdam Avenue sites to address safety concerns (Amsterdam Houses, the Alfred).

Community Session

- Renee Gong, Shen Yun Promotions Int'l, - Introduces traditional Chinese program to community groups. Show coming to Lincoln Center in April to share traditions with world.
- Elizabeth Caputo, DL21C - Holding an event 3/7/12 with AG Schneiderman; all invited.
- Dee Reiber, Coalition of Block and Community Leaders - Holding conference "for blocks by blocks" on April 21st. Over 80 groups to attend.
- Ed Bartosik- Council Senior Center requests reintroduction of 72nd Street/Broadway bus shelter.
- Judith Ackerman - 736 WEA neighbor. Serious respiratory illnesses from construction.
- Jack Ackerman - 736 WEA. Apartments in our building have been devastated.
- Kate Light - 736 WEA: Trees destroyed, health affected. Developer has a history of threatening tenants. Children at PS 75 are also in peril
- Jane Thompson - 736 WEA: Windows at Williams Residence covered in black material; no longer any air or light. Numerous outstanding violations concerning holes and netting.
- Ilona Peterson - 736 WEA: Thanks community for help. Five year saga; 120 windows bricked shut. All developer violations were preventable.
- Brenda Mizel, Head of Montessori School - 153 families. Only 8% arrive by car. Safety concerns for students and families walking to school. Seeking street improvements that benefit all UWSers.
- Lisa Sladkus - Parents alarmed by near-misses with cars; 4 solutions before CB7 tonight. Proposals supported in parent survey; daylighting spots are crucial for visibility and safety.

- Chinmay Deshpande - Lives at 85th and WEA; cannot see cars when crossing the avenue due to parked cars. Fourth, Fifth and Sixth graders seek longer traffic light intervals, and daylighting (removal of corner parking spaces to improve visibility).
- Christian Bray – Carbon Squeeze event a success. Next 4/2, 7 pm at Goddard.
- Olive Freud - 3/11 anniversary of Japan quake and tsunami. Need to apply lessons learned of Indian Point (also vulnerable to earthquakes). 3/11 rally in Union Square.
- Peter Arndtsen, Columbus-Amsterdam BID - History tour 3/11 of Bloomingdale area. New French bakery open at Amsterdam/106th Street; Halal restaurant on Columbus/109th Street. Store owners support commercial rezoning.
- Willie Gonzalez, 109th Street resident and president of Maria Trinidad Sanchez Neighborhood Association. We need help to combat oppressive landlords.

Manhattan Borough President's Report- Rebecca Godlewicz

- Thank you to all who came to the Stop & Frisk rally.
- School Construction Authority exercised 15,000 sqf option for the school at Riverside Center.
- Commercial rezoning resolution will go to Borough President next.

Reports by Legislators:

Melissa Mark-Viverito- City Council Member, 8th District

- Solid unconditional support for commercial rezoning and thanks to all who have been active and mobilized on this issue. Hopes that her support along with other member sends strong message.
- Spoke to DCP regarding JHL.
- Very excited by Participatory Budgeting process, vote on projects is coming up soon.
- Budget cuts: childcare and afterschool being decimated, cuts to HIV/AIDS services.
- Mayoral priorities regarding accountability and minority rights are hypocritical.

Gale Brewer – City Council Member, 6th District

- Thank you all for the retail proposal.
- “Open Data” bill to be signed into law. All City databases will now be open to the public.

Reports by Legislative Representatives:

Jared Chausow, Senator Tom Duane's Office

- Sent a letter to DOE calling for reforms to school phase-out policy.
- Participated in press conference regarding CEC approval for co-locations.

Ben Schachter, Senator Adriano Espaillat's Office

- Recently had a successful job fair.
- Working on passage of NY DREAM Act.
- Office issued letter calling for restoration of NPP/RPP and Foreclosure programs funding.

Paul Sawyer, A-M Linda Rosenthal's Office

- First SCRIE clinic 3/8.
- Bills introduced to ban sale of electronic cigarettes to minors, protect hotel employees from bedbugs, LEAD to combat bullying, renewed call for ban of hydrofracking.

Dominic Lee, A-M Daniel O'Donnell's Office

- Many thanks to those who donated to book drive. Annual reading challenge beginning in April.
- Brought flyers regarding tax assistance.

Celine Mizrahi, Rep Jerrold Nadler's Office

- Push to have Freddie Mac and Fannie Mae lower principles of mortgages worth more than property.
- Women's rights under attack in Congress; supporting WH stance regarding contraceptive access.
- Plans to introduce legislation seeking to protect pregnant women.
- Federal transportation bill is long overdue and hope to see a bill soon; GOP sought to cut transit funding, Rep Nadler amendment to restore mass transit funding (GOP backed off).

George Oliver, A-M Richard Gottfried's Office

- NYC first city to have senior centers specifically for blind or LGBT elderly.
- Cosponsor of resolution to urge passage of Violence Against Women Act.

Joselinne Minaya/ Edward Yu, DA Cyrus Vance's Office

- Please help spread word regarding HS summer internship program. Deadline 4/27
- Partnered with DOE respect for all week to give presentations regarding cyber-bullying

Business Session

Land Use Committee

Richard Asche and Page Cowley, Co-Chairpersons

Joint with Business & Consumer Issues Committee

Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

1. Upper West Side Enhanced Commercial Districts. Application by the Department of City Planning to rezone the street fronts along sections on. Paige Spoke:

- Broadway, bounded by 72nd and 110th Streets;
- Amsterdam Avenue bounded 75th and 110th Streets on the west side, excluding the blocks between 100th-101st Streets and 102nd-103rd Streets, and bounded by 73rd-87th Streets, and 105th-109th Streets on the east side of the avenue; and
- Columbus Avenue bounded by 72nd and 87th Streets.

ULURP application; March 12th deadline for CB7 comments.

Purpose of proposal is to preserve and enhance the vitality of streetscapes.

Public comment:

The following people from the community spoke (comments are summarized below): Bruce Stark Beacon Paint (112 years in business), Monica Blum (President of Lincoln Square BID), Barbara Adler (Director of Columbus Avenue BID), Steve Max, Marcos Guitero, Alexander Medbidu, Heidi Gogins, Frank Tutto, Brenda Levine (Extell, owns Belnord), Debbie Kling, Fidel Hernandez, Bob Botfeld, Batya Lewton, Jock Davenport for Batya Miller, Ray Hoobler, Mike Watson, Judith Norel, Isabella Wagner, Susan Levit, Lynn Thomas, Elizabeth Kelner, Renne Draynel, Cynthia Doty, Alarcos Gratereux, Fidel Hernandez, Medwedew.

Comments in favor:

- Proposal will stop my landlord from combining my store with three others and getting more rent.
- As owner of a small store in mid-town without commercial rent control, hard to preserve unique businesses that will not be replaced.
- 100th Street Block Assoc. supports zoning to preserve existing space for small merchants. Small stores squeezed out to consolidate. Big stores on Columbus like a Jersey Mall.
- Westside Little League - small businesses support of local teams; chains do not.
- Community and 90% of store owners support proposal to rezone.
- Wish the proposal could go further.
- Need to preserve character just as the West Village was able to do. Need rules and enforcement.

- Looking at large banks is boring, there are no people, it does not make a neighborhood.
- Amsterdam, 97th to 100th Street and Broadway are a dead zones here because of large stores. The small business will support the people in tough times.
- Silver Moon Bakery: rents have tripled; landlords refuse to renew small store leases to combine.
- Purchased everything for wedding (ring, dress, flowers) from local merchants; reception at Henry's. Concern for daughter coming home late at night after small deli closed.
- Local stores are friendly and give superior service.
- Safe Haven program in local stores gives kids safe place; big chains don't participate.
- Independent Democrats representative - The local stores create the atmosphere of the UWS. Economic boom – local stores provide employment and services.
- Thank you to many for all the work done on this proposal. This will not solve all of the problems, but is one tool. Commercial rent control needs to be addressed. Mom and Pop businesses are part of the community and participate in area activities. Neighbors know the store owners. This is not about the property owners.

Comments against the zoning:

- Concern about the precedent this sets. We are concerned this might come to our neighborhood. We are concerned with unintended consequences. It will result in more vacant retail space or more small, national chains. Larger chains are more reliable rent payers. There is no rush to open small businesses in this economy. This will stifle economic growth and development.
- Columbus Avenue BID is strongly opposed to this. We want our area cut out of this zoning change. We are successful and thriving area already. Because of exclusions and grandfathering of existing stores it will affect only 23% of frontage. 40 foot restriction of retail will restrict growth of stores.
- Landmarked buildings should be exempt; risk of overlapping and burdensome regulation,
- Columbus Square is an example of a retail area with big stores that works.
- We need more commercial overlays to protect small businesses.
- Contextual zoning/storefront limitations will not help the small businesses – large businesses will use the small frontage and the second floor or basement.

Marc Glazer proposed an amendment to exempt Columbus Avenue between 72nd and 82nd Streets. Linda Alexander seconded.

Board Comment on Amendment

- Columbus succeeds because of the BID. Neighborhood has undergone transformation from when dominated by unsafe areas. Landlords will rent to chains anyway, e.g. the wireless stores. This will not achieve the goal. Exempt the BID area, it already works.
- That area used to have even better stores. There is one block that is half Duane Reed and half a bank. It's scary walking down there.
- Exempt Columbus: Lots are already smaller than 40 feet. The ones that are large are not chains and aren't much larger than 40 feet. We really don't know the unintended consequences.
- Against. Look at where we are sitting. JHL was carved out of re-zoning just a few years ago. They were going to be here forever, but suddenly they are asking to move. When you start carving pieces out you are asking for trouble. You can't predict what will happen. We can make a template that encourages stores to survive. The small stores know you and work with you. They create safe havens. You can't protect the stores that you think will be there forever. You can't know that they will be there forever.
- This is a rare opportunity to close the barn door before the horse leaves. Just because Columbus conforms in large measure to the street frontage that the proposal seeks to preserve is not a reason to exempt – same could be said for Amsterdam at 78th until five stores aggregated and deadened the block for years.

- The aim of landmarks is preservation. If Columbus Avenue is already compliant, it's not going to affect it. We don't want the large stores that are on Broadway to be on Columbus.
- A point about business expansion: This applies to the entire resolution and to this amendment. I asked at the committee if a store owner wants to expand and the space is available how long would it take to get approval for an exemption? The answer: six months to a year. That means it won't happen. Want to exempt existing business automatic approval to expand. That was turned down. Alternatively asked that there be a time period limit for the approval. If not approved or turned down within the time period, then it is approved.
- We need to protect what's existing.
- Is this a pilot or an experiment? Or is it zoning resolution law? Answer: law.
- Need to vote on the amendment on the floor. Against the carve out. It is said that it works because of the BID. BIDs represent owners and BID policies can change.

After deliberation, the Amendment was not adopted,
VOTE on AMMENDMENT: 5-37-3-0,

Jay Adolf moved the following amendment:

Under first paragraph under "Authorizations," conditions for overriding in the case of an existing business seeking to expand where expansion would violate the maximum prescribed storefront width, City Planning Commission must act on the application within 60 days or the application will be approved.
Sheldon Fine seconded.

Board Comment

- The only change here is the time limit.
- Of the 500 businesses that this covers, how many have ever expanded? Not many. I don't believe that six months is too short time for a lease renewal.
- With a request for an expansion, does this come to CB7? Answer: Yes. Friendly amendment offered to change the Amendment to 60 to 90 days? Friendly amendment not accepted.
- Do we have the authority to tell planning authority timing? Answer: we don't have any authority. But we can recommend.
- There is a grandfather clause for existing stores. A large space that is vacant can be moved into as is, at that size. Landlords might encourage small stores to expand and then kick them out in order to open space for a chain.

Barry Dinerstein from CPC:

- The time frame of six months to a year includes working with unsophisticated small business owners who don't have architects at the ready and know the process. Documents can be expected to come in incomplete and with mistakes. When the documents are complete, we can and expect to act quickly.

Board Questions for Mr. Dinerstein:

- Why would an environmental review be required? Answer: It is simple, but needs a professional to write it. Follow-up: Are you saying 90 days might be more realistic? Answer: Suggest language that encourages CPC to move quickly as possible.
- Is it possible to limit permission to expand to the existing business – if the business moves out afterwards the space needs to be divided.

FRIENDLY AMMENDMENT Accepted – 90 Days.

Robert Espier – Commercial lease negotiations can take a year and a half or more, so plenty of lead time for existing business expansion to work out.

The Amendment is adopted.

VOTE on AMMENDMENT 29-7-2-0.

Board Comment continued:

- Much better bill with amendment in place. This will keep some businesses like banks where they are. They will never leave because they can't replace the space. Rents might go up because certain spaces can't be replaced. Neighborhoods ebb and flow, you need change. This is not a perfect solution and may have unintended consequences.
- The landlords' issue is important. Proposal was made to exempt individually landmarked properties. The process of complying with the landmarks law and then this process is burdensome. There could be inconsistencies between the two.

Proposed Amendment: Exempt individually landmarked buildings.

- Landmarked buildings already have to go to Landmarks Preservation Commission and the Department of Buildings. For the Belnord to be affected by this resolution CVS would have to leave and then the Belnord would have two years to re-rent.
- The issue is not the two buildings that would be affected today, but what becomes landmarked in the future. They are thoroughly reviewed by Landmarks and by CB7. Will not vote due to conflict.
- Support the amendment and the proposal in general. Aim for a predictable, reasonable result.
- If you exempt a landmarked building, why not exempt the designated area of Columbus Avenue?
- We should protect these two buildings. The process is unclear and bifurcated. All issues have to be dealt with separately and we've often said that process should change.
- The issue is to look ahead. Our heritage is changing. We should not hamstring ourselves and make it difficult to landmark buildings because of this zoning.

VOTE on AMENDMENT: 6-33-0-1 (amendment was not adopted).

After deliberation, the resolution to support the creation of the Enhanced Commercial Districts as amended was adopted.

VOTE: 37-0-2-2.

Parks & Environment Committee

Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons

2. PS166, West 89th Street (Columbus-Amsterdam Avenues.) PS166 PTA proposed changes to address safety concerns in the play yard to the east of the school.

Parents, community and Parks Department are in agreement on changes needed in the playground for safety reasons. The general playground would not change.

After deliberation, the resolution to approve was adopted.

VOTE: 32-0-0-0.

Transportation Committee

Andrew Albert and Dan Zweig, Co-Chairpersons

3. 325 West 85th Street, Metropolitan Montessori School (West End Avenue - Riverside Drive.) Request for street safety measures to address concerns from parents based on findings from a school-wide street safety survey.

Public Comment: Batya Lewton - we would rather see neck downs rather than daylighting as safer for the children.

Board Comment:

- In the future resolutions should be circulated earlier. Community would have come out to support it but there was not enough notice.
- There was posting and notice to the community.

Community Board 7/ Manhattan

After deliberation, the resolution to approve was adopted.
VOTE: 35-0-0-0.

4. **Ascension School.** Request for a pilot play street on West 108th Street between Broadway and Amsterdam Avenue.
Withdrawn.

Housing Committee
Nick Prigo, Chair

5. The Restoration of the Neighborhood and Rural Preservation Programs and the Foreclosure Prevention Services Program.
After deliberation, the resolution was adopted.
VOTE: 33-0-1-0,

Preservation Committee
Lenore Norman and Gabrielle Palitz, Co-Chairpersons
Joint with Parks & Environment Committee
Klari Neuwelt and Elizabeth Starkey, Co-Chairpersons

6. Central Park (Central Park West and West 67th Street.) Department of Design & Construction application to the Landmarks Preservation Commission for the restoration of the Tavern on the Green building.
After deliberation, the resolution to approve was adopted.
VOTE: 31-0-0-0.

7. 12 West 68th Street (Central Park West.) Application # 12-4278 to the Landmarks Preservation Commission to demolish a rooftop addition constructed without Landmarks Preservation Commission permits, and to alter the facade and construct a new rooftop addition.

Public Comment:

Allie Kirby, Landmark West – Does not support the new addition. The old addition was illegal. The new addition must be reviewed on its own merits. It should not be approved. There is no call for a fifth story. Don't reward those who break the law. This was flaunting the law.

Lewis Brighton on Board of Hotel Des Artistes – Any construction reflects light and changes the light going into his studio. President of the des Artistes Board also opposes via letter. His view is now obstructed by the new addition.

Board Discussion

- Must evaluate proposal on its own merits, not in comparison to illegal current condition, but not penalizing owner for illegal structure either.
- No reason to grant it. They are asking for special consideration and considering past actions has no reason for it.
- Addition breaks in the skyline. Studios in back are affected by the glass and light.
- Unique circumstance, configuration of lot makes the addition visible.
- You can't ignore the fact that the first addition was illegal.
- This building is non-contributing to the historic district. Restrictions are on the area not because of this building. If it were on a different block, we wouldn't give a second thought to approving it.
- This is in an historic district. The issue is the effect on the district.
- This is so close to what would be allowed that it would be wrong to deny this.

After deliberation, the resolution to approve was not adopted.
VOTE: 12-20-4-0.

New Resolution to disapprove the new addition.

After deliberation, the resolution to disapprove was adopted.
VOTE: 23-8-4-0.

8. 45 West 70th Street (Columbus & Central Park West.) Application to the Landmarks Preservation Commission for a roof top addition, replacement windows for street facade and rear yard addition. After deliberation, the resolution to approve was adopted..
VOTE: 28-0-5-0.

9. 240 Columbus Avenue, Cafe Tallulah (West 71st Street.) Application # 12-7797 to the Landmarks Preservation Commission to install new storefront infill and signage, and modify an enclosed sidewalk cafe. Greg Hunt – partner. The art of the two oxen will be removed. If anyone has a permanent home for the art, he will pay for it to be removed and saved. After deliberation, the resolution to approve was adopted. .
VOTE: 32-0-2-0.

10. 447B Amsterdam Avenue, dba Blondi’s Hair Salon (West 81st – 82nd Streets.) Application # 12-6780 to the Landmarks Preservation Commission to install storefront infill. After deliberation, the resolution to approve was adopted.
VOTE: 34-0-0-0.

11. 26 West 94th Street, Columbia Grammar & Preparatory School (Central Park West.) Application to the Landmarks Preservation Commission for alteration of the entrances at 26 and 28 West 94th Street, installation of a new entrance canopy, and restoration of the facades of 20 through 30 West 94th Street buildings. After deliberation, the resolution to approve was adopted.
VOTE: 33-0-0-0.

12. **322 West 87th Street** (West End Avenue- Riverside Drive.) Application # 12-7629 to the Landmarks Preservation Commission to construct a stoop.

After deliberation, the resolution to approve was adopted.
VOTE: 32-0-0-0.

Business & Consumer Issues Committee
Michelle Parker and George Zeppenfeldt-Cestero, Co-Chairpersons

13. Applications to the SLA for a two-year liquor licenses:

- 349 Amsterdam Avenue (West 77th Street) BT Restaurant Enterprises LLC, d/b/a To be determined.
- 380 Columbus Avenue (West 78th Street) LEM Uptown LLC, d/b/a 78 Below.
- 2427 Broadway (West 89th Street) Candle West LLC, d/b/a Candle West Café.
- 1900 Broadway (West 65th Street) TS3 Hospitality, d/b/a The Smith.

After deliberation, the resolution to approve was adopted.
VOTE: 34-0-0-0.

13A Application for a two-year liquor license for 2756 Broadway (West 106th Street) Five Lamps Corp, d/b/a “To Be Determined”.

Motion to Disapprove unless the following stipulations are followed:

1. The applicant agrees to install sound abatement in the rear yard. Presently, the applicant agrees to install “sail shades” to comply with this stipulation.
2. The applicant agrees there will be no smoking in the entire rear yard.
3. The applicant agrees to amend the certificate of occupancy with the Department of Buildings to allow rear year use.

4. The applicant agrees to limit the hours of operation as follows: On Sunday, Monday, Tuesday, Wednesday, and Thursday the rear yard will be closed at 10 (ten) pm. On Friday and Saturday, the rear yard will be closed at 11 (eleven) pm.

5. The applicant agrees there will no music in the entire rear yard. This includes any music transmitted by any electrical device.

Furthermore, the applicant has agreed that as long as the restaurant is open, the kitchen will be open.

Owner Comment: It is to be a gastropub – as long as the place is open the kitchen will be open, it will never be only the bar open. Seating for 80 in the back yard. Sail Shades will be sound retardant.

Public Comment: concern that the area is becoming a late night strip.

After deliberation, the resolution to disapprove unless the above stipulations are added to the Method of Operations was adopted.

VOTE: 33-0-0-0.

14. Unenclosed Café Renewal Applications:

- **61 Columbus Avenue** (West 62nd Street.) Renewal application DCA# 1190070 to the Department of Consumer Affairs by West 62nd Operating, LLC, d/b/a Rosa Mexicano at Lincoln Center, for a two-year consent to operate an unenclosed sidewalk café with 14 tables and 28 seats.
- **373 Amsterdam Avenue** (West 78th Street.) Renewal application DCA# 1416326 to the Department of Consumer Affairs by Sagi Restaurant Corp., d/b/a Francesca La Vela Cucina Italiana, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 16 seats.
- **480 Amsterdam Avenue** (West 83rd Street.) Renewal application DCA# 1307588 to the Department of Consumer Affairs by 480 Rest Amsterdam, Inc., d/b/a Soldier McGee, for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats.
- **566 Amsterdam Avenue** (West 87th – 88th Streets.) Renewal application DCA #1312628 to the Department of Consumer Affairs by Jos Hospitality Group, LLC, d/b/a B. Café West, for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 14 seats.
- **245 West 104th Street** (Broadway.) Renewal application DCA# 1187714 to the Department of Consumer Affairs by Broadway 104, LLC, d/b/a Café Du Soleil, for a two-year consent to operate an unenclosed sidewalk café with 18 tables and 36 seats.

After deliberation, the resolution to approve was adopted.

VOTE: 31-0-0-0.

15. 2791 Broadway (West 107th – 108th Streets.) Renewal application ULURP #N110327ECM/DCA# 0735569 to the Department of Consumer Affairs by Indian Foods International, Inc., d/b/a Indian Cafe, for a two-year consent to operate an enclosed sidewalk café with 15 tables and 52 seats.

After deliberation, the resolution to approve was adopted.

VOTE: 20-3-6-0.

16. 2178 Broadway (West 77th Street.) New application DCA# 1418144 to the Department of Consumer Affairs by Serafina 77 West, LLC, d/b/a Serafina, for a two-year consent to operate an unenclosed sidewalk café with 58 tables and 115 seats.

After deliberation, the resolution to approve was adopted.

VOTE: 16-9-5-0.

17. Manhattan Borough Board resolution in support of reforms to improve public and police access to details of SLA licenses.

After deliberation, the resolution to approve was adopted.

VOTE: 29-0-0-0.

Steering Committee presenting resolutions from BCI and Transportation Committees.

18A. Business & Consumer Issues Committee resolution: Continue the policy of allowing individual restaurant owners to determine whether to permit smoking in the areas of their unenclosed sidewalk cafes not prohibited by the aforementioned restrictions.

FRIENDLY AMENDMENT to 18A: change the third paragraph to include the phrase “and indoor areas.” Accepted.

- The status quo is good. Let’s not contribute to the nanny state.
- Sidewalk cafés are on the public sidewalk. The assumption is people are moving on the sidewalk. Any staying still place there is no smoking. This is to correct the oversight in the law.
- There is no enforcement of the fines.
- I would like to let the business decide, however, the consumer is sitting in the café. I would like the law to be clear, no smoking in a restaurant whether it is indoor or out.

After deliberation, the resolution was not adopted..

18A VOTE: 8-19-3-0.

18B. – Transportation committee resolution: To safeguard the public spaces which are used for outdoor cafes and to immediately pass legislation to completely ban smoking in all outdoor cafes.

After deliberation, the resolution was adopted.

18BVOTE:19-8-4-0.

Adjourn 11:05pm

Present: Mark Diller, Jay Adolf, Andrew Albert, Linda Alexander, Ian Alterman, Richard Asche, Issac Booker, Elizabeth Caputo, Louis Cholden-Brown, Hope Cohen, Kenneth Coughlin, Page Cowley, Mark Darin, Robert Espier, Miki Fiegel, Sheldon J. Fine, Paul Fischer, Marc Glazer, Phyllis E. Gunther, Joanne Imohiosen, Marisa Maack, Lillian Moore, Klari Neuwelt, Gabrielle Palitz, Michele Parker, Nick Prigo, Anne Raphael, Oscar Ríos, Suzanne Robotti, Haydee Rosario, Madge Rosenberg, Helen Rosenthal, Evan Rosing, Gabriella Rowe, Roberta Semer, Ethel Sheffer, Eric Shuffler, Elizabeth Starkey, Barbara Van Buren, Cara Volpe, Mel Wymore, George Zeppenfeldt-Cestero and Dan Zweig. **On-Leave:** Lenore Norman, **Absent:** Brian Byrd, Ulma Jones, Blanche E. Lawton and Thomas Vitullo- Martin.

Preservation Committee Meeting Minutes
Lenore Norman and Gabrielle Palitz, Co-Chairpersons
March 8, 2012

1. 15 W. 63rd. St. Application to Landmarks Preservation Committee (LPC) to add a marquee over front entrance.

- Applicant represented by Ethelind Coblin, AIA.
- The building, called the Park Laurel Condominium, a forty floor tower was built in 1999 above the YMCA. The inclusion of a canopy was approved in 2008 but plan rejected by DOB due to proximity to the street lighting. The new plan allows for a 2 foot clearance from the curb. To be constructed
- within the arched entrance; constructed of a steel frame finished in antique bronze; supported by 2 bronze-clad tension rods attached to the facade; roof of the canopy to be fritted glass; discreet bronze finish lighting under the marquee and polished brass building numbers.

The Committee approved the application: 5-0-0-0.

2. 54 W. 74th. St. Application to LPC to replace storefronts on 74th. St and on Columbus Ave. and to construct a rooftop addition.

- Applicant represented by Greg Rothstein, Architect.
- The plan includes relocating the existing store, Pioneer Supermarket, to the basement level and reconfiguring the first floor into four stores with entrances on Columbus Ave. The residential entrance to remain on 74th. St. The current brick-faced finish to be stripped to the original stone cladding, restored or replicated with material of the same color of the original stone. The storefronts on Columbus Ave. to have a 30" band above the frontage for mounting signage.
- Existing stucco infills to be removed and restore full height openings. Glass and metal fenestration to be installed in each bay, the metal to be of a bronze anodized finish. The rooftop addition to be set back 40' from 74th. St. and 20' from Columbus Ave. and from the southern facade and will be minimally visible from Columbus Avenue below 72nd. St. The finish of the structure to be gray stucco with pipe railings in black. Windows will be double hung.

Committee recommended that this opaque horizontal band not appear to be masonry (as originally proposed) so the entire opening height is still visually apparent.

Committee recommended there be no mounting bands on 74th.St. to allow for full-height infill glazing.

A public speaker, Inez Metzler a resident of 54 W. 74th.St., expressed concern about the disruptions of construction and asked about the estimated length of the proposed project. The representative gave an estimate of one year.

The Committee approved the application as modified by Committee recommendations, which were accepted by the Applicant. 5-0-0-0.

2. 30W. 76th. St. Application to LPC to refurbish the front facade, replace windows, refinish areaway, reconfigure frontage.

- Applicant represented by Andrew Pettit, Architect.
- The paint on the front facade to be stripped and brownstone restored using Cathedral Stone and stucco as necessary. Existing windows replaced with aluminum-clad wood windows in black finish. Air conditioner grilles to be replaced with flush-mounted linear grilles with baked enamel finish to match the brownstone.
- Ground level entrance widened;"cheek" wall removed; planter and trash enclosure rebuilt and faced in brownstone; black metal railings reused; stairs leading down to be angled and widened and surfaced in brownstone; courtyard resurfaced in gray slate. A new paneled wood and glass entry door installed with decorative frame.

The Committee approved the application: 5-0-0-0.

3. 344W. 88th.St. - Application 12-5626 to LPC to construct a rear yard addition and replace bay-windows in front facade.

- Applicant represented by Stephen Wong, Architect.
- It was reported that the interior renovations were approved at staff level at LPC.
- Proposed new front bay windows to be double-hung wood sash, double glazed. The trim will be curved to fit the curved bay. The proposed four story to run the full width of the building and extend 5'-11-1/2" from rear façade, up to the 30' setback line. An additional 6' greenhouse to be added to at the ground level. The addition to be finished in red brick to match existing materials. Windows to be aluminum-clad wood casement windows and doors in bronze finish. Railings at balcony and parapet levels in black metal vertical bars. Railings over the greenhouse to be glass. Window sashes on top floor to be lowered to allow for the installation of a pair of doors.

The Committee approved the application 5-0-0-0. Non-Committee Board Member approved 1-0-0-0.

5. 175W. 89th. St. Claremont Stables (aka Gaynor School) --- Application to LPC to construct a roof top addition and a bridge to connect with 148W.90th. St.

- Representing the applicant were: Dr. Scott Gaynor, Gaynor School, William Higgins, Preservation Consultant, Shelly Friedman, Lawyer, Roger Marvel, Architect.
- A brief history of the Gaynor School was given stating that the institution opened in 1962 as a Community Learning Center with emphasis on children with special needs. Arrangements are in place to work with local public schools. The school acquired the Claremont Stables in 2009 and want to connect the two buildings and construct a rooftop addition for recreational activities.
- The proposed bridge will connect the 4th. floor of the Claremont building with the 3rd. floor of the Gaynor building. The bridge to be constructed by a steel frame with opaque metal fire-rated panels to the west and glass panels to the east. The bridge will not be visible from the street.
- The east-facing facade wall to be raised to the 5th. floor with brick cladding and added windows. The rooftop addition, 75' by 50', to be enclosed in copper colored mesh screening and will be visible from the street though minimized by the vertical brick extension to the fifth floor on the east facade.
- The rooftop addition to include an elevator bulkhead; an enclosed stair landing and two mechanical units. The roof elements to be encased in copper-colored metal mesh screen, which will also help reduce noise.

Ms. Jan Popella, Manager of 189 W. 89th. St. expressed concerns about adjoining windows being blocked; the length of the construction; and other construction issues such as noise, air pollution, extended work hours. The architect explained that framework for the proposed bridge and rooftop extension will be prefab and constructed off-site. Other elements are already in place and the facade extension should take 6 months.

The parties were encouraged to establish liaisons and contact the Board office.

The Committee approved the application: 5-0-0-0 and Non-Committee Board Member: 0-0-1-0.

6. LPC Rules governing new store-front infills.

The committee expressed concern that the new rules appear to limit public participation in the review process including involvement of the Community Boards. Further, the language of the review criteria is imprecise and vaguely subjective. Also, the enhanced role of "staff" was noted.

It was decided that a letter from our Board chair and Preservation Committee Co-Chairs to the LPC expressing these concerns would be appropriate.

Meeting adjourned.

Respectfully submitted,
Blanche E. Lawton

Present: Gabrielle Palitz, Jay Adolf, Miki Fiegel, Mark Glazer and Blanche E. Lawton. **Chair:** Mark Diller. **On-Leave:** Lenore Norman. **Absent:** Brian Byrd.

Housing Committee Meeting Minutes
Nick Prigo and Louis Cholden-Brown, Co-Chairpersons
March 12, 2012

Meeting convened at 6:40PM

Agenda Item #1 - Announcement:

- The new Co-chair of the Housing Committee is Louis Cholden-Brown.

Agenda Item #2 - NYCHA Presentation

- Nick introduces Victor Gonzalez, former chairman of the MCB7 Housing Committee.
- Co-chair Louis introduces guests, notes that Victor had been president of Wise Towers Tenants Association, welcomes the Commissioner and Brian Honan.
- Victor Gonzalez provides a walk-through of Plan NYCHA. The old NYCHA will be made in to a more efficient NYCHA. There are 10 imperatives. A lot must be accomplished with a little, always; now there is less. We must preserve public/affordable housing for the future. Partnerships will be an important process. Housing mixes will also be key. Poses rhetorical question, *will NYCHA be privatized?* NO! He goes on to read through the objectives of Plan NYCHA (a full version available at www.plannycha.org)
- Margarita Lopez emphasizes the imperative of cooperation between tenants, community and NYCHA, if the plan is going to be successful. Victor points out one feature of the plan that will make a quantum difference; ie, the Work Order Task Force (WOTF), and the Commissioner chimes in that NYCHA can no longer function in an old item-by-item approach to work orders. Several tasks must be done at the same time. Brian: we must also change hours we do business. There will be staggered work schedules; no more 9-5, for example. Weekends will also see repair crews. These changes can only happen successfully with cooperation of the tenants. More people into the developments working and listening to the tenants. Technology will be another tool. For example, Smart Doors. Malfunctions will register electronically at a central control center. Swipe Cards will be instituted as well. The card will also be a data base, showing time and place of entry. The Commissioner advised that with the Swipe Card, parents can monitor the comings and goings of their children and it will also be networked with cellphone. You will know who is accessing your apartment when you are not there. Greater ability to monitor and guide your children.
- NYCHA must also insure that all tenants are paying 30% of their income as rent. Section 8 is still in place. NYCHA will assist tenants' transition into new homes with FHA financing. The Commissioner explains that these are homes recaptured by HUD and turned over to NYCHA. The bulk of the inventory is in South Jamaica. NYCHA wants to disinvest itself of this inventory.
- NYCHA will also connect tenants to other services in the city. Margarita explained that [we] will created a 'clear path' called Family Centers which will be located in every development. This will

not be social work, but will facilitate access to services exterior to NYCHA. No longer will NYCHA provide these social work services, as it had for so many years. This practice has been draining NYCHA of funds needed for housing related services, like maintenance and repairs. In other words, the Family Centers will advocate for tenants to receive services at the appropriate agencies.

Question/Answer Segment

- Questions by tenants on their particular developments with issues ranging from downsizing to management practices. Brian offered to stay at end of meeting to note particular complaints tenants may have.
- Nick asks about new funding strategy NYCHA will deploy.
 - The Commissioner responded that from 2002, NYCHA has not been receiving full funding, and those funds are less with each year. Is HUD trying to strangle public housing in NYC? Capital funding bleeds into operational costs, for example.
- Nick asks about the scale of monetary benefits. Will billboards on buildings yield sufficient funds, for example?
 - Commissioner responds that, NYCHA is quasi-public entity and is laden with regulations that do not apply to private LLs. NYCHA is not able to maximize income in the form of billboards, for example. NYCHA should have same opportunities as private LLs. We want rules of that kind to be changed. Residents of this city should demonstrate to City Planning Commission that [we] want these restrictive rules changed. We cannot even advertise in front of building. NYCHA is interested in responsible advertising to raise badly needed revenues. NYCHA also cannot participate in new zoning laws that would affect commercial activity on its grounds. The community must speak out. Brian cites an independent study on advertising, viz: \$20-30M/yr yield – very lucrative potential. We have 100 cell towers, bringing in ~\$3M/yr. NYCHA can keep that income. The Commissioner added that NYCHA needs a waiver from HUD that would permit flexibility in use of funds, as it has extended to several other cities nationwide
 - NYCHA cannot support the HUD directive to graduate tenants from public housing. NYCHA cannot support that feature of the program. NYCHA tenants can earn high salaries and remain in their apartments as long as they pay 30% of their income in rent. Nick asks what a waiver would be worth. Brian says \$100M/yr. Rent adjustments alone would bring in \$150M over 5 yrs without waiver. Brian explains: national formula for public housing – HUD penalizes local housing agencies by taking some of their income. We ask to keep all of our rent. Twenty-seven percent not paying 30% of their income in rent. With respect to commercial property, [we] are seeking to charge market rents.
 - The Commissioner reiterates her admonishment that the success of Plan NYCHA will depend on an active alliance between community, tenants elected officials and NYCHA.
- With respect to downsizing, Helen Rosenthal asks if there will be ‘wobble room’ in making

occupancy adjustments. For example, will it be possible for child to return to apartment to take care of aging/ailing parent?

- ❖ Ms. Lopez responds that the original lease holds, per HUD regulations. Lease is based on family composition. NYCHA is in an occupancy crisis! Per Margarita, this is morally wrong. Victor explains TSAP, system to make apartment swaps.
- Lillian Moore asks about protection against incursions by private concerns into public housing properties.
 - ❖ Ms. Lopez pointed out that funding sources are restricted to low-moderate inc housing; cannot be turned over to luxury housing. Private enterprise can purchase NYCHA land at market rates, as Con Edison paid \$600M for LES parcels. That \$600M would resolve many NYCHA problems. Keep in mind objective #1 in Plan NYCHA, to preserve affordable public housing...to secure public housing.
- Margarita announced that NYCHA will be building more Section 202 housing for senior citizens on NYCHA land, which will also make it easier for tenants to make the move to appropriate sized apartments.
- Margarita exhorts the room to press their local elected officials to get on board. On the community side, CB7 is the first Community Board to invite NYCHA to discuss Plan NYCHA.

Because of time all other agenda items are postponed except for the Report to Manhattan Borough President

- Due 23 March. Please review DRAFT in packet and send in your comments.

Meeting adjourned by Louis at 8:45.

Respectfully submitted, Robert Espier

Present: Louis Cholden-Brown Nick Prigo, Linda Alexander, Robert Espier, Marisa Maack, Lillian Moore, Suzanne Robotti and Cara Volpe. **Chair:** Mark Diller. **Board Members:** Mark Darin and Helen Rosenthal. **Absent:** Oscar Rios. **Public:** Margarita Lopez, NYCHA Board Member; Victor Gonzalez, NYCHA Board Member; and Brian Honan, NYCHA Director Intergovernmental Affairs.

Transportation Committee Meeting Minutes
Andrew Albert and Dan Zweig, Co-Chairpersons
March 13, 2012 7:00 PM

1. Truck loading pilot program.

Presentation given by Stacy Hatch, DOT Director of freight mobility.

The pilot program explores possible solution to issues created by truck deliveries (UPS, Fed-Ex, Verizon, fuel delivery...) to the residential neighborhoods by creating short term (1 hour) truck loading zones, from 9 AM to 7 PM, at the end of the avenue blocks utilizing about sixty feet of curb space. The signs that will be posted at the beginning and the end of a loading zone were shown. Proposed pilot locations for the CB7 area, based on the spaces that operators had the most problems with, are focused on West End Avenue at W 80th, W 92nd and W 98th Street. Other locations could be suggested and will be analyzed; locations could be changed ...

- meters to ensure 1 hour parking, will come in the future
- suggested to DOT that side streets be included as well as Amsterdam and Columbus Avenues
- The Committee will look for other trouble spots where these loading zones could be effective
- also suggested to DOT that temporary signs be placed at the proposed locations for test loading zones to inform the neighborhood that the change will take place, about two weeks before the change
- DOT will monitor how these spaces are used during the pilot program (using time-lapse recording devices) – success of the pilot program is defined by utilizing these spaces by the operators not by eliminating double parking at these locations.

2. Proposed metered-parking on W 68th St. between Broadway and Columbus Ave.

The resolution that W 68th St. between Broadway and Columbus Avenue has metered-parking as W 67th and W 69th Streets already have, was tabled for the April Transportation Committee meeting to be able to notify the public with postings. DOT at this time has no answer if there is a special reason why this segment of W 68th Street has no metered parking while other neighboring streets have.

3. Update on W 107th Street as a play-street for Ascension School.

Update by the Chair of the Committee: owners (decision makers) of the garage on 108th Street could not be reached at this time (re possibility to use 108th St. that is at the front door of the school as midday play ground, play-street). He introduced a proposal by the district manager: due to all the problems with the play-street that residents had pointed out, and that have been going on for last several months and no adequate response from the School regarding managing access for the disabled proposal is that the street closure be shortened to two days of the week while a better solution is found.

During discussion it was pointed out that :

- Evelyn Lanoix (chair) of the 107th Street Block Association supports play-street at current location pointing out that there will be more obstacles to a play-street on 108th St. and points out that the Church was very helpful in resolving some problems that the neighborhood had in the past. There were some difficulties in getting the answer as to how many people the Block Association represents and after third repetition of the same question the number was settled on about one hundred. Further questions revealed that there was no petition in support of the play-street signed by any of the Block Association members. Yet there is a petition of complaint about the play-street that is in effect for about a year signed by 50 residents of that street about five months ago.

In further discussion, many issues were repeated:

1. Problems: no vehicular access for the disabled and the elderly, and the noise that prevents people who work at home from working. The problems have not been worked out for the past five months, (this on top of other traffic problems and noise pollution generated by the church and church events ... as well as specifically mentioned “Dominican Sunday” with extremely loud music for two or three days that disturbs about five blocks – which was reported to appropriate authorities); and

2. The necessity of a play-street by proponents of the closing off of the street for students of the Ascension School to have a space to go outdoors (reasons: health, development ...) for a recess between 11 AM and 2 PM. Also the explanation that it is not possible to utilize the two neighboring playgrounds because: a) children have to spend time and cross the avenue; b) one playground has been specifically reserved for the use of another school; c) the other playground has been deemed inappropriate for that age group of school children by (missed which) school authority.

It is hard to believe that the Ascension School was not able to maintain employee presence at the barricades (that close the street traffic) for ensuring that the Access-a-ride vehicles can pass for the disabled and the elderly for five months. Current Principal of the Ascension School, Mr. Christopher McMann promised that he will keep someone at the barricades, with a cell-phone and a walkie-talkie at all times, which the chair requested as the bare minimum requirement... (Committee remark: children should not be let out in the street if the persons designated to manage barricades are not present).

Another step forward was that the Ascension School is shortening the time of the closure by a half hour daily: their need is from 11:30 AM instead of 11:00 AM.

After discussion, the resolution was proposed to shorten the closure street traffic for a play-street from five to three days a week:

Vote: 1 – 6 – 1 – 0 (for-against-abstain- abstain for a cause) Resolution did not pass.

Next proposed resolution against reducing the days of the week for the play-street, did not pass either

Vote: 1 – 6 – 1 – 0

The Committee will be further monitoring the process of resolving the problems with the play-street.

4. **Further discussion of W 109th St. streetscape changes proposed by Beacon Portfolio.**

Committee members surveyed the situation on 109th St. (Amsterdam – Broadway) and witnessed school buses stopping the traffic during the students' drop-off in the morning and afternoon pick-up. Thirty-five percent of children are using school buses to come to school. Opinions are that it would be reasonable to reserve space for two school buses from parking spaces of the Department of Education in front of the school for one hour during drop-off and pick-up to facilitate this process and the traffic flow.

After discussion about “gateways” on Amsterdam Avenue and Broadway, which has a top priority in the Beacon proposal, the proposed resolution to support implementation of such gateways did not pass. Vote: 1 – 6 – 1 – 0

5. The Eastbound bus stop that is on W 72nd St. behind Trader Joe's truck loading space is often obscured from view from the intersection with Broadway by the sixteen-wheeler truck.

The Committee will be monitoring the situation. It is possible that it will be alleviated with the expected route change of the bus M5 which should continue on the newly opened Riverside Boulevard to serve Riverside South. Also, it is the last stop for the M 57 bus.

7. Drafted results of previous discussions of Core Principals were submitted for review and finalization

Present: Andrew Albert, Dan Zweig, Ken Coughlin, Mark Darin, Ulma Jones, Blanche Lawton, Lillian Moore, Anne Raphael and Roberta Semer. **Chair:** Mark Diller. **Absent:** Oscar Rios.

Youth, Education & Libraries Committee Meeting Minutes

Gabriella Rowe and Marisa Maack, Co-Chairpersons

March 15, 2012

Glen Staron, Regional Vice President of Northeast Services to Boys & Girls Club, presented to the committee on the Boys and Girls Clubs organization and opportunities for expansion in our area.

- There are 9 corporations in NYC, each with their own autonomous 501-c3 status, Board of Directors, funding, personnel, etc.
- The National organization lends organizational support, fundraising expertise and support, mission and programming support.
- Each Boys & Girls Club reflects their own community but the focus is always on ‘at-risk’ children and local support is key to the success of each Club.
- Dues are very low and no child is turned away.
- Local communities have to build their own support – locate sites, locate funding and national organization helps diversify that funding for long term success through grants and individual donors.
- Most of recent growth has been in schools.
- The 9 corporations in NYC operate many different sites, of which 25 are in public or charter schools, and are within existing centers like the Children’s Aid Society.
- Steps in setting up a Boys & Girls Club would be to identify need, contact the Regional Office which would then approach an existing corporation to see if they would be interested in expanding to that area. That route allows for quick turnaround and draws on a successful model already in place.
- Question was brought up around whether the Clubs would be able to serve multiple schools in one building. It was not clear if possible.
- Increased opportunities for growth were mentioned through the Chancellors Middle School Initiative, Plan NYCHA, Charter schools. Glen mentioned that NYCHA had started to charge rent to Clubs and they were forced to close.
- Glen will send us the locations of current Clubs in Manhattan.

Discussion of CM Brewer’s youth engagement meeting and need for safe, outdoor place afterschool as school age children, particularly middle schoolers, are increasingly the victims of a growing number of thefts and assaults. There is specific concern around the area between 90-100st.

- Rebecca Donsky of Bloomingdale Library reiterated that concern and spoke about the number of preteens and teens that file into the library each day afterschool instead of using the nearby park. She has been told that funds have been allocated for a teen room but has not been given any information on when that room will be built. CB 7 will reach out to VM Mark-Viverito for information.
- Gabriella is spearheading a discussion between public, private and religious schools in that area to coordinate their safety patrols.

Discussion of Changes to admission lottery preferences for Harlem Success Academy's (HSA) D3 charter schools.

- They have removed the reference for 'at-risk' children completely and revised their ELL ratios, although it was not clear if that would mean an increase or decrease in ELL enrollment, based on proposal as written.

Discussion of proposal to co-locate two 5th grade HSA classes from 2 different HSA schools in D4 and D5 into PS 185/208 building in D3.

- There is room in D4 and D5. Co-location is for geographical convenience to HAS 2 & 3 families but creates problems for families in co-located school.
- PA185/208 are part of the district wide federal Magnet grant and this move could jeopardize the grant as a whole. Criteria for success with magnet grant in increased enrollment. The failure of one school impact all 7 magnet schools
- Once these 5th grades have a school location in D3 the students will have the right to D3 middle school seats. That is a loss of D3 seats to children in D4 & 5.
- Public comment that there should be some accountability for charter schools to stay true to their original intent of incubators of experimental teaching and learning methods.
- No quorum for a resolution but consensus that Co-Chair Marisa Maack can introduce a resolution opposed to the collocation as an individual member.

2011 Report to MBP:

List approved and attached.

Meeting adjourned at 8:40 pm.

Present: Marisa Maack, Isaac Booker, Eric Shuffler and Cara Volpe. **Chair:** Mark Diller. **Board Member:** Louis Cholden-Brown. **Absent:** Gabriella Rowe, Brian Byrd, Paul Fisher, Haydee Rosario and Helen Rosenthal.

**PARKS AND ENVIRONMENT COMMITTEE MEETING MINUTES
COMMUNITY BOARD 7, MANHATTAN
KLARI NEUWELT AND ELIZABETH STARKEY. CO-CHAIRPERSONS
MARCH 19, 2012**

The meeting was called to order at 7:05 p.m. by Klari Neuwelt.

1. PRESENTATION BY CENTRAL PARK CONSERVANCY ON PROPOSAL OF CONSERVANCY AND DEPARTMENT OF TRANSPORTATION TO CONVERT PART OF 72ND STREET CROSS DRIVE (OFFICIALLY "TERRACE DRIVE") TO ACCOMMODATE TWO-WAY BICYCLE TRAFFIC.

Doug Blonsky, Conservancy President and Administrator of Central Park, presented the proposal, along with Conservancy staff members Caroline Greenleaf and Neil Calvanese.

The 72nd Street Cross Drive, which is a roadway under the jurisdiction of DOT that is currently used by motor vehicular traffic during certain hours of the day, will be somewhat reconfigured to facilitate two-way bicycle traffic. Pedicabs and horse carriages will continue to use the vehicular lane. Changes to signaling, signage and road configuration will be made at the east and west ends of the Cross Drive where it meets the East and West Drives to facilitate safety and other concerns. The Conservancy hopes that that the work will be finished by the end of June, 2012.

After discussion, the Committee concluded that the proposal was within CB7's existing policy positions, and would be a step toward a motor vehicle-free Central Park, which CB7 advocates. Accordingly, the Committee decided not to propose a resolution on this topic.

The Committee requested that the Conservancy, DPR and DOT attend the Committee's July, 2012 meeting to present an update on the 72nd Street cross-path and related developments.

2. OTHER DISCUSSION WITH CONSERVANCY.

Mr. Blonsky reported that the cross-path for bicycles at 96th Street was implemented several months ago, and that it was working out well with very few complaints. Also, 102nd Street was partially repaved, and is being used for two-way bicycle traffic. A concern was expressed by a user about sand collecting at the 102nd Street turn from the East Drive, which Mr. Blonsky said was being addressed.

There was a discussion with Mr. Blonsky about the request of CB7 and other Manhattan CB's for a motor vehicle-free Central Park,. It was decided that CB7 Chair Mark Diller would call DOT Borough Commissioner Margaret Forgione within a few days for an update on the results of the DOT survey of traffic on streets/roads in and around Central Park, in anticipation of the requested trial closing of Central Park to motor vehicles.

There was a discussion about recent complaints by park users about neon decorations that have appeared on the horse carriages in Central Park. Mr. Blonsky said that apparently there is no rule against them. The carriages are licensed by the Department of Consumer Affairs, and there are currently 64 licenses. He said that he has been speaking with the vendors about complaints about the neon.

With regard to proposals that have been made by some individuals or groups to replace the horse-drawn carriages with motorized tour vehicles, Mr. Blonsky said that the Conservancy opposes that idea. There was also a brief discussion of motorized bicycles in Central Park and elsewhere. Mr. Blonsky said that that was an enforcement issue, and that some motorized bicycles being used in the Park have been confiscated by the Police Department.

Mr. Blonsky also gave a brief update on the outstanding RFP for a new concessionaire for the Tavern on the Green. He said that proposals are imminently due, and that it appears that there will be serious proposals.

3. DPR PROPOSAL TO REPLACE THE BLUESTONE PAVEMENT AT THE ELEANOR ROOSEVELT CIRCLE, 72ND STREET AND RIVERSIDE DRIVE IN RIVERSIDE PARK.

Margaret Bracken of DPR presented. The existing bluestone, installed about 20 years ago when the 72nd Street corner of Riverside Park was reconfigured for the Eleanor Roosevelt Circle, has significantly deteriorated. That is in part because of the quality and design of that bluestone, and in part from wear and tear from use by DPR and other vehicles.

The proposal is to replace the bluestone with new, thicker bluestone in a radial configuration and to install a new historically appropriate black iron bollard to the immediate west of the Circle to prevent vehicles from using the path there. DPR will submit the project to the Landmarks Preservation Commission, though it is essentially an in-kind replacement.

DPR hopes to fund the project as part of the City Council-funded project to replace deteriorated sections of the “Sea Rail” and to repair other fencing and paths, which should be in construction within a few months. (See below.)

In connection with this discussion, community member Olive Freud asked about the idea that she had advocated at the Committee’s December, 2012 meeting of adding an entrance to the 72nd Street dog run from the new sidewalk on the north side of 72nd Street. The Committee explained that the matter had been on its February, 2012 agenda, and that there had been a full discussion of the proposal at that time. Nine Webb, President of FLORAL, the organization that manages the dog run in cooperation with DPR, and Randy Vaughan, the manager of the Chatsworth building directly opposite, had both opposed adding such a second entrance to the dog run, citing concerns that had been discussed and effectively resolved when the dog run was initially opened. Thus no user group or neighboring constituency supported the idea of a second entrance, nor did DPR, per the statement of John Herrold, Riverside Park Administrator, at the February meeting.

Ms. Freud and Committee members also expressed concern about the failure of DPR to clean the Eleanor Roosevelt Circle area, and in particular the masonry surrounding the statue, of the residue of dog urine. Ms. Bracken and John Herrold, Riverside Park Administrator, committed to frequent power washing of that area with existing DPR equipment.

The Committee adopted a resolution approving the replacement of the bluestone pavement and installing the iron bollard. Committee members: 6-0-1-0. Non-Committee Board members: 2-0-0-0.

4. OTHER DISCUSSION WITH RIVERSIDE PARK REPRESENTATIVES.

Ms. Bracken reported on a new hole developing in the pavement on the 72nd Street pedestrian ramp, which was repaired using DPR emergency funds in January, 2012 after collapsing. She said that the “hole” appears to be a result of insufficient compacting of the asphalt by the contractor, which would be corrected. (BUT NOTE: After this meeting, the hole clearly, per Ms. Bracken, became a sinkhole. DPR does not have funds or a plan to remedy the sinkhole. It currently has an orange cone placed in it as a warning.)

Ms. Bracken updated the Committee on the impending “Sea Rail” contract. The money for this contract was allocated by Council Member Gale Brewer in response to a budget request initiated by CB7. There currently appears to be enough money available to replace Sea Rail sections as required, to repair sink holes on the Cherry Walk, and to do repairs at the tennis court location as first priorities, to do masonry repairs and remediation at the 72nd Street staircase from the tunnel down to the river level, to regrade the area at the top of that staircase to

improve drainage and to replace deteriorated sections of the “Art Deco” fence at various locations in the Park as second priorities within this contract. DPR is optimistic that the bluestone pavement replacement at the Eleanor Roosevelt Circle can also be financed as part of the same project.

Ms. Bracken reported that lighting that CB7 had sought on the bicycle path in Riverside South is being installed now. She also reported that some of the worst pavement problems at the north side of Soldiers and Sailors Monument could be treated on an interim basis by adding colored concrete using “in-house” labor.

The Committee suggested to the Riverside Park representatives that they collaborate on advocating for one or more top priority budget requests in this year’s budget process with regard to discretionary City Council funding.

5. NEW BUSINESS.

There was a discussion, initiated by community member Bob Wyman, of current regulations and proposed legislation relating to the use of various fuels. It was decided that Elizabeth Starkey, Mark Diller and Mel Wymore would work together to draft a letter to elected officials advocating within CB7’s existing policies.

Spencer Sloan, a resident of the Rushmore condominium in Riverside South, asked about the sequencing for the construction of the additional sections of Riverside Park South. Members of the Committee explained to him how the sequencing works under the governing Restrictive Declaration. It will be some currently undetermined number of years before the section of the park opposite the Rushmore is likely to be constructed.

Mr. Sloan also stated that there is a lot of dog refuse on the west side of Riverside Boulevard that is not being cleaned up by dog owners or any agency. The Committee decided to consult with CB7 staff about which agency has jurisdiction over that sidewalk, and about whether there is agency responsibility to clean it. It was noted by Committee members that, pursuant to the Restrictive Declaration, the owners of Riverside South properties have a continuing obligation to provide a maintenance budget for Riverside Park South that is, on a per square foot basis, far larger than the NYC average park maintenance budget.

James Besser, a member of the community, introduced himself to the Committee.

There was a discussion of a proposed resolution and/or letter drafted by Mel Wymore opposing reintroducing the NYC lifeguard training program to the newly reconstructed swimming pool at the 59th Street Recreation Center, now the Gertrude Ederle Recreation Center. The Committee voted to adopt a resolution in concept that Mr. Wymore would refine and circulate. Committee Members: 5-0-0-0. Non-Committee Board Members: 2-0-0-0.

Ettore Spatolo, a landscape architecture student at City College, spoke with the Committee about a project that he is doing for “greening” the Broadway area, particularly within a few blocks north and south of 72nd Street. The Committee suggested that he communicate with the Broadway Mall Association, certain adjacent residential buildings, the Upper West Side Street Renaissance organization and Olive Freud of the Committee for Environmentally Sound Development, among other ideas.

The Committee also discussed a proposed list of its “Goals and Accomplishments” to be submitted to the Borough President’s office. Elizabeth Starkey presented a draft list. Members of the Committee suggested minor revisions, and requested that Chair Mark Diller and CB7 staff edit the Committee’s list into the composite CB7 document.

The meeting was adjourned at about 10:30 p.m.

Minutes by Klari Neuwelt

Present: Klari Neuwelt, Elizabeth Starkey, Isaac Booker, Elizabeth Caputo, Ken Coughlin, Mark Darin, Evan Rosing and Tom Vitullo-Martin. **Chair** Mark Diller. **Board Members:** Susan Robotti, Helen Rosenthal and Mel Wymore. **Absent:** Phyllis E. Gunther.

Land Use Committee Meeting Minutes
Richard Asche, Page Cowley Land Use Co-Chairs

Wednesday, March 21 2012

Committee & Board Members Present:

Land Use: Richard Asche, Page Cowley, Jay Adolf, Joanne Imohiosen, Roberta Semer, Ethel Sheffer, Helen Rosenthal, Tom Vitullo-Martin, Mel Weymore

Apologies from: Hope Cohen,

Board Members: Ian Alterman, Mark Diller (Board Chair)

1. **160 West 62nd Street & 150 West 62nd Street, Fordham University (Columbus-Amsterdam Avenues).** Application by Fordham University, West 62nd Street LLC, and West 60th Street Realty, LLC, to the Department of City Planning for a Special Permit and a second modification to the restrictive declaration that would eliminate a roof over and enclosure of an 18'-0" wide area on the south side of West 62nd Street, 100 feet east of the intersection of Amsterdam Avenue and West 62nd Street, between the new residential building under construction and the new law school under construction.

A presentation was made by the attorney representing the owner, Deirdre Carson of Greenberg Traurig, LLP, and Donald Clinton, partner at Cooper Robertson & Partners, architect for the building. The modification is a change in the alleyway between the two buildings -- the residential tower to the west and the law school building to the east.

The Community Board had been notified that the residents of the adjacent condominium, the Alfred, may not have had an opportunity to formalize their position on the modification, as a new board president had been elected. A general discussion of the Land Use Committee followed, and it was agreed that as the ULURP deadline was May 7th, there was time for the condominium to form their own opinion as to the any impact to their property and that the condominium may benefit from our review. CB7 would reach out to the incoming condominium president and let them know that if there were any issues or comments with the proposed design, that their statements would be welcome at the Full Board meeting during the Business Session on April 3, 2012.

Committee members asked a few questions about the view corridor into the alleyway, security and access routes for the residents of the new building were handled, the level changes from the sidewalk grade, and why removal of the roof was advantageous.

Resolution:

BE IT RESOLVED THAT Community Board 7 / Manhattan approves the application for a second permit and modification to the restrictive declaration for the elimination over the roof and enclosure of an 18'-0" wide area on the south side of West 62nd Street, 100 feet east of the intersection of Amsterdam Avenue and West 62nd Street, between the new residential building under construction and the new law school under construction.

Committee: 9-0-0-0

Board Members Present: 2-0-0-0

2. **721 Amsterdam Avenue, The Axton (West 95th Street).** Application # M920493 (D) ZAM to the Department of City Planning by Axton LLC for a modification of the previously approved Large Scale Residential Development within the former West Side Urban Renewal Area, to facilitate the enlargement

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of the 1st and 2nd stories of an existing 27 mixed-use building, to utilize available floor area for commercial and community facility uses.

A presentation was made by the attorney representing the owner, Eldad Gothelf of Herrick, Feinstein LLP and a representative from the architectural firm, WASA.

The majority of the comments were about the relocation of the residential entrance to 95th Street. It was generally agreed that placing the residential entrance made sense as most apartment buildings had their primary entrances on a side street. While this provided a larger lobby area and a direct access to the elevator core, our committee members were concerned about surveillance of the entrance owing to the placement of a structural column, giving a narrower sightline from the concierge desk. The general redesign of the interior seating area, ADA accessibility and elimination of ramps were all seen as very positive improvements. The commercial area, while slightly smaller in area, made better sense now with retail all along the Amsterdam frontage. The exit path from the roof top residential terrace remained in the same location, but it was noted that there was a conflict with the placement of the security gates, which would need to be resolved.

Residents who attended the meeting spoke out generally in favor of the proposed plan but had specific concerns about the surveillance of the garage entrance and most importantly the trash room in the basement and how garbage would be taken to the street and where it would be placed on the sidewalk prior to pick-up by the Sanitation Department. The architect and Mr. Gothelf, described the route the garbage would take and the use of a retrofitted golf cart that would be used to haul the garbage through the garage, using the in/out ramp of the garage to reach the sidewalk. The previous service elevator had been removed in this proposal, as there was no longer room for with this new lobby design and location.

There was also a request by the Axton Tenants Association that plans are made available to the residents to review.

The Land Use Committee suggested that the both the concierge desk and the transportation and stacking of the garbage at the curb be revisited.

Resolution:

BE IT RESOLVED THAT Community Board 7 / Manhattan approves of the redesigned entrance lobby location and the elimination of the internal ramping to make ADA access easier, with the exception of the orientation and obstruction of the view corridor from the concierge desk to the entrance doors. The applicant agreed that this component of the project would be studied further by the architect, to make the concierge more visible from the street.

The owner also agreed to revisit the garbage transportation to the street and where it would be stacked so that it was not placed in front of the entrance or presented an obstruction on the pavement, as the proposed location was at a pinch point in the public thoroughfare where there was an existing fire hydrant and tree pit.

Committee: 9-0-0-0

Board Members Present: 2-0-0-0

There being no further business, the meeting was adjourned.

Respectively submitted by Page Cowley, co-chair LU Committee

Community Board 7/ Manhattan

Health & Human Services Committee

Meeting Minutes
Tuesday, March 27, 2012

Committee Members Attending: Barbara Van Buren, Madge Rosenberg, Ian Alterman, Miki Fiegel, Shelly Fine, Phyllis Gunther, Bob Respier, Haydee Rosario, Evan Rosing

Non-Committee Board Members Attending: Mark Diller

Public Members Attending: Fern Fleckman, Toby Horn, Ronnie Raymond, Bob Wyman

1. Exploration of access for disabled people in the community.

Ronnie Raymond, a motorized wheelchair user, gave an extensive presentation on both her own experiences with access (and lack thereof) to various community facilities - including stores, restaurants, banks, etc. – and a new group called [Citizens for Access on the West Side, or CAWS], founded by Ms. Raymond, Sue Susman, Stan Solomon, and Mel Wymore. (The blog address is acesiblewestside.blogspot.com.) She indicated that the group was seeking to “map” the facilities in the CB7 district that are disabled-friendly, including not only ground-level access, but also, for example, restaurants that have ADA-compliant bathrooms on the ground floor level. She suggested that perhaps high school kids could assist as part of a community service element of their education. She also spoke of a program administered by the Human Rights Commission called One-Step, whereby businesses that need minimal modification to make their facilities wheelchair-accessible can do so at minimal cost, rather than risk potential costly legal actions. Ms. Raymond also spoke of seeking some minimal capital for such things as printing and stickers, the latter of which would be given to disabled-friendly businesses to put in their windows.

Ian suggested that UWS CERT could help with the mapping, since there is an obvious emergency preparedness element to general ingress/egress for the disabled. He also suggested that Gale Brewer’s office might be a resource both for “personpower” for the mapping (since her office has done similar things in the past), and also for capital via discretionary funds.

Barbara added that Melissa Mark-Viverito and Inez Dickens should also be contacted re possible discretionary funds, and informed Ms. Raymond that her group would have to find a not-for-profit organization to “sponsor” them, since Council discretionary funds can only be provided to NFPs. She also suggested some form of promotion for the group and its goal, including articles in local papers (West Side Spirit, etc.).

Miki suggested: stickers on user-friendly shops could serve as “positive reinforcement; an app that the disabled could use to find the disabled-friendly businesses; an “Accessibility Day,” both for the purpose of the mapping (i.e., to get people to volunteer) and for exposure for CAWS; the West Side Chamber of Commerce might be a good resource.

Mark noted that Stan Solomon (a motorized wheelchair user) had given a presentation to the Transportation C’te on the worst curb cuts in the CB7 catchment area, including photographs. Mark also noted that New York Cares and the three BIDs might be helpful resources.

Bob Wyman noted that Google offers NFPs free advertising, suggesting that if CAWS became a 501c3 or c4 organization, Google could provide free services to it.

Phyllis wondered about CAWS lobbying businesses to have buzzers so that disabled persons for whom access was difficult would be able to let someone know they were trying to get in.

Robert suggested aligning with related and like-minded constituent and advocacy groups, and creating an “Advisory Committee.”

Finally, Ian suggested that whatever form was used to survey the various businesses would have to be clear, and there might need to be a “script” for those volunteering, since there might not be a disabled person with every group. Ms. Raymond indicated that the group was considering a “self-reporting” method (providing the businesses with the forms, and having them returned to the group) rather than the direct approach. There seemed consensus on the Committee that this would probably not be as effective as the direct approach.

Ms. Raymond thanked everyone for their input and ideas, and said she would bring it all back to the CAWS for comment, and would report back to the Committee. Barbara made it clear that the Committee was actively interested in assisting in any way possible.

2. Reports by Committee members on assignments.

Ian indicated that his report, on the Interfaith assembly on Homelessness and Housing, would be given at the April meeting.

Shelly gave a reported on West Side Inter-Agency Council by showing the WSIACA website including some history (founded in 1968, mission to improve quality of living for older people on the UWS) and the website’s extensive Resource Directory. and activities for seniors, including seminars and presentations.

Robert made contact with General Welfare Committee Chairwoman Palma’s office and was given a walk-through of the NYC Councils website. It is here that all minutes, meeting details of activities for all committees. This includes agendas, Minutes, meeting details and calendars of events. His reports will include those items that correspond to HHS Committee agenda items, such as SCRIE, homeless housing, immigration, domestic violence, Stop & Frisk, fingerprinting requirements for benefits, inter alia. He will also stay in touch with Ms. Palma’s office with regard to updating the website, which at present posts committee information only up to October 2009.

Evan spoke of “quit smoking” campaigns. He provided a couple of websites, and statistics re the decline in smoking in NYC by both adults and teenagers. Fern noted that some insurance companies now provide reimbursement for short-term smoking cessation counseling and related medications.

Evan also spoke about “Healthy Living and Prevention” programs including exercise and fitness programs available through NYC, including Shape Up NY and BeFitNYC. He noted that some of the public libraries provide health and fitness activities. Some of those he noted:

St. Agnes Library:

April 11, 1-5pm. Info provided on exercise and fitness programs
Tuesdays, 2pm. StayWell exercise program

Riverside Library:

Saturdays in April. Yoga.

Bloomingdale Library:

Weds/Thurs in April, 2:30 & 3:00. StayWell exercise program
Thursdays in April, 6pm. Adult yoga.

He also spoke of the Green Cart Initiative, Health Bucks, Stellar Farmer’s Markets, Green Markets, Community Supported Agriculture, and the Fresh Food food.

Barbara reported that she had begun making contact with her “opposite numbers” at other, contiguous Community Boards in an effort to begin inter-Board work on issues of common interest.

Madge noted that the Borough President will soon release his Guide to Senior Services. We will build on that.

Mark informed the Committee that CPC approved JHL’s application, so there will be no ULURP process involved. He noted that, as a result, the Board’s work was “done” with respect to JHL, though it was possible that the Board might become involved in an advisory capacity once the project starts.

Bob Wyman spoke about the Affordable Care Act, and what might happen if the Supreme Court strikes down the mandate, or perhaps the entire law.

These Minutes were submitted by Ian Alterman.