

James G. Clynes
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

Lenox Hill Hospital
131 East 76th Street (Lexington-Park)
Einhorn Auditorium
Wednesday, February 17, 2016
6:30PM

Community Board Members Present: Elizabeth Ashby, Gayle Baron, Michele Birnbaum, Matthew Bondy, Lori Ann Bores, Loraine Brown, Alida Camp, Barbara Chocky, Sarah Chu, James Clynes, Daniel Dornbaum, Susan Evans, A. Scott Falk, Edward Hartzog, David Helpern, Sophia James, Andrew Kalloch, Jacqueline Ludorf, David Menegon, Glen Pandolfino, Jane Parshall, Peter Patch, Ellen Polivy, Sharon Pope, Rita Lee Popper, Margaret Price, David Rosenstein, Barbara Rudder, Abraham Salcedo, William Sanchez, M. Barry Schneider, Cos Spagnoletti, Marco Tamayo, Carolina Tejo, Nicholas Viest, Elaine Walsh, Charles Warren

Community Board Members (Excused): Christina Davis, Lorraine Johnson, Allison Kopf, Craig Lader, Katherine LaGuardia, David Liston, Zoe Markowitz, Laurence Parnes, Hattie Quarnstrom-Figueroa, Debra Teitelbaum, Hedi White

Community Board Members (Unexcused): Albert Barrueco, Jeffrey Escobar

Total Attendance: 37

Chairman James G. Clynes called the meeting to order at 6:30PM.

1. Public Session – Those who wish to speak during the Public Session must register to do so by 6:45 pm

- Member of the public, Ricky Wong, representing NYC Department of Health and Mental Hygiene, spoke on the Zika virus.
- Member of the public, Rebecca Donsky, representing the New York Public Library 67th Street Branch, spoke about the library's upcoming events.
- Member of the public, Danny Kayton, spoke in opposition to bike lanes.
- Member of the public, Evelyn E. David, spoke in opposition to bikes.
- Member of the public, Trevor Magyar, representing Friends of JER Carpenter, spoke in opposition to the 1143 Fifth Avenue application.
- Member of the public, Jackie Pev-Devallon, representing Friends of JER Carpenter, spoke in opposition to the 1143 Fifth Avenue application.
- Member of the public, David Stoll, representing Friends of JER Carpenter, spoke in opposition to the 1143 Fifth Avenue application.
- Member of the public, Lo van der Valk, representing Carnegie Hill Neighbors, spoke in opposition to the 1143 Fifth Avenue application.
- Member of the public, Allison Faxe, representing Friends of JER Carpenter, spoke in opposition to the 1143 Fifth Avenue application.
- Member of the public, Joanne Kaufman, representing Friends of JER Carpenter, spoke in opposition to the 1143 Fifth Avenue application.
- Member of the public, Ronda Wist, representing Friends of JER Carpenter, spoke in opposition to the 1143 Fifth Avenue application.

- Member of the public, Raymond Wareham, representing Friends of JER Carpenter, spoke in opposition to the plans for expansion at 1143 Fifth Avenue.
- Member of the public, John Coleman, representing Friends of JER Carpenter, spoke in opposition to the 1143 Fifth Avenue application.
- Member of the public, Anita Alvin Nilert, representing Friends of JER Carpenter, spoke in opposition to the 1143 Fifth Avenue application.
- Member of the public, Gillian Rose, representing Friends of JER Carpenter, spoke in opposition to the 1143 Fifth Avenue application.
- Member of the public, Dominick Pilla, Architect, representing 1143 Fifth Avenue, spoke in favor of the roof addition.
- Member of the public, Stephen Gallira, Owner, representing 1143 Fifth Avenue, spoke in favor of the renovation roof addition.
- Member of the public, Alexandra Silver, representing Animal Care Centers of NYC (ACC), gave a general introduction and spoke on the adoption event.
- Member of the public, Kathy Jolowicz, representing the Von Steuben Parade, spoke on the 1 block street festival.
- Member of the public, Kathy Jolowicz, representing the East 83rd/84th Street Block Association, spoke in opposition to bicycle lanes.
- Member of the public, Jordan Wouk, spoke in opposition to A8220.
- Member of the public, Ed Brady, spoke on New York City Housing Authority (NYCHA).
- Member of the public, Michael Mellamphy, representing Ryan's Daughter, spoke.

2. **Adoption of the Agenda** – Agenda adopted.

3. **Adoption of the Minutes** – November 10, 2015 Land Use meeting minutes adopted.

4. **Manhattan Borough President's Report**

Jesus Perez, a representative from Manhattan Borough President Gale Brewer's office reported on her latest initiatives.

5. **Elected Officials' Reports**

Congresswoman Carolyn Maloney spoke on her latest initiatives. She announced that she has secured over \$5 billion dollars for infrastructure projects. She has also secured \$8 billion for the James Zadroga Health & Compensation Bill, probably the most important bill she has ever authored which will cover the health care of the 9/11 first responders. She is thrilled that the Mayor, the Governor and the Chinese government all agree that the greatest city in the world deserves giant pandas.

Assembly Member Dan Quart spoke on his latest initiatives. He spoke on the \$143 billion budget proposals in Albany. The significant issues are the cuts to CUNY and Medicaid that will affect New York City adversely. The MTA Capital Plan which does not sufficiently fund the second stage of the Second Avenue Subway Phase. He spoke on the oversight hearing on the New York City property tax system and his reform legislations.

Christopher Consalvo, a representative from Senator Liz Krueger's office, spoke on her latest initiatives.

Jose Ramon Perez-Lopez, a representative from Senator Jose Serrano's office, spoke on his latest initiatives.

Cali Madia, a representative from Assembly Member Rebecca Seawright's office, spoke on her latest initiatives.

Will Brightbill, a representative from Council Member Dan Garodnick, spoke on his latest initiatives.

Dan Campanelli, a representative from Comptroller Scott Stringer's office, spoke on his latest initiatives.

Taylor Digby, a representative from Council Member Ben Kallos' office, spoke on his latest initiatives.

Laura Atlas, a representative from Public Advocate Letitia James' office, spoke on her latest initiatives.

6. **Committee Reports and Action Items:**

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

Re: A request for a new Revocable Consent to install a fenced-in area and stoop at 177 East 64th Street.
(Requested by DOT, Division of Franchises, Concessions and Consents)

BE IT RESOLVED that Community Board 8 approves the request for a new revocable consent to install a fenced-in area and stoop at 177 East 64th Street, as presented.

Manhattan Community Board 8 passed the resolution to approve by a vote of 31 in favor, 5 opposed, and 1 abstention.

b. Landmarks Committee – David Helpern and Jane Parshall, Co-Chairs

Re: 1048 Fifth Avenue-(between 85th and 86th Streets)-Metropolitan Museum Historic District -*Matthew Kanewske, Architect*-French Classic style house designed by Carrere & Hastings and constructed in 1914.

Application to install mechanical equipment on the roof.

WHEREAS 1048 Fifth Avenue is the Neue Galerie;

WHEREAS the Galerie requires air conditioning and humidity control for the works of art and for the visitors to the Galerie;

WHEREAS the existing roof top mechanical equipment is a 15 year old evaporative condenser that is nearing the end of its life;

WHEREAS the evaporative condenser must be retained for redundancy;

WHEREAS the new mechanical equipment will be an environmentally appropriate air cooled chiller that will be more efficient and less noisy than the existing equipment;

WHEREAS the new chiller must be custom designed for the museum's requirements;

WHEREAS the existing mechanical equipment is behind a louver enclosure which is set behind the top of the slope of the metal mansard roof on the East 86th Street side of the building;

WHEREAS the louver enclosure will be extended with the same design at the same height towards the east to screen the new chiller;

WHEREAS the combined existing and new louver enclosure is not visible from the Fifth Avenue sidewalk;

WHEREAS the existing louver enclosure is minimally visible from the East 86th Street sidewalk and the new portion of the louver enclosure will be slightly more visible due to the slight stepping back of the façade of the building;

WHEREAS the new chiller is necessary for the proper functioning of the museum;

WHEREAS there is little roof area available for mechanical equipment and the new chiller is being placed in the least visible location;

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

Manhattan Community Board 8 adopted this recommendation by a vote of 36 in favor, 0 opposed, 0 abstentions, and 0 not voting for cause.

Re: 1143 Fifth Avenue (between 95th and 96th Streets) – Expanded Carnegie Hill Historic District –

Dominic Pilla, architect; Stephen Gallira, owner's representative. Application is for a vertical enlargement at the roof.

WHEREAS 1143 Fifth Avenue is a 7-story neo-Federal style apartment building designed by J. E. R. Carpenter and constructed in 1922-23.

WHEREAS a set-back penthouse addition was added in 1995 increasing the height of the roof-line to 83'; the set-back is 16' from the front elevation.

WHEREAS J.E.R. Carpenter is considered to be, along with Rosario Candela, one of the two premier apartment house architects during the first half of the Twentieth Century.

WHEREAS 1143 Fifth Avenue sits on a 2-story limestone base topped with red brick and framed with brick quoins; the street wall along Fifth Avenue is narrow at 30'.

WHEREAS 1143 Fifth Avenue was designated as a "contributing building" within the Expanded Carnegie Hill Historic District (1993).

WHEREAS at the time the building was constructed, in 1922-23, the zoning code restricted the height of all buildings along 5th Avenue to 75'; the height restriction was overturned shortly after the building was completed, in 1923.

WHEREAS as a result of this anomaly in the zoning code when the building was designed, it is considered "small" in comparison with other 5th Avenue apartment buildings which adds to its charm and uniqueness; the building appears not to have been designed for any kind of a vertical addition.

WHEREAS the applicant, in October, 2015, proposed to build six additional stories on top of 1143 Fifth Avenue, growing the 83'-foot tall apartment building to 13 stories and more than 140'.

WHEREAS the Landmarks Preservation Commission found that it could not approve this proposal and advised the applicant that he would have to substantially reduce the height and visibility of the addition.

WHEREAS the applicant now proposes a smaller addition that would add a 1-story 9'10" floor to the existing 1995 penthouse; the existing penthouse would be completely rebuilt so that the massing of the existing 8th floor penthouse and the massing of the new 9th floor penthouse would present as unified with glazing across most of the 30' width of the new front elevation of floors 8 and 9. [The existing setback would remain unchanged.]

WHEREAS the newly reconstructed double height penthouse [the existing penthouse added in 1995 plus the 10'9" addition] would present as a single mass.

WHEREAS the existing 16' set-back for the now two-story penthouse would be maintained.

WHEREAS the applicant also proposes a new elevator bulkhead that would be set back 28' from the front elevation and a new scissor stair to replace the 7-story fire escape at the rear; the proposed 8' x 8' elevator bulkhead would extend 6' above the new addition and decrease the visibility of the existing unusual water tower that floats above 1143 Fifth Avenue.

WHEREAS at the rear, the applicant proposes to completely rebuild the existing elevation; the existing side yard will be filled in with approximately 8' added to the building footprint to the north and 20' added the building footprint to the east [approximately 160 sq. ft. per floor].

WHEREAS at the rear, there will be balconies and terracing.

WHEREAS at the ground floor, the applicant proposes a community use facility that will extend to the lot-line; at the second floor, there will be a 16' x 30' terrace that will present as the roof of the community facility.

WHEREAS applicant proposes to retain only 25% of the original building, including the front elevation which will be completely restored.

WHEREAS the vertical enlargement on top of the 8th floor, even though only one story, together with the redesign of the existing penthouse beneath, presents as an approximately 20' high by x 30' wide modern glass box sitting on top of a perfectly proportioned neo-Federal style-building

WHEREAS the bulky, largely glass structure contrasts sharply, overwhelms, and pays no deference to the J.E.R. Carpenter apartment house beneath.

WHEREAS the addition is unusually visible from across the street in Central Park, where there is a change in grade as one crosses 5th Avenue to enter the park

WHEREAS vertical additions to contributing buildings within historic districts are typically minimally visible.

WHEREAS approval of such a highly visible and out-of-context glass design on the top of a contributing building within a historic district sets a dangerous precedent for future development on historic buildings.

WHEREAS the addition plus the new bulkhead that rises 6' behind it diminishes significantly the visibility of the iconic roof-top water tower at 1143 Fifth Avenue; the water tower presents as a piece of sculpture sitting on the roof of 1143 Fifth Avenue and sandwiched by the two taller apartment buildings on either side of it (1148 Fifth Avenue to the north and 1140 Fifth Avenue to the south). The water tower is a well-defined part of the streetscape along upper 5th Avenue.

WHEREAS 1143 Fifth Avenue is a significant building designed by a significant architect on a significant street.

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

Manhattan Community Board 8 adopted this recommendation by a vote of 34 in favor, 0 opposed, 2 abstentions, and 0 not voting for cause.

c. Housing Committee – Loraine Brown and Ed Hartzog, Co-Chairs

RE: Section 421-a Partial Tax Exemption Application – 501 East 74th Street, Block 1486 Lot 1 – New York, New York 10021/Harvey I. Shiff, Esq. the attorney for the owner/applicant, Golden Asset, LLC, appeared along

with Brandon Hall, a representative of Sky Management, to discuss and answer questions regarding the 421-a partial tax exemption application for 501 East 74th Street. The new building replaces a six-story tenement building that was on that location and demolished as part of this project.

WHEREAS, the applicant is unable to provide a specific number of affordable apartments that were built in exchange for these market rate rental units and,

WHEREAS, the affordable units were not built in Community District 8 and,

WHEREAS, the ratio of market rate to affordable apartments does not capture the need to preserve and build affordable housing,

THEREFORE BE IT RESOLVED that, the Committee recommends against the applicant receiving the 421-a partial tax exemption for the foregoing reason.

Manhattan Community Board 8 adopted the recommendation by a vote of 35 in favor, 0 opposed, 1 abstention and 0 not voting for cause.

d. Street Fair Committee – Barbara Chocky and Lorraine Johnson, Co-Chairs

1. Public Hearing re: Applications for Single-block Street Fairs for Calendar Year 2016

- a. German American Committee of Greater New York to close East 60th Street between Madison and Fifth Avenues on Saturday, May 14, 2016 from 12PM to 5:00PM for a block festival.

Manhattan Community Board 8 adopted the motion to approve the application by a vote of 35 in favor, 0 opposed, 0 abstentions, and 1 not voting for cause.

- b and j. Central Park Precinct Community Council to close East 60th Street between Madison and Fifth Avenues on Saturday April 30, 2016 and Sunday November 13, 2016 from 9:00am to 6:00pm for block festivals.

Manhattan Community Board 8 adopted the motion to approve the application by a vote of 31 in favor, 0 opposed, 5 abstentions, and 0 not voting for cause.

- c. Marymount Manhattan College to close East 71st Street between Second and Third Avenues on Wednesday May 4, 2016 from 9:00am to 3:00pm for a block party.

Manhattan Community Board 8 adopted the motion to approve the application by a vote of 35 in favor, 0 opposed, 0 abstentions, and 1 not voting for cause.

- d. American Foundation of Hungarian Literature and Education Ltd. To close East 82nd Street between Second and Third Avenues on Saturday May 7, 2016 from 10:00am to 5:00pm for a block festival.

Manhattan Community Board 8 adopted the motion to approve the application by a vote of 35 in favor, 0 opposed, 0 abstentions, and 1 not voting for cause.

- e. Church of the Holy Trinity to close East 88th Street between First and Second Avenues on Saturday, May 7, 2016 from 10:00 to 5:00 for a Block Festival.

Manhattan Community Board 8 adopted the motion to approve the application by a vote of 35 in favor, 0 opposed, 0 abstentions, and 1 not voting for cause.

- f. Ramaz School to close East 78th Street between Park and Madison Avenues on Thursday, May 12, 2016 from 8:00am to 5:00pm for a Block Party

Manhattan Community Board 8 adopted the motion to approve the application by a vote of 35 in favor, 0 opposed, 0 abstentions, and 1 not voting for cause.

- g. Hunter College Elementary School to close East 95th Street between Madison and Park Avenues, on Saturday, May 14, 2016 from 9:00am to 4:00pm for a Block Party.

Manhattan Community Board 8 adopted the motion to approve the application by a vote of 35 in favor, 0 opposed, 0 abstentions, and 1 not voting for cause.

- h. Saint Ignatius Loyola School to close East 84th Street between Park and Madison Avenues on Friday, June 5, 2016 from 1:00pm to 8:00pm for a Block Party.

Manhattan Community Board 8 adopted the motion to approve the application by a vote of 35 in favor, 0 opposed, 0 abstentions, and 1 not voting for cause.

- i. Sephardic Academy of Manhattan to close East 66th Street between Second and Third Avenues on Sunday, June 5, 2016 from 8:00am to 4:00pm for a Block Party.

Manhattan Community Board 8 adopted the motion to approve the application by a vote of 35 in favor, 0 opposed, 0 abstentions, and 1 not voting for cause.

7. District Manager's Report – Latha Thompson

Latha Thompson gave her report. She announced that the Board Office had sent out an e-blast regarding the New York State Noise Survey. The noise issue is a big issue in this community. The Board Office will send out the survey again and she told the board members to make sure that they complete the survey by March 14th.

8. Chair's Report – Jim Clynes

Chairman Jim Clynes gave his report. He thanked Jesus Perez, the representative for Manhattan Borough President Gale Brewer, for his great work to the community. Jesus Perez is leaving his current position with the Manhattan Borough President's Office to become District Manager of Manhattan Community Board 6.

The meeting was adjourned at 8:31PM.

James G. Clynes, Chairman