

Jacqueline Ludorf
Chair

Latha Thompson
District Manager



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The City of New York Manhattan Community Board 8

**FULL BOARD MEETING
WEDNESDAY, JANUARY 21, 2009 – 6:30PM
NEW YORK BLOOD CENTER
310 EAST 67TH STREET
AUDITORIUM**

Present: Elizabeth Ashby, Kenneth W. Austin, Matthew A. Bondy, Lori Ann Bores, Deirdre Breslin, Roy H. Carlin, Barbara Chocky, Sarah Chu, James Gerard Clynes, Christina R. Davis, George Fuchs, Ruth Halberg, David Paul Helpern, Jonathan Horn, Lorraine Johnson, Dave Kleckner David Liston, Jacqueline Ludorf, Mary Boriesz Pike, Ellen Polivy, N. Sharon Pope, Rita Lee Popper, David L. Rosenstein, Barbara Rudder, William Sanchez, Judith Schneider, M. Barry Schneider, Helene Simon, Teri Slater, Cos Spagnoletti, H. Patrick Stewart, Debra Teitelbaum, Nicholas Viest, Elaine Walsh, Charles S. Warren, Hedi White

Absent (Excused): Joie Anderson, Michele Birnbaum, Richard Burg, Edward Kramer, Laura Lijewski, Laura Mayer, Jane Parshall, Margaret Price, Dan Quart, Betty Cooper Wallerstein,

Absent (Unexcused): Karen Karpowich, Daniel Adam Shapiro,

Left Prior to Adjournment:

Jacqueline Ludorf, Chair - Called the meeting to order at 6:30pm

3. Manhattan Borough President's Report: Mr. Dan Benjoya represented the Borough President. Mr. Benjoya announced the Borough President's unveiling the damaging effects of the MTA budget plan. MTA plan is to reduce or eliminate 20 bus routes in Manhattan. An analysis by the Borough President's office shows that cutbacks would leave thousands of riders with disabilities without access to mass transit at night and on weekends and in some cases during the workday. Mr. Benjoya reported that the Borough President testified before the New York City Council General Welfare Committee on January 14, 2009.

4. Elected Officials Report:

- a) Council Member Carolyn Maloney – Mr. Byre Peyre represented the Council Member. Mr. Peyre reported that on December 18, 2008 Congress Member Carolyn Maloney, Vice Chair of the Joint Economic Committee, released a report today entitled "The Ripple Effect: The Impact of a Big 3 Failure on New York State. Mr. Peyre also reported that the Congress Member votes to expand vital children's health program.
- b) NYS Senator Liz Krueger – Mr. Kyle Sklerov represented the Senator. Mr. Sklerov reported that on Sunday, February 22, 2009 at Lenox Hill Neighborhood House will be launching of the East Side Housing Coalition. For more information please contact the district office at 212-490-9535. Mr. Sklerov also reported that US Census Bureau is hiring for the 2010 census. To schedule an appointment for a test, call 866-861-2010.
- c) NYS Senator Jose Serrano – Ms. Yvonne Przybyla represented the Senator. Ms. Przybyla reported that the Senator applauds Governor Paterson's plan to fund healthy food markets in low-income neighborhoods.

- d) NYS Assembly Member Micah Kellner – Mr. Paul Curtis represented the Assembly Member. Mr. Curtis reported that the Assembly Member is in opposition to MTA fare hikes, service reduction proposals.
- e) NYS Assembly Member Jonathan Bing – Mr. Benjamin Kallos represented the Assembly Member. Mr. Kallos reported that the Public Hearing on Mitchell-Lama Housing hosted by Subcommittee Chair Bing, previously scheduled for Thursday, January 22, at 10:00a.m. will be held in February, in the Assembly Hearing Room, 250 Broadway, room 1923.
- f) Council Member Daniel Garodnick - Mr. Segun Akande represented the Council Member. Mr. Akande reported that on Tuesday, February 10, Council Member Garodnick and the Urban Justice Center will hold a public forum with additional strategies to decrease your home energy costs. Mr. Akande also announced that the Council Member has called for increased federal investment in infrastructure, supports Senator Clinton’s legislation that would authorize \$1.7 billion in federal funds for mass transit including \$237 million for New York.
- g) Council Member Jessica Lappin – Ms. Jane Swanson represented the Council Member. Ms. Swanson reported that the Council Member proposes legislation to save the city energy and money. Ms. Swanson announced that The Metropolitan Council on Jewish Poverty has announced that there will be 14 units made available for senior citizens at 332 East 22nd Street.
- h) Comptroller William Thompson - Ms. Sandra Duque represented the Comptroller. Ms. Duque reported that on December 15, 2008, Comptroller Thompson released his report analyzing the Mayor’s proposed Fiscal Year 2009 budget and four-year financial plan.

5. Chair’s Report Jacqueline Ludorf: Ms. Jacqueline Ludorf , Chair of Community Board 8 introduced herself as the new Chair of Community Board 8 and said she looks forward to working with everyone.

6. District Manager’s Report: Ms. Latha Thompson reported that Community Board 8’s website and email blast is currently down and has been since December 2008. Ms. Thompson said that she is working with other groups to replace the current system. If anyone wishes to view our website you can go to www.cb8m.com to review our monthly calendars or I can email the calendar, agenda and bulletin to you. Ms. Thompson announced that the February 2009 agenda is due on Friday, January 23, 2009. The final mailing will go to the Chair, Jacqueline Ludorf on Monday, January 26, 2009.

Ms. Thompson announced that Department of Buildings now provides a listing of all weekend variance by community boards. Please contact me if you would like to review the list.

8. Committee Reports & Action Items:

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

2. A discussion of Traffic incidents at the intersection of East 92nd Street and Park Avenue

WHEREAS, vehicles heading cross-town on 92nd Street often ignore the red light located on the median, and **WHEREAS**, the uphill grade of Park Avenue at this corner makes it difficult for drivers to see traffic heading north on Park Avenue,

WHEREAS, obstructions on the median makes it difficult for drivers to see traffic heading north on Park Avenue, **THEREFORE BE IT RESOLVED**, that Community Board 8M requests that DOT install improved signage at the corner of 92nd Street and Park Avenue for traffic heading cross-town on 92nd Street.

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

3. A discussion of locations for Automatic Public Toilets (APT's) within Community Board 8M.

WHEREAS, the Department of Transportation has requested suggested locations for Automatic Public Toilets to be installed throughout the city as part of the Coordinated Street Furniture Contract, and **THEREFORE BE IT RESOLVED**, that Community Board 8M recommends that if DOT installs APT's, it should not be placed on 86th Street.

Community Board 8M passed this resolution by a vote of 25 in favor, 5 opposed, 5 abstentions and 1 not voting for cause.

4. A request to relocate the Bronx bound Express buses on Madison Avenue between East 79th and East 80th Streets.

WHEREAS, there exists both a NYCT bus stop for the M1, M2, M3 and M4, along with an MTA Express bus stop for the BxM3, BxM4A and BxM4B on Madison Avenue between 79th Street and 80th Street, and **WHEREAS**, this results in extensive traffic backups on Madison Avenue south of 79th Street, particularly during the evening rush hour, and

WHEREAS, the other stops for these express buses are more evenly spaced on Madison Avenue at 70th Street, 84th Street, 99th Street and 125th Street,

THEREFORE BE IT RESOLVED, that Community Board 8M requests that the MTA eliminate the Express Bus stop for the BxM3, BxM4A and BxM4B on Madison Avenue between 79th Street and 80th Street.

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

7. A request to install a "No Parking" sign in front of the Renanim School at 336 East 61st Street.

WHEREAS, there is a need for parents to drop off and pick up nursery school students from the Renanim School located at 336 East 61st Street,

THEREFORE BE IT RESOLVED, that Community Board 8M requests that DOT install "No Parking, School Days, Monday to Friday 7am to 7pm" for two parking spots in front of 336 East 61st Street.

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

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

1. 4 East 66th Street (southeast corner Fifth Avenue) – Upper East Side Historic District – Mr. Brian O'Connor, Architect. Application is for a new window opening within a limestone façade.

WHEREAS, 4 East 66th Street, a neo-Italian Renaissance eleven-story apartment building, was designed by J. E. R. Carpenter and constructed in 1919-1920.

WHEREAS, 4 East 66th Street has a limestone façade on the 6 lower floors that wraps around all 4 elevations.

WHEREAS, the proposed new window opening is on the fourth floor in the rear of the building. **WHEREAS**, the proposed new window would be a 6 over 6 (6 panes over 6 panes) double hung window with wooden mullions.

WHEREAS, the proposed new window is in character with the architectural character of this important apartment building and is not visible from the public way.

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

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

2. 907 Madison Avenue (between 72nd/73rd Streets) – Upper East Side Historic District – Ms. Natalie Moureto (a member of the family that owns the business) – Application is to legalize an awning installed without a

Landmarks Preservation Commission permit.

WHEREAS, 907 Madison is a Queen Anne-style five-story building erected in 1886-1887 by Charles Buek and Company.

WHEREAS, Spring Flowers, a children's' clothing store started 25 years ago, has been at this location for 3 years.

WHEREAS, the illegal awning was installed in 1994 by the prior tenant.

WHEREAS, the store has exterior gates that roll up into the structure of the awning, concealing the exterior gate when it is not in use.

WHEREAS, the Madison Avenue retail guidelines require that stores have interior gates.

WHEREAS, although the committee recognizes the financial hardship of installing a new interior gate and the appropriate awning, the awning and the security gate should conform to those in the rest of the district.

WHEREAS, the configuration of the existing awning and the exterior gate are incompatible within the retail streetscape along Madison Avenue and in the historic district.

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

Community Board 8M passed this resolution by a vote of 33 in favor, 0 opposed, and 2 abstentions.

3. 115 East 70th Street (between Lexington and Park Avenues) – Upper East Side Historic District – Mr. Andres Blanco, Architect. Application is to legalize (1) the installation of a metal lattice at the roof and (2) the installation of entryway light fixtures without Landmark Preservation Commission permits.

THIS APPLICATION IS DIVIDED INTO TWO PARTS: A) ENTRYWAY LIGHT FIXTURES AND B) METAL LATTICE AT THE ROOF

Part A: Entryway light fixtures

WHEREAS, 115 East 70th Street (originally the I. Townsend Burden House) was designed by Patrick J. Murray in a neo-Georgian/Italian Renaissance manner and constructed in 1922 with the mansard added in 1935.

WHEREAS, the house, when built, did not have light fixtures at the entry way.

WHEREAS, decorative lanterns at the entryway were installed at a later date.

WHEREAS, the current owner purchased the house in 2004; as part of an extensive renovation after a fire, contemporary metal brackets supporting contemporary glass globes were installed on either side of the entryway.

WHEREAS, light fixtures of this type are out of character and inappropriate for a building of this architectural significance and do not reflect the fabric of the building in any way.

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

Community Board 8M passed this resolution by a vote of 33 in favor, 0 opposed, and 2 abstentions.

Part B: The lattice at the roof.

WHEREAS the roof lattice consists of 4 sides of lattice work and planters on the roof.

WHEREAS the lattice will be covered with English ivy – the lattice will present as a green wall once the ivy (now planted) completely covers it.

WHEREAS the lattice is not visible from the street in front of the house; however, it can be seen from Park and Lexington Avenues.

WHEREAS the lattice goes up 8 feet from the top of the house and 5 feet above the parapet.

WHEREAS the lattice is setback approximately 10' from the front elevation.

WHEREAS the lattice is not part of the fabric of the house and is not disharmonious with the house.

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

Community Board 8M passed this resolution by a vote of 34 in favor, 2 opposed, and 0 abstentions.

Zoning & Development Committee: Reported by Teri Slater and Elaine Walsh – Co-Chairs of the Zoning & Development Committee

1. Maz Mezcal Small Sidewalk Café Zoning Text Amendment

Frank Angelino, representing the Maz Mezcal Restaurant, located at 316 East 86th Street, made a presentation about the restaurant's application for a zoning text amendment to eliminate the area restrictions for a small sidewalk café pursuant to Section 14-43 of the New York City Zoning Resolution for the block front on the south side of East 86th Street.

WHEREAS, the applicant Maz Mezcal Restaurant, is proposing a zoning text amendment to eliminate the area restrictions for a small sidewalk café pursuant to Section 14-43 of New York City Zoning Resolution for the block from the south side of East 86th Street from a line 125 feet east of Second Avenue to First Avenue (Block 1548,

Lots 30,35,36,39,40,41,42,45,46,47, 146 and 7501). The Maz Mezcal Restaurant is located at 316 East 86th Street (Block 1548, part of lot 7501 approximately midway between First and Second Avenues in the Yorkville area of Manhattan, Community District 8. The area affected by the proposed text change is zoned C2-8A, which allows eating and drinking establishments. The text amendment would allow the applicant to apply for a small sidewalk café license, which is a ministerial procedure, through the Department of Consumer Affairs.

WHEREAS, the portion of East 86th Street between Second and First Avenue is comprised of medium to high density residential with neighborhood retail use at the ground floor with the easternmost portion of East 86th Street containing residential with no ground floor retail. The block has a wide sidewalk of 20 feet and the street is a wide street. The proposed zoning text amendment would allow restaurants located along the south side of East 86th Street from between the point 125 feet east of Second Avenue to First Avenue to operate a single row of tables along the sidewalk fronting their premises pursuant to Section 14-30 of the Zoning Resolution.

WHEREAS, the proposed action could result in the expansion of existing restaurants, but is unlikely by itself to lead to the development of new restaurants or other uses that might entail small sidewalk cafes. The Maz Mezcal Restaurant and six other restaurants are located on along the south side of East 86th Street between Second and First Avenues. Two of those are located with frontage on First or Second Avenue. Of the four remaining located at 322 East 86th Street, 320 East 86th Street, only Maz Mezcal and one other restaurant located at 322 East 86th Street (Block 1548, Lot 42 would meet the criteria to operate as a small sidewalk café under the proposed text amendment since the other two (308 and 316 East 86th Street) are partial below grade with steps or ramps leading down to them within fenced in areaway and cannot qualify for a small sidewalk café. Absent the proposed action, the existing conditions would be unchanged.

THEREFORE BE IT RESOLVED, Community Board 8 recommends the approval of this application.

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

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

2. Proposed Department of City Planning Bicycle Zoning Text Amendment

Melissa Cerezo, Department of City Planning, made a presentation on proposed Department of City Planning Bicycle Zoning Text Amendment.

Part A – Zoning Text Amendment for indoor bicycle parking

WHEREAS, the proposed zoning text amendment would require indoor, secure, bicycle parking in new developments and enlargements of 50 percent or more and residential conversions

WHEREAS, the proposed zoning text amendment would apply to multi-family residential, community facility, and commercial buildings, including parking garages

BE IT RESOLVED THAT, the proposed text amendment is approved.

Community Board 8M passed Part A of this resolution by a vote of 35 in favor, 1 opposed, and 0 abstentions and 1 not voting for cause.

Part B – Registration, licensing and enforcement of bicycle laws

WHEREAS the proposed text amendment does not provide for the registration, licensing or enforcement of bicycle laws

BE IT RESOLVED THAT, all relevant city agencies shall work together to ensure the registration, licensing and enforcement of bicycle laws.

Community Board 8M passed Part B of this resolution by a vote of 32 in favor, 0 opposed, 3 abstentions and 1 not voting for cause.

Part C – City agencies exemption

WHEREAS, the proposed zoning text amendment does not explicitly apply to municipal property

WHEREAS, the spirit of the Mayor's PlaNYC 2030 is for the city to take measures to address quality of life concerns.

BE IT RESOLVED, that New York City and public service buildings shall have requirements for bicycle facilities under the zoning text amendment.

Community Board 8M passed Part C of this resolution by a vote of 30 in favor, 2 opposed, 3 abstentions and 1 not voting for cause.

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