

**LAND USE-FULL BOARD MEETING  
WEDNESDAY, DECEMBER 13, 2006 – 6:30PM  
NEW YORK BLOOD CENTER  
310 EAST 67<sup>TH</sup> STREET  
AUDITORIUM**

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

**Absent (Unexcused):** Edith Fisher, Kenneth Mills, Kenneth M. Moltner

**Absent (Excused):** Barbara Chocky, Susan Lek, Nneka Pope

**Arrived Late:** Ruth Halberg, Helene Simon, Edward Kramer, Dan Quart, Nicholas D. Viest, Hedi White

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

**2. Public Session:**

- Ms. Sarah Chu announced a special program at *Expanding Your Horizons*. This program encourages girls to explore careers in Mathematics and Science.
- Ms. Evelyn Litardo, of the Sidney Fetner Associates, announced the availability of affordable housing in Community Board 8.
- Mr. Robert Vaccarello urged Community Board 8 to support a lay-by on the south side of 92<sup>nd</sup> Street between Second and Third Avenues.
- Ms. Donna Messinger urged Community Board 8 to support a lay-by on the south side of 92<sup>nd</sup> Street between Second and Third Avenues.
- Ms. Susan T. Miller urged Community Board 8 to support a lay-by on the south side of 92<sup>nd</sup> Street between Second and Third Avenues.
- Mr. Joel Burris urged Community Board 8 to support a lay-by on the south side of 92<sup>nd</sup> Street between Second and Third Avenues.
- Ms. Susan Grossman urged Community Board 8 to support a lay-by on the south side of 92<sup>nd</sup> Street between Second and Third Avenues.
- Ms. Dana Braverman urged Community Board 8 to support the change of timing of traffic lights at East 96<sup>th</sup> Street and Second Avenue.

- 5. Manhattan Borough President's Report:** Ms. Amy Martinez-Miller represented the Borough President. Ms. Martinez announced that the Borough President and the District Attorney have secured an innovative grant to combat domestic violence.

**6. Elected Officials' Reports:**

- a) NYS Senator Liz Krueger – Ms. Sarra Hale-Stern represented the Senator. Ms. Stern announced that Senator Krueger continues to support the Bus Rapid Transit routes in Community Board 8.
- b) NYS Assembly Member Jonathan Bing – Mr. Adam Szlachetka represented the Assembly Member. Mr. Szlachetka announced that this was his last meeting at Community Board 8 and that he enjoyed working with all.
- c) NYS Assembly Member Pete Grannis – Mr. Tony Morenzi represented the Assembly Member. Mr. Morenzi announced that the 2007 NYC Parking Regulation Calendar is available.
- d) Council Member Dan Garodnick – Councilman Garodnick reported on a bill that would reform the use of the 421-a tax credit incentive. This proposal would amend the NYC Charter in relation to the establishment of affordable housing fund and the administrative code of the City of New York, in relation to benefits pursuant to Section four hundred twenty-one of the real property tax law.
- e) Council Member Jessica Lappin – Ms. Jane Swanson represented the Council Member. Ms. Swanson reported that the Council Member was happy that Landmarks Preservation Commission voted unanimously to designate 429 East 64<sup>th</sup> Street and 430 East 65<sup>th</sup> Street as landmarks.

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

Mr. Liston noted that with the recent resignations of Barbara Allen and Linda Hoffman, the Board has two vacancies. Addressing members of the public present at the meeting, he pointed out that Board Member Applications are available on the table outside the meeting room and are also available through the Board's website and the Borough President's website where information regarding Community Boards and Board membership can be found. He also noted that the Board has spots available for Public Members, explaining that Public Members are appointed by the Chair, in consultation with the applicable committee chairs, to one or more specific committees and that service as a Public Member is a very good way for people to get directly involved with the important work of the Board.

Mr. Liston reminded Board Members about the By-Laws Committee meeting scheduled for January 8, 2007 and noted that, among other things, the committee will consider whether the By-Laws should be amended to more narrowly define what can be an Excused Absence and whether the number of available Excused Absences should be limited or whether to leave such decisions to the discretion of the Chair. He noted also, that, regardless of whether such a change is codified into the By-Laws, he intends, starting at the beginning of the New Year to no longer excuse absences, absent truly compelling circumstances, such as a medical emergency, after five excused absences over the course of a year.

He further stated that there are several committees that do not have the minimum number of Board Members required by the By-Laws. He added that some Members, particularly newer Members, have sought appointment to many committees while other Members still serve on not more than one committee despite being asked repeatedly, even by a letter written directly from the Chair to the Member, to seek appointment to at least one more committee. He said that he

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will continue to urge Members to seek appointment to at least one more committee, particularly the committees that need members, and will, only as a last resort, “draft” Board Members to the committees in need of additional Members.

Mr. Liston thanked the members of the Public Safety Committee for their efforts in organizing a forum scheduled for Thursday, January 27, 2007 regarding Domestic Violence and Child Abuse and he urged Board members to attend that forum and to help spread the word about the forum as well as about other upcoming informational forums hosted by the Board. He also thanked Liz McKee and the Board staff for their help in putting together such forums and for their continuing good work for Community Board 8.

**8. District Manager’s Report: Elizabeth McKee:** Ms. McKee spoke about the need to reduce the mailing costs in Community Board 8 office as this cost represents the largest expenditure in the offices’ budget.

**9. Public Hearing – Special Permit 840900 (H) ZSM, New York Presbyterian Hospital –** This is an application for a modification of a special permit and related site plan associated with the New York Presbyterian Hospital Large-Scale Community Facility Development generally bounded by York Avenue, East 71<sup>st</sup> Street, the East River and East 68<sup>th</sup> Street.

**WHEREAS**, this is an application for a modification of a special permit and related site plan associated with the New York Presbyterian Hospital Large-Scale Community Facility Development generally bounded by York Avenue, East 71<sup>st</sup> Street, the East River and East 68<sup>th</sup> Street; and

**WHEREAS**, the modification would allow the otherwise as-of-right buildings on currently unimproved courtyards for otherwise as-of-right additions to the Technology Building, the Site for Medically Advanced Research and Therapeutics Building (SMART) and the Greenberg Pavilion; and

**WHEREAS**, Community Board 8 will review the above mentioned additions individually at a future time; and

**WHEREAS**, Community Board 8 held a public hearing regarding this matter,

**THEREFORE, BE IT RESOLVED**, Community Board 8 recommends approval of the modification to special permit 830900 (H) ZSM.

*Community Board 8M passed this resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.*

**11. Committee Reports & Action Items:**

***Transportation Committee: Reported by M. Barry Schneider and Charles Warren – Co-Chairs of the Transportation Committee:***

**2. A request for a lay-by on the south side of East 92<sup>nd</sup> Street between 2<sup>nd</sup> and 3<sup>rd</sup> Avenues.**

**WHEREAS**, East 92<sup>nd</sup> Street between 2<sup>nd</sup> and 3<sup>rd</sup> Avenues has excessive congestion due to traffic accessing the FDR Drive, and

**WHEREAS**, the street is routinely congested with cars and trucks double-parking, and

**WHEREAS**, a lay-by on the south side of the street, at the entrance to the Rupert Yorkville building, would enhance traffic movement on the block, and

**WHEREAS**, a similar lay-by has been in operation at the sister building on East 90<sup>th</sup> Street for many years without incident or complaint,

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**THEREFORE BE IT RESOLVED**, that Community Board 8 recommends the installation of a lay-by, for approximately two care lengths, at the Rupert Yorkville building on East 92<sup>nd</sup> Street between 2<sup>nd</sup> and 3<sup>rd</sup> Avenues.

*Community Board 8M passed this resolution by a vote of 32 in favor, 6 opposed, and 2 abstentions.*

**5. A request for “No Honking” sign on East 79<sup>th</sup> Street between East River Drive and First Avenue.**

**BE IT RESOLVED**, that Community Board 8M requests that two “No Horn Honking” signs be installed on the south side of East 79<sup>th</sup> Street between 1<sup>st</sup> and the East River Drive.

*Community Board 8M passed this resolution by a vote of 41 in favor, 0 opposed, and 0 abstentions.*

**6. A request to install cameras or change the timing of the traffic lights at the intersection of East 96<sup>th</sup> Street and 2<sup>nd</sup> Avenue.**

**WHEREAS**, the intersection of East 96<sup>th</sup> Street and Second Avenue has been the site of numerous vehicular and pedestrian accidents in the past six months, and

**WHEREAS**, this intersection poses severe challenges to the elderly and infirm as well as the general pedestrian population,

**THEREFORE BE IT RESOLVED**, that Community Board 8 request that the New York City Department of Transportation undertake at once a comprehensive study of this intersection with the goal of mitigating the negative impact on pedestrians and vehicles such mitigation to be considered to include the Barnes Dance, longer leading pedestrian intervals, Red light Cameras or decoys, dedicated turn signals, and the like.

*Community Board 8M passed this resolution by a vote of 40 in favor, 0 opposed, and 1 abstention.*

**7. A request to install a Street light at the corner of East 86<sup>th</sup> Street and York Avenue.**

**BE IT RESOLVED**, that Community Board 8 requests the Department of Transportation install a street light on the south side of East 86<sup>th</sup> Street approximately 100 feet east of York Avenue.

*Community Board 8M passed this resolution by a vote of 41 in favor, 0 opposed, and 0 abstentions.*

***Street Life Committee: Reported by Cos Spagnoletti and Nicholas Viest – Co-Chairs of the Street Life Committee:***

**1. Applications to the New York State Liquor Authority for liquor licenses:**

**a. 436 Melba Inc. d/b/a La Crosta—436 East 72<sup>nd</sup> Street (1<sup>st</sup>/York)** Application for a beer and wine license.

**WHEREAS**, this is a new establishment with a food/drink ratio of 95/5,

**WHEREAS**, the establishment will close by 10PM every night,

**WHEREAS**, this is only for beer & wine,

**WHEREAS**, there will only be piped soft music,

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

*Community Board 8M passed this resolution by a vote of 41 in favor, 0 opposed, and 0 abstentions.*

**c. Sandy Arcara or Corp to be formed d/b/a Samalita of California—1681 First Avenue (87<sup>th</sup>/88<sup>th</sup>)** Application for an on-premises liquor license.

**WHEREAS**, this is a new establishment with a food/drink ratio of 80/20,

**WHEREAS**, the establishment will close by 12PM every night,

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**WHEREAS**, this is for liquor,

**WHEREAS**, there will only be piped soft music,

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

*Community Board 8M passed this resolution by a vote of 41 in favor, 0 opposed, and 0 abstentions.*

**f. New Creators Inc. d/b/a Sushi Sasabune New York—401 East 73<sup>rd</sup> Street (1<sup>st</sup> /York)**

Transfer of a beer and wine license.

**WHEREAS**, this is a new establishment with a food/drink ratio of 95/5,

**WHEREAS**, the establishment will close by 12AM every night,

**WHEREAS**, this is only for beer & wine,

**WHEREAS**, there will only be piped soft music,

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

*Community Board 8M passed this resolution by a vote of 41 in favor, 0 opposed, and 0 abstentions.*

**m. Shamrut Indian Restaurant—1365 First Avenue (73<sup>rd</sup>/74<sup>th</sup>)** Application for an on-premises liquor license.

**WHEREAS**, this is a new establishment with a food/drink ratio of 95/5,

**WHEREAS**, the establishment will close by 12AM every night,

**WHEREAS**, this is only for beer & wine,

**WHEREAS**, there will only be piped soft music,

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

*Community Board 8M passed this resolution by a vote of 41 in favor, 0 opposed, and 0 abstentions.*

**n. Madova LLC d/b/a Madova—1668 Third Avenue (93<sup>rd</sup>/94<sup>th</sup>)** Application for an on-premises liquor license.

**WHEREAS**, this is a transfer of an existing establishment with a food/drink ratio of 50/50,

**WHEREAS**, the establishment will close 2 AM weekdays & 4AM weekends,

**WHEREAS**, this application does not include the use of the back yard,

**WHEREAS**, this establishment will be applying for a sidewalk café in the near future,

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

*Community Board 8M passed this resolution by a vote of 33 in favor, 6 opposed, and 2 Abstentions and 1 not voting for cause.*

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

**a. The Green Kitchen—1475 First Avenue (76<sup>th</sup>/77<sup>th</sup>)** Application for an enclosed sidewalk café with 14 tables 47 seats, DCA # 1241786.

**WHEREAS**, there are no changes to this establishment and no complaints were received by the Board in the past two years,

**BE IT RESOLVED THAT**, the application is approved based on the owner's agreement to the following stipulations:

- 1) The applicant will abide by the bicycle guidelines.
- 2) The applicant will keep the front of the establishment clean.
- 3) The applicant will not place A-frames in front of establishment

*Community Board 8M passed this resolution by a vote of 40 in favor, 1 opposed, and 0 abstentions.*

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

**1. 40 East 73<sup>rd</sup> Street** – A neo-Grec style rowhouse built in 1885-86. The application is to modify the areaway and create a new entrance.

**WHEREAS**, 40 East 73<sup>rd</sup> St is a neo-Grec style rowhouse built in 1885-86; and

**WHEREAS**, the application is to modify the areaway and create a new entrance; and

**WHEREAS**, the proposed areaway is historically appropriate; and

**WHEREAS**, the proposed areaway will leave over 13' of clearance on the sidewalk; and

**WHEREAS**, the proposed entrance is aesthetically pleasing and appropriate,

**THEREFORE BE IT RESOLVED**, that Landmarks Committee of Community Board 8 approves the application.

*Community Board 8M passed this resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.*

*With no further business the meeting was adjourned at 9:00 pm.*