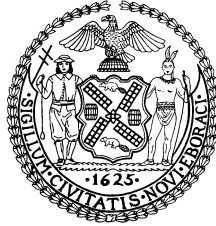


Jacqueline Ludorf
Chairman

Latha Thompson
District Manager



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The City of New York

Manhattan Community Board 8

FULL BOARD MEETING
WEDNESDAY, DECEMBER 14, 2011
New York Blood Center
310 East 67th Street
Auditorium
6:30PM

Community Board Members Present: Elizabeth Ashby, Michele Birnbaum, Molly Blayney, Matthew Bondy, Lori Ann Bores, Roy Carlin, Barbara Chocky, Sarah Chu, James Clynes, Christina Davis, Jeffrey Escobar, Susan Evans, A. Scott Falk, Edward Hartzog, David Helpert, Lorance Hockert, Jonathan Horn, Lorraine Johnson, Dave Kleckner, David Liston, Jacqueline Ludorf, Laurence Parnes, Jane Parshall, Mary Boresz Pike, Ellen Polivy, Rita Lee Popper, Margaret Price, Hattie Quarnstrom, David Rosenstein, Barbara Rudder, William Sanchez, Judith Schneider, M. Barry Schneider, Teri Slater, Cos Spagnoletti, Marco Tamayo, Debra Teitelbaum, Nicholas Viest, Elaine Walsh, Charles Warren, Hedi White

Community Board Members Absent (Excused) Kenneth Austin, Deirdre Breslin, George Fuchs, Domenico Minerva, Helene Simon

Community Board Members Absent (Unexcused): Joie Anderson, Ruth Halberg, H. Patrick Stewart

Total Attendance: 41

Chair Jacqueline Ludorf called the meeting to order at 6:30PM.

1. Public Session:

- Member of the public, Teresa Milner, representing Sutton Terrace Apartment Complex, spoke in favor of public parking at East 63rd St.
- Member of the public, S. Wouk, spoke on pay phones on the sidewalk.
- Member of the public, Adam Steiner, representing the Lesbian, Gay, Bisexual & Transgender Community Center and the New York City Coalition for a Smoke Free City spoke on tobacco marketing, smoke free housing and smoke free out door air.
- **Information Presentation by the Hospital for Special Surgery regarding 523 East 73rd Street**
- **NYC Department of Health Alcopops Presentation**
- **Re: BSA Cal No. 737-65-BZ, 301-329 East 86th Street a/k/a 1660 Second Avenue, Block 1549 , Lot 1-**
This application seeks to extend the term of variance that permits transient parking use in the accessory garage of the existing multiple dwelling building at the premises and a waiver of the Rules of Practice and Procedure to permit the filing of this application after the expiration of the permitted filing period.
Whereas, This application seeks to extend the term of variance that permits transient parking use in the accessory garage of the existing multiple dwelling building at the premises and a waiver of the Rules of Practice and Procedure to permit the filing of this application after the expiration of the permitted filing period.

Whereas, Community Board 8M held a public hearing regarding this matter;

Be It Resolved that Community Board 8M approves the BSA application to extend the term of variance that permits transient parking use in the accessory garage at 301-329 East 86th Street a/k/a 1660 Second Avenue.

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

- **Re: Application N 110143 ZAM, Sutton House Garage, 420-450 East 63rd Street, Block 1457, Lot 17, Sutton House Garage** – Application to extend the period of continuance for the third 10-year term of a previously approved special permit (CP-14439) for a 4-level below grade public parking garage with a maximum capacity of 290 spaces with an existing residential building. This action is not subject to the Uniform Land Use Review Procedure (ULURP).

Whereas, Application to extend the period of continuance for a third 10-year term of a previously approved special permit (CP-14439) for a 4-level below grade public parking garage with a maximum capacity of 290 spaces within an existing residential building. This action is not subject to the Uniform Land Use Review Procedure (ULURP).

THEREFORE BE IT RESOLVED that Community Board 8M approves application N 110143 ZAM, Sutton House Garage at 420-450 East 63rd Street.

CB8M adopted the resolution by a vote of 22 in favor, 12 opposed and 0 abstentions.

- **Re: 421-a Application for a Partial Tax Exemption for 861 Lexington Avenue, Block 1399, Lot 50-** Application for Preliminary Certification of Eligibility for Partial Tax Exemption under Section 421-a of the New York State Real Property Tax Law and 11-245 of the New York City Administrative Code.

Whereas, this is an application for preliminary certification of eligibility for partial tax exemption under section 421-a of the New York State Real Property Tax Law and 11-245 of the New York City Administrative Code; and

Whereas, Community Board 8M held a public hearing regarding this matter;

Whereas, the applicant and their representative did not attend this meeting,

Be it resolved that Community Board 8M recommends **denial** of this application.

Community Board 8M voted to Disapprove this application by a vote of 32 in favor, 5 opposed, 0 abstentions and 0 not voting for cause.

2. Adoption of the Agenda – Agenda adopted.

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

4. Manhattan Borough President's Report:

Kristen Ellis, a representative for Scott Stringer reported on the latest updates from the Manhattan Borough President's Office (MBPO). She announced the new funding program, the 2012 MBPO Green Your Block Program. The program will increase the funding available for local programs to green their neighborhoods through tree guard installation and tree stewardship. For more information or to download the application, visit <http://www.mbpo.org/> The application deadline is January 27, 2012. For Roosevelt Island members, a letter has been sent from the MBPO to Trans Canada Corporation regarding an incident that happened last Monday. The plant unexpectedly released pressurized steam causing a deafening noise in the Roosevelt Island community. The MBPO along with other elected officials issued a letter to Trans Canada Corporation requesting that they do not to do any activities that produce noise at night and to limit these activities to the day. They also asked that Trans Canada Corporation establish a local point of contact so residents can address any concerns directly to this plant. Reminder current board members: Please send the re-applications for community board members to the MBPO by **December 31, 2011**. For those that would like to join a local community board you can attend an information session to learn about the roles and responsibilities of Community Board members and how to apply. Contact conference@manhattanbp.org or 212-669-4465 for schedules and to RSVP. Application deadline is January 13, 2012. Kristen thanked Jacqueline Ludorf for her years of service as board Chair. She wished everyone a happy holiday and new year and also announced that the Borough President's wife gave birth to a baby boy, Maxell Elliott Stringer born last Friday.

5. Elected Official's Reports:

- Council Member Jessica Lappin reported on her latest updates. She announced the addition to her family a second son named Miles. She also announced that her bill TrafficStat had passed. This bill requires that the Police Department put traffic information on dangerous intersections on-line. This will help with compliance with the law and will make the City make those intersections safer. Mayor Bloomberg signed her landmark reproductive rights bill into law. The legislation targets crisis pregnancy centers that put women's lives at risk. She was excited to announce that a world-class engineering and applied sciences school will be coming to Roosevelt Island. She thanked the Chair, Jacqueline Ludorf for her extra efforts and dedication on behalf of the community, District Manager Latha Thompson for her hard work along with the rest of the CB8M team, Lovaeta, Irma and Anub. She wished everyone a joyous season and a healthy 2012 new year.
- Assembly Member Dan Quart reported on his latest updates. He wished everyone a happy holiday. He reported that the State Legislature was in session last week. They worked on the new budget and tax package which changed the tax bracket to a more graduated scale and will help reduce the deficit from 3.5 billion to 1.9 billion. The ramifications of this new budget and tax package are important for New York City because real progress has been made and next year the choices that will need to be made will be less drastic. However, of real concern is the elimination or severe reduction of the payroll tax to fund the MTA. This was a real hard pill to swallow but part of the compromise that had to be made. Assembly Member Quart announced that he will be coordinating an Early Detection of Breast Cancer event along with the American Italian Cancer Foundation on Thursday, January 12th. No-cost digital mammograms and clinical breast exams will be performed in the mobile van located at 415 East 93rd Street. An appointment is necessary. Call 1-877-628-9090. His office will also be co-sponsoring a pro-bono tenant's clinic along with Assembly Member Micah Kellner. The free monthly clinics are conducted every first Monday of the month at Eviction Intervention Services, 1233 Second Avenue (between 64th and 65th Streets) with appointments from 6:30PM to 8:30PM. The clinic is by appointment only. Please call his office at 212-605-0937 or Assembly Member Kellner's office at 212-860-4906 to schedule an appointment.
- Lolita Jackson, from Mayor Michael Bloomberg's office reported the latest updates. Lolita announced that she has a new position as Director of Special Projects. She is the City ombudsman for the 2nd Avenue Subway Construction Project. She gave an update regarding the issues with the Fairway Market. Fairway is restricting their Fairway employees from loitering outside of the store, they are decreasing truck stops and stagings in front of the store, their garbage pick-up has been changed from 5:30AM to 8:30AM, and they are trying to eliminate noise levels. In regards to the Fresh Direct trucks – the Mayor's Office will also be monitoring the issues. The Mayor's Office along with other City agencies is holding regular meetings to address Second Avenue Subway Construction Project quality-of-life issues.
- Brice Peyre, a representative from Congress Member Carolyn Maloney's office presented on the latest updates. He congratulated Jacqueline Ludorf for her work as CB8M Chair. The Congresswoman's office was happy to report that the Roosevelt Island Post Office which was on a list to be discontinued has now been removed from that list. Congresswoman Maloney along with U.S. Representative Elizabeth Holtzman and Assemblyman Brian Kavanagh have called on the National Highway Traffic Safety Administration to take steps to correct any safety imbalance in design and testing following a report that shows that women have a 47% higher risk of serious car-crash injuries than do men – even when wearing seat belts issued by the American Journal of Public Health. The study suggests that vehicle safety systems (such as seat belts and airbags), as currently designed and tested, do not offer adequate protection for smaller-framed drivers and passengers. The U.S. Representative announced new legislation to increase the availability of micro-loans to help entrepreneurs start or expand businesses and create jobs for America's small businesses. America's small businesses fuel the nation's economy and account for 39 percent of the country's gross national product, create two out of every three new jobs, and produce two and one-half times as many innovations per employee as do large firms. Brice wished everyone a happy holiday and new year.

- Patrick Madigan, a representative from New York State Senator Liz Krueger's office, reported the latest updates. The City Council Housing Committee is holding a hearing on Tuesday, the December 13th, at 1:00PM at 250 Broadway, 14th floor focusing on a bill sponsored by Gale Brewer that would increase fines on illegal hotel operators. The West Side Neighborhood Alliance (WSNA) will have a prep meeting to practice tenant testimony on Monday, December 12th at 6:30PM at 500 West 52nd Street, #2E. Senator Krueger along with other elected officials have pressured the Department of Environmental Conservation (DEC) to extend the public comment period for its proposed draft Supplemental Generic Environmental Impact Statement (SGEIS) on High-Volume Hydraulic Fracturing. The deadline for comment now is January 11, 2012. For more information please visit: <http://www.dec.ny.gov/energy/75370.html> Senator Krueger will be hosting the Senior Roundtable program *Planning Ahead: Senior Living in the 21st Century*. For further information or to RSVP, email Dore Mann at doremann@gmail.com or call 212-490-9535. The Senator is also continuing to monitor the quality of life issues surrounding the Second Avenue Subway construction project blasting. The blasting was seized for a couple of weeks but has once again been initiated. However, the current blasting method seems to be better in terms of suppressing the dust and the smoke. The air quality study implemented by MTA will be released, hopefully, before the end of December. Patrick wished everyone a happy holidays and safe travels.
- Ricki Gunsburg, a representative from Assembly Member Micah Kellner's office, reported on the issues that he is currently working on. Assembly Member Kellner testified before the New York State Department of Environmental Conservation regarding his opposition to allowing 'Hydrofracking' in New York State. For those interested in reading the entire testimony a hand-out was made available. To ensure clean air on Second Avenue, the Assembly Member called on the Occupational Safety and Health Administration (OSHA), the US Environmental Protection Agency (EPA), and the NYS Department of Environmental Conservation (DEC) to monitor any health hazards from the Second Avenue Subway project construction. OSHA has visited the site and will release a report of their findings in the next several weeks. The EPA and DEC have also agreed to monitor the air quality and review the MTA's preliminary data concerning exactly what materials are in the dust. The Assembly Member was very pleased with the overwhelming response his office received after distributing his First Annual Community Survey. The responses from this survey will be a valuable input as he begins advocating for the new legislative session. If you are interested in receiving a survey please feel free to call his office 212-860-4906 or pick one up at his office at 1365 First Avenue, NY, NY 10021. Finally, the Assembly Member has worked with his colleagues in the Legislature to pass a bill that prohibits insurance companies from forcing consumers to purchase their prescription medications through the mail. Ricki wished everyone a happy holiday.
- Genevieve Michel, a representative from Council Member Daniel Garodnick's office, reported on the latest updates. On behalf of Council Member Garodnick, Council Member Lappin and Congresswoman Maloney, Genevieve thanked everyone who attended their holiday party last night at Marymount Manhattan College. Last week the Council Member announced legislation aimed at clearing up New York's notoriously confusing parking signage. The bill supported by the Council's Transportation Chair, James Vacca, and AAA New York, would require the City to reexamine signage every three years with an eye towards keeping it as easy-to-understand as possible. The Council Member has also introduced legislation that will clear up vending law confusion. He has proposed to amend the Administrative Code of New York City to prohibit vending within 20 feet of all building entrances and exits. Since street cart vending is problematic in the community this new legislation will help to resolve some of those issues. The Council Member also testified on Hydrofracking along with other electeds. Genevieve wished everyone a great holiday.
- Jessica Dennison, a representative from Comptroller John Liu's office, reported on the latest updates. She brought copies of the most recent audit performed on the Parks Department. Basically, the report discloses that the Parks Department could have created \$8.8 million of greatly needed City revenue if they had a more streamlined system. They did do a great job of soliciting for new concessions when their contracts were expiring. The press release outlines the findings of Comptroller's Liu's audit. Jessica wished everyone a happy holiday.

6. Chair's Report – Jacqueline Ludorf:

Chair Jacqueline Ludorf thanked the board members for having her as their Chair and all the committee chairs and the office staff for the great job they have all done.

7. Committee Reports and Action Items:

- **Street Fairs Committee – Barbara Chocky and Hedi White, Co-Chairs**

1. Public Hearing re: Applications for Multi-block Street Fairs for Calendar Year 2012

a. Museum Mile Festival-Fifth Avenue between 82nd-105th Streets on Tuesday, June 12, 2012 from 6:00PM to 9:00PM for a Festival

WHEREAS the event has been held previously,

WHEREAS the estimate attendance is 40,000,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

b. Brick Presbyterian Church-Park Avenue/90th-93rd Streets on Sunday, December 2, 2012 from 5:00PM to 8:00PM for a Block Party

WHEREAS this event is the annual tree lighting ceremony,

WHEREAS this is the 68th time the event has been held,

WHEREAS the estimated attendance is 3,500 – 4,000,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

c. PS 183-close the sidewalk on the south side of East 67th Street between York and First Avenue for parking and vendors and the sidewalk on the north side of East 66th Street between First and York Avenue from Saturday, January 7, 2012 to Saturday, December 29, 2012 from 6:00AM to 5:00PM for a Flea Market

WHEREAS this event has been held for 33 years,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

d. The Gracie Square Art Show-East End Avenue/84th-88th Streets on Saturday, September 22, 2012 and Sunday, September 23, 2012 from 11:00AM to 5:00PM for a Street Festival

WHEREAS this event has been held for 40 years,

WHEREAS this event raised over \$30,000 for Carl Schurz Park last year,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

e. 19th Precinct Community Council -Lexington Avenue/60th-66th Streets on Saturday, May 5, 2012 from 12:00PM to 5:00PM for a Street Festival

WHEREAS this event has been held previously for several years,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved

WHEREAS there were no objections from the public and no changes proposed,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 35 in favor, 0 opposed, 1 abstention and 1 no vote for cause.

f. Lenox Hill Neighborhood House – First Avenue / 68th-79th Streets on Saturday, June 9, 2012 from 12:00PM to 5:00PM for a Street Festival

WHEREAS this event has been held previously for several years,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

g. Manhattan Chamber of Commerce – Third Avenue / 66th-86th Streets on Sunday, June 3, 2012 from 12:00PM to 5:00PM for a Street Festival (Held on 2nd Ave)

WHEREAS this event has been held previously for over twenty years,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

h. Manhattan Chamber of Commerce-Third Avenue/66th -86th Streets on Sunday, September 9, 2012 from 12:00PM to 5:00PM for a Street Festival (Held on 3rd Ave)

WHEREAS this event has been held previously for over twenty years,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

i. French Institute/Alliance Francaise – 60th Street/Fifth and Lexington Avenue on Sunday, July 15, 2012 from 12:00PM to 5:00PM for a Street Festival

WHEREAS this event has been held previously for several years,

WHEREAS the event will be held on Bastille Day,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

j. East Sixties Neighborhood Association-East 60th Street between Fifth and Madison Avenue on Sunday, August 5, 2012 from 12:00PM to 5:00PM for a Street Festival

WHEREAS this event has been held previously for several years,

WHEREAS the event raises money for tree pruning and graffiti removal,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 33 in favor, 0 opposed, 3 abstentions and 1 no vote for cause.

k. 92nd Street Y – Lexington Avenue / 79th-96th Streets on Sunday, September 23, 2012 from 12:00PM to 5:00PM for a Street Festival

WHEREAS this event has been held previously for several years,

WHEREAS this event has many programs identifying it to the public,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

l. Renewal of the Greenmarket located on the South side of 82nd Street between First/York Avenues from Saturdays, January 7, 2012 to Saturday, December 29, 2012 from 8:00AM to 5:00PM for a Farmers Market

WHEREAS leftover food will be donated to food pantries for the hungry,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

m. Madison Avenue BID-Madison Avenue/57th-86th Streets on Sunday, December 2, 2012 from 11:00AM to 6:00PM for a Annual Charity Event

WHEREAS the event has been held previously,

WHEREAS the proceeds go to the Children's Aid Society in Community Board 8

WHEREAS the west side curb lane will be shut,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

2. Public Hearing re: Applications for Single-block Street Fairs for Calendar Year 2012

a. China Institute to close East 65th Street between Lexington and Park Avenue on Sunday, February 5, 2012 from 11:00AM to 12PM for a Block Party

WHEREAS this event has been held for at least 5 years,

WHEREAS there are events for kids,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

b. Birch Wathen Lenox School to close East 77th Street between Second and Third Avenue on Friday, June 1, 2012 from 12:00PM to 3:00PM for a Block Party

WHEREAS the event has been held for at least 3 years,

WHEREAS the event is organized by the PTA for the lower school,

WHEREAS the event is held as a fund raiser,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 29 in favor, 7 opposed and 2 abstentions.

c. Convent of the Sacred Heart to close East 91st Street between Fifth and Madison Avenue on Thursday, June 7, 2012 from 12:00PM to 4:00PM for a Block Party

WHEREAS the event has been held for at least 3 years,

WHEREAS the event is open to neighborhood children,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

d. Ronald McDonald House to close East 73rd Street between York and First Avenue on Saturday, September 29, 2012 from 11:00AM to 6:00PM for a Block Party

WHEREAS the event has been held in previous years,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

e. Dalton School to close East 91st Street between Park and Madison Avenue on Tuesday, May 25, 2012 from 11:30AM to 2:30PM for a Block Party

WHEREAS this event has been held for over 20 years,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 27 in favor, 8 opposed and 3 abstentions.

f. Manhattan New School PS 290 to close East 82nd Street between First and Second Avenues on Saturday, May 19, 2012 from 11:00AM to 5:00PM for a Block Party

WHEREAS this event has been held for 15 years,

WHEREAS this event is open to the public,

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is approved.

Manhattan Community Board 8 approved the application by a vote of 34 in favor, 0 opposed and 2 abstentions.

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

Re: 903 Madison Avenue (between 72nd and 73rd Streets – Upper East Side Historic District Extension – Daniel O'Connor, Architect. Application is to construct a rear yard addition.

WHEREAS 903 Madison Avenue is a Queen Anne style rowhouse designed by Charles Buek & Co. constructed in 1886-87 and altered in 1929 with the installation of a two-story commercial storefront.

WHEREAS, the applicant proposes to extend out the first floor into the existing rear yard.

WHEREAS, the extension will measure 18' x 18' with a 12' x 10' arm since the rear yard has an irregular shape; an 18' x 18' square plus a piece with the above dimensions.

WHEREAS, the entire extension will be enclosed and will have an 8' x 8' skylight.

WHEREAS, the height of the extension is approximately 8'; the height of the perimeter wall is approximately 10' so the extension will be lower than the height of the perimeter wall.

WHEREAS, the extension will be constructed in the same materials as the perimeter wall.

WHEREAS, the extension is not visible from the public way.

THEREFORE BE IT RESOLVED that this application is approved as presented, provided that the application meets the applicable zoning resolution requirements.

Manhattan Community Board 8 adopted this recommendation by a vote of 34 in favor, 1 opposed, 1 abstention, and 1 not voting for cause.

Re: 829 Park Avenue (SE corner 76th St.) – Upper East Side Historic District Extension – Sandra Levine presenting for Mary Dierickx. Application is to legalize alterations to the concrete sidewalk at the entryway in non-compliance with a "Permit for Minor Work" (09-4687)

WHEREAS, 829 Park Avenue is a neo-Classical style apartment building designed by Pickering & Walker and constructed in 1910-11.

WHEREAS, the applicant changed the incising of the lines on the sidewalk at the entrance to the building without permission from the Landmarks Preservation Commission.

WHEREAS, the changed incising to the pattern of the concrete at the entrance presents as a 45 degree angle to the curb so that when one looks down at the sidewalk the incising forms a diamond shape rather than the large square shape that is associated with sidewalk design in the city.

WHEREAS, the diamond-shaped pattern is just at the entrance to the building.

WHEREAS, the applicant presented pictures of other Upper East Side buildings that use a similar pattern to demarcate their entrances.

WHEREAS, the pattern does not distract from the character of the historic district and is unobtrusive.

WHEREAS, no information was available on what the sidewalk looked like when 892 Park Ave. was constructed; thus, no information was available on whether there was anything original at the entrance at that time that needed to be preserved.

WHEREAS, the committee very much regrets that the current work was carried out without a permit from the Landmarks Preservation Commission.

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

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

Re: 1148 Fifth Avenue (at SE corner 96th Street) – Expanded Carnegie Hill Historic District – Benjamin D. Kracauer, Architect. Application is to replace the windows on Apt. 14 C.

WHEREAS, 1148 Fifth Avenue is a neo-Georgian style apartment building designed by J. E. R. Carpenter and Walter B. Chambers and constructed in 1922-23.

WHEREAS, the original fenestration was a combination of 6 over 6 and 4 over 4 windows.

WHEREAS, the applicant proposes to change 6 windows along 96th Street, 3 windows in the alley and 5 windows in the courtyard.

WHEREAS, the design for the replacement windows deviates from the Master Plan, in place since 2004, which requires one over one double hung windows.

WHEREAS, the applicant proposes, for the replacement windows, the original window design, using a combination of 6 over 6 and 4 over 4 windows and constructed of mahogany which will be painted and with wooden mullions dividing the lights.

WHEREAS, reverting back to the original historic windows will enhance and speak to the neo-Georgian design of the building.

WHEREAS, the windows required by the 2004 Master Plan [one over one with aluminum frames] diminish the architecture of the JER Carpenter/Walter Chambers design.

WHEREAS, the applicant requires a waiver or exemption from the 2004 Master Plan since the historic window design was not adopted by the building when it presented its Master Plan.

WHEREAS, the applicant's request, at the expense of the consistency of the banal windows in the Master Plan, is to be commended.

WHEREAS, this committee strongly recommends that 1148 Fifth Avenue amend its Master Plan to reflect that the original window design for the building becomes the basis for all window replacements.

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

Manhattan Community Board 8 adopted this recommendation by a vote of 30 in favor, 7 opposed, and 1 abstention.

- **Street Life Committee** – Cos Spagnoletti and Nicholas D. Viest, Co-Chairs

1a. **MBRP Restaurant, Inc. d/b/a The Stumble Inn, 1454 Second Avenue (@ 76th Street)** – Renewal application for an enclosed sidewalk café with 12 tables and 25 seats, ULURP # N 110286, DCA #0895586. Due date: Dec. 22nd Hours: 11:30a – 4a. Food/Drink: 60/40.

WHEREAS there are four (4) 311 complaints in 2011,

WHEREAS the committee asked Stumble Inn to address these complaints early in 2011,

WHEREAS there are no 311 complaints after March 2011,

WHEREAS the owner stated that he instructs his doormen to keep patrons from congregating outside of the establishment,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 39 in favor, 0 opposed, and 0 abstentions.

1b. **Romy East, LLC d/b/a Shalizar, 1420 Third Avenue (80th/81st Streets)** – Renewal application for an unenclosed sidewalk café with 3 tables and 6 seats, DCA #1314788. Due date: Dec. 16th Hours: 12p – 11p weekdays 12p -12a 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 39 in favor, 0 opposed, and 0 abstentions.

1c. **Bread of Life, LLC d/b/a Cilantro, 1712 Second Avenue (@ 88th Street)** – Renewal application for an unenclosed sidewalk café with 6 tables and 16 seats, DCA #1001940. Due date: Jan. 6th Hours: 12pm -12am Mon. – Sat. and 11am-11pm Sundays. 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 39 in favor, 0 opposed, and 0 abstentions.

2a. **MXCO Café, LLC d/b/a MXCO, 1491 Second Avenue (@ 78th Street)** – New application for an existing enclosed sidewalk café with 13 tables and 34 seats, ULURRP # N 110256, DCA #1384455. Due date: Jan. 6th Hours: 4p – 12a weekdays and 10a – 12a weekends. Food/Drink: 75/25.

WHEREAS there are no changes to the café,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 39 in favor, 0 opposed, and 0 abstentions.

3a. **Grumby, LLC d/b/a La Tarte Flambee, 1750 Second Avenue (91st/92nd Streets)** – Transfer application of a wine and beer only license. Hours: 8a – 11p weekdays and 9a – 11p weekends. Food/Drink: 60/40.

WHEREAS this application is for beer and wine so no 500 ft rule is required,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 39 in favor, 0 opposed, and 0 abstentions.

4a. **ASB Pizzeria, Inc. d/b/a Marmara Turkish Restaurant, 1658-1660 Third Avenue (92nd/93rd Streets)** – New application to go from a beer and wine license to an on-premises liquor license

WHEREAS there were no objections from the public,

BE IT RESOLVED THAT the application is Approved.

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

4b. **Make UES, LLC d/b/a Make Meaning, 1501 Third Avenue (84th/85th Streets)** – New application for a wine and beer only license (*Laid over once, in the month of Nov., at applicants request*)

WHEREAS the applicant has laid over twice,

WHEREAS the committee would have approved if it received an email from the applicant stating that they would not apply prior to the committee hearing the application,

WHEREAS the committee will re hear the application if the applicant submits paperwork,

BE IT RESOLVED THAT the application is **DIS-Approved**.

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

5a. **Jasper Hospitality, LLC d/b/a East End Bar & Grill, 1664 First Avenue (86th/87th Streets)** – Renewal application for an on-premises liquor license

WHEREAS no 311 calls were received in 2011,

WHEREAS no complaints by the public at the meeting,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 39 in favor, 0 opposed, and 0 abstentions.

- **Public Safety Committee – Matt Bondy, Chair**

Re: Request to oppose congressional bill H.R. 822 which would expand national concealed carry reciprocity, forcing all states to recognize any state license to carry concealed weapons.

Manhattan Community Board 8 adopted the motion to table proposed resolution by a vote of 20 in favor, 18 opposed, and 0 abstentions.

- **Vendor Task Force Committee** – Nicholas D. Viest, Chair

RE: Street Vendors within the Upper East Side

Manhattan Community Board 8 adopted the following resolutions regarding street vendors within the Upper East Side.

WHEREAS street vendors continue to proliferate in Community Board 8,
WHEREAS this proliferation has led to over-crowded sidewalk conditions and unsanitary conditions,
WHEREAS many of the vendors are illegal or not in compliance with city regulations,
WHEREAS the Conditions Unit within the 19th Precinct does an admirable job enforcing vendor regulations,
WHEREAS the Conditions Unit operates from 6a – 4p Tuesday to Saturday,
WHEREAS enforcement is left to patrol officers between 4p – 6a and on Sundays and Mondays,
WHEREAS the NYPD resources have been stretched thin by these budget cuts,
WHEREAS patrol officers are not trained regarding vendor enforcement because of budget cuts,
WHEREAS midtown has a dedicated unit of the NYPD designed to enforce vendor regulations,
WHEREAS street vendor regulations have become increasingly difficult to enforce because of these fiscal restraints and the complexity of the laws that apply to vendors,

BE IT RESOLVED THAT Community Board 8 re affirms its resolutions of 2006 and 2009,

BE IT FURTHER RESOLVED THAT Community Board 8 recommends that a separate Vendor Task Force, with a dedicated funding source under the command of the NYPD, be specifically trained and dedicated to enforcing vendor regulations.

Manhattan Community Board 8 adopted this recommendation by a vote of 31 in favor, 7 opposed, and 2 abstentions.

WHEREAS street vendor regulations are increasingly difficult to enforce,
WHEREAS police officers not in the Conditions Unit are often not trained in specific vendor regulations,
WHEREAS vendor regulations require specific sizes for street furniture,
WHEREAS general merchandise vendors use varieties of different street furniture to sell their goods,
WHEREAS this furniture is often unattractive,
WHEREAS standardized furniture and signage would help enforcement easily identify non compliant furniture and illegal vendors,
WHEREAS standardized furniture and signage could be designed to be attractive,
WHEREAS standardized furniture and signage would help enforcement officers,
WHEREAS standardized furniture and signage would also help consumers identify vendors, to whom they direct their business,

BE IT RESOLVED THAT Community Board 8 recommends the city issue standardized street furniture and signage for use by vendors selling General Merchandise.

Manhattan Community Board 8 adopted this recommendation by a vote of 21 in favor, 12 opposed, and 1 abstention.

8. Old Business:

No old business discussed.

9. New Business:

No new business discussed.

With no further business the meeting was adjourned at 9:30PM.