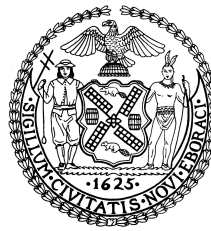


Jacqueline Ludorf
Chair

Latha Thompson
District Manager



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

**LANDUSE/FULL BOARD MEETING
WEDNESDAY, JUNE 17, 2009 – 6:30PM
MEMORIAL SLOAN KETTERING
430 EAST 67TH STREET
AUDITORIUM**

Present: : Joie Anderson, Elizabeth Ashby, Michael Auerbach, Michele Birnbaum, Matthew Bondy, Ann Lori Bores, Deirdre Breslin, Richard Burg, Roy H. Carlin, Barbara Chocky, James Clynes, Christina R. Davis, George Fuchs, Ruth Halberg, Jonathan Horn, Lorraine Johnson, Dave Kleckner, David Liston, Jacqueline Ludorf, Laura Mayer, Jane Parshall, Mary Boresz Pike, N. Sharon Pope, Margaret Price, Dan Quart, David Rosenstein, Barbara Rudder, William Sanchez, Judith Schneider, M. Barry Schneider, Helene Simon, Teri Slater, H. Patrick Stewart, Marco Tamayo, Debra Teitelbaum, Alexander Tish, Nicholas Viest, Betty Wallerstein, Charles Warren, Hedi White.

Absent (Excused): Kenneth W. Austin, Sarah Chu, David Paul Helpert, Edward Kramer, Laura Lijewski, Domenico Minerva, Ellen Polivy, Cos Spagnoletti, Elaine M. Walsh.

Absent (Unexcused): Rita Lee Popper

Left Prior to Adjournment:

1. Public Session:

- Ms. Susan Forman, spoke in favor of sand on the surface in the Parks E. 63rd St.
- Mr. Hunter Armstrong, spoke of opposition for Ruppert Playground.
- Mr. Alex E. Piccarreto, spoke of opposition dog park pavement.
- Mr. Alan Ruta, spoke of opposition dog park pavement.
- Ms. Sandy Pagit, spoke in favor of maintaining E. 63rd Street pavement surface.
- Ms. Lori Light, spoke in favor of East 63rd Street.
- Mr. Nick Koursamicis, spoke in favor of altercation 1298 Madison Ave.
- Mr. Adam Kraiden, spoke of opposition of demolition of Ruppert playground.
- Ms. Oscar Fernandez, spoke of opposition Ruppert playground.
- Mr. Ned Pinger, spoke in favor of 51 East 91st Street.
- Ms. Carol Engel, spoke of opposition of parking rules.
- Ms. Kathleen Kanet, spoke of opposition of partial tax exemption for 205 East 92nd Street.
- Ms. Monica McLaughlin, spoke in favor pavement changed for dog runs.
- Ms. Jessica Adelman, spoke of opposition of East 77th Street parking.
- Ms. Meredith Ledlie, discuss farmers market opening on 92nd Street.
- Ms. Cindy Gordon, discuss fast food restaurants.
- Ms. Andrea Diamond, discuss Dog Run pavement change.
- Mr. Lo Vander Valk, spoke in favor Dalton school resolution.
- Mr. Brad Conover, discuss bikes and livable streets.

2. Public Hearing: 421-a Partial Tax Exemption for 205 East 92nd Street, Block 1538, Lots 10 & 12. Application is for on-site and off-site Inclusionary Rights

Whereas, this is a Lower Income Housing Plan application pursuant to the Inclusionary Housing Program for on-site and off-site inclusionary rights and

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

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

Community Board 8M passed this by vote of 34 in favor, 9 opposed, 0 Abstain, 1 NVFC

5. Manhattan Borough President's Report: Scott M. Stringer stated in a letter for residents living in New York City Housing Authority buildings, no problem is more troubling than the danger and inconvenience caused by broken elevators. Since his report called "Dangerous Neglect" over \$100 million in federal and city funds has been dedicated to replacing, repairing and improving elevators. Elevator inspectors from the Department of Buildings will be enlisted to improve safety and service. Plans exist to install 450 new elevators in NYCHA buildings citywide, with 138 of those new elevators coming to Manhattan.

6. Elected Official Reports:

Council Member Daniel Garodnick – The Council Member reported that Stuyvesant Town and Peter Cooper Village have been paying exorbitant market rate rents on units that should never have left rent protection. Tishman Speyer needs to do something unheard of in this town: re-regulate apartments that have been lost as affordable housing. Tenants who have been wronged by their landlords' double-dipping are owed rent overcharges and significant damages, and they should collect. This is a victory for the City, as it means keeping thousands of units of affordable housing, which will remain regulated through 2017 – or as long as Tishman Speyer is receiving J-51 tax breaks.

Council Member Jessica S. Lappin- Council member announces a big victory for New PS 151 to open at Our Lady of Good Counsel. The Our Lady of Good Counsel site provides a great temporary home for the school to get started in while the DOE continues their efforts to secure a permanent facility for the new school.

NYS Senator Liz Krueger- Senator Krueger states in a letter that a broader legislative issue remains to be seen. Regardless of the short-term outcome it will no doubt be harder to move progressive in a number of areas. Senator Krueger hoped for progress on important issues like affordable housing, public education, environmental policy, and same-sex marriage. Also feel more committed than ever to fight for what believe are changes necessary.

NYS Assembly Member Micah Kellner- releases report finding that TLC Central Dispatch system leaves wheelchair users 'stranded'. Also expressing Bloomberg's administration and the New York City Taxi and Limousine Commission have failed to make the city's yellow cab wheelchair-accessible. Kellner calls for rent freeze during Economic crisis meaning no rent increases for tenants in rent-stabilized apartments.

NYS Assembly Member Jonathan Bing- Assemblyman Bing's working on disability issues includes authoring A. 7179, legislation which would simplify the application process for the Disability Rent Increase Exemption (DRIE) program by providing for an income limit similar to that currently used for the Senior Citizen Rent Increase Exemption (SCRIE) program for rent-regulated tenants. This would make it easier for disabled individuals to be eligible for rental assistance.

8. District Manager's Report-Latha Thompson

We received a 421-a application for 255 East 74th Street. All July committee agendas are due by Friday, June 19th. Comments for the District Need Statement are due August 3, 2009.

9. Committee Reports and Action Items:

Street Life Committee- Reported by Cos Spagnoletti and Nicholas D. Viest, (Co-Chair)

1. Renewal Applications to the Department of Consumer Affairs for Sidewalk Cafes:

- a. **Brasserie Julien Corp. d/b/a Brasserie Julien, 1422 Third Avenue (80th/81st Streets)** – Renewal application for an unenclosed sidewalk café with 6 tables and 12 seats, DCA #1030967. Due date: June 5th

WHEREAS there are no changes to the application,

WHEREAS there were no objections from members of the public,

WHEREAS the applicant has agreed to close the French doors at 11:00PM,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 39 in favor, 0 opposed, and 0 abstentions

- b. **17 Fool's Corp. d/b/a Ship of Fools, 1590 Second Avenue (82nd/83rd Streets)** – Renewal application for an unenclosed sidewalk café with 9 tables and 18 seats, DCA #1251685. Due date: June 15th

WHEREAS there are no changes to the application,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 39 in favor, 0 opposed, and 0 abstentions

- c. **63rd Street Bagel Café, Inc. d/b/a Hot & Crusty, 1201 Second Avenue (63rd/64th Streets)** – Renewal application for an unenclosed sidewalk café with 5 tables and 10 seats, DCA #1028853. Due date: June 15th

WHEREAS there are no changes to the application,

WHEREAS there were no objections from members of the public,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 39 in favor, 0 opposed, and 0 abstentions

- d. **Lex 90 Corp. d/b/a Corrado Bakery, 1361 Lexington Avenue (@ 90th Street)** – Renewal application for an unenclosed sidewalk café with 5 tables and 10 seats, DCA #1259291. Due date: June 22nd

WHEREAS there are no changes to the application,

WHEREAS there were no objections from members of the public,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 39 in favor, 0 opposed, and 0 abstentions

- e. **Geisha Corp. d/b/a Geisha Restaurant, 33 East 61st Street (Park/Madison Avenues)** – Renewal application for an unenclosed sidewalk café with 2 tables and 5 seats, DCA #1202947. Due date: July 3rd

WHEREAS there are no changes to the application,

WHEREAS there were no objections from members of the public,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 39 in favor, 0 opposed, and 0 abstentions

2. **New Applications to the Department of Consumer Affairs for Sidewalk Cafes:**

- a. **Ravagh Restaurant Corp. d/b/a Ravagh Persian Grill, 1237 First Avenue (@ 67th Street)** – New application for an unenclosed sidewalk café with 4 tables and 10 seats, DCA #1315083. Due date: June 8th

WHEREAS there were no objections from members of the public,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 39 in favor, 0 opposed, and 0 abstentions

- b. **Romy East LLC d/b/a Shalizar Restaurant, 1420 Third Avenue (80th/81st Streets)** – New application for an unenclosed sidewalk café with 3 tables and 6 seats, DCA #1314788. Due date: June 11th

WHEREAS there were no objections from members of the public,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 39 in favor, 0 opposed, and 0 abstentions

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

- a. **AV & DR Restaurant Inc. d/b/a Galil, 1252 Lexington Avenue (84th/85th Streets)** – New application for a restaurant wine license

WHEREAS there were no objections from members of the public,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 36 in favor, 0 opposed, and 1 abstention

- c. **Edge Dream Lounge Ltd., currently Pie By The Pound, 1542 Second Avenue (80th/81st Street)** – New application for an on-premises liquor license

WHEREAS there were no objections from members of the public,

WHEREAS there was concern that there was access to the building's lobby from the restaurant, which the applicant has agreed to monitor,

WHEREAS this condition currently exists,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions

Transfers or Alterations

- d. **CNY 1409 York Avenue, LLC d/b/a Saucy, 1409 York Avenue (@ 75th Street)** – Transfer of ownership of an on-premises liquor license

WHEREAS there were no objections from members of the public,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 36 in favor, 0 opposed, and 1 abstention

- e. **Paul Nicaj or Corp. to be formed, 696 Madison Avenue (62nd/63rd Streets)** – Transfer of ownership of an on-premises liquor license

WHEREAS there were no objections from members of the public,

WHEREAS the applicant has agreed to close the French doors at 11:00PM,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 36 in favor, 0 opposed, and 1 abstention

- f. **219 East 59th Café Inc. d/b/a Carriage House, 219 East 59th Street (3rd/2nd Avenues)** – Transfer of ownership of an on-premises liquor license

WHEREAS this is only a change of ownership,

WHEREAS there were no objections from members of the public,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 36 in favor, 0 opposed, and 1 abstention

- g. **Jon 2, LLC d/b/a Blondie's, 1770 Second Avenue (92nd/93rd Streets)** – Transfer of ownership of an on-premises liquor license

WHEREAS this is only a change of ownership,

WHEREAS there were no objections from members of the public,

BE IT RESOLVED THAT the application is approved.

Community Board 8M passed this resolution by a vote of 36 in favor, 0 opposed, and 1 abstention

Transportation Committee: Reported by Charles S. Warren and Jonathon Horn (Co-Chairs)

3. **A request for a new Revocable Consent for a planted area and steps at 125 East 92nd Street between Lexington and Third. (Requested by DOT, Division of Franchises, Concessions and Consents)**

WHEREAS, there were no objections from the public,

THEREFORE BE IT RESOLVED, that Community Board 8M approves the request for a new Revocable Consent for a planted area and steps at 125 East 92nd Street between Lexington and Third Avenues.

Community Board 8M passed this by vote of 44 in favor, 0 opposed, 0 Abstain, 0 NVFC

4. **A request to install “No Standing Anytime” regulations on the southeast corner of East 77th Street at Third Avenue from the truck loading zone to the corner (two spots). (Requested by Joe Manfredi, resident)**

WHEREAS, there are numerous violations being committed by a fruit vendor located at the SE corner of East 77th Street and Third Avenue,

THEREFORE BE IT RESOLVED, that Community Board 8M requests that all appropriate agencies (DCA, DOH, DOS) inspect and enforce all appropriate regulations, and

BE IT FURTHER RESOLVED, that Community Board 8M requests that NYPD ensure, by towing if necessary, that no commercial vehicle parks overnight at this location, and

BE IT FURTHER RESOLVED, that if the local residents do not feel that this issue has been resolved within the next month, Community Board 8M will consider a request for changing the parking regulations at its August Transportation Committee meeting

Community Board 8M passed this by vote of 44 in favor, 0 opposed, 0 Abstain, 0 NVFC

10. **A request to install a “No Horn Honking” sign on East 74th Street between Second and Third Avenues. (Requested by Mr. Upson, President, 225 East 74th Street Apartment Corporation)**

WHEREAS, there are numerous complaints by residents of excessive horn honking on East 74th Street between Second and Third Avenue, and

WHEREAS, there does not exist a “No Honking” sign on this block,

THEREFORE BE IT RESOLVED, that Community Board 8M requests the installation of a “No Honking” sign in front of 225 East 74th Street facing eastbound traffic.

Community Board 8M passed this by vote of 44 in favor, 0 opposed, 0 Abstain, 0 NVFC

Parks Committee: *Laura Mayer and Margaret Price (Co-Chair)*

1. **Proposal to Reconstruct the Volleyball Courts on the Closed Center Drive**

WHEREAS the sand volleyball court on the Closed Center Drive in Central Park has proven far more popular with volleyball players than the three asphalt-surfaced courts in that area; and

WHEREAS the proposed new design for the sand court would accommodate more volleyball players, thus reducing the waiting time needed to access a sand court; and

WHEREAS the proposed new design for the sand courts would improve the visual impact on the park by lowering these courts to ground level; therefore,

BE IT RESOLVED that Community Board 8 approves of the Central Park Conservancy’s plans to reconstruct the volleyball courts on the Closed Center drive in Central Park.

BE IT FURTHER RESOLVED that Community Board 8 urges the Central Park Conservancy to install some form of demarcation between the two sand courts, once they’re created, to ensure that the boundaries between the two courts are clearly defined.

Community Board 8M passed this by vote of 43 in favor, 0 opposed, 0 Abstain, 0 NVFC

2. **Reconstruction of the East 76th St. Playground**

WHEREAS the 76th St. Playground in Central Park is in need of renovations to bring it up to current design and safety standards; and

WHEREAS the proposals for renovating this playground—the creation of a safer, more accessible water spray feature; creation of more accessible routes through the playground; addition of an ADA-accessible swing; and improvements to the sandbox—would create a safer, more easily accessible environment for the young children the playground serves; and

WHEREAS the addition of new play equipment for toddlers at the north end of the playground would expand the opportunities for different types of play at this site; therefore,

BE IT RESOLVED that Community Board 8 approves of the Central Park Conservancy's plans to renovate the East 76th Street Playground in Central Park.
Community Board 8M passed this by vote of 43 in favor, 0 opposed, 0 Abstain, 0 NVFC

Health, Seniors and Social Services Committee: *Ellen Polivy and Barbara Rudder (Co-Chair)*

2. Request from CB6 to sign on to their Resolution regarding using the former Bellevue Psychiatric Hospital site

WHEREAS: Community Board 6 has requested support for their Resolution urging the HHC and the NYCEDC to develop the Bellevue Psych Building consistent with the 197 (a) plan approved for this area and request proposals for medically related uses such as a sub-acute facility (e.g. a skilled nursing facility with sub acute rehabilitation services to complement the acute services available at Rusk Institute); and

WHEREAS: This resolution is endorsed by many community groups and elected officials

Therefore be it Resolved, that Community Board 8 sends a letter to Community Board 6 endorsing its resolution.

Community Board 8M passed this by vote of 23 in favor, 11 opposed, 9 Abstain

Landmarks Committee Members- *Reported by David Liston and Jane Parshall (Co-Chair)*

1. 51 East 91st Street (Madison/Park Avenues) – Carnegie Hill Historic District

WHEREAS 51 East 91st Street is a neo-Grec style rowhouse designed by A.B. Ogden and Son, built in 1884 and altered in 1950.

WHEREAS the rooftop addition is being kept to the minimum height necessary to install an elevator and is minimally visible from the street.

WHEREAS the external lift, which will at the front of the building and at the same level of the street, will descend down to an existing front door, and there will be no changes to the positions of the front door or to the existing windows.

WHEREAS the lift reuses existing element of the exterior of the building, is unobtrusive, and sympathetic in design to neighboring buildings.

WHEREAS the application proposes cladding the rooftop addition in zinc in the front brick in the rear while the committee believes that slate would be a more appropriate material for said cladding and the applicant indicated a willingness to consider alternative materials including slate.

THEREFORE BE IT RESOLVED that this application is approved as presented although the Committee recommends that the applicant consider cladding the rooftop addition in slate.

Community Board 8M passed this by vote of 43 in favor, 0 opposed, 0 Abstain

2. 1211 Park Avenue (94th/95th Streets) – Carnegie Hill Historic District

WHEREAS 1211 was originally designed as a Renaissance revival rowhouse by Flemer & Kohler and constructed in 1899-90. In 1922, redesigned in a neo-Georgian style by William L. Bottomley.

WHEREAS the front elevation will be completely unchanged.

WHEREAS the rooftop addition will be set back 18'6" from the front elevation.

WHEREAS the addition will be 34' deep x 16' wide x 10' high.

WHEREAS the addition is not visible from the street except at the midblock on 95th Street between Madison and Park Avenues.

WHEREAS the addition will have a copper mansard roof and the sides will be clad in red stucco; the chimneys will be extended in red common brick with copper flues.

WHEREAS 1211 Park Avenue is one of a row of four uniform houses, none of which have rooftop additions.

THEREFORE BE IT RESOLVED that this application is approved as presented.

Community Board 8M passed this by vote of 32 in favor, 10 opposed, 1 Abstention

4. **1298 Madison Avenue (92nd Street)– Carnegie Hill Historic District**

WHEREAS 1298 Madison Avenue is a Romanesque Revival/Queen Anne style rowhouse built in 1889 by A. B. Ogden & Son, altered in 1926 and again in 1955-56 by Glick & Gelbman, the first two floors of which are being used for retail space.

WHEREAS people entering the building must first step down several exterior steps and, in order to make the building more accessible to the handicapped, the applicant proposes to raise the level of the first floor to be the same level as the sidewalk so that people can enter without taking the above-mentioned steps.

WHEREAS the applicant proposes to raise other floors and the rooftop in order to accommodate the above-mentioned raising of the first floor with the result that the building will have a rooftop addition that will be 33' deep x 20' wide, 3'10" above the existing height, set back 15' from the front lot line and 15'3" from the rear lot line.

WHEREAS the applicant proposes to erect in front of the first two stories of the building an enclosure made of frameless glass, clad in limestone on the sides, without mullions.

WHEREAS the applicant proposes two rear yard additions, one that would involve filling in an area from the ground up two stories, the dimensions of which would be 10' deep x 15'3" wide, 19' high and another that would involve filling in an area above an existing rear yard ground floor which will be 15' deep x 10' wide, and will add 12'6" to the total height.

WHEREAS the applicant's proposal would compromise and obscure the original fabric of the front facade and create an unnecessary high rooftop addition and too great an incursion in to the rear yard.

THEREFORE BE IT RESOLVED that this application is disapproved as presented.

Community Board 8M passed this by vote of 40 in favor, 0 opposed, 3 Abstentions

5. **113 East 64th Street (Park/Lexington Avenues) – Upper East Side Historic District**

WHEREAS 113 East 64th Street is a five-story residence built as one of a row of six houses designed by W. P. and A.M. Parsons.

WHEREAS 113 East 64th Street was altered in 1902, 1940 and 1948.

WHEREAS 113 East 64th Street is now a "no-style" building.

WHEREAS the applicant is removing the existing façade and introducing a neo-Classical façade with a single entrance at the center of the facade at the 1st floor.

WHEREAS the new entrance will be framed by Doric columns and have a pediment similar to the one existing at the entrance at 117 East 64th Street.

WHEREAS a cornice and wooden casement multipaned windows will be reintroduced.

WHEREAS the entrance door is down three steps from the sidewalk level; a 3'8" decorative fence will be placed at grade on either side of the steps that lead down to the entrance. (Planters will be behind the fence and the top 1/3 of the ground floor windows will be visible above the fence.

WHEREAS the applicant has presented an elegant neo-classical design that fits well into the historic district.

THEREFORE BE IT RESOLVED that this application is approved as presented.

Community Board 8M passed this by vote of 40 in favor, 1 opposed, 1 Abstention

6. **1140 Fifth Avenue (95th Street) – Carnegie Hill Historic District**

WHEREAS 113 East 64th Street is a neo-Renaissance style apartment building designed by Fred F. French Co in 1921.

WHEREAS the building's windows are a presently a hodge-podge that includes wood six-over-six windows, wood eight-over-eight windows, wood single double-hung windows, wood double double-hung windows, wood triple double-hung windows, metal single pane windows, and metal double pane windows.

WHEREAS the applicant proposes to implement a Master Plan Window Replacement Program that would result in replacing the above-described configurations with aluminum double-hung windows with middle single non-opening pane as well as aluminum tripe and single double-hung windows.

WHEREAS the proposed Master Plan Window Replacement Program is not in keeping with the intent of the original architect and at odds with the character of this superior example of the neo-Renaissance style building in a prominent location.

THEREFORE BE IT RESOLVED that this application is disapproved as presented.

Community Board 8M passed this by vote of 40 in favor, 0 opposed, 3 Abstentions

With no further business the meeting was adjourned at 10:30 pm.