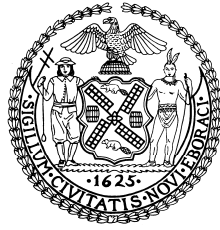


**Nicholas D. Viest**  
Chairman

**Latha Thompson**  
District Manager



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**The City of New York**  
**Manhattan Community Board 8**

**FULL BOARD MEETING**  
**Wednesday, February 20, 2013**  
**Nightingale-Bamford School**  
**20 East 92<sup>nd</sup> Street**  
**Auditorium**  
**6:30PM**

**Community Board Members Present:** Elizabeth Ashby, Michele Birnbaum, Molly Blayney, Lori Ann Bores, Barbara Chocky, Sarah Chu, James Clynes, Christina Davis, Jeffrey Escobar, Susan Evans, A. Scott Falk, Edward Hartzog, David Helpern, Lorance Hockert, Jonathan Horn, Dave Kleckner, David Liston, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, Jane Parshall, 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  
**Community Board Members (Excused):** Kenneth Austin, Albert Barrueco, John Bartos, Matthew Bondy, Deirdre Breslin, Roy Carlin, Mary Boresz Pike, Ellen Polivy, Helene Simon, Patrick Stewart, Hedi White  
**Community Board Members (Unexcused):** Cory Evans, George Fuchs, Lorraine Johnson,  
**Total Attendance: 36**

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

**1. Public Session:**

- Member of the public, Yvonne Waller, spoke in opposition to the Ambiance Wine Wella Wine Bar.
- Member of the public, Catherine Ulrich, spoke in opposition to the sidewalk permit for 2<sup>nd</sup> Avenue and East 77<sup>th</sup> Street.
- Member of the public, William Ulrich, spoke in opposition to the sidewalk permit for 2<sup>nd</sup> Avenue and East 77<sup>th</sup> Street.
- Member of the public, Joyce Rothenberg, spoke in opposition to the Wine Bar Café at 77<sup>th</sup> Street and 2<sup>nd</sup> Avenue.
- Member of the public, Lynda F. Wertheim, representing Eastmore Owners Corporation, spoke in opposition to the Street Life Committee's Stumble Inn liquor license.
- Member of the public, Jay Levine, spoke in opposition to Ambiance Café outdoor seating.
- Member of the public, Denise Levine, spoke in opposition to Ambiance Wine d/b/a Vella Sidewalk Café.
- Member of the public, Yariv Houvras, spoke in opposition to café at 77<sup>th</sup> Street's outdoor seating.
- Member of the public, Matt Bitz, representing Comptroller John Liu's office, spoke on the Comptroller's latest initiatives for.
- Member of the public, George Auxiadés, spoke in opposition to the MSK-CUNY building.
- Member of the public, Anne Roos, spoke.
- Member of the public, John Hart, representing the tenants at 1550 York Avenue, spoke on the garbage produced by The Clermont at 444 East 82<sup>nd</sup> Street.
- Member of the public, Brenda Levin, representing HTZ Capital - 11 East 68<sup>th</sup> Street, gave thanks for the Certificate of Appropriateness.
- Member of the public, Ivette K. Dabah spoke.
- Member of the public, Charles Rogs, representing the owner for 817 Fifth Avenue, spoke.
- Member of the public, Kathy Huang, ESQ., representing a client, spoke.

- Member of the public, Janet Yaseen, Vice President, representing 812 Fifth Avenue, spoke in opposition to 815 Fifth Avenue and loss of windows if 815 Fifth Avenue is built higher.
- Member of the public, Eric Blair, representing 14 East 64<sup>th</sup> Street Co-op, spoke in opposition to 815 Fifth Avenue.
- Member of the public, Phyllis H. Weisberg and Montgomery McCracken, representing 817 Fifth Avenue Condominiums, spoke in favor of the 815 Fifth Avenue resolution.
- Member of the public, Orit Saigh, spoke in opposition to the Stumble Inn and 2<sup>nd</sup> Avenue bars.
- Orli S. Robertson, representing the Eastmore, spoke in opposition to the Stumble Inn and 2<sup>nd</sup> Avenue bars.

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

**3. Adoption of the Minutes** – December Full Board and January Land Use meeting minutes adopted.

**4. Manhattan Borough President’s Report:**

Kristen Ellis, a representative from the Manhattan Borough President’s Office (MBPO) Scott Stringer, reported on his latest initiatives. The MBPO is inviting the public to the 8<sup>th</sup> Annual Trailblazers Program and Award Ceremony in honor of Black History Month which is being held on Tuesday, February 26<sup>th</sup>, 6PM-8PM at the Chocolat Restaurant and Lounge, 2217-23 Frederick Douglass Blvd. at 120<sup>th</sup> Street. To RSVP call 212-669-4374 or [receptions@manhattanbp.org](mailto:receptions@manhattanbp.org)

**5. Elected Official’s Reports:**

- Erik Bottcher, a representative from Governor Andrew Cuomo’s office, reported on his latest initiatives.
- Justin Rush, a representative from NYS Senator Serrano’s office, reported on his latest initiatives. Senator Serrano applauded the decision from Joseph Martens, Commissioner of the New York State Department of Environmental Conservation (DEC) to delay issuing the final Supplemental Generic Environmental Impact Statement (SGEIS) on high-volume hydraulic fracturing in New York State until the Department of Health (DOH) completes public review of the health impacts of the process. In light of the public concerns on Roosevelt Island’s Public Safety Department, the Senator is sponsoring a bill that calls for a New York Civilian Review Board to have oversight of Police Officers and Public Safety Departments.
- Helen Ohw, a representative from Assembly Member Micah Kellner’s office, reported on his latest initiatives. Helen congratulated Assembly Member Kellner for just being named Chair of the Committee of Libraries and Education Technologies. She announced a new piece of legislation that addresses the issues of Pub Calls which is an organized marathon of drinking which causes drunkenness and chaos in the neighborhoods. The legislation calls for the liquor licenses of the establishments that promote these events to be placed on hold. Assembly Member Kellner along with Congresswoman Maloney, Senator Krueger and Council Member Lappin have sent a letter to FEMA to pay attention to the redrawing of flood maps in the East 90’s as the proposed Marine Transfer Station (MTS) site is in flood zone A.
- Christina Parisi, a representative from Congresswoman Carolyn Maloney’s office, reported on her latest initiatives.
- Matthew Walsh, a representative from Assembly Member Dan Quart’s office, spoke on his latest initiatives. The Assembly Member has submitted a formal request for capital funding to replace the HVAC systems for the Park Avenue Armory and The Metropolitan Museum of Art. He has requested \$1million for the Park Avenue Armory and a ¼ million for The Met.
- Emma Lowe, a representative from Council Member Daniel Garodnick’s office, reported on his latest initiatives. The Council Member chaired a joint hearing of the New York City Council Committees on Consumer Affairs on the utilities’ response to Hurricane Sandy. The committees also considered legislation proposed by Council Member Comrie and co-sponsored by Council Member Garodnick to require a study of the benefits of moving power lines underground. There was also a Proclamation at City Hall in honor of NYCHA – Stanley Isaacs resident, John Cambaria, who valiantly saved the life of a taxi driver by walking down 7 flights, wading into the flooded streets and pulling the taxi driver to safety. The Council Member is working on a package of vendor legislation that will ensure that vendors pay their fines and promote more compliance. In response to the Council Member’s office receiving an increase in construction project weekend complaints he has sent a letter to the Department of Buildings (DOB) and the Department of Transportation (DOT) for a more thorough explanation of how the weekend variances are granted since the Council Member strongly believes there needs to be a balance between the needs of the community and new development and construction projects.

- Cullen Barrie, a representative from Council Member Jessica Lappin’s office, reported on her latest initiatives. Council Member Lappin has joined the City Council Transportation Committee to demand that the Department of Transportation (DOT) release reports identifying the city’s most dangerous intersections which is required by the TrafficStat law that she wrote.

**6. Chair’s Report – Nick Viest:**

Chair Nick Viest gave his report. Nick announced that there will be a CUNY-MSK Task Force meeting and since this is a very important community issue he would like many of the CB8M members to be involved and attend the next meeting. The minutes from the last CUNY-MSK Task Force meeting will be sent to all the board members via e-mail. He also awarded Kristen Ellis, representative for Manhattan Borough President Scott Stringer and Matthew Walsh, representative for Assembly Member Dan Quart the CB8M KISS (Keep It Short & Sweet) Awards. Each representative was awarded a star and a half and cupcakes for elected officials who demonstrated the greatest brevity and kept it short and sweet during the presentations.

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

- **Youth & Education Committee – Hattie Quarnstrom and Judith Schneider, Co-Chairs**

**RE: Discussion and Plan of Action on the intransigence of DOE concerning the use of PS 158 as a Middle School**

**WHEREAS** this resolution is an update to Community Board 8’s prior resolutions of: October 2011 and February 2012 requesting a Middle School at PS 158, and

**WHEREAS** PS 158, the Bayard Taylor School, at 1458 York Avenue, has for the last 5 years temporarily accommodated a number of schools including: PS 267; the East Side Middle School located on the upper floors and the re-located Girls Prep Charter School in their building, and

**WHEREAS** PS 158 has had vacant seating capacity since September 2012, and is currently being used by DOE for emergencies as they arise and has become a “stop gap” location for any problem, and

**WHEREAS** the increasing elementary school student population in the Upper East Side (UES) over the last several years has resulted in a substantial increase in Kindergarten classes particularly with 3 new elementary schools in Community District 8, thereby creating a need for increased Middle School seats in the community, and

**WHEREAS** Wagner Middle School and East Side Middle School, which seem to be filled to capacity, are the main Middle Schools located in the Manhattan section of Community District 8, and

**WHEREAS** Community District 8 has already expressed, by a unanimous votes, a strong desire for the vacant space at PS 158 to be used for a public middle school, which was reaffirmed at this current meeting,

**THEREFORE BE IT RESOLVED** that Community Board 8 representing the parents of the Community District 8 do not want PS 158 co-located with **any type of Charter School**, as Charters function differently and use the facility in a dissimilar manner from a zoned Public School, and

**THEREFORE BE IT FURTHER RESOLVED** that Community District 8 representing the parents of Community District 8 do not want PS 158 co-located with **any type of Charter School**, as a great majority of school buildings in Community District 8 are at or above capacity, and

**THEREFORE BE IT FURTHER RESOLVED** that Community District 8 representing the parents of Community District 8 strongly recommend Charter Schools use their own resources and the means to find their own facilities outside of DOE’s building inventory in Community District 8, and

**THEREFORE BE IT FURTHER RESOLVED** that Community Board 8 representing the residents of Community District 8 **strongly request the vacant space in PS 158 become a Middle School once again**, and

**THEREFORE BE IT FURTHER RESOLVED** Community Board 8 recommends the DOE make a decision now for the use of this building in time for the September 2013 school year.

**Manhattan Community Board 8 adopted the resolution by a vote of 35 in favor, 0 opposed, 0 abstentions.**

**RE: Accurate information regarding number of seats at Wagner Intermediate School**

**WHEREAS** Robert Wagner Intermediate School located at 220 East 76 St, and

**WHEREAS** parents in Community District 8 have consistently expressed their preference to send their children to a neighborhood Middle School and not to a 900 seat Middle School on Morton Street, and

**WHEREAS** the Wagner has two types of programs: the Academic Program—which is open to all students living in Community District 8 and the Special program—which is a Choice option and open to all students residing in Community Education District 2, and

**WHEREAS** while the enrollment in October 2012 was 1,263, based on current trends that number will likely increase by June 2013, and  
**WHEREAS** the DOE has phantom space listed for students that do not exist, such as the two (2) classrooms and library that were converted to a media center or the three (3) ICT classes that have 12 students each but are still listed as 33 student seats per class etc., and  
**WHEREAS** it is essential in future planning for the DOE and parents to know the actual number of seats that can be occupied by students, and  
**WHEREAS** Wagner Middle School and East Side Middle School, which seem to be filled to capacity, are the main middle schools located in Community District 8, and  
**WHEREAS** the increasing elementary-school student population in the Upper East Side (UES) over the last several years has resulted in a substantial increase in Kindergarten classes, particularly with 3 new elementary schools in Community District 8, thereby creating a need for increased Middle School seats in the community, and  
**WHEREAS** the UES is being ignored by the DOE when it comes to establishing additional Middle School space  
**THEREFORE BE IT RESOLVED** that Community Board 8 on behalf of the parents of Community District 8 would like accurate information on the actual number of seats available for students at Wagner so that the proper planning can take place, and  
**THEREFORE BE IT FURTHER RESOLVED** that Community Board 8 on behalf of the parents of Community District 8 strongly urge that the phantom seats be removed from the number shown in the Blue Book, **which we recommend being updated this year.**  
**Manhattan Community Board 8 adopted the resolution by a vote of 34 in favor, 0 opposed, 0 abstentions.**

**RE: Life Science Secondary School**

**WHEREAS** Life Science Secondary School located at 320 East 96 St, and  
**WHEREAS** the DOE designates Life Science as a District 4 school located in District 2, and  
**WHEREAS** few if any parents in Community District 8 send their children to this school  
**THEREFORE BE IT RESOLVED** that Community Board 8 urges the DOE to correctly reclassify Life Sciences as a District 4 school and not count those seats as Community District 8/District 2 seats, in order to plan for the needed additional Middle School Seats in CD8.  
**Manhattan Community Board 8 adopted the resolution by a vote of 34 in favor, 0 opposed, 1 abstention.**

• **Landmarks Committee – David Helpert and David Liston, Co-Chairs**

**Re: 815 Fifth Avenue (between 62<sup>nd</sup> and 63<sup>rd</sup> Streets) – Upper East Side Historic District - T.P. Greer Architects, LLC – An Italianate style residence designed by Samuel A. Warner in 1870-71 and altered by Murgatroyd & Ogden in 1923. Application is to reconstruct the entire building façade.**

**WHEREAS** the existing, 25 foot wide, five story brownstone will be expanded vertically into a 14 story building,

**WHEREAS** the proposed enlargement of the existing building will demolish the remaining elements of the original façade of the oldest building on Fifth Avenue;

**WHEREAS** the scale of the block, with its variegated character, provides a relief from the typical cornice line blocks on Fifth Avenue;

**WHEREAS** the modern design, with large windows in a limestone grid, is not compatible with the character of the buildings on the block; and

**WHEREAS** the rear glass curtain wall is totally out of context with its surroundings;

**THEREFORE BE IT RESOLVED THAT** this application is **disapproved.**

**Manhattan Community Board 8 adopted this recommendation by a vote of 26 in favor, 1 opposed, and 6 abstentions.**

**Re: 150 East 73<sup>rd</sup> Street aka 1009-1017 Lexington Avenue - Upper East Side Historic District Extension - Panorama Windows, Ltd. – A Colonial Revival style apartment building designed by Cross & Cross and built in 1922-23. Application is to replace windows.**

**WHEREAS** the applicant proposes to replace windows on the East, West, North, and South facades pursuant to a Master Plan;

**WHEREAS** of the several dozen windows on each facade, only seven windows have their original eight-over-eight fenestration and those seven original windows are all located on the rear facade of the building;

**WHEREAS** all of the other windows for the building have been replaced with one-over-one windows;  
**WHEREAS** the applicant proposes a Master Plan intended to standardize one-over-one windows on all facades of the building and to uniformly replicate original panning detail and pre-mold carvings;  
**WHEREAS** the original fenestration of eight-over-eight was an important feature in the character of this landmark building and the proposed one-over-one windows are at odds with original design and are not appropriate for a building of this character;  
**THEREFORE BE IT RESOLVED THAT** the proposed Master Plan is **disapproved**.  
**Manhattan Community Board 8 adopted this recommendation by a vote of 28 in favor, 0 opposed, 1 abstention, and 1 not voting for cause.**

**Re: 789 Madison Avenue (at 67<sup>th</sup> Street) – Upper East Side Historic District - Rebecca Vulic and Philip Rosenzweig, Architects** – An Italianate/neo-Grec style residence designed by F.S. Barus in 1871 and altered by Albro & Lindeberg in 1909 with some neo-classical elements. Application is to modify the storefront.  
**WHEREAS** the existing surround of the storefront will remain intact;  
**WHEREAS** the existing infill for the storefront will be replaced with an elegant design; and  
**WHEREAS** the proposed design fits with the character of the storefronts on Madison Avenue;  
**THEREFORE BE IT RESOLVED THAT** this application is **approved**.  
**Manhattan Community Board 8 adopted this recommendation by a vote of 29 in favor, 0 opposed, and 1 abstention.**

**Re: 20 East 64th Street (between Fifth Avenue and Madison Avenue) - Upper East Side Historic District - David H. Abelow, Architect** - A Neo-French Renaissance residence designed by D. & J. Jardine and built in 1878-79 and altered by Harry Allan Jacobs in 1920-21. Application is to alter rear façade, create a new sub-cellar level, replace windows, and construct new bulkhead at roof.  
**WHEREAS** the applicant proposes to alter the rear facade, create a new sub-cellar level in the rear of the building, replace windows in the rear of the building, and construct two new bulkheads on the roof;  
**WHEREAS** the Landmarks Committee wishes to vote separately as to the proposed fenestration for the first and second floor windows of the rear facade (Part 1) and to take together the remaining items (Part 2).

**Part 1 (the proposed fenestration for the first and second floor windows of the rear facade).**  
**WHEREAS**, while the proposed fenestration to the third, fourth, and fifth windows of the rear façade are better-ordered and more characteristic for the building than the proposed first and second floor windows of the rear facade, the committee appreciates that the proposed first and second floor windows of the rear facade are intended to be large enough to enable light to penetrate from, and into, a rearyard that is so small, it is almost non-existent;  
**WHEREAS** the proposed first and second floor windows are not contrary to the overall character of the building;  
**WHEREAS** the proposed first and second floor windows are made of steel, the same as the proposed windows on the third, fourth, and fifth floors;  
**THEREFORE BE IT RESOLVED THAT** the proposed fenestration for the first and second floor windows of the rear facade is **approved**.  
**Manhattan Community Board 8 adopted this recommendation by a vote of 25 in favor 7 opposed, and 0 abstentions.**

**Part 2 (the remaining items).**  
**WHEREAS** the applicant proposes to remove from the roof existing HVAC equipment and to replace the existing elevator and staircase bulkhead with a new elevator and staircase bulkhead;  
**WHEREAS** with regard to the rear of the building at ground level, the applicant proposes to remove the existing foundation walls to accommodate a new cellar level extension and new sub-cellar level construction below; remove the existing wood decking assembly at the exterior rear yard; and remove a portion of the existing ground level rear facade to accommodate a new steel and glass assembly with two doors, one opening into the rear year and the other opening into the side yard;

**WHEREAS** the proposed elevator bulkhead and staircase bulkhead will be in the same approximate location on the roof as the existing elevator and staircase bulkhead and will be minimally visible from the public way;  
**WHEREAS** the proposed alterations to the windows on the third, fourth, and fifth floors will replace, in a manner consistent with the overall character of the building, what is presently a hodge-podge of different window styles on the rear façade;  
**WHEREAS** the above-mentioned proposed changes, individually and collectively, are not inconsistent with the character of the building;  
**THEREFORE BE IT RESOLVED THAT** the above-mentioned proposed changes are approved.  
**Manhattan Community Board 8 adopted this recommendation by a vote of 32 in favor, 0 opposed, and 0 abstentions.**

**Re: 737 Park Avenue (between 71st and 72nd Streets) - Upper East Side Historic District - Malay Shah, Architect and Michael F. Doyle, Architect - A Classicizing Art-Deco style apartment building built in 1940 and designed by Sylvan Bien. Application is to regroup and create new window openings on 17-PH floors.**  
**WHEREAS** the Master Plan for windows approved by Landmarks will be adjusted to improve the Plan; whereas 4 doors and 14 windows out of approximately 1,200 windows and doors will have their locations adjusted;  
**WHEREAS** these adjustments take place on the 17<sup>th</sup>, 19<sup>th</sup>, and penthouse floors;  
**WHEREAS** many of these openings are not visible from the ground;  
**WHEREAS** these adjustments either restore a window previously closed up, align windows and doors with those below, and/or create symmetrical relationships on their respective floors and with windows on the typical floors; and  
**WHEREAS** the adjustments are contextual within the historic district;  
**THEREFORE BE IT RESOLVED THAT** this application is **approved**.  
**Manhattan Community Board 8 adopted this recommendation by a vote of 31 in favor, 0 opposed, 0 abstentions, and 1 not voting for cause.**

- **Environment and Sanitation Committee – David Kleckner and Debra Teitelbaum, Co-Chairs**

**Re: Sanitation Issues of Concern re: 444 East 82<sup>nd</sup> Street (The Clermont)**  
**Whereas**, set out of trash and recyclables by the Clermont building, located at 444 E. 82<sup>nd</sup> Street is not performed in a neat, orderly and proper manner thereby creating an unsightly and potentially hazardous condition;  
**Whereas**, the NYC Department of Sanitation (DSNY) proposed to meet with building staff at the Clermont for approximately two weeks beginning as soon as late January 2013 to provide training on proper set-out, and information on enforcement and fines for violations;  
**Therefore, be it resolved** that Manhattan Community Board 8 (CB8) urges the Clermont to meet and cooperate with DSNY, and to address community concerns, pertaining to the set-out of trash and recyclables on York Avenue for DSNY collection;  
**Be it further resolved** that if the situation is not corrected by the Clermont in a timely manner and on a permanent basis, CB8 urges DSNY to undertake applicable enforcement actions.  
**Community Board 8M adopted the resolution by a vote of 30 in favor, 0 opposed, and 0 abstentions.**

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

1a. **Genino, Inc. d/b/a Vico, 1302 Madison Avenue (92<sup>nd</sup>/93<sup>rd</sup> Streets)** – Renewal application for an unenclosed sidewalk café with 2 tables and 8 seats, DCA #1276520. Due date: Feb. 11<sup>th</sup>. Food/Drink: 80/20. Café Hours: Mon. – Sat. 12pm to 11pm, Sun. 10am to 11:30pm  
**WHEREAS** there are no changes to the café and nobody from the public objected,  
**BE IT RESOLVED** that the application is **Approved**  
**Manhattan Community Board 8 adopted the resolution by a vote of 36 in favor, 0 opposed, and 0 abstentions.**

1b. **TJ 104 Restaurant Corp. d/b/a Timmy's by the River, 1737 York Avenue (90<sup>th</sup>/91<sup>st</sup> Streets)** – Renewal application for an unenclosed sidewalk café with 9 tables and 22 seats, DCA #1295832. Due date: March 4<sup>th</sup>. Food/Drink: 90/10. Café Hours: Sun. – Thurs. 8am to 9:30pm, Fri. & Sat. 8am to 10pm  
**WHEREAS** there are no changes to the café and nobody from the public objected,  
**BE IT RESOLVED** that the application is **Approved**  
**Manhattan Community Board 8 adopted the resolution by a vote of 36 in favor, 0 opposed, and 0 abstentions.**

2a. **Ambiance Wine, LLC d/b/a Vella Wine Bar, 1480 Second Avenue (@ 77<sup>th</sup> Street)** – New application for an unenclosed sidewalk café with 28 tables and 56 seats, DCA #1449418. Due date: Feb. 11<sup>th</sup>. Food/Drink: 60/40. Café Hours: 11am to 1am, 7 days.

**WHEREAS** there are too many outdoor cafes in this area and the public spoke out against this location,  
**BE IT RESOLVED** that the application is **disapproved**.

**Manhattan Community Board 8 adopted the resolution by a vote of 22 in favor, 14 opposed, and 0 abstentions.**

2b. **92<sup>nd</sup> and 3<sup>rd</sup> Rest Corp. d/b/a 3<sup>rd</sup> Ave Ale House, 1644 Third Avenue (@ 92<sup>nd</sup> Street)** – New application for an unenclosed sidewalk café with 35 tables and 70 seats, DCA # 1453505. Due date: March 1<sup>st</sup>. Food/Drink: 40/60. Café Hours: Mon. – Thurs. 5pm to 12am, Fri. & Sat. 1pm to 1am, Sun. 1pm to 12am

**WHEREAS** the applicant agreed to reduce the tables to 30 & seats to 60,

**WHEREAS** the reduction will be on the western end,

**WHEREAS** the applicant agreed to install temporary barriers around the café,

**BE IT RESOLVED** that the application is **Approved**.

**Manhattan Community Board 8 adopted the resolution by a vote of 36 in favor, 0 opposed, and 0 abstentions.**

2c. **1679 3<sup>rd</sup> Avenue Restaurant Corp. d/b/a The District, 1679 Third Avenue (94<sup>th</sup>/95<sup>th</sup> Streets)** – New application for an unenclosed sidewalk café with 19 tables and 45 seats, DCA #1454085. Due date: March 8<sup>th</sup>. Food/Drink: 70/30. Café Hours: Mon. – Thurs. 9am to 12am, Fri. & Sat. 9am to 1am, Sun. 12pm to 12am

**WHEREAS** nobody from the public objected,

**BE IT RESOLVED** that the application is **Approved**.

**Manhattan Community Board 8 adopted the resolution by a vote of 36 in favor, 0 opposed, and 0 abstentions.**

3a. **MBRP Rest, Inc. d/b/a The Stumble Inn, 1454 Second Avenue (75<sup>th</sup>/76<sup>th</sup> Streets)** – Renewal application of an on-premises (liquor, wine and beer) license; expires on 2/28/13. Food/Drink: 30/70. Hours: 11:30am to 4am, 7 days.

**WHEREAS** the residents spoke out against this location due to excessive noise, fights and general drunkenness in the streets

**BE IT RESOLVED** that the application is **disapproved**.

**Manhattan Community Board 8 adopted the resolution by a vote of 26 in favor, 9 opposed, and 1 abstention.**

4a. **Eighty Third and First, LLC d/b/a Felice, 1593 First Avenue (@ 83<sup>rd</sup> Street)** – Application to alter an existing liquor, wine and beer (on-premises) license. Food/Drink: 80/20. Hours: Mon. – Thurs. 4pm to 2am, Fri. – Sun. 11am to 2am

**WHEREAS** this is to increase the square footage of the license, and nobody from the public objected,

**BE IT RESOLVED** that the application is **Approved**.

**Manhattan Community Board 8 adopted the resolution by a vote of 36 in favor, 0 opposed, and 0 abstentions.**

5a. **Elimor, LLC d/b/a Crepe Corner, 1585 Second Avenue, South Store (82<sup>nd</sup>/83<sup>rd</sup> Streets)** – New application for a wine and beer only license. Food/Drink: 98/2. Hours: Mon. – Sat. 8am to 10pm

**WHEREAS** this is only for beer & wine and nobody from the public objected,

**BE IT RESOLVED** that the application is **Approved**.

**Manhattan Community Board 8 adopted the resolution by a vote of 36 in favor, 0 opposed, and 0 abstentions.**

5b. **Haupie Corp., 331 East 81<sup>st</sup> Street (Second/First Avenues)** – New application for a liquor, wine and beer (on-premises) license. Food/Drink: 70/30. Hours: 5pm to 12am, 7 days

**WHEREAS** this is for a full liquor license and nobody from the public objected,

**BE IT RESOLVED** that the application is **Approved**.

**Manhattan Community Board 8 adopted the resolution by a vote of 36 in favor, 0 opposed, and 0 abstentions.**

5c. **Genmark Restaurant, Inc. d/b/a Barking Dog, 1453 York Avenue (77<sup>th</sup>/78<sup>th</sup> Streets)** – New application for a liquor, wine and beer (on-premises) license. Food/Drink: 85/15. Hours: 7am to 11pm, 7 days  
**WHEREAS** this is a new owner & no changes to the restaurant, and nobody from the public objected,  
**BE IT RESOLVED** that the application is **Approved**.  
**Manhattan Community Board 8 adopted the resolution by a vote of 36 in favor, 0 opposed, and 0 abstentions.**

5d. **BREC Qhou Holdings, LLC, 133 East 65<sup>th</sup> Street (Park/Lexington Avenues)** - New application for a liquor, wine and beer (on-premises) license. Food/Drink: 70/30. Hours: 11am to 2am, 7 days  
**WHEREAS** this for a full liquor license and nobody from the public objected,  
**BE IT RESOLVED** that the application is **Approved**.  
**Manhattan Community Board 8 adopted the resolution by a vote of 36 in favor, 0 opposed, and 0 abstentions.**

5e. **PR NYC, LLC d/b/a Rotisserie Georgette, 14 East 60<sup>th</sup> Street (Fifth/Madison Avenues)** – New application for a liquor, wine and beer (on-premises) license. Food/Drink: 70/30. Hours: Mon. – Thurs. 11am to 12am, Fri. & Sat. 11am to 1am, Sun. 1am to 11pm  
**WHEREAS** this for a full liquor license and nobody from the public objected,  
**BE IT RESOLVED** that the application is **Approved**.  
**Manhattan Community Board 8 adopted the resolution by a vote of 36 in favor, 0 opposed, and 0 abstentions.**

## **8. Old Business**

No old business.

## **9. New Business**

### **Manhattan Borough Board Resolution Regarding Early Voting, Same Day Registration, and No-Excuse Absentee Voting in New York City**

**WHEREAS**, in the November 2010 elections, turnout in the city was significantly lower (28 percent) than in the rest of the state (53 percent) and nation (46 percent); and

**WHEREAS**, New York City also had lower voter turnout in the presidential elections in 2008 than any other major U.S. city; and

**WHEREAS**, according to preliminary data from the New York City Board of Elections, the number of ballots cast for President in 2012 decreased by 14 percent from 2008;

**WHEREAS**, 32 other states already offer early voting, which allows citizens to exercise their right to vote from 4 to 45 days prior to Election Day; and

**WHEREAS**, New York closes voter registration nearly a month before primary and general elections, while 10 states plus the District of Columbia offer same-day registration, allowing citizens to register to vote when they cast their ballot; and

**WHEREAS**, New York continues to require an excuse to access an absentee ballot, despite the fact that 27 other states permit no-excuse absentee voting; and

**WHEREAS**, New York law does not allow citizens who are either displaced by natural disasters, cannot afford to take time off work to wait in line to vote, or find it difficult to get to the polling place on Election Day, to secure absentee ballots; and

**WHEREAS**, voters on the Upper East Side reported waiting over three hours to cast a ballot on East 74<sup>th</sup> Street, in part because election officials were not sufficiently prepared to process people efficiently; and

**WHEREAS**, voters at a polling site near Gramercy Park were told that the electronic ballot scanners were all broken and that the site did not have an emergency ballot box; and

**WHEREAS**, all three scanners jammed at Riverside Church in Manhattan not long after voting began at 6 A.M.; and

**WHEREAS**, on the Upper West Side, voters at Public School 163 spent over an hour navigating four lines - to determine which election district they lived in, to get a ballot, to fill out the ballot, and to get the ballot scanned; and

**WHEREAS**, voters waited in line for one hour at P5. 234 Independence School on Greenwich Street, only to be turned away because the site had run out of ballots. Voters were then directed to 111 Centre St., only to have that polling run out of provisional ballots around 8 p.m., an hour before polls closed; and



**WHEREAS**, the Asian American Legal Defense and Education Fund told the *New York Times* that election workers in Chinatown and elsewhere had refused to give out affidavit ballots in accordance with Governor Cuomo's Executive Order; and

**WHEREAS**, early voting and no-excuse absentee voting would have abated these problems by reducing the number of people at polling sites on Election Day; and

**WHEREAS**, states that combine early voting with same-day registration--such as Vermont and North Carolina--have enjoyed turnout 5-6 points higher than the national average; and

**WHEREAS**, studies, like that published by the American Political Science Association, have shown that no-excuse absentee voting has a positive effect on voter turnout;

**THEREFORE BE IT RESOLVED** that the State of New York should pass legislation embracing early voting for the 2014 elections, like Senate Bill S1556-2011 introduced by Senator Joseph Addabbo and co-sponsored by his colleagues Senators Dilan, Hassell, Thompson, Krueger, Montgomery, Oppenheimer, and Stavisky; and Assembly Bill A293-2011, sponsored by Assemblymember Rory Lancman and co-sponsored by his colleagues Assemblymembers Glick, Magee, Weisenberg, Brennan, Hooper, Pheffer, Lupardo, Gottfried, Perry, Lifton, Reilly, Jacobs, Paulin, Lavine, and Kellner.

**BE IT FURTHER RESOLVED** that the State of New York should pass legislation like Senate Bill S1978-2011, introduced by State Senator Michael Gianaris and Assembly Bill A1686-2011, sponsored by Assemblymember Brian Kavanagh and cosponsored by Assemblymembers Boyland, Brennan, Cahill, Clark, Cook, Dinowitz, Glick, Lifton, Lupardo, Markey, Perry, Scarborough, Thiele, Englebright, Farrell, Galef, Gottfried, Kellner, Meng, Ortiz, Paulin, Rivera (P.), and Quart, to eliminate the 10-day advance voter registration requirement in Article II, Section 5 of the State Constitution.

**BE IT FURTHER RESOLVED** that the State of New York should pass legislation allowing same-day voter registration, which would apply not only on Election Day, but on any day eligible voters could cast a ballot.

**BE IT FURTHER RESOLVED** that the State of New York should take immediate steps--including a possible constitutional amendment to Article II, Section 2 of the New York State Constitution--to enact no-excuse absentee voting.

**Manhattan Community Board 8 adopted the resolution by a vote of 28 in favor, 3 opposed, and 1 abstention.**

The meeting was adjourned at 9:45PM.

**Nicholas D. Viest, Chair**