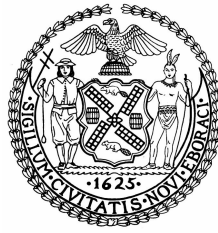


David G. Liston
Chair

Latha Thompson
District Manager



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The City of New York Manhattan Community Board 8

LAND USE-FULL BOARD MEETING WEDNESDAY, DECEMBER 17, 2008 – 6:30PM NEW YORK BLOOD CENTER 310 EAST 67TH STREET AUDITORIUM

Present: Elizabeth Ashby, Kenneth W. Austin, Michele Birnbaum, Lori Ann Bores, Deirdre Breslin, Richard Burg, Barbara Chocky, Sarah Chu, James Gerard Clynes, Christina R. Davis, George Fuchs, David Paul Helpern, Jonathan Horn, Lorraine Johnson, Karen Karpowich, Edward Kramer, Laura Lijewski, David Liston, Jacqueline Ludorf, Jane Parshall, Mary Boresz Pike, Ellen Polivy, Rita Lee Popper, Margaret Price, David L. Rosenstein, Barbara Rudder, William Sanchez, Judith Schneider, M. Barry Schneider, Teri Slater, Cos Spagnoletti, H. Patrick Stewart, Debra Teitelbaum, Nicholas Viest, Elaine Walsh, Charles S. Warren, Hedi White

Absent (Excused): Joie Anderson, Roy H. Carlin, Ruth Halberg, Dave Kleckner, Laura Mayer, Helene Simon, Betty Cooper Wallerstein

Absent (Unexcused): Matthew A. Bondy, N. Sharon Pope, Dan Quart, Daniel Adam Shapiro,

Left Prior to Adjournment: James Gerard Clynes, Christina R. Davis, George Fuchs, Jane Parshall

David G. Liston, Chair, called the meeting to order at 6:30pm

1. Public Session:

- Ms. Cynthia Ladopoulos from U.S. Census spoke about part time employment for residents.
- Mr. Howard Rosenberg from U.S. Department of Peace spoke in favor of City Council's Resolution 627.

4. Manhattan Borough President's Report: Mr. Dan Benjoya represented the Borough President. Mr. Benjoya Announced that the Manhattan Borough President's Office invites all civic minded New Yorkers to consider applying for membership on their local Community Boards. The Borough President will hold two information sessions for interested applicants on Wednesday, December 10 from 6:30 to 8:00pm and Thursday, December 18 from 6:30pm to 8:00pm at the Borough President's office. Mr. Benjoya announced the Borough President testified before the City Council Committee on Education for a Better Capital Plan for Schools on December 2, 2008.

5. Elected Officials Report:

- a) Congress Woman Carolyn Maloney – Mr. Byre Peyre represented the Congress Woman. Mr. Peyre reported that the Congress Woman new report shows why failure for the big 3 is not an option. Mr. Peyre reported that we cannot allow any of the Big 3 automakers to fail because we cannot afford to lose the millions of jobs at risk.
- b) NYS Senator Liz Krueger – Mr. Kyle Sklerov represented the Senator. Mr. Sklerov reported that MTA is currently distributing rider surveys on the M79 bus line. The Senator encourages everyone who rides that line to pick up the survey and fill it out. The surveys provide an important opportunity to give the MTA feedback about service issues on this heavily used bus line.

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c) NYS Senator Jose Serrano – Ms. Yvonne Przybyla represented the Senator. Ms. Przybyla reported that the Senator sent a letter to the State urging greater protection for the homeless. Ms. Przybyla reported that the Senator wants to end vacancy decontrol policy to keep city apartments affordable.

d) NYS Assembly Member Micah Kellner – Mr. Paul Curtis represented the Assembly Member.

Mr. Curtis reported that the Assembly Member strongly encourages civic-minded residents to consider serving on Community Board 8. Mr. Curtis announced that homeowners who might be eligible for a 2008 STAR Rebate Program check have until midnight on December 31, 2008 to apply.

e) NYS Assembly Member Jonathan Bing – Mr. Benjamin Kallos represented the Assembly Member. Mr. Kallos announced that the Assembly Member Bing is proud to offer undergraduate and graduate students an opportunity to intern in his New York City District Office during the fall and spring semesters, and during January and summer breaks.

f) Council Member Daniel Garodnick - Mr. Segun Akande represented the Council Member. Mr. Akande reported that the Council Member released a report that shows the severity of overcrowding on the Lexington Avenue subway line, where hundreds of passengers are routinely left stranded on the platform by trains that are on schedule but already overfilled. Mr. Akande announced that the Council Members Daniel Garodnick and Jessica Lappin invite you to celebrate the season with them at a Holiday Party on Thursday, December 18, 2008 from 7:00pm to 8:30pm at the Sutton Place Synagogue.

g) Council Member Jessica Lappin – Ms. Jane Swanson represented the Council Member. Ms. Swanson reported that despite the strict laws on the books, too many messengers and food delivery bicyclists ride illegally on our sidewalks and streets. This is a serious public safety issue that the Council Member will continue to work on over the coming months. The Council Members office has recently created a one-page flyer detailing the “rules of the road” for bicycle riders. Ms. Swanson also reiterated that the Council Members Daniel Garodnick and Jessica Lappin invite you to celebrate the season with them at a Holiday Party on Thursday, December 18, 2008 from 7:00pm to 8:30pm at the Sutton Place Synagogue.

6. Chair’s Report David G. Liston: Mr. Liston thanked all for serving as Chair of Community Board 8 and welcomed Jacqueline Ludorf as the new Chair of Community Board 8. Mr. Liston also thanked the District Manager Latha and the staff for their hard work and wishes all a Happy Holiday!

8. Committee Reports & Action Items:

Street Fairs Committee: Reported Barbara Chocky and Laura Lijewski– Co-Chair of the Street Fairs Committee:

1. The application for a street activity permit filed on behalf of the **East Sixties Neighborhood Association** was presented by Judy and Barry Schneider. The application proposes to close East 60th Street between Madison and Fifth Avenues from 8:00 AM to 7:00 PM on Sunday, August 9, 2009.

WHEREAS, there was no negative report during discussion of the application

THEREFORE BE IT RESOLVED, to approve the application

Community Board 8M passed this resolution by a vote of 32 in favor, 0 opposed, and 0 abstentions and 2 not voting for cause.

2. Applications for Multi-Block Street Fairs for Calendar Year 2009

a. Metal Lathers Union – 76th Street / Lexington – Second Avenues, Saturday, September 12, 2009.

The application for a street activity permit filed on behalf of the **Metal Lathers & Reinforcing Workers Union** was presented by Steve Cawley. The applicant proposes to close East 76th Street from Lexington to Second Avenues from 9:00 AM to 5:00 PM on Saturday, September 12, 2009 for a Labor Day Block Party.

WHEREAS, there was no negative report during discussion of the application

THEREFORE BE IT RESOLVED, to approve the application

Community Board 8M passed this resolution by a vote of 33 in favor, 0 opposed, and 0 abstentions.

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b. The Gracie Square Art Show – East End Avenue between 84th to 88th Streets.

The application filed on behalf of the Carl Schurz Park Association was presented by Ann Meschery. The applicant proposes to close East End Avenue between 84th and 88th Street from 8:00 AM to 7:00 PM on Saturday, October 17, 2009 and Sunday, October 18, 2009.

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

WHEREAS, the applicant proposes to serve food cooked off-site

WHEREAS, the art show has been enjoyed in the past

THEREFORE BE IT RESOLVED, to approve the application

Community Board 8M passed this resolution by a vote of 32 in favor, 0 opposed, and 0 abstentions and 1 not voting for cause.

c. Museum Mile Festival – Fifth Avenue between 82nd to 105th Streets from 5:00 PM to 9:00 PM on Tuesday, June 9, 2009.

WHEREAS, there was no negative report during discussion of the application

THEREFORE BE IT RESOLVED, to approve the application.

Community Board 8M passed this resolution by a vote of 33 in favor, 0 opposed, and 0 abstentions.

d. The Children's Aid Society – Madison Avenue between 57th to 86th Streets (with 68th to 72nd Streets closed to traffic) from 8:00 AM to 6:00 PM on Sunday, December 6, 2009.

WHEREAS, there was no negative report during discussion of the application

THEREFORE BE IT RESOLVED, to approve the application.

Community Board 8M passed this resolution by a vote of 33 in favor, 0 opposed, and 0 abstentions.

e. 92nd Street Y – Lexington Avenue between 79th to 96th Streets from 8:00 AM to 7:00 PM on Sunday, October 4, 2009.

WHEREAS, many have enjoyed observing the various programs presented at the street fair, and

WHEREAS, there will be no live animal at the event

THEREFORE BE IT RESOLVED, to approve the application.

Community Board 8M passed this resolution by a vote of 33 in favor, 0 opposed, and 0 abstention.

f. 19th Precinct Community Council – Lexington Avenue between 60th and 70th Streets from 8:00 AM to 7:00 PM on Sunday, April 26, 2009.

WHEREAS, the applicant requested a change of location from 60th Street between Lexington and 5th Avenues to Lexington Avenue between 60th and 70th Streets, and

WHEREAS, this would leave open the busy 60th Street for cross-town traffic, and

WHEREAS, during discussion of the application, the applicant's operator agreed to provide additional monitors to enforce sidewalk and street clearances,

THEREFORE BE IT RESOLVED, to approve the application.

Community Board 8M passed this resolution by a vote of 32 in favor, 1 opposed, and 0 abstentions and 1 not voting for cause.

g. Lenox Hill Neighborhood House – First Avenue between 68th to 79th Streets from 8:00 AM to 7:00 PM on Saturday, June 13, 2009.

WHEREAS, during discussion of the application, the applicant's operator agreed to provide additional monitors and to enforce sidewalk and street clearances, and

WHEREAS, the applicant's operator agreed to urge the applicant to have greater visibility of their services and programs represented, as was present prior to 2006

THEREFORE BE IT RESOLVED, to approve the application

Community Board 8M passed this resolution by a vote of 33 in favor, 0 opposed, and 0 abstentions and 2 not voting for cause.

h. East Manhattan Chamber of Commerce – Second Avenue between 66th to 86th Streets from 8:00 AM – 7:00 PM on Sunday, June 7, 2009

WHEREAS, during discussion of the application, the applicant's operator agreed to enforce "no amplified sound" restriction with the vendors, and

WHEREAS, during discussion of the application, the applicant's operator agreed to provide additional monitors and to enforce sidewalk and street clearances

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THEREFORE BE IT RESOLVED, to approve the application

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

i. East Manhattan Chamber of Commerce – Third Avenue between 66th to 86th Streets from 8:00 AM to 8:30 PM on Sunday, September 13, 2009.

WHEREAS, during discussion of the application, the applicant's operator agreed to provide additional monitors and to enforce sidewalk and street clearances

THEREFORE BE IT RESOLVED, to approve the application.

Community Board 8M passed this resolution by a vote of 33 in favor, 0 opposed, and 0 abstentions.

j. French Institute Alliance Francaise – 60th Street between Fifth to Lexington Avenues from 8:00 AM to 7:00 PM on Sunday, July 12, 2009.

WHEREAS, some members felt it should not cover three blocks, and

WHEREAS, during discussion of the application, the applicant's operator agreed to provide additional monitors and to enforce sidewalk and street clearances

THEREFORE BE IT RESOLVED, to approve the application.

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

Street Life Committee: Reported Cos Spagnoletti and Nicholas Viest– Co-Chair of the Street Life Committee:

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

a. 62 & 1st LLC d/b/a Merchants NY, 1125 First Avenue (@ 62nd Street) – Renewal application for an unenclosed sidewalk café with 20 tables and 40 seats, DCA #1136669

WHEREAS, there are no changes to the café and no complaints made by members of the public

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 33 in favor, 0 opposed, and 0 abstentions.

b. The Carlyle, LLC d/b/a Bemelman's Café, 35 East 76th Street (@ Madison Avenue) – Renewal application for an unenclosed sidewalk café with 3 tables and 6 seats, DCA #1225806

WHEREAS, there are no changes to the café and no complaints made by members of the public

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 33 in favor, 0 opposed, and 0 abstentions.

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

a. Osso Buco Three, LLC, 334 East 73rd Street (1st/2nd Avenues) – New application for an on-premises liquor license

WHEREAS, the applicant agrees to the following for *ALL his establishments*,

Not to place tables outside

Not to damage the trees in front.

To apply to the city for bike racks & all delivery personnel abide by the bicycle rules

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 32 in favor, 0 opposed, and 0 abstentions

b. Hummus Kitchen Upper East Inc., 1613 Second Avenue (83rd/84th Streets) – New application for a restaurant wine liquor license

WHEREAS, this is only a beer and wine license,

WHEREAS, there were no members of the public present,

BE IT RESOLVED THAT, the application is approved.

Community Board 8M passed this resolution by a vote of 33 in favor, 0 opposed, and 0 abstentions.

Transportation Committee: Reported by Charles S. Warren and Jonathan Horn - Co-Chairs of Transportation Committee:

3. A request to install a Stop sign at East 85th Street and East End Avenue

WHEREAS, vehicles often travel at excessive speed on East End Avenue between 84th and 86th Street,

THEREFORE BE IT RESOLVED, that Community Board 8M requests that DOT install stop signs on East End Avenue at the East 85th Street for traffic heading both north and south on East End Avenue,

AND BE IT FURTHER RESOLVED, that Community Board 8M requests that the 19th Police Precinct increase enforcement of speeding laws on East End Avenue in the 80's.

Community Board 8M passed this resolution by a vote of 34 in favor, 0 opposed, and 0 abstentions.

9. A request to relocate the local bus stop to East 63rd Street and Lexington Avenue.

WHEREAS, there is currently is no direct bus route to the E. 63rd Street F Train Station, and

WHEREAS, the stated MTA policy is to locate bus stops where they will connect with cross-town bus stops, and

WHEREAS, the E. 63rd Street F Train Station is for practicable purposes a "cross town" station,

THEREFORE BE IT RESOLVED, that Community Board 8M requests that the MTA locate a bus stop at the F Train Station at E. 63rd Street and Lexington Avenue.

Community Board 8M passed this resolution by a vote of 22 in favor, 10 opposed, and 1 abstention.

10. Transportation: New Business

WHEREAS, the Lexington Avenue Subway currently is over or near capacity during most of the day, and

WHEREAS, residents often must wait several trains before being able to board a Lexington Avenue train,

WHEREAS, the Lexington Avenue Subway is the only subway service available to East Side residents,

THEREFORE BE IT RESOLVED, that Community Board 8M strongly opposes any service cuts on the Lexington Avenue Subway lines.

Community Board 8M passed this resolution by a vote of 34 in favor, 0 opposed, and 0 abstentions.

Landmarks Committee: Reported by Jane Parshall – Chair of the Landmarks Committee:

1. 14 East 60 Street (between Fifth and Madison Avenues) – Rouge Tomate Restaurant – Upper East Side Historic District – Ms. Carol Bentel, Architect. Application is to replace the signage for the prior Nicole's Restaurant. Application is also to place four bronze metal boxes with illuminated lights and 4" high bronze lettering with the name of the restaurant next to the door.

WHEREAS, rusticated limestone horizontal blocks form the façade of the building which is located in the middle of the block.

WHEREAS, the applicant proposes using two of the horizontal rusticated blocks to the right of the existing door: one for the name of the restaurant and one for the 4 menu boxes.

Each horizontal rusticated block is approximately 4' 5" x 1' 4".

WHEREAS, the lettering for the name of the restaurant will be 4" high; the letters will be made of aluminum plate with a brass powder coated finish.

WHEREAS, each of the 4 menu boxes will be 11 ½" x 11 ½" and will be illuminated and have brass powder coat finish.

WHEREAS, the block is not residential in character. The Harmonie Club is adjacent to the restaurant. The Metropolitan Club and The American Academy in Rome are across the street at the NE corner.

THEREFORE BE IT RESOLVED, that the application is approved as presented.

Community Board 8M passed this resolution by a vote of 32 in favor, 0 opposed, and 0 abstentions.

2. 40 East 66th Street (between Madison and Park Avenues) – Centuri Jewelers – Upper East Side Historic District – Mr. Douglas McClure, Architect – Application is to compile two windows into one large display window with an awning over the window. Application is also to replace the existing entry door with a new entry door, add awnings above the new door and the new window and replace the size of the grate in the sidewalk.

WHEREAS, 40 East 66th Streets is a retail space on the ground floor of an apartment building on the corner of Madison Avenue and 66th Street with its entrance to the east of the retail space on 66th Street.

WHEREAS, there is a Krizia shop at the corner with windows both on Madison and on 66th Street.

WHEREAS, the applicant proposes replacing the two existing double hung windows with a large single plate glass window that will cut into the existing granite base of the apartment building. The treatment for the new window will match the treatment of the windows at the Krizia shop and will have an awning above.

WHEREAS the applicant proposes to replace the existing contextual door with transom above with a single glass door with an awning above.

WHEREAS, the new retail space is 75' from Madison Avenue. The space was formerly occupied by a Chinese antiques dealer.

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WHEREAS, single large plate glass windows are inappropriate on side streets and bring the commercial feeling of Madison Avenue onto the side street.

WHEREAS, awnings are inappropriate on residential side streets.

WHEREAS, the proposed new storefront is not contextual in any way to the residential building above.

THEREFORE BE IT RESOLVED, that the application is disapproved as presented.

Community Board 8M passed this resolution by a vote of 32 in favor, 0 opposed, and 1 abstention.

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