

Jacqueline Ludorf
Chair

Latha Thompson
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The City of New York Manhattan Community Board 8

FULL BOARD MEETING
WEDNESDAY, MARCH 17, 2010 – 6:30PM
Ramaz School
125 East 85th Street
Auditorium

Present: Joie Anderson, Kenneth W. Austin, Michele Birnbaum, Matthew Bondy, Lori Ann Bores, Deirdre Breslin, Barbara Chocky, James Clynes, Susan Evans, Ruth Halberg, Lorraine Johnson, Dave Kleckner, Ed Kramer, Laura Lijewski, Jacqueline Ludorf, Jane Parshall, Mary Boresz Pike, Rita Lee Popper, David L. Rosenstein, Barbara Rudder, Judith Schneider, M. Barry Schneider, Helene Simon, Cos Spagnoletti, Patrick Stewart, Marco Tamayo, Debra Teitelbaum, Nicholas Viest, Charles S. Warren,

Absent (Excused): Richard Burg, Jonathan Horn, Dan Quart, Betty Cooper Wallerstein

Absent (Unexcused):, Elizabeth Ashby, Michael Auerbach, Deirdre Breslin, Sarah Chu, Christina R. Davis, George Fuchs, David Paul Helpern, David Liston, Domenico Minerva, Ellen Polivy, N. Sharon Pope, Margaret Price, William Sanchez, Teri Slater, Alexander Tisch, Elaine Walsh, Hedi White

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

1. Public Session:

An information presentation by Howard Glickberg, CEO of Fairway-Fairway Market is planning to develop a store at 240 East 86th Street in the space formerly occupied by Circuit City and Barnes and Noble. Mr. Howard Glickberg, CEO of Fairway made the presentation.

- Mr. Tony Scolnick spoke on Sutton East Tennis
- Mr. Mark Shohet spoke in favor of accessibility, open space and softball
- Mr. Jerry Elman spoke in favor of the parks decision for year round tennis
- Mr. Daniel Franzese spoke in favor of the 59th Street baseball field
- Ms. Andrea Dellolio spoke in opposition to softball permit holders
- Mr. Geoffrey Croft spoke regarding the NYC Parks Advocates
- Mr. Michael Kirsten spoke in opposition to converting the public space to year round tennis
- Ms. Joan Bondy spoke in favor of the Queensboro Oval
- Mr. Harris Bulow spoke in favor of the last chance to save ballfield
- Mr. Danny Singer spoke in favor of the Queensboro Oval
- Rob spoke in opposition to the park on 59th Street
- Ms. Jessica Singer spoke in favor of the Queensboro Oval

- Mr. Frederick Bondy spoke in favor of the Queensboro Oval
- Ms. Arlene Virgia spoke regarding the 59th Street Bridge field
- Mr. Michael Filipek spoke in favor of year round tennis at the Queensboro Oval
- Ms. Mimi Kazan spoke in opposition to last bus stop at 96th Street and Park Avenue
- Mr. Mitchell Polstein, Jr. spoke in opposition to Central Park Tennis Bubble
- Ms. Leslie Carroll spoke in favor of block closure to celebrate 40th Anniversary of Block Association formation
- Mr. Robert Bailin spoke in favor of open space
- Ms. Ariel Weinstock spoke in favor of Fairway
- Mr. J. Wouk spoke in favor of public forum and SBS
- Ms. Pamela Clarke spoke in favor of street closure for Trevor Day School
- Ms. Julie Menin, Chair of Community Board 1, thanked the board for supporting their proposal to relocate Terror Trial to an Alternative Location

4. Elected Official Reports:

Council Member Jessica S. Lappin- Jane Swanson represented the Councilwoman. Ms. Swanson mentioned Governor Paterson's proposed \$25.2 million cut to Title 20 which would cut up to 110 senior centers. To oppose these cut, please call the Governor at 518-474-8390 and your State Senator and Assembly Member in their district offices and ask them to restore this cut. The Second Avenue Business Association is hosting a photo contest to raise awareness about the businesses in the area. For rules and information, please contact SABA at sabacontest@gmail.com or 646-657-0305. Roosevelt Island will be hosting a Electronic Recycling Day on April 3rd from 10:00 to 4:00PM, Good Shepherd Plaza, 543 Main Street. Free Tax Preparation Help is available every Tuesday, Wednesday and Thursday until April 15th from noon until 8:00PM at Baruch College, 151 East 25th Street, Library Building, 1st Floor. The Councilwoman supports and has been meeting with Fairway. The Councilwoman and Congresswoman Carolyn Maloney will be starting an East River Esplanade Task Force along with the East Side elected officials. The Councilwoman along with AARP will begin the program "Take Back Our Streets" on April 19th to April 23rd, they are asking residents to survey dangerous intersections in their neighborhood. To register, please contact Marissa Kirshenbaum at 212-407-3701 or mkirshenbaum@aarp.org or for more information, please email lappin@council.nyc.gov.

5. Chairs Report-Jackie Ludorf: There will not be a Land Use meeting in April. We will have a new Board Members Orientation on that date. We are asking Jimmy Yan, General Council, Manhattan Borough President Office to discuss committees, quorums and resolutions.

6. Committee Reports and Action Items:

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

February 18, 2010 Parks Committee Minutes:

Queensboro Oval: Update on the Parks Dept.'s plans to convert this dual tennis-softball facility to an all-tennis center.

WHEREAS, the Queensboro Oval ball field under the Queensboro Bridge at York Avenue between 59th and 60th Street is currently operated as a public ball field in the summer months and a fee-based tennis facility in the winter months and,

WHEREAS, the Parks Department proposes to extend this commercial use as a tennis facility to the summer months, thus eliminating the public use of Queensboro Oval Park as a ball field, and

WHEREAS, the Queensboro Oval Park is home to the only ball field in a city park in CB8M, and

WHEREAS due to a modification of the NYC Zoning Resolution in 1989, the Queensboro Oval became the subject of a Restrictive Declaration between and among the Department of City Planning, NYC DP&R, Community Board 8 and the property owner of the site at 1st Avenue between 60 and 61st Street extending down towards York Avenue, and

WHEREAS the Restrictive Declaration clearly states that there should be a “program for the substantial enhancement of the Bridge Park at the Queensboro Oval”, and

WHEREAS the modified Restrictive Declaration for the Milstein/Brodsky site, developers of the Queensboro Oval, clearly states they are required to “upgrade this necessary open space in the neighborhood”, and

WHEREAS the Milstein/Brodsky developers spent a substantial amount in capital funds to upgrade the Oval and then provided \$685,000 to a NYC Department of Parks & Recreation Trust and Agency account for the maintenance of the Oval, and

WHEREAS Community Board 8M opposes in general the conversion of public parks spaces to commercial use,

THEREFORE BE IT RESOLVED that Community Board 8M unequivocally opposes extending the use of the Queensboro Oval field to a year-round franchise tennis facility, and maintains that its use as a ball field must continue uninterrupted for four months a year.

Community Board 8 passed this resolution by a vote of 38 in favor, 2 opposed and 1 abstention

1. Proposal for a Floral Sculptural Exhibition along the Park Ave. Mall in 2011

WHEREAS the proposed series of floral sculptures along the Park Avenue Mall would brighten the appearance of the Mall during the winter and spring seasons; and

WHEREAS the sculptures would be firmly grounded and constructed in a manner that would withstand inclement weather and would comply with the city’s weight regulations for structures on the Park Ave. Mall; and

WHEREAS the proposed sculptures would be placed temporarily from East 57th to East 67th Streets along the Park Ave. Mall from January until May 2011;

WHEREAS the Fund for Park Avenue, which plants and maintains the trees and flowers in the Park Ave. Malls, has expressed its support of the proposal;

THEREFORE, be it resolved that Community Board 8 Manhattan approves of the plan for floral sculptures along the Park Avenue Mall from East 57th to East 67th Streets from January until May 2011.

Community Board 8 passed this resolution by a vote of 36 in favor, 2 opposed and 2 abstentions

Street Fair Committee-Barbara Chocky and Laura Lijewski, (*Co-Chairs*)

- a. Marymount Manhattan College, East 71st Street between 2nd and 3rd Avenues on Wednesday, May 5, 2010 from 12:00 Noon to 4:00 PM.

Whereas, there is no adequate space within the school to hold this event, and

Whereas, the College is a community institution,

Therefore be it resolved to approve this application.

Community Board 8 passed this resolution by a vote of 28 in favor, 6 opposed and 5 abstentions

- b. Church of Jesus Christ of Later Day Saints, East 87th Street between 2nd and 3rd Avenues on Saturday, May 22, 2010 from 8:00 AM to 4:00 PM.

Whereas, there is no adequate space within the church to hold this event, and

Whereas, the church is part of our community,

Therefore, be it resolved to approve the application.

Community Board 8 passed this resolution by a vote of 35 in favor, 1 opposed and 5 abstentions

- c. Trevor Day School, East 90th Street between Fifth and Madison Avenues on Friday, June 11, 2010 from 3:30 PM to 5:00 PM.

Whereas, there is no adequate space within the school to hold this event, and

Whereas, the school is part of our community,

Therefore, be it resolved to approve

Community Board 8 passed this resolution by a vote of 27 in favor, 12 opposed and 2 abstentions

- d. Goat Hill Neighborhood Association, East 95th Street between Park and Lexington Avenues on Wednesday, June 2, 2010 from 4:30 PM to 10:00 PM.

Whereas, the event is restricted to private use by members of the Goat Hill Neighborhood Association, and

Whereas, the purpose of this event is to collect money from neighbors who did not pay their dues,

Therefore, be it resolved that the street should not be closed and application be approved.

Community Board 8 passed this resolution by a vote of 31 in favor, 8 opposed and 2 abstentions

2. Application by the Council on the Environment for the renewal of a Greenmarket located on the south side of East 82nd Street between First and York Avenues, Saturdays beginning June 19, 2010 – December 18, 2010 from 8:00 AM to 5:00 PM.

Whereas the dates for the operation of the green market are to start a month earlier and continue a month longer than in past years, and

Whereas, the operators agreed to monitor the wine merchant's operation more closely, and

Whereas, the operators agreed to maintain proper sidewalk clearances,

Therefore, be it resolved to approve the greenmarket application at its current size for the extended period of time.

Community Board 8 passed this resolution by a vote of 41 in favor, 0 opposed and 0 abstentions

3. Application by the Council on the Environment for the renewal of a Greenmarket located on the East side of First Avenue, between East 92nd and 93rd Streets, Sundays beginning June 20, 2010 – December 19, 2010 from 8:00 AM to 5:00 PM.

Whereas the dates for the operation of the greenmarket are to start a month earlier and continue a month longer than in past years, and

Whereas, the ETV (food stamp program) will be in place throughout the market's season, and

Whereas, the Council on the Environment agreed to keep the sidewalk clear for pedestrian traffic,

Therefore: be it resolved to approve the greenmarket application.

Community Board 8 passed this resolution by a vote of 40 in favor, 0 opposed, 0 abstentions and 1 not voting for cause

4. Public Hearings RE: Applications for Street Closing for Multi-Block Fair.

- a. Manhattan Youth Baseball Corp, East 83rd Street between Lexington and Second Avenues on Sunday, October 31, 2010 from 9:00 AM to 10:00 PM.

Whereas, the applicant did not appear, and

Whereas, there are concerns that the funds raised do not go to programs within the community board district, and

Whereas, the 19th Precinct representative indicated there has been a negative response to this event in the past and that the operator canceled the event last year,

Therefore, Be It Resolved, that the committee disapprove the application.

Community Board 8 passed this resolution by a vote of 38 in favor, 0 opposed and 0 abstentions

Transportation Committee- Jonathan Horn and Charles Warren, (Co-Chairs)

2. A discussion of Park Smart on East 86th Street

BE IT RESOLVED, that Community Board 8M supports the proposed Park Smart pilot program along 86th Street and Madison Avenue as presented by DOT to our Transportation Committee on March 3, 2010.

Community Board 8 passed this resolution by a vote of 37 in favor, 0 opposed and 0 abstentions

Budget Committee-Barbara Chocky and Roy Carlin, (Co-Chairs)

1. Discussion and Preparation of FY2011 Capital and Expense Budget Requests.

Those present reviewed CB8's FY2010 priorities for FY 2011 budget requests.

Capital Budget Priorities

- 1) Increase funding for permanent housing for homeless people.
- 2) Provide funding to repair and restore the Esplanade.
- 3) Funding for the creation of an Older Adult recreation area in John Jay Park
- 4) Fund generators to power Fire Houses during emergencies.
- 5) Fund repair of Roosevelt Island Seawall.
- 6) Fund NYC Department of Parks and Recreation for the repair of all infrastructure bridges.
- 7) Fund the expansion of the Roosevelt Island Branch of the New York City Public Library.
- 8) Increase funding for HPD's 8A Loan Program for the Rehabilitation of Multiple Dwelling Buildings.
- 9) Provide Air Conditioning for all Homeless Shelters.
- 10) Funding for the design and reconstruction of the NYC Department of Sanitation's M6/M8/M8A Garage on East 73rd Street.
- 11) Fund the installation of pedestrian countdown timers at dangerous intersections.
- 12) Provide funding to retain an intake site in Manhattan for the male homeless population.
- 13) Fund a fully built Park along the East River between 60th and 63rd Streets.
- 14) Provide funding to upgrade computer center at Hunter College Campus Schools

Continuing Support/Capital:

CS Fund new school building for children zoned at PS 151.

CS Provide funding to construct additional public school seats to accommodate current levels or overcrowding and anticipated student growth.

CS Fund the full renovation of the Carnegie Hill Branch Library located at 112 East 96th Street.

CS Provide funding for the renovation of the women's homeless shelter at the Seventh Regiment Armory.

CS Fund the reconstruction of the East Meadow in Central Park.

CS Provide funding to repair or reconstruct the 78th Street and 81st Street Bridges over the FDR Drive.

CS Provide funding for the Third Water Tunnel.

Community Board 8 passed this resolution by a vote of 30 in favor, 2 opposed, 4 abstentions and 1 not voting for cause

Expense Budget Priorities

- 1) Continue to fund Out of School Time Programs for all children who go to school in Community Board 8 or who have parents that work in Community Board 8.
- 2) Increase funding for youth programs in Community Board 8.
- 3) Increase funding for Rodent Extermination on city streets.
- 4) Fund the NYC Department of Parks and Recreation and the Department of Sanitation for the placement of "rat-proof" garbage containers in Community Board 8 Parks and throughout the district.
- 5) Increase funding for services to Older Adults, including Personal and Home Care; Transportation Services; Meals-On-Wheels; and Senior Congregate Care Meal Programs.

- 6) Provide additional funding for Adult Day and Respite Programs.
 - 7) Increase funding for Homeless Services Outreach personnel, especially during the overnight hours and provide the Department of Homeless Services with updated Information Technology equipment.
 - 8) Provide funding to the NYC Department of Transportation for the necessary materials and personnel to repair potholes and repave avenues and major cross-town streets more frequently than every 10 years within Community Board 8.
 - 9) Restore funding for HPD Code Enforcement.
 - 10) Provide additional funding for Eviction Prevention Services for At-Risk Senior Citizens.
 - 11) Increase funding for the Department of Health enforcement of all Food Vendor rules and regulations.
 - 12) Increase funding for additional Park enforcement personnel, maintenance staff, tree pruners and tree climbers.
 - 13) Provide funding to all NYPL to maintain six-day service, increase hours, resources and programs.
 - 14) Provide additional funding for Children's Services, especially programs to prevent abuse and neglect.
 - 15) Restore funding for all staffing of FDNY Fire Marshalls.
 - 16) Add Department of Buildings Inspectors for complaint investigations with an emphasis on Crane Installation and Maintenance, Saturday work, After Hours work and Signage Enforcement.
 - 17) Continue to fund the replacement of Curb Cuts and Contract new Curb Cuts where they are missing.
 - 18) Provide funding for small business loans to all businesses affected by Second Avenue Subway construction.
 - 19) Fund additional PEP officers for all Community Board 8 Parks.
 - 20) Continue funding for basket service.
 - 21) Maintain recycling program
 - 22) Continue funding to NYCHA to insure that all senior centers remain open.
 - 23) Continue funding to insure all NYCHA community centers remain open.
 - 24) Fund additional DCA inspectors for sidewalk café and street vendor regulation enforcement.
- Community Board 8 passed this resolution by a vote of 38 in favor, 0 opposed and 0 abstentions*

Environment and Sanitation Committee-Dave Kleckner and Debra Teitelbaum, (*Co-Chairs*)

Temporary Lease of Property on Site of Sanitation E. 74th Street Garage

WHEREAS, the NYC Department of Sanitation (DSNY) demolished its former garage on the FDR Drive between E. 73rd and E. 74th Street;

WHEREAS, the DSNY capital budget does not currently include funding to build the new garage planned for the site with no projected date on when funding may be allocated;

WHEREAS, the unoccupied site presents concerns for the community that include security, appearance, and environmental issues.

WHEREAS, there appear to be commercially viable uses for this CD8 site where land is scarce and where businesses confronting difficult economic times could generate taxable income or otherwise make productive use of this location;

THEREFORE BE IT RESOLVED that Manhattan CB8 urges the NYC Department of Citywide Administrative Services to aggressively take action to lease the space to a tenant that will temporarily use the site until such time that DSNY is funded to construct the new garage at this location.

Community Board 8 passed this resolution by a vote of 38 in favor, 0 opposed and 0 abstentions

Water Main Construction for Shaft 33B Water Tunnel No. 3

WHEREAS, the City of New York is constructing Water Tunnel No. 3 at a cost of more than \$6 billion – the City’s largest capital construction project – including to allow for essential inspections and repairs of City Water Tunnels No. 1 and 2 for the first time since Tunnel No. 2 was completed more than 70 years ago, in 1936;

WHEREAS, the NYC Department of Environmental Protection (DEP) has been constructing, and will place into operation, a vertical water supply Shaft 33B in Manhattan CD8 to bring water from City Tunnel No. 3 to the local water distribution system in East Manhattan;

WHEREAS, the Shaft 33B project includes water main construction required to connect the new shaft with the existing subsurface water distribution system that serves the East Midtown and Upper East Side areas;

WHEREAS, the primary water main is slated for construction in Manhattan Community Districts 8 and 6 along E. 59th Street;

WHEREAS, the Shaft 33B and water main construction components have impacted, and will continue to impact, traffic congestion including but not limited to congestion from the Queensborough Bridge

WHEREAS, Manhattan CB8 recognizes the vital importance of the construction of Water Tunnel No. 3, Shaft 33B, and the water main construction;

WHEREAS, on February 9, 2010, DEP Commissioner Cas Holloway, NYC Department of Transportation (DOT) Manhattan Borough Commissioner Margaret Forgione, and other members of DEP, DOT and the NYC Department of Design & Construction (DDC) presented at CB8’s Environment & Sanitation Committee meeting information including about community impacts in CD8 from the water main project, and answered questions about the construction work;

THEREFORE, be it resolved that Manhattan CB8 supports the City’s decision, as presented at the February 9, 2010 CB8 Environment & Sanitation Committee meeting, to locate the primary water main on E. 59th Street and the redundant water main on E. 56th Street in order to allow the vitally important NYC Water Tunnel No. 3 construction project to be completed with the least possible negative impacts including: traffic congestion, interference with local business and health care facilities operations, and upon public safety.

Community Board 8 passed this resolution by a vote of 38 in favor, 0 opposed and 0 abstentions

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

1. **21 East 66th Street (between Fifth and Madison Avenues) – Upper East Side Historic District** – *Mr. Luigo Landi, Architect*. Application is for a proposed penthouse addition.
 - (a) **WHEREAS** 21 East 66th Street is a neo-Gothic style apartment building designed by Fred F. French and constructed in 1920-21.
 - (b) **WHEREAS** the application is for the expansion of an existing penthouse.
 - (c) **WHEREAS** the original penthouse was approved by the Landmarks Preservation Commission in 2003.
 - (d) **WHEREAS** the proposed one-story addition to the penthouse will be 583 sq. ft., and have a height of 10’ and will be lower than the existing bulkhead.
 - (e) **WHEREAS** the finish on the proposed 1-story addition will match with the previously finished bulkhead (dating from 2003), so that it is harmonizes with the bulkhead.

- (f) **WHEREAS** the patterning of the addition and of the bulkhead, with its block design, respects some of the detailing of the apartment building below.
- (g) **WHEREAS** the addition is modest in relationship to the bulkhead and the existing penthouse.
- (h) **WHEREAS** the addition is recessed from the existing penthouse.

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

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

- 2. 1402 Lexington Avenue (between East 92nd St. and East 93rd St. – Mr. Omer Fenik, Architect.** Application is to correct illegal alterations to the storefront, including the removal of a violation for “installation of sign band without permits” and for “installation of slate tile at storefront roof without permits”.

- (a) **WHEREAS** 1402 Lexington Avenue is a neo-Grec/Romanesque Revival rowhouse designed by James Frame and designed by C. Abbott French & Co. and constructed in 1886-87.
- (b) **WHEREAS** the applicant will install a faux door on the Lexington Avenue façade.
- (c) **WHEREAS** the applicant will reduce the fenestration on the Lexington Avenue facade.
- (d) **WHEREAS** the applicant will paint the door into the restaurant on 92nd Street and the new faux door on Lexington Avenue red instead of the existing beige color.
- (e) **WHEREAS** the applicant will make the bulbs in the outside lighting fixtures smaller.
- (f) **WHEREAS** the applicant is correcting the violations to the property and is making the mostly cosmetic changes to the property that have been requested by the Landmarks Preservation Commission.

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

Community Board 8 passed this resolution by a vote of 33 in favor, 2 opposed and 1 abstentions

- 3. 960 Madison Avenue (East 75th-76th Streets)-Upper East Side Historic District Fred L. Sommer, Architect.** Application to alter window openings.

- (a) **WHEREAS** 960 Madison Avenue is a neo-Grec style rowhouse designed by James Frame, built in 1877-78, and altered in 1916 with a two-story storefront extension.
- (b) **WHEREAS** the applicant proposes to alter the window openings on the second floor of the two-story storefront extension such that the existing three windows will be replaced with a single-pane window, extending across the width of the area presently occupied by the three windows.
- (c) **WHEREAS** the proposed alteration would result in a large single-pane window lacking the vertical elements appropriate for the scale and style of the building.

THEREFORE BE IT RESOLVED that this application be disapproved as presented

Community Board 8 passed this resolution by a vote of 34 in favor, 3 opposed and 0 abstentions

- 4. 20 East 82nd Street (Fifth-Madison)-Upper East Side Historic District - Thomas Morbitzer, Architect.** Application to repair existing steps, fence, gate and add a new gate at steps.

- (a) **WHEREAS** 20 East 82nd Street is a Beaux-Arts style townhouse, designed by Richard W. Buckley, built in 1901, and is the center building in a trio of houses built at approximately the same time with similarities in design and style.
- (b) **WHEREAS** the applicant proposes to make as-of-right repairs to the existing front steps, newels, and fence, and the applicant also wishes to add a new gate at the front steps.
- (c) **WHEREAS** said gate would be made of wrought iron, would sit on the first step leading up to the front door so as to not impede movement of the gate along the

sidewalk, and the height of the gate itself is 6'6", 7' when measured from the step to the top of the gate where the finials begin, and 7'4" from the step to the top of the finials.

- (d) **WHEREAS** the arc of the proposed gate would follow the arc of the door of the house; the proposed gate presents a handsome design consistent with the character of the building; and the details of the proposed gate match details of the existing fence on either side of the proposed gate.

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

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

5. **785 Park Avenue (Corner of Park and 73rd Street) -- Upper East Side Historic District--** *Mr. Josh Brandfonbrener, Architect.* Application is to install a ramp in the rear service yard of the building.

- (a) **WHEREAS** 783-789 Park Avenue is a modern style apartment building designed by George Pelham, Jr. and constructed in 1930.
- (b) **WHEREAS** the service yard is 11 feet below grade.
- (c) **WHEREAS** all deliveries to and from the service yard are hand carried up or down a stair.
- (d) **WHEREAS** the applicant proposes relocating the stair to the west of the existing gate of the service yard and installing a handicapped accessible ramp in compliance with Local Law 58 ADA.
- (e) **WHEREAS** the exterior gate and fence to the service yard will not be changed.
- (f) **WHEREAS** the new stair and handicapped accessible ramp will not be visible from the street and will be constructed of galvanized steel which is safer in rain and snow.

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

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

6. **923 Fifth Avenue (East 73rd-74th Streets)-Upper East Side Historic District -** *Ted Bodnar, Architect*-An apartment building designed by Sylvan Bien and built in 1949-51. Application is for approval to install a new pergola on the 12th floor parapet.

- (a) **WHEREAS** the public notices posted in connection with this application did not accurately or sufficiently describe the application and, among other errors, failed to refer to the proposed new pergola.

THEREFORE BE IT RESOLVED that this application be laid over until the next meeting of the Landmarks Committee to allow further opportunity for sufficient notice to the public.

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

7. **12 East 76th Street (Fifth-Madison)-Upper East Side Historic District-** *Umberto Squarcia, Architect.* Application to replace the front and rear facades and for a rear yard extension.

- (a) **WHEREAS** **East 76th Street (Fifth-Madison)** is a building constructed in 1881-82 and altered in 1946 by James Casale.
- (b) **WHEREAS** the applicant proposes to replace the existing front and rear facades and to erect a rear yard extension.
- (c) **WHEREAS** the proposed rear-yard extension would fill in an empty area, triangular in shape, at the rear of the house and would bring the rear of the house in line with the rear of an adjacent building.
- (d) **WHEREAS** the proposed rear-yard extension would be four stories in height and would include, as in the existing rear facade, a terrace at the fifth floor.

- (e) **WHEREAS** the proposed rear-yard extension would, like the existing rear facade, be clad in brick with minor stone trim, with corbeled brick below windows on the second and third floor.
- (f) **WHEREAS** the proposed front facade would be made of rusticated stone and red brick and would include wrought-iron grilles mounted on the outboard of glass front doors, with grilles identical in design over the two ground floor windows flanking the front doors and over the second floor windows.
- (g) **WHEREAS** the design for the front elevation follows the traditional organization of a townhouse and rowhouse facade, including a ground floor entry, a piano nobile with more detailing than the floors above, and a decreasing hierarchy of detail on the floors above.
- (h) **WHEREAS** the proposed alteration would result in single-pane windows on the front and rear facades of the house.
- (i) **WHEREAS** the proposed design evinces an admirable intent, there are the following shortcomings which require disapproval of the application: the modern classicism of the second through fifth floors is not compatible with the classical design of the rusticated base and sculpted stone balustrated at the edge of the roof; the design of the window opening of the piano nobile, although different from the typical windows of the floors above, lack the strong distinctive character normally associated with this level of a classically designed house; and the single lights of glass in the window need to be subdivided using a proportional system consistent with the design of the house, including consideration of casement or double hung windows.

THEREFORE BE IT RESOLVED that this application be disapproved as presented.
Community Board 8 passed this resolution by a vote of 36 in favor, 0 opposed and 0 abstentions

Youth and Education Committee-Jim Clynes and Judith Schneider, (*Co-Chairs*)
Planned Parenthood presentation on efforts to increase access to sex education in NYC Public Schools

WHEREAS New York City's teen pregnancy rates are higher than the national average.¹ U.S. teens have higher rates of pregnancy and sexually transmitted infections than teens in most developed nations; and

WHEREAS 15-to-24 year-olds represent only one-quarter of the sexually active population, yet they account for nearly half of all new sexually transmitted infection's each year², and

WHEREAS half of all new HIV infections in the United States occur among people under the age of 25³; and

WHEREAS according to the New York City Department of Health, about half of high school students say they've had sex, about one in three high school students are currently sexually active; and

WHEREAS only two-thirds of New York City's sexually active youth report using condoms, and one in five girls did not use any birth control the last time they had sex; and

WHEREAS research shows comprehensive sex education programs delay the initiation of sex and increase the use of contraception. It has also shown to reduce the number of sexual partners, and increase condom and contraceptive use⁴, and

WHEREAS an overwhelming majority of parents support sex education and believe it's already being taught. A large majority of registered voters in New York State mistakenly think sex education is currently a part of the required school curriculum, while an even larger

majority want comprehensive sex education to be taught in school, according to a poll recently conducted by Hart Research Associates⁵; and

WHEREAS the New York City Department of Education has a recommended sex education curriculum and offers the curriculum and training to schools free of charge⁶; and

BE IT RESOLVED that Community Board 8 recommends that principals within Community District 8 implement already existing Curriculum on sex education in their individual schools.

Community Board 8 passed this resolution by a vote of 35 in favor, 0 opposed and 2 abstentions

7. New Business-Response to FY2011 Preliminary Budget

WHEREAS, Community Board 8M recognizes that the difficult financial conditions facing New York City, New York State and the Federal government require sacrifices and possible service cuts, as well as new funding sources, and

WHEREAS, Community Board 8M believes that it is important that the effect of these cuts on our most vulnerable citizens be minimized, and

WHEREAS, Community Board 8M believes that it is important that the safety and security of all New Yorkers not be compromised,

THEREFORE BE IT RESOLVED, that Community Board 8M opposes all the Mayor's proposed cuts in the areas of Social Services, Education and Emergency Service, and

BE IT FURTHER RESOLVED, that Community Board 8M urges the Governor and the State Legislature to restore their proposed cuts to New York City's Education funding and prevent cutbacks in teacher staffing levels, and

BE IT FURTHER RESOLVED, that Community Board 8M recommends that the Mayor's office and the Department of Citywide Administrative Services absorb their fair share of any funding or staffing cutbacks required, and

BE IT FURTHER RESOLVED, that Community Board 8M supports the restoration of some form of non-resident income tax for New York City, a new statewide "Millionaire's tax", effective use of the expected Federal economic stimulus funds and the proposed Tier 5 Pension reforms for new city employees.

BE IT FURTHER RESOLVED, that Community Board 8M recommends that the Mayor's office and the Department of Citywide Administrative Services absorb their fair share of any funding or staffing cutbacks required, and

Community Board 8 passed this resolution by a vote of 29 in favor, 5 opposed and 3 abstentions