

Jacqueline Ludorf  
Chair

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**The City of New York  
Manhattan Community Board 8**

**LAND USE/FULL BOARD MEETING  
WEDNESDAY, DECEMBER 16, 2009 – 6:30PM  
New York Blood Center  
310 East 67th Street  
AUDITORIUM**

**Present:** Elizabeth Ashby, Michael Auerbach, Kenneth W. Austin, Michele Birnbaum, Matthew Bondy, Ann Lori Bores, Richard Burg, Roy Carlin, Barbara Chocky, James Clynes, Christina R. Davis, Susan Evans, David Paul Helpern, Jonathan Horn, Lorraine Johnson, Dave Kleckner, Jacqueline Ludorf, Domenico Minerva, Jane Parshall, Ellen Polivy, N. Sharon Pope, Rita Lee Popper, Margaret Price, Dan Quart, David L. Rosenstein, Barbara Rudder, William Sanchez, Judith Schneider, M. Barry Schneider, Teri Slater, Cos Spagnoletti, Marco Tamayo, Debra Teitelbaum, Nicholas Viest, Elaine M. Walsh, Charles Warren, Hedi White.

**Absent (Excused):** Joie Anderson, Deirdre Breslin, George Fuchs, Ruth Halberg, Edward Kramer, Laura Lijewski, David Liston, Mary Boresz Pike, Helene Simon, Alexander Tish, Betty Wallerstein,

**Left Prior to Adjournment:** Sarah Chu

**Public Session:**

- Ms. Stephanie A. Kinlock spoke about energy efficiency representing Con Edison.
- Mr. Stephan A. Mayer, M.D. spoke about rampart EMS clinical trail, representing New York Presbyterian Hospital
- Ms. Giovannah Philippeany spoke about Time Banks NYC, representing Time Bank NYC
- Ms. Becca Palmer spoke about complete count committee, representing census Bureau
- Ms. Marid Christina Dikeos spoke in opposition of Restaurant Construction, representing Board of 18 E. 63<sup>rd</sup> Street.
- Mr. Steve Vaccaro spoke in favor of park and opposition in Transportation.
- Mr. Gowen spoke in opposition of 110-120 East 76<sup>th</sup> Street
- Ms. Tara K. Reddi spoke in favor Plaza C- 340 East 93<sup>rd</sup>.
- Ms. Sharon Pope spoke about the New York Society for Ethical Culture

**Public Hearing:**

**-ULURP No. M 860650 (A) ZSM, 340 East 93<sup>rd</sup> Street, Block 1555, Lot 23**

**Whereas**, ULURP No. M 860650 (A) ZSM, 340 East 93<sup>rd</sup> Street, Block 1555, Lot 23-Chair certification pursuant to Section 37-625 and a Commission modification to a previously approved special permit to improve and upgrade on an existing bonused residential plaza, located on a south facing East 92<sup>nd</sup> Street, Manhattan. The entire plaza also includes East 93<sup>rd</sup> Street and First Avenue (north and east facing).

**Whereas**, Community Board 8M held a public hearing regarding this matter;

**Be it resolved**, that Community Board 8M recommends approval of this application.

*Community Board 8M passed the following resolution by a vote of 32 in favor, 0 opposed, 2 abstentions*

**- Residential Streetscape Preservation Text Amendment-CEQR No. 10DCP013Y, ULURP No. N100139ZRY**

**2. Manhattan Borough President's Report:** Dan Benjoya representing the Borough President reports

**3. Elected Official Reports:**

**Council Member Daniel R. Garodnick-** Passes "Greener, Greater Buildings" Package. In Effort to reduce greenhouse gas emissions 30 percent by 2030 when the City Council passed a package of groundbreaking environmental legislation. Including the City's first green energy code, this was authored by Council member Garodnick.

**NYS Assembly Member Micah Kellner-** Assemblyman Kellner is taped on an interview for this month's episode of MCB8 speaks, to be aired Thursday, December 24<sup>th</sup>. The episode is available for immediate viewing at the MCB8. Access-A-Ride cuts will leave disabled riders stranded, Assemblyman Kellner proposed Access-A-Ride users be issued debit or credit cards to use in NYC taxis and for-hire-vehicles.

**NYS Assembly Member Jonathan Bing-** Assemblyman Bing co-sponsored and voted for marriage equality bill, and will work with sponsor of the bill in the Assembly, Danny O'Donnell, to ensure that the Assembly passes marriage quality legislation again in 2010 to keep the issue moving forward. Believing that the right to marry is a civil right that all deserve.

**Council Member Jessica S. Lappin-** Proposed changes in fares and crossing charges, levels of service, closings of subway stations and means of public access to stations.

**4. Chair's Report Jacqueline Ludorf:**

**Youth and Education Committee-** James Clynes and Judith E. Schneider, (*Co-Chairs*)

**D. Rezoning portions of District 2 in Community District 8**

**Whereas** the Community Education Council District 2 held two public hearings in Community District 8 on the DOE's plan to re-zone portions of the PS 290, 183 & 158 zones to create one large elementary school at PS 158 when ESMS leaves; and

**Whereas** the DOE's re-zoning proposal would still require a lottery for PS 59 children entering kindergarten in September 2010 and the students not gaining seats would automatically go to PS 158; and

**Whereas** hundreds of parents came to the hearings and testified that PS 158 not be made an 1,100/1,200 student school; and

**Whereas** some of our elected officials wrote to the CECD2 requesting that they not accept the DOE re-zoning proposal for CD8; and

**Whereas** PLUS (Parent Leaders of the UES) recommends that the vacant ESMS space be used to temporarily incubate a K-5 grade school to house students for the MEETH Building on 63<sup>rd</sup> Street; and

**Whereas** when the MEETH School is ready, the incubation space at PS 158 would be used to house a new middle school; and

**Whereas** the DOE has not given the CB8 or CECD2 any information on the future use of the PS 59 MEETH site and the re-zoning necessary for it to be a K-5 school; and

**Whereas** the CECD2 has requested geo-coded student data from the DOE so that zoning analyses can be done by the CECD2 to assist in data-driven decision-making;

**Therefore be it resolved** that Community Board 8 strongly recommends that the CECD2 request the DOE to submit a re-zoning plan for the PS 59 MEETH site as a K-5 school before making a decision on the current DOE plan before them and that the DOE share the data requested by the CECD2 to assist in improving this decision-making process.

*Community Board 8M passed this by vote of 36 in favor, 0 opposed, and 0 Abstentions.*

#### D. New Business

##### MTA plan to eliminate Student MetroCard program

**Whereas** the MTA has proposed to eliminate the student MetroCard Program in an attempt to balance its budget; and

**Whereas** the current student MetroCard Program is an essential component of our educational system; and

**Whereas** the current system allows children to apply to middle and high schools around the city and attend after school programs that may not be in their neighborhood; and

**Whereas** eliminating the student MetroCard Program would jeopardize the fundamental right for a free public education;

**Therefore be it resolved** that Community Board 8M is unequivocally opposed to the elimination of the student MetroCard Program,

*Community Board 8M passed this by vote of 36 in favor, 0 opposed, and 0 Abstentions.*

##### **Second Avenue Subway Task Force-** M. Barry Schneider and H. Patrick Stewart, *(Co-Chairs)*

#### 3. Pedestrian Safety

**WHEREAS** pedestrian safety during the construction of the Second Avenue Subway is of primary concern to Manhattan Community Board 8, and

**WHEREAS** some pedestrian crosswalks have been modified to facilitate the construction activities of the contractors, and

**WHEREAS** great numbers of pedestrians routinely disregard the signage and barriers at particularly heavily used crosswalks thereby putting their lives in danger,

**THEREFORE BE IT RESOLVED** that Community Board 8M strongly urges the MTA and its contractors to hire and post trained pedestrian management agents at any intersection where East-West pedestrian crossing of Second Avenue is blocked, especially at East 69th Street, East 72nd Street and East 86th Street on Second Avenue, until the crosswalks are returned to their original configuration.

*Community Board 8M passed this by vote of 36 in favor, 0 opposed, and 0 Abstentions*

**Street Life Committee-** Cos Spagnoletti and Nicholas Viest, *(Co-Chairs)*

2. Renewal Applications to the Department of Consumer Affairs for Sidewalk Cafés:

a) Tsamir Restaurant Corp. d/b/a Rectangles Restaurant, 1431 First Avenue (74<sup>th</sup>/75<sup>th</sup> Streets)

**WHEREAS** there are no changes to the café and no objections from public members in attendance,

**BE IT RESOLVED THAT** the application is approved.

*Community Board 8M passed this by vote of 34 in favor, 0 opposed, and 0 Abstentions*

b) LMR N.H., Inc. d/b/a Bistro 60, 37 East 60<sup>th</sup> Street (Park/Madison Avenues)

**WHEREAS** there are no changes to the café and no objections from public members in attendance,

**BE IT RESOLVED THAT** the application is approved.

*Community Board 8M passed this by vote of 34 in favor, 0 opposed, and 0 Abstentions*

c) Vynl on Second, LLC d/b/a MXco, 1491 Second Avenue (@ 78<sup>th</sup> Street)

**WHEREAS** there are no changes to the café and no objections from public members in attendance,

**BE IT RESOLVED THAT** the application is approved.

*Community Board 8M passed this by vote of 34 in favor, 0 opposed, and 0 Abstentions*

d) Wasabi Lobby Japanese Restaurant, Inc. d/b/a Wasabi Lobby, 1584 Second Avenue (@ 82<sup>nd</sup> Street)

**WHEREAS** there are no changes to the café and no objections from public members in attendance,

**BE IT RESOLVED THAT** the application is approved.

*Community Board 8M passed this by vote of 34 in favor, 0 opposed, and 0 Abstentions*

e) Taco Taco, Inc. d/b/a Taco Taco, 1726 Second Avenue (89<sup>th</sup>/90<sup>th</sup> Streets)

**WHEREAS** there are no changes to the café and no objections from public members in attendance,

**BE IT RESOLVED THAT** the application is approved.

*Community Board 8M passed this by vote of 34 in favor, 0 opposed, and 0 Abstentions*

3. New Applications to the New York State Liquor Authority for Liquor Licenses

a) Restaurant Associates, LLC d/b/a Solomon R. Guggenheim Museum, 1071 Fifth Avenue (88<sup>th</sup>/ 89<sup>th</sup> Avenue)

**WHEREAS** *this application will cover the entire building,*

**WHEREAS** the license will not cover any use outside,

**WHEREAS** there will be 2 bars located on the inside of the museum,

**WHEREAS** local residents complained about garbage collection at late hours,  
**WHEREAS**, the Guggenheim has met with local residents and Councilmember Garodnick's office and agreed to issue a letter of understanding resolving all noise and garbage issues,  
**WHEREAS** the museum and applicant agreed to stipulate that no garbage would be collected between the hours of 10:30p and 7:30a,

**BE IT RESOLVED THAT** the application is approved subject to the stipulation that no garbage is collected between the hours of 10:30p and 7:30a.

*Community Board 8M passed this by vote of 31 in favor, 0 opposed, and 5 Abstentions*

b) Francesco – Lowrenzo, Inc., 1409 York Avenue (@ 75<sup>th</sup> Street)

**WHEREAS** this application is for a new establishment,

**WHEREAS** there is only piped music,

**WHEREAS** the bar will seat 11 customers and the tables 50,

**WHEREAS** there will be no bicycle delivery,

**BE IT RESOLVED THAT** the application is approved.

*Community Board 8M passed this by vote of 36 in favor, 0 opposed, and 0 Abstentions*

D1) La Goulue, LLC d/b/a La Goulue Restaurant, 20 East 63<sup>rd</sup> Street (5<sup>th</sup>/Madison Ave)

Substitute Motion

**BE IT RESOLVED THAT** the application is disapprove based on the 200 foot regulation.

*Community Board 8M disapproved this by vote of 16 in favor, 16 opposed, and 3 Abstentions*

D2) La Goulue, LLC d/b/a La Goulue Restaurant, 20 East 63<sup>rd</sup> Street (5<sup>th</sup>/Madison Ave)

**WHEREAS** this application is for a new location for La Golue,

**WHEREAS** this is space is not currently a restaurant,

**WHEREAS** there are no residents in the building,

**WHEREAS** the establishment will use the first and second floor,

**WHEREAS** the second floor will have an area for patrons who are waiting tables,

**WHEREAS** the applicants also own Le Colonial and Orsay,

**BE IT RESOLVED THAT** the application is approved.

*Community Board 8M passed this by vote of 25 in favor, 9 opposed, and 2 Abstentions*

**Street Fair Committee**- Barbara Chocky and Laura Lijewski, (Co-Chairs)

Application for Multi Block Street Fairs for Calendar Year 2010

a) The Gracie Square Art Show - **East End Avenue between East 84<sup>th</sup> Street to East 88<sup>th</sup> Streets on Saturday, October 2, 2010 and Sunday, October 3, 2010 from 8:00AM to 7:00PM.**

**Whereas** there was no negative report during discussion of the application, and

**Whereas** the applicant proposes to serve food cooked off-site, and

**Whereas** the art show has been enjoyed in the past,

**Therefore, Be it Resolved** to approve the application.

*Community Board 8M passed this by vote of 31 in favor, 0 opposed, and 0 Abstentions*

b) **Brick Presbyterian Church - Park Avenue between East 90<sup>th</sup> Street to East 93<sup>rd</sup> Streets on Sunday, December 5, 2010**

**Whereas** this is an annual event which we have not received any complaints about, and

**Whereas** this is an event enjoyed by the entire community, and

**Whereas** no food is served,

**Therefore, be it resolved** to approve the application

*Community Board 8M passed this by vote of 31 in favor, 0 opposed, and 0 Abstentions*

c) **The Children's Aid Society - Madison Avenue between East 57<sup>th</sup> Street to East 86<sup>th</sup> Streets (with East 66<sup>th</sup> to 72<sup>nd</sup> Streets closed to traffic) from 8:00AM to 6:00PM on Sunday, December 5, 2010.**

**Whereas** this is an annual event which businesses along Madison Avenue participate and

**Whereas** money raised goes to programs within Community Board 8, and

**Whereas** there was no negative report during discussion of the application,

**Therefore, Be it Resolved** to approve the application.

*Community Board 8M passed this by vote of 31 in favor, 0 opposed, and 0 Abstentions*

d) **PS 183 - East 67<sup>th</sup> Street and the sidewalk on the north side of East 66<sup>th</sup> Street between York and First Avenues on Saturdays from December 30, 2009 to January 1, 2011 for a Flea Market.**

**Whereas** proceeds from this event go to P.S.183, and

**Whereas** there was no negative report during discussion of the application,

**Therefore, Be it Resolved** to approve the flea/farmers' market application.

*Community Board 8M passed this by vote of 31 in favor, 0 opposed, and 0 Abstentions*

**Transportation Committee-** Jonathan Horn and Charles Warren, *(Co-Chairs)*

3) **Discussion of traffic and pedestrian signals at the intersection of East 79<sup>th</sup> Street and York Avenue.**

**WHEREAS**, DOT has installed a "trailing left turn" signal for northbound traffic on York Avenue at 79<sup>th</sup> Street, and

**WHEREAS**, a significant number of local residents have expressed concern that this change has created a dangerous situation for pedestrians attempting to cross York Avenue at 79<sup>th</sup> Street, and

**WHEREAS**, this change was not requested by Community Board 8M nor is Community Board 8M aware of any previous problems or complaints that would have necessitated such a left turn signal at this intersection,

**THEREFORE BE IT RESOLVED** that Community Board 8M requests that DOT restore the traffic signals at the intersection of 79<sup>th</sup> Street and York Avenue to their prior condition, with no left turn signal for northbound traffic, and

**BE IT FURTHER RESOLVED**, that if DOT can establish that there is a significant benefit to having a left turn signal for northbound traffic, the signal should be changed to a “leading left turn”.

*Community Board 8M passed this by vote of 33 in favor, 0 opposed, and 0 Abstentions*

4) **A request to install a pick-up and drop-off zone in front of 176 East 71<sup>st</sup> Street**

**WHEREAS**, there does not appear to be any extraordinary situation warranting a pick-up/drop-off zone in front of 176 East 71<sup>st</sup> Street,

**THEREFORE BE IT RESOLVED**, that Community Board 8M, in accordance with its usual policy, disapproves the request of Goodstein Management for a drop-off/pick-up zone in front of 176 East 71<sup>st</sup> Street.

*Community Board 8M passed this by vote of 33 in favor, 0 opposed, and 0 Abstentions*

5) Continued discussion on issues raised at September Bicycle Forum.

a) Safety Resolution

**WHEREAS**, it is well established public policy that users of our streets and highways should not be distracted while operating a moving vehicle, and

**WHEREAS**, there is a valuable public purpose in establishing requirements for safety measures intended to protect operators of moving vehicles, and

**WHEREAS**, it is already public law that children and commercial bicycle riders wear a safety helmet when riding a bicycle in the City of New York, and

**WHEREAS**, studies have shown that failure to wear a helmet significantly increases the chance of serious injury or death for bicyclists involved in an accident,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 8 urges our elected officials to pass legislation requiring all bicyclists to wear a safety helmet when riding within the City of New York, and

**BE IT FURTHER RESOLVED** that Manhattan Community Board 8 urges our elected officials to pass legislation making it illegal to use any handheld electronic device, such as cell phones and music players while riding a bicycle on New York City streets and highways

*Community Board 8M passed this by vote of 34 in favor, 0 opposed, 0 Abstentions, and 0 NVFC*

b) Education Resolution

**WHEREAS**, usage of bicycles by commuters and other non-commercial users has grown significantly in recent years, and

**WHEREAS**, as part of PLANYC the City of New York plans to encourage further increases through infrastructure improvements and other means, and

**WHEREAS**, there is currently minimal safety training provided to both bicyclists and motorists on how to safely share the road, and

**WHEREAS**, providing such safety training serves the public interest and could reduce traffic accidents and fatalities,

**WHEREAS**, there is a advantage to providing safety education at an early age,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 8 urges the NYS Department of Motor Vehicles to update their Driver's Manual and syllabus for approved Driver's Education courses to include additional material on how motorists should respect and interact safely with bicyclists, as well as the rules of the road which must be followed by bicyclists.

*Community Board 8M passed this by vote of 34 in favor, 0 opposed, 0 Abstentions, and 0 NVFC*

c) Enforcement Resolution

**WHEREAS**, traffic violations by bicyclists, both commercial and non-commercial, and motorists continue to be an issue of serious concern to the residents of the Upper East Side, and **WHEREAS**, the continuing growth of bicycle riding makes increased enforcement of these violations critical for the safety of all users of our roadways, including pedestrians, bicyclists and motorists, and

**WHEREAS**, there are limited resources available to NYPD to enforce all traffic violations by both bicyclists and motorists, and

**WHEREAS**, it is difficult for officers in patrol vehicles to issue citations to bicyclists, and **THEREFORE BE IT RESOLVED** that Manhattan Community Board 8 urges that all Traffic Enforcement Agents operating in the City of New York be authorized to issue moving traffic violations.

*Community Board 8M passed this by vote of 14 in favor, 20 opposed, and 2 Abstention  
(Fail)*

*Community Board 8M passed this by vote of 24 in favor, 9 opposed, 1 Abstention, and 0 NVFC  
(Fail)*

**Parks Committee-** Margaret Price and Barbara Rudder, *(Co-Chairs)*

1. Plans for an adult/senior recreation area in John Jay Park

**WHEREAS** the growing population of older New Yorkers lacks adequate outdoor recreational facilities;

**WHEREAS** John Jay Park has a sizable but largely underused area adjacent to its bathhouse;

**WHEREAS** residents of Community Board 8 wish to convert this area to an area targeted to the recreation of older adults and seniors, with amenities including new plantings, ground surfacing, picnic benches, chess and checkers tables and outdoor exercise equipment for adults;

**THEREFORE Be It Resolved** that Manhattan's Community Board 8 requests the Parks Dept. to begin a scope of work assessment for this project, including a cost estimate to be used to seek project funding.

*Community Board 8M passed this by vote of 34 in favor, 1 opposed, 0 Abstentions, and 0 NVFC*

2. Repair and upgrade of East River Waterfront

Area 1

**WHEREAS** the East River Esplanade in Community Board 8M is an essential park amenity as well as a vital link in New York's transportation infrastructure for the pedestrians and cyclists, and

**WHEREAS** the East River Esplanade also provides a place for recreational users to engage in healthy physical activities such as walking, jogging, skating and cycling, and

**WHEREAS** the East River Esplanade located in Community Board 8M is in deplorable condition making its use hazardous for all users,

**THEREFORE BE IT RESOLVED** that Community Board 8M urges the New York City Parks Department to expeditiously take all measures to restore, maintain, and beautify the East River Esplanade.

*Community Board 8M passed this by vote of 34 in favor, 0 opposed, and 0 Abstentions*

Area 2

**WHEREAS** the hazardous conditions of the East River Esplanade requires extensive and significant repairs, beyond the current scope of temporary and superficial maintenance, and **WHEREAS** a restored Esplanade is a vital link in the sustainable transportation network of NYC, and

**WHEREAS** New York City's air quality currently does not meet Federal Ambient Air Quality standards, enabling the City to be eligible for mitigation under the Congestion Mitigation Air Quality Program of the Safe, Flexible, and Efficient Transportation Equity Act, a restored Esplanade is a vital amenity for health reasons, and

**WHEREAS** a rebuilt East River Esplanade would provide a much improved access to the waterfront walkway and parkland for recreational purposes and healthy physical activities such as walking, jogging, skating and cycling,

**THEREFORE BE IT RESOLVED** that Community Board 8M urges the Parks Department to complete the necessary scope of work and submit it to our Federal, State and City elected officials to secure full funding for restoration of the underpinnings/bulkhead and surface of the East River Esplanade between 59th and 96th Streets in Community District 8.

*Community Board 8M passed this by vote of 34 in favor, 0 opposed, and 0 Abstentions*

**Landmarks Committee-** David Liston and Jane Parshall, *(Co-Chairs)*

1. **110-120 East 76<sup>th</sup> Street-Upper East Side Historic District**

**WHEREAS** 110-120 East 76<sup>th</sup> Street is a row of 6 houses, originally designed in the neo-Grec style by Augustus Hatfield and constructed in 1883-1885.

**WHEREAS** the 6 houses are all that remain of what was originally a row of 13 houses.

**WHEREAS** the applicant proposes keeping the facades of the 6 townhouses only and removing the rest of the townhouses to construct 3 houses to be set back 8' 4 ½" from the building line and with 30' rear yards.

**WHEREAS** the 6 houses (all 4 stories, except for the most easterly which is 5 stories), formerly owned by Lenox Hill Hospital, are in poor condition.

**WHEREAS** some elements of the existing facades were "classicized" in the 1920s with the addition of classical ornamentation; the houses were also painted, covering the brownstone.

**WHEREAS** the applicant, in addition to maintaining the existing facades, proposes adding two additional stories to each house (except for #110, which would acquire one additional floor).

**WHEREAS** applicant's intent is to maintain the reading of the original 6 houses.

**WHEREAS** the new middle house (combining 116 and 114 East 76<sup>th</sup> St.) would present a "modern" or "contemporary" look to be achieved by using materials that speak to the 21<sup>st</sup> century, especially glass.

**WHEREAS** vertical glass planks would be introduced on the 5<sup>th</sup> and 6<sup>th</sup> floors of the middle townhouse to serve as windows.

**WHEREAS** on the other two houses the new windows would present as more traditional.

**WHEREAS** the new entrances to the three houses will be asymmetrical so that they relate to the entrances of the original houses. (There will still be 6 entrances since each house will also have a service entrance.)

**WHEREAS** the two new stories to be added to each house will be set back in both the front and the rear.

**WHEREAS** the new rear elevations, especially the rear elevation for the middle house, will contain much more glass but there will be an attempt to retain some sense of the more traditional masonry openings associated with town houses.

**WHEREAS** the applicant proposes using mahogany double hung windows on the front elevation.

**WHEREAS** there will be mechanical equipment on top of the new 6<sup>th</sup> floor of each house.

**WHEREAS** the applicant has been almost too clever in his attempt to create 3 houses out of 6 houses; the middle house especially is egregious since a contemporary window next to pedimented windows in a row of brownstones is not appropriate in a historic district.

**WHEREAS** the new rear elevation presents as a modern building and is totally out of context.

**WHEREAS** a 2-story addition at the roof is inappropriate for a row of brownstones in a historic district. In addition, parts of additional stories will be visible from the public way

**WHEREAS** the applicant was not able to provide any detailed information on the mechanical equipment to be added to the new 6<sup>th</sup> floor.

**WHEREAS** the applicant's proposal is overwhelming for 6 very simple houses -- the materials to be used are too ostentatious and the entries are too overwhelming.

**WHEREAS** on the basis of appropriateness within the its historic neighborhood, the applicant's proposal is not the right solution and is out-of-character with the brownstone makeup of the Upper East Side Historic District.

**THEREFORE BE IT RESOLVED** that this application be disapproved as presented.

*Community Board 8M passed this by vote of 32 in favor, 0 opposed, 2 Abstentions, and 0 NVFC*

## 2. Mineral Springs in Central Park (located within the individual scenic landmark, Central Park)

**WHEREAS** the existing structure, "Mineral Springs" is located between 69<sup>th</sup> St. and 70<sup>th</sup> St., north of the Sheep's Meadow and east of The Tavern on the Green.

**WHEREAS** "Mineral Springs" is a free-standing, one-story structure with a slate roof and was built in 1959 for use by both the Parks Department and by a concessionaire.

**WHEREAS** the building contains public restrooms that are maintained by the Parks Department and contains space used by the Parks Department for maintenance and groundskeeping.

**WHEREAS** the building contains approximately 4,000 sq. ft.; of this, 1,400 sq. ft. will be used by Le Pain Quotidien.

**WHEREAS** Le Pain Quotidien has signed a 12 year lease with the Parks Department.

**WHEREAS** Le Pain Quotidien plans a major interior renovation of its space and will also implement improvements to the exterior to add greenery and outdoor seating.

**WHEREAS** in addition to other changes to the exterior, on the south elevation, Le Pain Quotidien plans to replace an existing metal roll down convenience window with new folding wood/glass doors.

**WHEREAS** the applicant proposes to put a back-lit sign with the name of Le Pain Quotidien above the new doors.

**WHEREAS** a small discreet non-illuminated sign next to the doors is more appropriate in the scenic landmark that is Central Park.

**WHEREAS** the historic non-commercial aspect that is a signature of Central Park must be respected and protected.

**THEREFORE BE IT RESOLVED** that this application be approved as presented, with the exception of the new sign above the proposed new doors on the south elevation.

*Community Board 8M passed this by vote of 34 in favor, 0 opposed, and 0 Abstentions.*

2. 969 Lexington Avenue-Upper East Side Historic District

**WHEREAS** 969 Lexington Avenue is occupied by the restaurant, Sette Mezzo.

**WHEREAS** the applicant proposes a discreet black with gold stripe awning with an all-black skirt that will have 6" high lettering with the name of the restaurant on it.

**WHEREAS** Sette Mezzo does not have a proper storefront; awnings are usually framed within storefronts.

**WHEREAS** the awning would span 19' and be 4' wide and be retractable.

**WHEREAS** Sette Mezzo would not be unique in having an awning that spans the front of a building where there is no storefront.

**WHEREAS** the 19' span of the awning relates the awning to the parapet above.

**WHEREAS** awnings give protection in bad weather and give an identity to the buildings they are attached to.

**WHEREAS** the color and design are appropriate to both the restaurant and the neighborhood.

**WHEREAS** there are many awnings on Lexington Ave. and this is an appropriate awning within the family of awnings along Lexington.

**THEREFORE BE IT RESOLVED** that this application be approved as presented.

*Community Board 8M passed this by vote of 34 in favor, 0 opposed, 0 Abstentions, and 0 NVFC*