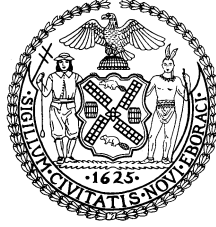


Jacqueline Ludorf
Chairman

Latha Thompson
District Manager



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The City of New York
Manhattan Community Board 8

REVISED

FULL BOARD MEETING
WEDNESDAY, NOVEMBER 16, 2011
New York Blood Center
310 East 67th Street
Auditorium
6:30PM

Community Board Members Present: Joie Anderson, Elizabeth Ashby, Kenneth Austin, Molly Blayney, Matthew Bondy, Lori Ann Bores, Deirdre Breslin, Roy Carlin, Barbara Chocky, James Clynes, Christina Davis, Susan Evans, A. Scott Falk, George Fuchs, Ruth Halberg, Edward Hartzog, David Helpem, Lorraine Hockert, Jonathan Horn, Lorraine Johnson, Dave Kleckner, David Liston, Jacqueline Ludorf, Domenico Minerva, 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, Helene Simon, Teri Slater, Cos Spagnoletti, Marco Tamayo, Debra Teitelbaum, Nicholas Viest, Elaine Walsh, Charles Warren, Hedi White

Community Board Members Absent (Excused): Michele Birnbaum, Sarah Chu, Jeffrey Escobar, H. Patrick Stewart, Alexander Tisch (Resigned)

Community Board Members Absent (Unexcused):

Total Attendance: 45

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

1. Public Session:

- Member of the public, Loretta Porticelli, representing East 79th Street Neighborhood Association, spoke in favor of the senior park.
- Member of the public, Marie Beirne, representing East 79th Street Neighborhood Association, spoke in favor of the John Jay Park renovation.
- Member of the public, Brett Casper, spoke in favor of senior park.
- Member of the public, Julia Kaminski, spoke.
- Member of the public, Marcia Reese, spoke regarding John Jay Park.
- Member of the public, Charles H. Mott, representing 36 East 72nd Street Corp., spoke in opposition to 40 East 72nd Street.
- Member of the public, Christopher Rizzo, representing 36 East 72nd Street Corp., spoke in opposition to Landmarks, 40 East 72nd Street.
- Member of the public, Rick Kramer, representing 36 East 72nd Street Corp., spoke in opposition to Landmarks, 40 East 72nd Street.

- Member of the public, Carlos Brillembourg, Architect, spoke in opposition to 40 East 72nd Street.
- Member of the public, David Goldstein, representing 45 East 72nd Street, spoke in opposition to the 40 East 72nd Street application.
- Member of the public, Professor Harvey Sholdan, representing 45 East 72nd Street, spoke regarding light, ambience.
- Member of the public, Jean Pamphile, representing the Webster Branch Library, spoke on programming.
- Member of the public, Betty C. Wallerstein, President East 79th Street Neighborhood Association spoke.
- Board member, Barry Schneider, announced the 20th Annual East Sixties Neighborhood Association Holiday Sing.
- **Public Hearing: N 120090 ZRY (E) designations Text Amendment** - The Department of City Planning is proposing a citywide text amendment to update provisions related to the (E) Designation Program. In addition to clarifying the text and removing obsolete provisions from Zoning Resolution Section 11-15 (Environment Requirements) originally established in 1983, the proposed modifications would remove duplicative zoning provisions concerning the (E) Program in the Special Districts. The proposed modifications would also streamline the administration of the (E) Program, result in increased transparency and easier tracking of hazardous materials, air quality and noise environmental requirements, and enhance existing enforcement mechanisms. The department has worked in cooperation with the city agencies that have a role in the (E) Program, including the Department of Environment Protection (DEP), the Office of Environmental Remediation (OER), which administers the (E) program as successor to DEP for this purpose, and the Department of Buildings, which enforces the Zoning Resolution. A more streamlined and predictable land use and environmental review process will benefit land use practitioners, property owners, the public and city agencies. This action is not subject to the Uniform Land Use Review Procedure (ULURP).

Whereas, The Department of City Planning is proposing a citywide text amendment to update provisions related to the (E) Designation Program. In addition to clarifying the text and removing obsolete provisions from Zoning Resolution Section 11-15 (Environment Requirements) originally established in 1983, the proposed modifications would remove duplicative zoning provisions concerning the (E) Program in the Special Districts. The proposed modifications would also streamline the administration of the (E) Program, result in increased transparency and easier tracking of hazardous materials, air quality and noise environmental requirements, and enhance existing enforcement mechanisms. The department has worked in cooperation with the city agencies that have a role in the (E) Program, including the Department of Environment Protection (DEP), the Office of Environmental Remediation (OER), which administers the (E) program as successor to DEP for this purpose, and the Department of Buildings, which enforces the Zoning Resolution. A more streamlined and predictable land use and environmental review process will benefit land use practitioners, property owners, the public and city agencies.

THEREFORE BE IT RESOLVED that Community Board 8M approves application N 120090 ZRY (E) designations Text Amendment to update provisions related to the (E) Designation Program.

Community Board 8M approved the resolution by a vote of 38 in favor, 0 opposed and 5 abstentions.

2. Adoption of the Agenda – Agenda adopted.

3. Adoption of the Minutes – September 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). Re-applications have been sent out to current board members whose terms expire April 2012. Re-applications are due December 30, 2011. There are also new applications to fill vacancies. New applications are due on January 13, 2012. Copies were also handed out at the meeting.

The MBPO is hosting a reception in honor of Manhattan Community Board Members which is being held on Monday, November 28th, 6PM-8PM, at The Metropolitan Museum of Art, Fifth Avenue and 82nd Street. Please RSVP to receptions@manhattanbp.org or 212-669-4374 and state if you are bringing a guest. The MBPO and John Jay College, CUNY present Transportation 2030 A Five Borough Blueprint Conference. The conference will bring together thought leaders and experts to examine transportation challenges across the five boroughs, identify ambitious solutions and address safety and accessibility among other topics. The conference is being held on Friday, November 18th, 9AM-2PM, registration at 8:30AM, at John Jay College of Criminal Justice, 899 Tenth Avenue, (between 58th & 59th Streets). The event is free and open to the public. Register at www.transpo2030.eventbrite.com For more information call 212-669-2094. In collaboration with GROWN NYC and Go Green East Harlem, the MBPO invites the public to the Clothing & Textiles Recycling Day event which is being held on Saturday, November 19th, 12PM-5PM at La Marqueta, 1590 Park Avenue at 115th Street. Materials will be sorted out for reuse or recycling. Every donation receives a free energy-efficient CFL light bulb! Questions? Call 212-669-2094.

5. Elected Official's Reports:

- Brice Peyre, a representative from Congress Member Carolyn Maloney's office presented on the latest updates. The Congress Member has received a response from the New York District, Corps. Of Engineers in regards to her letter stating her concerns over the permit application from the NYC Dept. of Sanitation to dredge and construct pile-supported structures in the East River to replace and upgrade the East 91st Street Marine Transfer Station. The bad news is that the Army Corps will not conduct an additional public hearing for this permit review. The good news is that the Army Corps. is extending the comment period to submit written testimony from the public. On November 3rd, Congresswoman Maloney along with Senator Charles Schumer, Senator Kirsten Gillibrand, and U.S. Representatives Joe Crowley, Peter King, Charles Rangel and Steve Israel announced that they have successfully secured for the Centers for Medicare and Medicaid Services (CMS) rule change to boost Medicare funding to Memorial Sloan-Kettering Cancer Center by \$28 million a year for outpatient services reimbursement. She was also very pleased to attend the ground-breaking ceremony for the new 18-story medical research building for the Weill Cornell Medical College at east 69th Street between York and First Avenues. Despite proposed cuts by Republicans to gut the East Side Access and Second Avenue Subway projects, Council Member Maloney noted the inclusion of \$186,566,000 in federal funding in next year's budget for the Second Avenue Subway project and \$203,424,000 for the East Side Access project.
- Patrick Madigan, a representative from New York State Senator Liz Krueger's office, reported the latest updates. The Senator's Senior Roundtable 2011-2012 Program Series "Planning Ahead: Senior Living in the 21st Century" is being held Thursday, November 17th, 8AM-10AM, at Lenox Hill Neighborhood House, 331 East 70th Street. Senator Krueger held a hydrofracking meeting on Wednesday for the community to voice their opinions on this issue. On October 26th, the Senator sent out a letter to the Administrator of the Federal Aviation Administration (FAA) urging the FAA to implement a long term ban on all tourist and recreational flights over and around Manhattan. Tomorrow, November 17th, Senator Krueger will be holding an informal community meeting with the MTA which will focus on specific concerns with the Second Avenue Subway construction. The MTA has agreed to hold monthly meetings with representatives of certain buildings who have specific concerns or unique issues.
- Ricki Gunsburg, a representative from Assembly Member Micah Kellner's office, reported on the issues that he is currently working on. She gave an update on the Second Avenue Subway construction in regards to the Occupational Safety and Health Administration (OSHA) report. OSHA's preliminary findings found that there is no carbon monoxide and the noise is within acceptable levels. In addition, Assembly Member Kellner has called in the Environmental Protection Agency (EPA) and the NYS Department of Environmental Conservation (DEC) to monitor any health hazards from Second Avenue Subway construction. The DEC will be holding a public hearing on hydrofracking, November 30th, at the Tribeca Performing Arts Center, at 199 Chambers Street, NYC 10007. There will be 2 sessions: 1PM-4PM and 6PM-9PM. The Assembly Member's office will be compiling citizen testimony which will be delivered at the hearing. If you wish to submit a statement, fax it to 917-439-2983, in person, or by e-mail

to kellnem@assembly.state.ny.us The Assembly Housing Committee is holding a public hearing on the Senior Citizen Rent Increase Exemption Program (SCRIE) which is a vital part of keeping housing affordable for New York City seniors living in rent regulated housing. The hearing is being held on Tuesday, November 22nd, at 11:30AM, in the Assembly Hearing Room 1923, located on the 19th floor of 250 Broadway. The Assembly Member wished everyone a Happy Thanksgiving and encouraged the community to give back this Thanksgiving by donating clothing at Housing Works Thrift Shop. Donations are accepted at their upper east side location, 202 East 77th Street, NYC 10021, 212-772-8461 and Yorkville location, 1730 2nd Avenue, NYC 10128, 212-722-8306, M-F, 11AM-7PM, Sat, 10AM-6PM, Sun, 12PM-5PM. It was announced that the Citizens Committee for New York City has grant opportunities for volunteer-led neighborhood groups and public school-based groups that work on improving the quality of life in New York City. The grant deadline is January 31, 2012. For a grant application or information contact Arif Ullah at 212-822-9580 or by e-mail at aullah@citizensnyc.org The Citizens Committee for New York City's Neighborhood Leadership Institute announces the Winter 2012 Skills-Building Workshops. The sessions led by volunteers help individuals with community improvement projects. Sessions include *Basics of Community Organizing*, *Group Structure*, *Navigating City Government*, and *Grassroots Fundraising*. To attend these workshops or for information contact Arif Ullah at 212-822-9580 or by e-mail at aullah@citizensnyc.org

- Genevieve Michel, a representative from Council Member Daniel Garodnick's office, reported on the latest updates. Genevieve serves as Community Liaison and can be reached by calling 212- 818-0580. The Council Member's office is inviting the public to a Medicare Rights and Enrollment Event on Thursday, November 17th, 3PM, at the Stanley M. Isaacs Neighborhood Center, 415 East 93rd Street and First Avenue. Council Member Garodnick, Council Speaker Christine Quinn and the United Federation of Teachers are happy to report the launching of the Bullying Hotline. The hotline number is 212-709-3222. Please pass on this number to parents and students. The Council Member and the Council Speaker along with other elected officials are calling on Related Companies to reopen Rupert Playground. Related recently announced that it plans to construct a 35-story residential building with a state-of-the-art cancer center in the ground floor at the site. The elected officials are putting pressure on Mayor Bloomberg and Related to seek an agreement to have this residential building placed elsewhere and allow Ruppert Playground to remain undeveloped or set aside other green spaces for this area. Council Member Garodnick is pleased to announce the launching of a street closures map web site. The new web site has a searchable database and map with details on street fairs, street closures, and projects and will hopefully end the confusion regarding street activities as well as be a useful tool for both individuals and community boards. The web site address is www.gis.nyc.gov/streetclosure
- Jane Swanson, a representative from Council Member Jessica Lappin's office, reported on her latest updates. Tomorrow, Council Member Lappin along with the Department of Environmental Protection will host a Forum on Noise for business owners and managers. The forum is an informational forum which will focus on commercial noise such as music, construction, air conditioning, ventilation, etc. To attend please contact the Council Member's office at 212-980-1808. It will be held Thursday, November 17th, 2:30PM-4PM at the Temple Shaaray Tefila, East 79th Street and 2nd Avenue. Today, the Council Member held a press conference, "High Tech Campaign to High Tech Campus". Mayor Bloomberg wants to open a new, world-class engineering and applied sciences campus and bring it to Roosevelt Island. The Council Member is a strong proponent of this initiative and is urging the community to join her campaign on Facebook, Twitter and Email to let the city's Economic Development Corporation know that you want to turn Roosevelt Island into Silicon Island. Community Board members Jeffrey Escobar and Ellen Polivy along with District Manager Latha Thompson joined Council Member Lappin at the campaign event. Visit <http://www.facebook.com/AppSciNYC> and write "Pick RI" on wall, or Tweet @AppSciNyc and include the hashtag #PickRI, or Email appliedsciencesrfp@nycedc.com and include "Pick RI" in subject line. As Chair of the Aging Committee, the Council Member is very excited about John Jay Park's older adult space and has allocated \$250K toward this project and feels the 3 pieces of equipment is sufficient. She feels the community is also very excited about this project and since the community has spoken would like to get on with that. Council Member Lappin along with Council Member Garodnick and Congress Member Maloney invite everyone to attend their Holiday Party being held on Tuesday,

December 13th, 6:30PM-8:30PM at Marymount Manhattan College, Regina Peruggi Room, 221 East 71st Street, between 2nd and 3rd Avenue. RSVP by December 9th, 212-980-1808.

6. Chair's Report – Jacqueline Ludorf:

Chair, Jacqueline Ludorf announced that board member Alexander Tisch has resigned from the Community Board. He has been selected as a Civil Court judge. Alexander Tisch made a brief speech thanking the Manhattan Community Board 8 community and its board members.

7. Election of Community Board 8 Officers

Chair candidates Jonathan Horn and Nicholas Viest gave their presentations before the board members and community. A vote was then taken for the slate of officers for the 2012 term.

The following Community Board 8 members were elected for the following 6 posts.

Debra Teitelbaum – Secretary – Unopposed – 45 votes

Lori Ann Bores – Secretary - Unopposed – 45 votes

Marco Tamayo – Secretary – Unopposed – 45 votes

James Clynes - 1st Vice Chair – Unopposed – 45 votes

Sarah Chu - 2nd Vice Chair – Unopposed – 45 votes

Nicholas Viest – Chair Elect – 34 votes

Jonathan Horn – Chair Candidate – 8 votes

8. Committee Reports and Action Items:

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

1a. **A La Turk, Inc. d/b/a Ala Turk, 1417 Second Avenue (@ 74th Street)** – Renewal application for an unenclosed sidewalk café with 12 tables and 22 seats, DCA #1315623. Due date: Nov. 28th Hours: 11a – 12a Mon – Th. 11a – 1a Fri-Sat. 12p – 12a Sun. Food/Drink: 80/20.

BE IT RESOLVED that the application is approved.

Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 2 opposed, and 4 abstentions.

1b. **Lenox Room Corp. d/b/a T-Bar Steak & Lounge, 1278 Third Avenue (73rd/74th Streets)** – Renewal application for an unenclosed sidewalk café with 4 tables and 8 seats, DCA #1136163. Due date: Dec. 5th Hours: 12p – 12a. Food/Drink: 75/25.

WHEREAS there are no changes to the café and there was no objection from the public,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 45 in favor, 0 opposed, and 0 abstentions.

2a. **Luma Restaurant, Inc. d/b/a Lusardi's Restaurant, 1494 Second Avenue (@ 78th Street)** – New application for an unenclosed sidewalk with 9 tables and 20 seats, DCA #1410849. Due date: Nov. 28th. Hours: 8a – 1a. Food/Drink: 80/20.

WHEREAS there is over 10' of clearance,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 45 in favor, 0 opposed, and 0 abstentions.

3a. **347 East 85th Partners, LLC d/b/a Luna Rossa, 347 E. 85th Street (Second/First Avenues)** - Application to alter an existing wine and beer only license to include full liquor (*Laid over once at the applicants request*)

WHEREAS the applicant is adding a liquor license as his customers are requesting mixed drinks,

WHEREAS there will only be a service bar,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 44 in favor, 0 opposed, and 0 abstentions.

4a. **IL Travatore, LLC d/b/a Salumeria Rosi Parmacotto, 903 Madison Avenue (72nd/73rd Streets)** – New application for a wine and beer only license (*Laid over once, in the month of Sept., at applicant's request*) Hours: 9a – 11p. Food/Drink: 70/30.

WHEREAS the applicant has owned a restaurant on the West Side for 3 years,

WHEREAS no members of the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 44 in favor, 0 opposed, and 0 abstentions.

4b. **Crown Alley, LLC d/b/a TBD, 1590 Second Avenue (82nd/83rd Streets)** – New application for an on-premises liquor license. Hours: 12p – 4a weekdays and 11a – 4p on weekends. Food/Drink: 60/40.

WHEREAS agrees to shut the front door/windows at 10p,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 44 in favor, 0 opposed, and 0 abstentions.

4c. **TNTE, LLC d/b/a Dragonfly Restaurant, 1463 Third Avenue (82nd/83rd Streets)** – New application for an on-premises liquor license Hours: 12p – 1a Mon – Thurs. 12p – 4a Fri – Sat. 10a – 12a Sun. Food/Drink: 70/30.

WHEREAS agrees to close the window/doors at 10p,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 44 in favor, 0 opposed, and 0 abstentions.

4d. **804 Lexington Avenue Restaurant, Inc. d/b/a Burger Heaven, 804 Lexington Avenue (@ 62nd Street)** – New application for an on-premises liquor license. (*Laid over two times, in the months of July and Sept., at applicants request*) Hours: 7a – 9:30p Food/Drink: 7a – 9:30p.

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the resolution by a vote of 44 in favor, 0 opposed, and 0 abstentions.

4f. **1032 Lexington Ave. Rest., Inc. d/b/a TBD, 1032 Lexington Avenue (73rd/74th Streets)** – New application for an on-premises liquor license (*Received request to be laid over, to the Dec. meeting, on 11/1. This is the second request*)

WHEREAS the committee is denying all 2nd layovers as standard policy to ensure that application come before the community board prior to approval by the State Liquor authority,

BE IT RESOLVED THAT the application is **DIS-Approved** but the applicant is encouraged to appear if they wish to apply for their license.

Manhattan Community Board 8 adopted the resolution by a vote of 44 in favor, 0 opposed, and 0 abstentions.

4g. **BDNYC94, Inc. d/b/a Barking Dog Luncheonette, 1678 Third Avenue (@ 94th Street)** – New application for an on-premises liquor license (*Received request to be laid over, to the Dec. meeting, on 10/28. This is the third request.*)

WHEREAS the committee is denying all 2nd layovers as standard policy to ensure that application come before the community board prior to approval by the State Liquor authority,

BE IT RESOLVED THAT the application is **DIS-Approved** but the applicant is encouraged to appear if they wish to apply for their license.

Manhattan Community Board 8 adopted the resolution by a vote of 44 in favor, 0 opposed, and 0 abstentions.

- **Transportation Committee** – Jonathan Horn and Charles Warren, Co-Chairs

Update and Discussion on the legal status of Electric-Assisted Bicycles and proposed legislation affecting that status (joint item with Street Life and Public Safety Committees)

WHEREAS Community Board 8M currently requires all applicants for Department of Consumer Affairs Sidewalk Cafe permits and State Liquor Authority licenses to agree to certain stipulations, and

WHEREAS, among these stipulations is an agreement to abide by New York City's delivery bicycle regulations, and

WHEREAS, many establishments have recently begun using motor-assisted bicycles for delivery, and **WHEREAS**, both the NYPD and the NYS Department of Motor Vehicles have issued public documents or statements that use of such vehicles on any streets, highways or sidewalk located in NY State is illegal, **THEREFORE BE IT RESOLVED**, that Community Board 8M will add to its list of stipulations for all DCA and SLA applications a requirement that the applicant agrees not to use motor-assisted bicycles for deliveries, and **BE IT FURTHER RESOLVED**, that this policy will be reviewed if the legal status of motor-assisted bicycles is changed by legislation or court decision.

Manhattan Community Board 8 adopted the resolution by a vote of 44 approved, 1 opposed, and 0 abstentions.

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

Re: 851 Lexington Avenue (between 64th and 65th Streets) – Upper East Side Historic District Extension – Chon Engineering P. C. Application is to modify storefront infill installed without Landmarks Preservation Commission permits.

WHEREAS, 851 Lexington Avenue is an altered neo-Grec style rowhouse designed by Robert H. Coburn and constructed in 1880-81.

WHEREAS, 851 Lexington Avenue is a 4-story building with a commercial use at the ground level and residential units above.

WHEREAS, the applicant proceeded with storefront infill without Landmarks Preservation Commission approval; the applicant felt that the storefront façade at the ground level was in a state of extreme disrepair.

WHEREAS, this existing condition received a violation; the applicant is now proposing a revised storefront design to replace the existing design.

WHEREAS, the new design includes a thinner frame for all the elements of the storefront, including the windows and doors.

WHEREAS, the new design includes two side-by-side entry doors that will replace the single door so that the entry provides handicapped accessibility.

WHEREAS, the new design is not an improvement over the existing illegally installed storefront.

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

Manhattan Community Board 8 adopted this recommendation by a vote of 44 in favor, 0 opposed and 1 abstention.

Re: 40 East 72nd Street (between Madison and Park Avenues) – Upper East Side Historic District – Barry Rice, Architect. Application is to add additional floors.

WHEREAS, 40 East 72nd Street is a 5-story, 49' wide building constructed in 1881 by Robert B. Lynd and altered in the neo-Classical style in 1928 by Schwartz & Gross.

WHEREAS, 40 East 72nd Street is on the south side of 72nd St. at the midblock; the applicant received a Certificate of Appropriateness from the Landmarks Preservation Commission in 2003 to add 3 stories to the top of the existing building.

WHEREAS, the applicant is now requesting a Certificate of Appropriateness for a taller building that will be set back 20' from the street wall (5' feet further back from the street wall than existing zoning requires).

WHEREAS, the applicant intends that, because of the 20' setback, the new construction will read as a separate building that is discreet from the designated contributing building within the historic district.

WHEREAS, while the new building is not visible looking south from Park Avenue, it becomes visible at about 1/3rd of the way into the block.

WHEREAS, the existing 5-story building is to be fully restored; however, the applicant proposes that the windows in the Schwartz & Gross 1928 alteration be incrementally widened.

WHEREAS, the new 10-story building, while made of brick, will not be in the same brick as the building below, so that it presents as “purposefully different”, but will fit in massing and scale with the neighboring apartment buildings.

WHEREAS, the new 10-story building will contain approximately 37,000 sq. ft. which is less than the 46,000 sq. ft. allowed under the zoning (FAR).

WHEREAS the front of the new 10-story building will be articulated, with 1' setbacks on either side with a middle shallow bay-window that protrudes out 1' in the middle of the elevation.

WHEREAS, the height of the building to the top of the roof will be 167'7" and to the top of the mechanicals 176'.

WHEREAS, the applicant intends for the new 10-story building to read visually as the rear elevation of a building, i.e., if one were to look across the existing 5-story building from 72nd Street – **because of the 20' setback** -- the new construction would present as a separate building that could be in an imaginary rear yard. [The intent of the 20' setback is to make the new construction read as if it were behind and not attached to the Schwartz & Gross 5-story contributing building so that the 5-story Schwartz & Gross contributing building would be perceived as a building separate from the new construction.]

WHEREAS, the intent of the proposed window enlargements on the 5-story Schwartz & Gross building is so that the windows in the new building above could be aligned to the building below; however their enlargement will change forever the character and design of the Schwartz & Gross contributing building.

WHEREAS, the existing 5-story Schwartz & Gross building contributes to the character of the historic district; the Landmarks Commission reaffirmed this when it approved the as-yet-unbuilt 3-story addition in 2003.

WHEREAS, enlargement of the windows in the Schwartz & Gross building would change the proportions of the 1928 alteration.

WHEREAS, the 20' setback reads as a "setback", not as a "rear elevation" of a building in the rear yard behind.

WHEREAS, the applicant did not present any drawings for the rear (south elevation facing 71st St.) of the proposed new construction.

WHEREAS, the integrity of the contributing Schwartz & Gross building within the historic district must be maintained.

WHEREAS, the proposed 10-story building set on top of the 5-story Schwartz & Gross contributing building is inappropriate and out-of-context within the historic district.

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

Manhattan Community Board 8 adopted this recommendation by a vote of 44 in favor, 0 opposed and 1 abstention.

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

Re: Plan to Reconstruct Central Park's North Harlem Meer Landscape, Shoreline and Playground

WHEREAS The Central Park Conservancy has proposed a preliminary plan for restoring the Harlem Meer landscape, shoreline and playground that calls for enhancing the safety, accessibility and overall usability of the space; and

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

WHEREAS the planned renovation of the E. 110th St. Playground would fulfill the CPC's goal of better integrating playgrounds into the overall park landscape and park experience; therefore,

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

Manhattan Community Board 8 adopted the resolution by a vote of 45 in favor, 0 opposed and 0 abstentions.

Re: Plan to Reconstruct the Landscape in the Reservoir East Area of Central Park

WHEREAS the landscaping, irrigation system and pathway in the Reservoir East area of Central Park have become deteriorated, requiring reconstruction; and

WHEREAS proposed new plantings and soil regradings would improve the appearance of the area, restore some of the previously existing scenic elements, such as the extensive rhododendron plantings, and generally better integrate this area into the overall design of Central Park; and

WHEREAS proposed new landscaping would better screen out views of 5th Avenue and other cityscapes for those in the Reservoir East area, enhancing their park experience; therefore,

BE IT RESOLVED that Community Board 8 Manhattan approves of the Central Park Conservancy's plan to reconstruct the landscape in Central Park's Reservoir East area—a section of Central Park that runs along both sides of the East Drive from E. 86th St. to E. 96th St.

Manhattan Community Board 8 adopted the resolution by a vote of 45 in favor, 0 opposed and 0 abstentions.

Re: Plans for an Older Adults Recreation Area in John Jay Park – Substitute Motion

WHEREAS the growing population of older residents in the area of John Jay Park wish to have a targeted space in which to relax, read, socialize and exercise; and

WHEREAS these residents of Community Board 8 wish to convert the rear area of the park for adults (not in the company of children) who use the park -- with amenities including new plantings, safety surfacing, picnic and checkers tables, retrofit benches and outdoor exercise equipment designed for adults;

WHEREAS Jessica Lappin's office has indicated that they support the three pieces of equipment as proposed by the community;

THEREFORE be it resolved that Manhattan's Community Board 8 requests that the Parks Department implement the scope of work assessment and a plan/design be shown to the community, immediately.

Manhattan Community Board 8 adopted the resolution by a vote of 34 in favor, 6 opposed and 5 abstentions.

8. Old Business:

No old business discussed.

9. New Business:

Chair, Jacqueline Ludorf wished everyone a Happy Thanksgiving and wished Nicholas Viest good luck on his new post as Chair of the Community Board for 2012.

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