

Nicholas D. Viest
Chairman

Latha Thompson
District Manager



505 Park Avenue
Suite 620
New York, N.Y. 10022
(212) 758-4340
(212) 758-4616 (Fax)
www.cb8m.com Website
info@cb8m.com - E-Mail

The City of New York

Manhattan Community Board 8

FULL BOARD MEETING
WEDNESDAY, FEBRUARY 15, 2012
Memorial Sloan-Kettering
430 East 67th Street
Auditorium
6:30PM

Community Board Members Present: Elizabeth Ashby, Kenneth Austin, Michele Birnbaum, Molly Blayney, Lori Ann Bores, Deirdre Breslin, Roy Carlin, Barbara Chocky, Sarah Chu, James Clynes, Jeffrey Escobar, Susan Evans, A. Scott Falk, Ruth Halberg, Edward Hartzog, David Helpert, Lorraine Hockert, Jonathan Horn, Dave Kleckner, David Liston, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, Jane Parshall, Mary Borez Pike, Rita Lee Popper, Margaret Price, David Rosenstein, William Sanchez, Judith Schneider, M. Barry Schneider, Helene Simon, Teri Slater, Cos Spagnoletti, H. Patrick Stewart, Marco Tamayo, Debra Teitelbaum, Nicholas Viest, Elaine Walsh

Community Board Members Absent (Excused): George Fuchs, Lorraine Johnson, Hattie Quarnstrom, Barbara Rudder, Charles Warren, Hedi White

Community Board Members Absent (Unexcused): Matthew Bondy, Christina Davis, Ellen Polivy

Total Attendance: 38

Chair Nicholas D. Viest called the meeting to order at 6:30PM.

1. Public Session:

- Member of the public, Shauna Denkensohn, representing 1025 Fifth Avenue Metropolitan Museum Historic District Coalition, spoke in opposition of the Plan for the Metropolitan Museum.
- Member of the public, Thomas Campbell, representing The Metropolitan Museum of Art, spoke in favor of The Met Museum Plan.
- Member of the public, Emily Rafferty, representing The Metropolitan Museum of Art, spoke in favor of the Museum Plaza.
- Member of the public, Bette Dewing spoke.
- Member of the public, Susan Siskind, representing the Eastside Coalition for Pedestrian Safety, spoke in favor of removing "Shared Path" signs from East 78th Street Pedestrian Bridge and install "Walk Bike" signs.
- Member of the public, Jack Brown, representing the Coalition Against Rogue Riding, spoke on the topic of the Pedestrian Bridge.
- Member of the public, Stephen Cavallo, spoke on the topic of the demolition of 302 East 95th Street.
- Member of the public, John Kelly, spoke in opposition to dismounting the bike signs on the Pedestrian Bridge.

- Member of the public, Zhiwan Dong, spoke on the Chinese Traditional Culture Show.
- Member of the public, J. Wouk, spoke on delivery bicycles.
- Member of the public, Robert Nadromia, representing The Metropolitan Museum of Art, spoke in favor of the driveway – 80th & 84th Streets.
- Member of the public, Harold Holzer, representing The Metropolitan Museum of Art, spoke in favor of the Plaza.
- Member of the public, Albert Ahronheim, spoke on the topic of the 78th Street Bridge.
- Member of the public, Julie Strickland, representing New York City News Service, introduced herself as a beat reporter covering the neighborhood.
- Member of the public, Kate Pickett, spoke in favor of the awning at 1016 Lexington Avenue.
- Member of the public, Lo van der Volk, representing Carnegie Hill Neighbors, spoke on the topic of Park Avenue.
- Member of the public, Carole Kaplan, spoke on Hospada noise complaints.
- Member of the public, Gladys Sanders-Valdes, representing the Yorkville Library, spoke on library programs.
- **Public Hearing: N 120132 ZRY, Zone Green Text Amendment**-The Department of City Planning is proposing a city-wide Zone Green Text Amendment to remove zoning barriers to green building features in the City of New York. The proposed text amendment would facilitate retrofitting of existing buildings and construction of new buildings with features that help reduce energy consumption and carbon emissions, generate clean and renewable energy, manage storm water on site, reduce urban heat island effect through vegetation on roofs, and otherwise promote a healthy and green city. This action is not subject to the Uniform Land Use Review Procedure (ULURP).

Whereas, The Department of City Planning is proposing a city-wide Zone Green Text Amendment to remove zoning barriers to green building features in the City of New York. The proposed text amendment would facilitate retrofitting of existing buildings and construction of new buildings with features that help reduce energy consumption and carbon emissions, generate clean and renewable energy, manage storm water on site, reduce urban heat island effect through vegetation on roofs, and otherwise promote a healthy and green city. This action is not subject to the Uniform Land Use Review Procedure (ULURP).

THEREFORE BE IT RESOLVED that Community Board 8M approves application N 120132 ZRY Zone Green Text Amendment.

Community Board 8M approved the resolution by a vote of 25 in favor, 9 opposed and 4 abstentions.

2. Adoption of the Agenda – Agenda adopted.

3. Adoption of the Minutes – January Full Board meeting minutes adopted.

4. Manhattan Borough President’s Report:

Kristen Ellis, a representative for Manhattan Borough President Scott Stringer’s office (MBPO) reported on his latest initiatives. She thanked everyone from CB8M and in particular Sarah Chu for attending the Borough President’s State of the Borough Address. She announced that the release of the report on solar panels that are installed in New York City public school roofs called Rooftop Revolution. The Borough President notes that solar installations in New York City’s public school roofs could create an estimated 5,423 green collar jobs and help boost growth of the green economy for decades to come, according to an analysis by the advocacy organization New Energy New York. The MBPO is hosting the Lunar New Year and Year of the Dragon event celebrating the U.S. President’s Advisory Commission on Asian Americans and Pacific Islanders. The event will be held on Wednesday, February 22nd, 6:00PM-7:30PM at the Museum of Chinese in America, 215 Centre Street. Please RSVP at 212-669-4462 or events@manhattanbp.org

5. Elected Official's Reports:

- Brice Peyre, a representative from Congress Member Carolyn Maloney's office, reported on her latest initiatives. The Congresswoman along with other elected officials and upper-east-side residents protested the City's premature search for builders of the East River Garbage Station even though the Army Corps. of Engineers is currently is still considering a permit request and mitigation plan by the Department of Sanitation of New York (DSNY). The DSNY has not responded to the request from the Army Corps. of Engineers for additional information to build this controversial facility. The Congresswoman was pleased to report the federal funding for the Second Avenue Subway and East Side Access projects which total \$123 million for 2013. Representative Maloney issued a statement on the Komen Foundation reversal of Planned Parenthood funding ban, "The decision by Susan B. Komen for the Cure to reverse their defunding of Planned Parenthood affiliates is the correct one...By making this right, they have set the stage to re-earn the trust that women have placed in them for over ten years, and to continue to help both organizations to carry out their missions of protecting women's health and saving women's lives." She also issued a statement on the January jobs numbers by the U.S. Bureau of Labor Statistics, "News that the unemployment rate fell further, to 8.3% and 243,000 jobs were gained in January is heartening news." Representative Maloney encourages New Yorkers to use IRS free file for free online tax help and e-filing.
- Patrick Madigan, a representative from State Senator Liz Krueger's office, reported on her latest initiatives. Senator Krueger along with other elected officials wrote to the Chairman of the MTA in regards to stopping the late night jack hammering and drilling at the 2nd Avenue Subway construction site at the East 73rd Street and East 68th Street locations. He announced that the Senator will be hosting the Senior Roundtable, *Planning Ahead: Senior Living in the 21st Century*, which is being held Thursday, February 23rd, 8AM-10AM, at the Lenox Hill Neighborhood House, 331 East 70th Street. RSVP is required. E-mail Dore Mann, doremann@gmail.com or call 212-490-9535. He was happy to announce that the Vudu Lounge on First Avenue between 77th and 78th Street has closed and withdrawn its application for a liquor license. This is a huge victory for the residents of this community as this establishment has a long history of violations and has created serious safety, noise, and nuisance problems. Senator Krueger's office also gave an update on bicycle safety legislation. The bill addresses the growing problem that reckless delivery bicycle people pose to community residents. The bill which Assembly Member Kavanaugh carries in the Assembly, allows police to fine businesses when their delivery people break the law.
- Damaris Olivo, a representative from Senator Jose Serrano's office, reported on his latest initiatives. Senator Serrano is coordinating a Free Mammogram Van event on June 1st, 10AM-4PM. The van will be located outside of the Stanley Isaacs Neighborhood Center, 415 East 93rd Street. Please RSVP by e-mail nysenate28@gmail.com or by phone 212-828-5829. Senator Serrano each year introduces an Earth Hour resolution in which he encourages landmarks and households to turn off their lights for an hour throughout the state. The Earth Hour event this year is being held on March 31st, at 8PM. In celebration of the Annual Black History Month Senator Serrano honored four exceptional local community leaders who have made remarkable contributions and serve as inspiration in the Africa American community and throughout New York. Among the honorees was Karen Washington of the NYC Community Garden Coalition. She also announced that Senator Serrano's Roosevelt Island office hours will be Wednesday, March 7th, 4PM-7PM at the Roosevelt Island Operating Corporation Offices, 591 Main Street, New York, NY 10044.
- Ricki Gunsburg, a representative from Assembly Member Micah Kellner's office, reported on his latest initiatives. In partnership with Project Renewal Assembly Kellner is coordinating a free mammography program on Wednesday, March 28th, 9:30AM-3:30PM in front of Lenox Hill Neighborhood House, 331 East 70th Street. Mammograms are by appointment only. Please call 212-860-4906. The Assembly Member is joining Food & Water Watch in sponsoring the screening of the Oscar nominated *Gasland*, a documentary which explores the risks of hydrofracking. The screening will be on Tuesday, February 21st, 7PM at Lenox Hill Hospital, 131 East 76th Street, in the Einhorn Auditorium. Assembly Member Kellner has introduced legislation that calls for the New York Police Department to turn over necessary information to Mount Sinai Hospital that is required to complete a study on cancer rates among police officers who worked at Ground Zero. The Assembly Member wrote a letter to Mayor Bloomberg in

response to inaccurate information which is being disseminated by the New York City 3-1-1 Service to parents on the Upper East Side regarding the zoned elementary schools students would attend during the 2012-2013 academic school year. The Mayor's Office responded by having 311 experts in school placement answer these calls so that there is no confusion.

- Matthew Walsh, a representative from Assembly Member Dan Quart's office, reported on his latest initiatives. Assembly Member Quart was proud to successfully implement the E-Reader Program at the Stanley Isaacs Neighborhood Center. The program was made possible by a generous donation from the New York Public Library. On a legislative note, the Assembly Member introduced bill A-9193 – the air quality bill that mandates that the Department of Environmental Conservation monitor air quality at all large scale transportation projects such as the Second Avenue Subway construction project.
- Genevieve Michel, a representative from Council Member Daniel Garodnick's office reported on his latest initiatives. She gave a legislative update which includes 2 bills being introduced by the Council Member to increase government transparency. The first bill is to put QR (Quick Response) on publicly posted permits. The second bill he introduced along with Council Member Jimmy Vacca will increase web site accessibility for individuals with disabilities. Both of these bills will keep government more accountable and the public more aware. Council Member Garodnick is pleased with The Metropolitan Museum of Art's proposed plans. The plans will add more worthy lighting, add trees to enhance the building's façade, replace struggling fountains, and address the challenging flow of visitors. In addition, the Council Member's office allocated funds from the City's budget to address safety issues by improving pedestrian safety at the 84th Street intersection and at the 86th Street transfer. The Council Member continues to object to the City's plan to open a marine transfer station at 91st Street and will be participating at the rally tomorrow.
- Jane Swanson, a representative from Council Member Jessica Lappin's office, reported on her latest initiatives. Council Member Lappin will be at the rally tomorrow to protest against the bidding for the Marine Transfer Station. The rally will take place at the Asphalt Green at York Avenue at 1:30PM. The Council Member also thanked Governor Cuomo for his budget that protects senior centers. She also thanked everybody for coming out and testifying at the Landmarks Preservation Commission (LPC) for City and Suburban. The room was packed and the LPC said that everything went well for our side. Next on the LPC agenda will be a public meeting.

6. Chair's Report – Nicholas D. Viest:

Chair Nicholas Viest gave his report. There was some sad news. Former board member Alex Tisch's father passed away last week and current board member Chuck Warren's mother passed away today. Nick announced that the Cornell University Campus which is coming to Roosevelt Island is going to be a big issue and it will impact several committees which include Zoning and Development, Roosevelt Island, and Youth and Education. He will be forming a Roosevelt Island Task Force and a meeting will be held in the future at Roosevelt Island. He announced that Jane Parshall stepped down from the Landmarks Committee as co-chair for personal reasons and thanked Jane for all her terrific work and efforts.

7. District Manager's Report – Latha Thompson

District Manager Latha Thompson gave her report. The Comptroller's Office completed an audit on all community boards and found that all boards were in compliance. She asked that in the future board members forward their minutes to the board office as soon as possible to comply with the new state regulations for open meeting laws. As per a suggestion at the Executive Committee meeting there is a copy of the District Service Cabinet meeting minutes in the board members' packets. It's a draft overview of what was discussed at the meeting and at the bottom includes the number of complaints handled by the board office. The board office took in 282 complaints in 2011 and 35 complaints in the January-February 2012 period. She reminded everyone that the Manhattan Borough President's Annual report is due at the board office by March 15th. Latha also announced that the board office has recycling bins for batteries and eyeglasses. If anyone has old batteries or eyeglasses they should bring them into the board office for recycling. Lastly, she told the board members that the agendas are due at the board office by January 21st.

8. Committee Reports and Action Items:

- **Parks Committee** – Margaret Price and Barbara Rudder, Co-Chairs

Re: Presentation of final plans for the reconstruction of Central Park's North Harlem Meer Landscape, Shoreline and Playground

WHEREAS The Central Park Conservancy has presented final plans for restoring the Harlem Meer landscape, shoreline and playground that calls for enhancing the safety, accessibility and overall usability of the area; and

WHEREAS these plans call for reconstructing area paths to make them safer; upgrading the scenic quality of the area through additional and improved planting; making open space more usable; and replacing deteriorated equipment in the East 110th St. Playground with new and more diverse forms of play equipment; and

WHEREAS the project's final plans add two new elements: steps leading down to the water's edge at the Meer to make the area more accessible; and, the use of stainless steel mesh materials for play area's fence to make it more transparent; therefore,

BE IT RESOLVED that Community Board 8 Manhattan approves of the Central Park Conservancy's final plans for the reconstruction of the North Harlem Meer landscape, shoreline and playground.

Manhattan Community Board 8 approved the resolution by a vote of 37 in favor, 0 opposed and 1 abstention.

Re: Preliminary Proposal to Reconstruct the Tots' Playground in Central Park

WHEREAS the Central Park Conservancy has presented preliminary plans for renovating Central Park's Tots' Playground, which would improve the area's accessibility, attractiveness and usefulness to parents and children; and,

WHEREAS specific changes include: reconfiguring the area to a more circular design; reducing the steep grade on area paths; creating a low seat wall to bound the playground; adding to the plantings surrounding the playground; and installing play equipment appropriate for young children in suitable colors and textures; and

WHEREAS the existing play equipment is worn, outdated and in need of replacement; therefore,

BE IT RESOLVED that Community Board 8, Manhattan, approves of the Central Park Conservancy's preliminary plans for the renovation of the Tots' Playground in Central Park.

Manhattan Community Board 8 approved the resolution by a vote of 38 in favor, 0 opposed and 0 abstentions.

Re: Presentation by the NYC Dept. of Design and Construction of plans for the redesign of the exterior of Central Park's Tavern on the Green

WHEREAS The City of New York is proposing to restore Central Park's Tavern on the Green to its 1934 design, when it was converted to a restaurant; and

WHEREAS proposed renovations include reducing the overall size of the building; restoring original features, such as dormers, an arch at the western end of the building and 1934-style windows and doors; adding an ADA-compliant entranceway; adding a glass structure that extends into the terrace; and restoring the circular driveway in the rear of the building; and

WHEREAS the proposed changes aim to better blend Tavern on the Green into its overall park environment; therefore,

BE IT RESOLVED that Community Board 8 Manhattan approves of the City's plans for renovating Central Park's Tavern on the Green.

Manhattan Community Board 8 approved the resolution by a vote of 37 in favor, 0 opposed and 1 abstention.

- **Transportation Committee** – A. Scott Falk and Charles S. Warren, Co-Chairs

Re: A request by Mary Manning Walsh Home for two “No Parking Anytime, Except Loading and Unloading” signs on York Avenue between 71st and 72nd Streets.

WHEREAS, the Mary Manning Walsh Home has requested certain parking signage changes in front of their building at 1339 York Avenue between 71st & 72nd Streets, to better serve their needs, and

WHEREAS, the number of admissions to the Mary Manning Walsh Home have increased greatly in recent years, resulting in increased ambulette traffic,

THEREFORE BE IT RESOVED, that Community Board 8M approves the following parking sign changes on the west side of York Avenue between 71st & 72nd Streets:

1) Change the “No Parking, Passenger Loading Zone” signs to "No Parking, Ambulette Loading & Unloading Only."

2) Extend the loading zone south by one additional parking space, to just north of the fire hydrant.

Community Board 8M adopted the resolution by a vote of 37 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

Re: A request to remove the “Shared Path” signs and install “Walk Bike” signs on the 78th Street Pedestrian Bridge

WHEREAS, the 78th Street Pedestrian Bridge is not that wide and has an 8 percent incline, and

WHEREAS, Community Board 8 is concerned about pedestrian safety if bikes are ridden over the bridge,

THEREFORE BE IT RESOLVED, that Community Board 8 requests that NYC DOT or the Parks Department remove the shared path signs and install “Walk Bike” signs on the Bridge and at the approach to the Bridge to protect pedestrians using the Bridge.

Community Board 8M adopted the resolution by a vote of 34 in favor, 4 opposed, 0 abstentions and 0 not voting for cause.

- **Street Life Committee** – Domenico Minerva and Cos Spagnoletti, Co-Chairs

1a. **1337 Third Avenue, LLC d/b/a Atlantic Grill, 1337 Third Avenue (76th/77th Streets)** – Renewal application for an unenclosed sidewalk café with 9 tables and 28 seats. DCA #0979320. Due date: Feb. 2nd (*Laid over from the Jan. meeting, as the applicant did not appear*) Hours: 11:30 to 11pm weeknights, 10:30 to 10pm weekends. Food/Drink: 76/24.

WHEREAS there are no changes to the café and no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.

1b. **Haru Third Avenue Corp. d/b/a Haru, 1329 Third Avenue (@ 76th Street)** – Renewal application for an unenclosed sidewalk café with 8 tables and 16 seats. DCA #1027124. Due date: Feb. 6th. Hours: 4pm to 12am weeknights, 4pm to 11pm weekends. Food/Drink: 90/10.

WHEREAS a member of the public complained about the basement access doors being left open and service of the outdoor tables from beyond the limits of the permissible area of the sidewalk café,

WHEREAS there are no changes to the café and the owner agreed to remedy the issues raised by the member of the public,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.

1c. **Braho Restaurant Corp. d/b/a The Barking Dog, 1453 York Avenue (@ 77th Street)** – Renewal application for an unenclosed sidewalk café with 9 tables and 17 seats. DCA #1220174. Due date: Feb. 20th. Hours: 7am to 11pm weeknights, 7am to 11pm weekends. Food/Drink: 80/20.

WHEREAS there are no changes to the café and no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.

1d. **Trumlin Restaurant Corp. d/b/a Divino Ristorante, 1556 Second Avenue (80th/81st Streets)** – Renewal application for an unenclosed sidewalk café with 5 tables and 10 seats. DCA #0908218. Due date: Feb. 20th. Hours: 12pm to 11pm weeknights, 12pm to 12am weekends. Food/Drink: 80/20. **WHEREAS** there are no changes to the café and no one from the public objected, **BE IT RESOLVED THAT** the application is Approved. **Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.**

1e. **Angelo Vivolo Restaurant Assoc., Inc. d/b/a Vivolo, 140 East 74th Street (Park/Lexington Avenues)** – Renewal application for an enclosed sidewalk café with 2 tables and 6 seats. ULURP #N 110332 ECM, DCA #0895577. Due date: Mar. 9th. Hours: 12pm to 3pm and 5pm to 11pm weeknights, 12pm to 3pm and 5pm to 11pm Fri. and Sat. Food/Drink: 80/20. **WHEREAS** there are no changes to the café and no one from the public objected, **BE IT RESOLVED THAT** the application is Approved. **Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.**

2a: **A La Turk, Inc. d/b/a A La Turka, 1417 Second Avenue (@ 74th Street)** – New application for an *existing enclosed* sidewalk café with 12 tables and 39 seats. ULURP #N 110214 ECM, DCA #1381395. Due date: Feb. 23rd. Hours: 11am to 12am weeknights, 11am to 1am weekends. Food/Drink: 80/20. **Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.** **WHEREAS** there are no changes to the café and no one from the public objected, **BE IT RESOLVED THAT** the application is Approved. **Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.**

2b. **MJAJ Food Corp. d/b/a EATS, 1055 Lexington Avenue (@ 75th Street)** – New application for an *existing enclosed* sidewalk café with 11 tables and 22 seats. ULURP #N 110299 ECM, DCA # 1388513. Due date: Feb. 23rd. Hours: 11am to 11pm weeknights, 11am to 11pm weekends. Food/Drink: 75/25. **WHEREAS** there are no changes to the café and no one from the public objected, **BE IT RESOLVED THAT** the application is Approved. **Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.**

2c. **V Eatery, LLC d/b/a Veatery, 1700 Second Avenue (@ 88th Street)** – New application for an unenclosed sidewalk café with 9 tables and 20 seats, DCA # 1417881. Due date: Mar. 8th. Hours: 11am to 11:30pm weeknights, 11am to 11:30pm weekends. Food/Drink: 80/20. **WHEREAS** a member of the public complained about the basement access doors being left open and service of the outdoor tables from beyond the limits of the permissible area of the sidewalk café, **WHEREAS** there are no changes to the café and the owner agreed to remedy the issues raised by the member of the public, **BE IT RESOLVED THAT** the application is Approved. **Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.**

2d. **TGD Group, Inc. d/b/a Bottega, 233 East 70th Street (Third/Second Ave.)** - New application for an unenclosed sidewalk café with 27 tables and 58 seats, DCA #1418174. Due date: Mar. 12th. Hours: 11am to 12am. Food/Drink: 80/20. **WHEREAS** a member of the public complained about the basement access doors being left open and service of the outdoor tables from beyond the limits of the permissible area of the sidewalk café, **WHEREAS** there are no changes to the café and the owner agreed to remedy the issues raised by the member of the public, **BE IT RESOLVED THAT** the application is Approved. **Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.**

2e. **Fresco Bagel, LLC d/b/a Café Fresco, 1239 First Avenue (66th/67th Streets)** – New re-application for an *existing enclosed* sidewalk café with 15 tables and 30 seats. ULURP #N 110099 ECM, DCA #1301779. Due date: Mar. 15th. Hours: 6am to 8pm weeknight, 7am to 7pm weekends. Food/Drink: 100/00

WHEREAS there are no changes to the café and no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.

2f. **B&A Pizzaiolo, LLC d/b/a Toscano's, 1544 Second Avenue (80th/81st Streets)** – New application for an *existing enclosed* sidewalk café with 6 tables and 24 seats. ULURP #N 110301 ECM, DCA #1388240. Due date: Mar. 15th. Hours: 11am to 11pm weeknights, 11am to 12:30pm weekends. Food/Drink: 85/15.

WHEREAS there are no changes to the café and no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 0 opposed, and 0 abstentions.

3a. **Vicky's Cottage, Inc., 1748 Second Avenue (@ 91st Street)** – New application for a wine and beer only license

WHEREAS it was brought to the owner's attention that his bicycle delivery people were violating several rules, including, but not limited to, using motorized bicycles, riding on the sidewalks, not wearing proper identifying or safety gear, and conveying general disrespect to members of the public,

WHEREAS the owner agreed to remedy the issues previously mentioned,

WHEREAS despite the owner's agreement, the establishment continues to violate the bicycle delivery rules,

BE IT RESOLVED THAT the application is **DISAPPROVED**.

Manhattan Community Board 8 adopted the resolution by a vote of 34 in favor, 3 opposed, and 1 abstention.

3b. **Manna Madison Avenue, LLC d/b/a Gina La Fornina, 26 East 91st Street (Fifth/Madison Avenues)** – New application for a wine and beer only license

WHEREAS no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

3c. **1032 Lexington Associates, LLC d/b/a Avra, 1032 Lexington Avenue (73rd/74th Streets)** – New application for an on-premises liquor, wine and beer license

WHEREAS no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

3d. **Wonderful Restaurant, LLC, 37 East 60th Street (Madison/Park Avenues)** – New application for a liquor, wine and beer license

WHEREAS no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

3e. **Samson Grey, LLC, 1703-5 Second Avenue (88th/89th Streets)** – New application for a liquor, wine and beer license

WHEREAS no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

3f. The Parlour Yorkville, 1804 Second Avenue (93rd/94th Streets) – New application for a liquor, wine and beer license

WHEREAS no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

3h. Mark OPCO LP, Mark 2 Restaurant, LLC d/b/a The Mark, Mark Restaurant, The Mark Bar, 25 East 77th Street (Fifth/Madison Avenues) – New application for a liquor, wine, and beer license

WHEREAS no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

4a. **Discussion of the Manhattan Borough President’s reforms to improve public and police access to details of NY State Liquor Authority Licenses**

BE IT RESOLVED THAT CB8 Supports the MBPO’s SLA reforms.

Manhattan Community Board 8 adopted the resolution by a vote of 37 in favor, 0 opposed, and 0 abstentions.

- **Landmarks Committee** – David Liston and Jane Parshall, Co-Chairs

Re: 1000 Fifth Avenue (82nd Street) – Metropolitan Museum of Art – INDIVIDUAL

LANDMARK/CENTRAL PARK SCENIC LANDMARK - *Emily Rafferty, President, Thomas Campbell, Director, for the Metropolitan Museum and Dennis McGlade, Olin Partnership [Landscape Architect]*. Application is to redesign the plaza, including replacing fountains, paving, plantings, lighting and adding seating and kiosks. **[JOINT ITEM WITH PARKS COMMITTEE]**

WHEREAS 1000 Fifth Avenue, is a Beaux-Arts and Roman style museum.

WHEREAS the central pavilion on Fifth Avenue was designed by Richard Morris Hunt and Richard Holland Hunt and was constructed between 1895-1902 in the Beaux-Arts style; its construction displaced the original Calvert Vaux and Jacob Wrey Mould building constructed 1874-1880, part of which is still visible in the interior of the museum.

WHEREAS side wings were added along 5th Avenue between 1904-1926 and were designed by McKim, Mead and White.

WHEREAS there have been additions, alterations and modifications to the museum over the years culminating in the Kevin Roche John Dinkeloo Associates Master Plan of 1967.

WHEREAS the applicant proposes a redesign of the four block long (80th Street to 84th Street) plaza in front of the incomparable front elevation of the Museum [the existing central pavilion with its grand staircase and the existing side wings].

WHEREAS the applicant proposes to redesign the plaza into a more efficient, pleasing and environmentally friendly space.

THIS APPLICATION IS DIVIDED INTO FIVE PARTS: 1. The proposed plantings 2. The proposed fountains 3. The proposed kiosks 4. The proposed furniture to be placed in the plaza 5. The proposed lighting.

PART 1. The proposed plantings

WHEREAS the applicant proposes two bosques (small groves of trees carefully clipped) of London plane trees on each side of the proposed new fountains that will flank either side of the grand staircase to the main entrance of the museum; there will be 4 separate bosques altogether, two near the 81st Street entrance and two near the 83rd Street entrance.

WHEREAS the applicant proposes two shaded allees (parallel line of trees) composed of little-leaf linden trees, clipped as topiaries, one each in front of the side wings.

WHEREAS the applicant proposes to place ornamental planters behind the two bosques and the fountain on each side of the grand entrance stair so that there will be matching sets of planters containing shrubs and herbaceous flowers on either side of the grand stair at the front elevation at the ground level.

WHEREAS sustainability goals will be incorporated into all of the new plantings, including larger tree pits than the existing tree pits.

WHEREAS the plaza was last redesigned in 1968.

WHEREAS the applicant feels the existing design of the plaza is unattractive, dated and not people-friendly.

WHEREAS there will now be more than twice the number of trees than under the existing condition.

WHEREAS the applicant proposes a new planting scheme for the south drive as well as at the north loading dock area.

WHEREAS all of the new plantings provide for additional shade to the plaza during the summer, enhance the pedestrian experience in front of the museum and provide a grace and formal symmetry to the front elevation of the museum [the Richard Morris Hunt central pavilion and the McKim, Mead and White side wings].

THEREFORE BE IT RESOLVED that Part 1 of this application is approved as presented.

This recommendation was approved by a vote of 29 in favor, 9 opposed, and 0 abstentions.

PART 2: The proposed fountains

WHEREAS the applicant proposes to replace the existing two long fountains with a pair of smaller square fountains, made of granite, that will flank either side of the grand entrance stair; the fountains are approximately the same dimensions as the two adjacent bosques that will flank each fountain. [The grand entrance stair will be in the center, then the fountains on each side and then the two pairs of bosques.]

WHEREAS the fountains will bracket and reinforce the museum's identity, be a pedestrian entity, will entertain pedestrians and provide for additional seating along the rim of each fountain.

WHEREAS the name of the principal donor for the redesign of the plaza will be on a small plaque that will be set into the rim of the one of the fountains.

WHEREAS the height from the base of each fountain to the top of the water spray will be approximately 10-12'.

WHEREAS the placement of the fountains will allow for clearer paths to the 81st Street and 83rd Street entrances to the museum.

WHEREAS each fountain will provide a variety of water patterns by means of computer programming.

WHEREAS two sides of each fountain will serve as benches.

WHEREAS the design of the proposed fountains meets the high aesthetic standard of the existing front elevation of the museum [the central pavilion and the flanking wings].

THEREFORE BE IT RESOLVED that Part 2 of this application is approved as presented.

This recommendation was approved by a vote of 22 in favor, 14 opposed, and 2 abstentions.

PART 3: The proposed kiosks

WHEREAS the plaza will be paved in two patterns of granite, in shades of grey; the applicant proposes two kiosks, within the plaza, one near to the 81st Street entrance for visitor services and one near to the 83rd Street entrance for light refreshments.

WHEREAS each kiosk will measure 11 ½' x 11 ½' x 8' tall and will be constructed of a brown finished metal.

WHEREAS kiosks of this nature lend a "public plaza" air to what should be a dignified space in front of a spectacular museum.

WHEREAS there is a profusion of vendors selling food in the plaza.

WHEREAS there are community concerns regarding the potential sale of alcohol at the kiosk intended for light refreshments.

THEREFORE BE IT RESOLVED that Part 3 of this application is approved as presented provided that the Metropolitan Museum of Art does not apply for a liquor or beer and wine license at the location of the kiosk intended for light refreshments.

This recommendation was approved by a vote of 19 in favor, 18 opposed, and 0 abstentions.

PART 4: The proposed furniture to be placed in the plaza

WHEREAS in addition to the fountain seating, the applicant proposes 400 chairs and 100 tables as well as permanent benches and red retractable parasols, to provide seating and shade.

WHEREAS the tables and chairs are a standard design that the Parks Department uses in other locations in Central Park and in other public parks and opens spaces throughout New York City.

WHEREAS the benches and parasols will be placed on the north and south sides of the plaza.

WHEREAS the new moveable tables and chairs will be scattered beneath the four bosques and the benches with parasols will be behind each of the two allees that are part of the plaza redesign and will be located to the south of the 81st Street entrance to the museum and to the north of the 83rd Street entrance to the museum.

WHEREAS the new tables and chairs may further increase pedestrian usage of the plaza and may not alleviate the use of the steps of the grand entrance staircase by museum goers and pedestrians as a place to sit.

WHEREAS the red color of the parasols seems out of context against the incomparable front elevation; the parasols seem unnecessary since so much additional shade will be provided by the new plantings [the 4 bosques and the 2 allees].

THEREFORE BE IT RESOLVED that Part 4 of this application is disapproved as presented.

This recommendation was approved by a vote of 19 in favor, 17 opposed, and 0 abstentions.

PART 5: The proposed lighting scheme

WHEREAS the applicant proposes a new LED lighting plan to light both the incomparable front elevation and the fountains in the plaza and the bosques and allees in the plaza.

WHEREAS the new energy-efficient lights will be mounted on the museum facade; there will also be angled uplights on the sidewalk.

WHEREAS the proposed new lighting plan will enhance the architectural magnificence of the front elevation.

WHEREAS the lighting plan is both truly elegant and totally functional and will provide the night-time passer-by or visitor will a lovely view of both the front elevation and the redesigned plaza.

THEREFORE BE IT RESOLVED that Part 5 of this application is approved as presented.

This recommendation was approved by a vote of 36 in favor, 0 opposed, and 0 abstentions.

Re: 40-52 East 62nd Street (between Madison and Park Avenues) [The Browning School – Upper East Side Historic District - Peter Gisolfi, Architect. Application is to construct an addition in the rear and west yards.

WHEREAS 40 East 62nd Street is a neo-Medieval style apartment building, designed by Albert Joseph Bodker and constructed 1910-1911.

WHEREAS the applicant, a K-12 independent school, proposes to in-fill two portions of the rearyard to permit the construction of a new internal staircase and the reconstruction of another internal staircase.

WHEREAS the proposed in-fill will not be visible from East 62nd Street and both additions will merely fill in two spaces within the building itself.

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

This recommendation was approved by a vote of 35 in favor, 0 opposed, and 0 abstentions.

Re: 1026 Lexington Avenue, 2nd floor (between 72nd and 73rd Streets) – Upper East Side Historic District Extension – Kate Pickett, tenant, 2nd floor space. Application is to legalize an awning.

WHEREAS 1016 Lexington Avenue is a neo-Grec style brownstone, with alterations, designed by Thom & Wilson and constructed in 1880-1881.

WHEREAS the space at the second floor was formerly occupied by two retail businesses; each business had its own awning adjacent to each other; the awnings present as one awning.

WHEREAS the applicant took over the second half of the space when the adjacent retail business left.

WHEREAS the applicant had an awning installed with her logo to match the other existing awning for her business.

WHEREAS the applicant received a violation from the Landmarks Preservation Commission because the replacement awning should have been one single awning across the top of 2nd floor window rather than the two side-by-side awnings that are the now-existing condition and in violation

WHEREAS the two side-by-side awnings are discreet and tasteful; the small business at the 2nd floor, that the awnings advertise, represents the type of attractive small business that will enhance and promote this section of Lexington Avenue within the historic district.

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

This recommendation was approved by a vote of 35 in favor, 0 opposed, and 0 abstentions.

Re: 860 Fifth Avenue (between 67th and 68th Streets) – Upper East Side Historic District – Glenn Leitch, Architect. Application is to alter and enlarge rooftop additions.

WHEREAS 860 Fifth Avenue is an apartment building designed by Sylvan Bien and constructed in 1949-50.

WHEREAS there is a grandfathered rooftop addition; in 2002 the Landmarks Preservation Commission approved a Certificate of Appropriateness for an expansion of the existing grandfathered rooftop addition with an extension to the C of A granted in 2008.

WHEREAS this proposed addition was never built.

WHEREAS at the roof of 860 Fifth Avenue, there are the grandfathered existing greenhouses; the applicant proposes to make what exists now, at the penthouse level, into a more comprehensive unified, less busy structure.

WHEREAS to make a more comprehensive structure, some of the existing greenhouses would be removed and approximately 1,000 sq. ft. of new space would be added, including an additional floor.

WHEREAS the height will increase from 22'1" to 33'11" but this change in height will only present at the rear of the penthouse; the overall height of 860 Fifth Avenue will not change.

WHEREAS the reconfigured penthouse/greenhouses will have glass curtain walls to give a sense of transparency and a contemporary minimalism to the design.

WHEREAS the penthouse is visible from Central Park across the street and the proposed glass curtain will be obtrusive on the Central Park skyline.

WHEREAS greenhouses are considered to be temporary structures and these structures, through the redesign, will be turned into permanent spaces, including the part of the water tower that will added to the penthouse/greenhouses.

WHEREAS the applicant's proposal is an improvement over the existing condition on the roof.

WHEREAS 860 Fifth Avenue is not a distinguished apartment building within the historic district.

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

This recommendation was approved by a vote of 32 in favor, 1 opposed, and 2 abstentions.

Re: 222 East 62nd Street (between Third and Second Avenues) – Treadwell Farm District – Glenn Leitch, Highland Associates Architecture & Engineering.

WHEREAS 222 East 62nd Street is a brownstone house designed by James W. Pirrson and constructed in 1868.

WHEREAS the applicant proposes to construct a rearyard addition and a rooftop addition.

WHEREAS the committee decided to break this application into two parts: 1) the Rooftop Addition and 2) the Rearyard Addition.

Part 1: The Rooftop Addition

WHEREAS the applicant proposes to construct a rooftop addition that would be set back 15' from the front of the building, 10'6" above the current top of the building, not visible from East 62nd Street, although visible from the rearyard, with each floor having glass floor-to-ceiling windows.

WHEREAS the proposed design for the rooftop addition would be contrary to the character of the building and the surrounding area as it has inappropriate fenestration and too much glazing.

THEREFORE BE IT RESOLVED that Part 1 of this application is disapproved as presented.

This recommendation was approved by a vote of 22 in favor, 11 opposed, and 2 abstentions.

Part 2: The Rearyard Addition

WHEREAS the applicant proposes to construct a rearyard addition by adding a floor to the existing first floor rear extension, for a total increase in height of 13’6”, with the rooftop to be a terrace.

WHEREAS the proposed design for the rearyard addition would be contrary to the character of the building and the surrounding area as it has inappropriate fenestration and too much glazing and will impose too much bulk into the rearyard area.

THEREFORE BE IT RESOLVED that Part 1 of this application is disapproved as presented.

This recommendation was approved by a vote of 22 in favor, 11 opposed, and 2 abstentions.

- **Youth and Education Committee** – Jim Clynes and Judith Schneider, Co-Chairs

RE: Charter Schools

WHEREAS local news articles have documented Success Academy’s desire to open two charter schools in District 2, one of which may be in the UES, and

WHEREAS Elizabeth Rose, DOE Office of Portfolio, stated at the 1/25/12 CECD2 meeting that DOE was considering a possible use of a SEPARATE 2-section elementary school for PS 158, and

WHEREAS the only current vacant school space in Community District 8 is at PS 158, and

WHEREAS the great majority of school buildings in Community District 8 are at or above capacity and enrollment is growing rapidly within the district, and

WHEREAS Community District 8 elementary schools enrollment has been rising and portends the need for more middle school seats, and

WHEREAS class sizes have increased dramatically in recent years, and Community District 8 schools have lost some of their Pre-Ks and cluster rooms to overcrowding, and

WHEREAS multiple schools sharing a building makes necessary coordinating and scheduling of shared spaces, starting and ending time of school days, and is highly challenging and time consuming for the administrators, teachers and students, and

WHEREAS co-location of a second elementary school in PS 158 has proved difficult with both schools requiring the use of the same specialty spaces at the same time, and

WHEREAS the challenges of sharing a building are often exacerbated when one school has more resources (e.g., a charter school) than the other, and

WHEREAS charter schools have resources and the means to find their own facilities outside of the Department of Education’s building inventory, and

WHEREAS Community District 8 has already expressed, by a **unanimous vote, a strong desire for the vacant space at PS 158 to be used for a public middle school,**

WHEREAS in Community District 8 there are other properties available that are zoned to accommodate potential charter schools, and

BE IT RESOLVED that Community Board 8 opposes the authorization of any charter school, such as Success Academy, whether elementary or middle school, to co-locate with the zoned elementary school at PS 158.

BE IT FURTHER RESOLVED that is the opinion of Community Board 8 that any charter school wishing to open in Community District 8 should seek space in its own building and **not** use the existing overcrowded public school infrastructure.

Manhattan Community Board 8 adopted the resolution by a vote of 32 in favor, 1 opposed, 0 abstentions.

RE: Reforming the City Environment Quality Review standards for the number of school seats needed in our district

WHEREAS all residential construction results in an increased number of families;

WHEREAS an increase in the residential population is accompanied by an increase in needs for community and social services, such as schools, parks, police, and medical care;

WHEREAS a good public education is a right that should be afforded every resident in every neighborhood;

WHEREAS overcrowding continues to be a concern in UES schools, as well as in all of District 2;

WHEREAS, the City Environmental Quality Review formulas to calculate school seats for new residential development are based on long outdated assumptions [for example, the CEQR Technical Manual calculates new residential units to yield .55 K-8 public school children in the Bronx, but only .16 in Manhattan] leading to inadequate planning for school capacity;

WHEREAS, while all new residential construction and residential conversions, regardless of size, can potentially increase the school age population, only residential projects with a minimum of 310 units are required to conduct a detailed analysis of the potential impact on a public elementary or middle school in Manhattan according to the CEQR Technical Manual (Chapter 6 Table 6-1); and

WHEREAS, multiple projects that individually do not trigger a detailed analysis nonetheless can, in an aggregate, have a significant impact on the school age population and increase the demand for public school seats; **THEREFORE BE IT RESOLVED**, that the Community Board 8 urges the Department of City Planning to develop more accurate formulas and factors based on current data.

Manhattan Community Board 8 adopted the resolution by a vote of 32 in favor, 0 opposed, 1 abstention.

9. Old Business:

No old business discussed.

10. New Business:

Re: Manhattan Borough Board Resolution Regarding NYPD'S Stop and Frisk Program

WHEREAS, the New York City Police Department executed nearly 685,000 stops in 2011, an all time high and more than six times the number of stops that occurred in 2002; and

WHEREAS, 85% of those stopped last year were Black and Latino; and

WHEREAS, only 7% of stops result in arrest, a figure consistent across racial groups; and

WHEREAS, no gun is found in 99.9% of stops; and

WHEREAS, many of these stops are not based on reasonable suspicion that a crime has or is taking place, but instead rely on dubious grounds such as "furtive movement", which was recently banned as a basis for stops in Philadelphia; and

WHEREAS, one out of seven arrests in New York City are for low-level marijuana possession, costing the City \$75 million a year in police and court costs; and

WHEREAS, many youth are charged with these low-level offenses, which do not carry jail time, but can compromise their chances at securing financial aid, accessing public housing, obtaining gainful employment, and enlisting in the military; and

WHEREAS, in 2000, the United States Civil Rights Commission concluded that the NYPD stop and frisk program amounted to racial profiling; and

WHEREAS, the United States District Court for the Southern District of New York found, in August 2011, that serious questions remain about racial disparities in current stop and frisk practices; about the constitutionality of thousands of stops that do not result in arrest; and about the role quotas may play in driving the four-fold increase in stops over the last decade; and

WHEREAS, the current stop and frisk practice is creating a deep layer of distrust between police and the city's Black and Latino neighborhoods that makes solving crime harder, not easier;

THEREFORE BE IT RESOLVED that the NYPD must take steps to reform stop and frisk practices immediately to address the racial disparities and constitutional concerns by implementing certain measures, which may include increasing the accountability for precinct commanders through CompStat; providing new training at the Police Academy to make stops more constitutional and less confrontational; and by exploring proven alternatives to stop and frisk, like the "call-in" approach pioneered by John Jay Professor David Kennedy, which has reduced violent crime by up to 60% in cities such as Boston, Chicago, and Los Angeles; and

BE IT FURTHER RESOLVED that the United States Department of Justice should partner with New York City and the NYPD to launch an investigation into how stop and frisk is used in New York to determine whether racial profiling remains a problem and, if so, determine what steps should be taken to address such problems and improve the implementation of stop and frisk practices, including whether the Department of Justice should appoint a special monitor;

BE IT FURTHER RESOLVED that legislation pending before the State Legislature should be passed making possessing small amounts of marijuana in "public view" a violation, rather than a misdemeanor.

Community Board 8M passed the resolution by a vote of 21 in favor, 8 opposed and 4 abstentions.

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