

**FULL BOARD MEETING
WEDNESDAY, NOVEMBER 15, 2006 – 6:30PM
NEW YORK BLOOD CENTER
310 EAST 67TH STREET
AUDITORIUM**

Present: Barbara Allen, Joie Anderson, Elizabeth Ashby, Michele Jane Birnbaum, Matthew A. Bondy, Deirdre Breslin, Richard Burg, Roy H. Carlin, Barbara Chocky, Sarah Chu, James Gerard Clynes, Christina R. Davis, Jonathan Ehrlich, Conrad Foa, Alana Frumkes, George W. Fuchs, Susan Grossman, Benjamin Kallos, Dave Kleckner, Edward Kramer, David Liston, Jacqueline Ludorf, Laura Mayer, Kenneth Mills, Jane Parshall, Nneka Pope, Margaret Price, David L. Rosenstein, William Sanchez, Judith Schneider, M. Barry Schneider, Susan Shapiro, Helene Simon, Teri Slater, Cos Spagnoletti, H. Patrick Stewart, Betty Cooper Wallerstein, Elaine Walsh, Charles S. Warren, Hedi White

Absent (Excused): Edith Fisher, William Friedland, Ruth Halberg, Susan Lek, Michael Levin, Laura Lijewski, Kenneth M. Moltner, Dan Quart, Nicholas Viest

Departed Prior To Adjournment: Barbara Allen, Sarah Chu, Susan Grossman, Edward Kramer

The meeting was called to order at 6:30 PM by David G. Liston, Chair.

2. Public Session:

- *There was a presentation on the construction site at 86th Street and Lexington Avenue.*
- Mr. Selig Sacks, attorney for the Veterans of the Seventh Regiment spoke of the need for a full Environmental Impact Statement to be completed on the Seventh Regiment Armory Conservancy's plans for the Armory Building at 643 Park Avenue.
- Ms. Rebecca Robertson, President of the Seventh Regiment Armory spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Kirsten Reoch, Project Manager of the Seventh Regiment Armory Conservancy spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. David L. Dalva II of the Veterans of the Seventh Regiment spoke in opposition to the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Anne Millard, President of Friends of The Upper East Side Historic District spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Seri Worden, Executive Director of Friends of The Upper East Side Historic District spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Kent Barwick, of the Municipal Art Society spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Adina Taylor, spoke of the need for a full Environmental Impact Statement to be completed on the Seventh Regiment Armory Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Marc Sklar, spoke in favor of the need for a full Environmental Impact Statement to be completed on the Seventh Regiment Armory Conservancy's plans for the Armory located at 643 Park Avenue.

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- Mr. Martin D. Shafiroff, spoke in favor of the need for a full Environmental Impact Statement to be completed on the Seventh Regiment Armory Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Claudia Serwer, spoke in favor of the need for a full Environmental Impact Statement to be completed on the Seventh Regiment Armory Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. John McNamara, of Post 107, American Legion, spoke in favor of the need for a full Environmental Impact Statement to be completed on the Seventh Regiment Armory Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Andrew Lelder, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Judy Cormier, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Julia Willkie, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Stuart Goldman, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Major David Mewegon, of the Knickerbocker Greys, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Leland Englehardt, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Margaret Moriarty, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Adam Flatto, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Martha MacLanahan, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Pat Hubbard, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Lissa Frenkel, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Bob Salman, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Ray Pepi, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. David Paget, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Steve Rosen, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Susan Ball, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Gorman Reilly, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.

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- Ms. Elihu Rose, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Bill Tomson, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Peter Gee, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Remel Daniels, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Pam Ulm, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Inger Elliott, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. James Jiler, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Sandy Harris, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Linda Blumberg, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Blaire Walsh, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Margaret Hart, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Karl Katz, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Arie Kopelman, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Vicky Esterlis, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Isabel Carden, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Ms. Sandy Smith, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Marvin Chudnoff, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Jack Dobson, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Alex Freulcel, spoke in favor of the Conservancy's plans for the Armory located at 643 Park Avenue.
- Mr. Henry Kravis, spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue.
- Mr. Burton Wallack spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue.
- Mr. Maurice Souenberg, spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue.

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- Ms. Joyce B. Cowin, spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue.
- Ms. Susan Ferriere, spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue.
- Mr. Bruce Lee, spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue.
- Ms. Amy Derrey, spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue.
- Ms. Rita Chu, spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue. Ms. Chu is in favor of the need for a full Environmental Impact Statement to be done on the area.
- Mr. Brian Ketchum, spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue.
- Mr. Thia Vasan, spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue.
- Mr. Bernard Starkman, spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue.
- Mr. John Gilliam, spoke in opposition to the Seventh Regiment Armory Conservancy's plans for the Seventh Regiment Armory at 643 Park Avenue.
- Ms. Nneka Pope, urged Community Board 8 members to support the Tenant Empowerment Act of 2005.
- Mr. Edward Hayes, Esq. spoke of improperly stored garbage on East 81st Street.
- Ms. Elizabeth McCracken, Friends of First Avenue Estate urged Community Board 8 to support the Landmarking of the entire First Avenue Estate.

3. Adoption of the Agenda:

- Charles S. Warren motioned that item number eleven of the agenda (the Discussion of Chair's Request for Removal of Board Members Based Upon Unsatisfactory Attendance as Per Community Board 8's By-Laws, Article 1, Section B (1)) be placed under New Business. The motion was seconded and by a show of hands Community Board 8 adopted the proposed agenda change.

5. Manhattan Borough President's Report:

Due to the length of the public session and the agenda remaining, there was no report from the Borough Presidents Office.

6. Elected Officials' Reports:

Due to the length of the public session and the agenda remaining, there was no report from the Elected Officials

7. Chair's Report: David G. Liston:

Due to the length of the public session and the agenda remaining, there was no report from the Chair.

8. District Manager's Report: Elizabeth McKee: Ms. McKee reported *Due to the length of the public session and the agenda remaining, there was no report from the District Manager.*

9. Election of Community Board 8 Officers.

H. Patrick Stewart of the nominating committee presented the following slate of officers.

- David G. Liston Chair
- Jacqueline Ludorf First Vice Chair
- Nicholas D. Viest Second Vice Chair
- Sarah Chu Secretary
- Will Sanchez Secretary
- Susan Shapiro Secretary

These individuals were elected by a vote of 39 in favor, 0 opposed, and 0 abstentions as Community Board 8 officers for the year 2007.

10. Committee Reports & Action Items:

Seventh Regiment Armory Sub-Committee: Reported by Jacqueline Ludorf and Nicholas Viest – Co-Chairs of the Seventh Regiment Armory Sub-Committee.

WHEREAS, the Armory Sub-Committee was charged with considering whether the Environmental Assessment prepared by the Conservancy for Empire State Development Corporation (ESDC) meets the legal requirements of SEQRA and thus whether the Community Board should request that ESDC revisit the environmental review; and

WHEREAS, the Sub-Committee has expanded that charge to include a review of whether the Assessment meets against the higher standards of the City's *CEQR Technical Manual*, and

WHEREAS, the Environmental Review staff at ESDC required that certain areas of concern be given detailed analyses in accordance not just with SEQRA, but also with the methodologies and criteria specified in the *CEQR Technical Manual*; and

WHEREAS, the resulting Environmental Assessment is a detailed 150- page long document that includes expanded analyses on six subjects of particular concern to the Community Board: historic resources, neighborhood character, traffic and parking, transit and pedestrians, air quality, and noise; and

WHEREAS, in legal papers submitted to the Court, AKRF, the consultants who prepared the EA, and ESDC confirmed that the sections on historic resources, neighborhood character, traffic/parking, transit/ pedestrians, air quality, and noise analyses were similar in scope and detail to those of an EIS; thus nothing would be gained for the community by asking the Conservancy's consultants to prepare an EIS; and

WHEREAS, the Sub-Committee has asked its questions of the Conservancy, heard the community's views (including the March 8 public hearing when 34 people spoke or wrote in favor of the Conservancy and 14 spoke or wrote against), and has heard from those that have challenged this project in court; and

WHEREAS, many of the arguments presented to the Sub-Committee by the Conservancy's opponents have been found to be based upon exaggeration, deliberate misinformation, and untrue claims, e.g. that the EA examined only one time period for traffic impact when in fact four time periods were examined; that the traffic counts were only taken on one day when in fact they were

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taken on nine days; that they were taken during Thanksgiving week which is not permitted by the City, when in fact they were taken the week before which is a City approved week; that the Conservancy should use the analytical model that Mr. Ketcham uses in fact, the model does not meet City CEQR requirements; that the Conservancy plans 2500 seats rather than the stated 1500; that the traffic projections should be based on traffic counts taken at 59th Street and Lexington Avenue; that the Conservancy plans to develop the Armory's air rights when nothing like this is contemplated, approved by ESDC or legal; and

WHEREAS, the EA states clearly that the analyses were conducted in strict adherence to the rigorous methodologies and criteria of the *CEQR Technical Manual*; the Environmental Assessment was prepared by the consultants who have more experience in this area than any in the City and in large part, authored the City's *CEQR Technical Manual*; and in a legal affidavit to the Court of the State of New York, the environmental consultants state the analyses comply with CEQR, and

WHEREAS, the rules and regulations of CEQR and SEQRA are highly complex and technical (the *CEQR Manual* is 675 pages long) and the Sub-Committee does not claim to be expert in the subject of adherence to CEQR or SEQRA; and

WHEREAS, the same review and scrutiny of the sufficiency of the environmental review was performed simultaneously in the New York State Supreme Court under an Article 78 litigation action filed by the Conservancy's opposition; and

WHEREAS, the Court found in favor of the State and the Conservancy regarding the adequacy and completeness of the review stating in its ruling: "ESDC identified all the truly relevant areas of environmental concern attendant in such a project and gave each of them the 'hard look' they deserve." (p.19); and

WHEREAS, the Court also found that all of the arguments brought before the Sub-Committee by Mr. Dalva, Mr. Sachs and Mr. Ketcham (regarding adequacy of traffic, air and noise analyses, air rights, impact on other cultural centers, etc.) to be without merit; and

THEREFORE BE IT RESOLVED, that to the extent that we at the Sub-Committee are able to judge the issues, the Sub-Committee finds that the Conservancy's Environmental Assessment meets the requirements under law and addresses the issues that are of greatest concern to the community, namely:

1. That the Conservancy shall retain the Women's Shelter, operated by the Lenox Hill Neighborhood House; and
2. That the Conservancy will implement a Traffic Management Plan in coordination with Community Board 8, the NYC Department of Transportation and the NYPD; and
3. That the Conservancy is committed to working with the community and has created a Lexington Avenue Loading Committee of neighborhood residents; and
4. That the Conservancy and the City are working on a covenant to restrict use of the Air Rights over the Armory; and

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5. That the Conservancy will restore the historic interiors, open them to the public and will work with the State on displaying the historic artifacts, and
6. The Conservancy has agreed to come back to the Community Board if any new conditions arise, and

BE IT FURTHER RESOLVED, that Community Board 8 recommends that the Conservancy's proposed use for the premises be approved.

By a vote of this by a vote of 19 in favor, 18 opposed, and 1 abstention the motion failed. A motion was made then seconded that Community Board 8 take no position at this time as to the Armory Building. Community Board 8 voted 17 in favor, 21 opposed, and 0 abstentions thus this motion failed.

Landmarks Committee: Reported by William Friedland – Co-Chair of the Landmarks Committee:

2. 135 East 65th Street, Upper East Side Historic District: The application is to renew a certificate of appropriateness application.

WHEREAS, 135 East 65th street is a neo-Federal style building built in 1903-4; and

WHEREAS, Community Board 8 is on record as having approved the existing renovation plans; and

WHEREAS, the certificate of appropriateness for this renovation expired;

WHEREAS, the only remaining work to be done is a rooftop addition,

WHEREAS, the rooftop addition is unobtrusive

THEREFORE BE IT RESOLVED, that Community Board 8M recommends **approval** of the application.

Community Board 8M passed this resolution by a vote of 35 in favor, 0 opposed, and 0 abstentions.

3. 583 Park Avenue, Upper East Side Historic District: The application is to cover frieze text and flanking sign with new side panels and new LCD directory signs.

WHEREAS, the applicant for 583 Park Avenue failed to appear; and

WHEREAS, Community Board 8M urges the applicant to reapply,

THEREFORE BE IT RESOLVED, that Community Board 8M recommends disapproval of the application at this time.

Community Board 8M passed this resolution by a vote of 35 in favor, 0 opposed, and 0 abstentions.

4. 12 East 69th Street, Upper East Side Historic District: 12 East 69th Street. The application is to modify the façade and alter the entranceway.

WHEREAS, 12 East 69th is an 1883-4 building designed by William Schickel; and

WHEREAS, the application is to embellish the façade; and

WHEREAS, the embellishments draw from existing Doric elements on the façade; and

WHEREAS, the extended staircase will retain its curve at the base; and

WHEREAS, the proposal is appropriate to the neighborhood,

THEREFORE BE IT RESOLVED, that Community Board 8M recommends **approval** of the application.

Community Board 8M passed this resolution by a vote of 35 in favor, 0 opposed, and 0 abstentions

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5. 610 Park Avenue, Upper East Side Historic District: The application is for a window master plan.

WHEREAS, 610 Park Avenue is a fifteen story apartment building designed by J.E.R. Carpenter; and

WHEREAS, the application is for a window master plan for new aluminum one over one windows; and

WHEREAS, the brick molding will not be change

Community Board 8M passed this resolution by a vote of 19 favor, 18 opposed, and 0 abstentions.

5. 23 East 67th Street, Upper East Side Historic District: The application is to alter the entranceway and the application is for a rooftop addition.

WHEREAS, 23 East 67th Street is a five story commercial neo-Federal style building; and

WHEREAS, the application is to alter the entranceway and for a rooftop addition; and

WHEREAS, the rooftop addition is unobtrusive and will be mostly hidden by an 18” proposed cornice; and

WHEREAS, the proposed entryway will remove the awning and switch the door position; and

WHEREAS, this is a very appropriate and attractive renovation,

Community Board 8M passed this resolution by a vote of 35 in favor, 0 opposed, and 0 abstentions.

12. New Business:

- Discussion of Chair’s Request for Removal of Board Members Based Upon Unsatisfactory Attendance as Per Community Board 8’s By-Laws, Article 1, Section B (1). *Community Board 8 voted 24 in favor and 11 opposed to discuss the above-referenced matter in Executive Session. The Board had a lengthy discussion in Executive Session regarding the Chair’s request and then voted 32 in favor, 14 opposed, and 0 abstentions to adjourn the meeting without taking further action at this time.*

With no further business the meeting was adjourned at 11:00 pm.