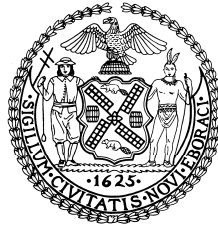


**Nicholas D. Viest**  
Chairman

**Latha Thompson**  
District Manager



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

**DRAFT**

**FULL BOARD MEETING**  
**Wednesday, October 17, 2012**  
**Stanley Isaacs Neighborhood Center**  
**415 East 93<sup>rd</sup> Street**  
**Dining Room**  
**6:30PM**

**Community Board Members Present:** Elizabeth Ashby, Kenneth Austin, John Bartos, Michele Birnbaum, Molly Blayney, Roy Carlin, Sarah Chu, James Clynes, Christina Davis, Jeffrey Escobar, Cory Evans, Susan Evans, Edward Hartzog, David Helpern, Lorance 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, Barbara Rudder, 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 (Excused):** Albert Barrueco, Lori Ann Bores, Deirdre Breslin, Barbara Chocky, A. Scott Falk, David Rosenstein, William Sanchez, Patrick Stewart

**Community Board Members (Unexcused):** Matthew Bondy, George Fuchs

**Total Attendance: 40**

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

**1. Public Session:**

- Member of the public, Louise Radin, representing East 86<sup>th</sup> Street Association, spoke in favor of the East 86<sup>th</sup> Street Streetscape.
- Member of the public, Robert Goldsmith, representing The Frick Collection, spoke in opposition to the Landmarks Committee lot line windows 11 East 70<sup>th</sup> Street.
- Member of the public, Judy Buck, representing Roosevelt Island Coalition spoke.
- Member of the public, Nisha Banerjee, representing New York Professional Nurses Union, spoke on the contract negotiations with Lenox Hill Hospital.
- Member of the public, Jill Rothstein, representing the New York Public Library, spoke in favor of the budget.
- Member of the public, Albert Ahronheim, spoke.

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

**3. Adoption of the Minutes** – September Land Use-Full Board 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 along with CB8M held a Land Use Education Forum on Roosevelt Island and wanted to thank Nick, Larry, Ellen and Jeff for participating. She announced that Borough President Stringer along with other elected officials and Community Boards 3,5,6 and 8 invite the community to an East Side Town Hall Meeting being held on Tuesday, October 23<sup>rd</sup>, 6PM-8PM at the Lighthouse International, 111 East 59<sup>th</sup> Street. Residents will have the opportunity to speak to representatives from government agencies as well as talk to their neighbors and share neighborhood concerns. RSVP 212-669-4451 or [RSVP@manhattanbp.org](mailto:RSVP@manhattanbp.org) The MBPO is hosting its Community Board Reception on November 20<sup>th</sup> at the Museum of Natural History.

#### 5. Elected Official's Reports:

- Lolita Jackson, a representative from Mayor Michael Bloomberg's office, reported on his latest initiatives. She announced that the Second Avenue Subway (SAS) team is actively working on SAS issues. They are working on SAS issues that have significantly impacted the East 93<sup>rd</sup> Street block. The SAS also made an emergency walk through 2 days after the blast in August with city agencies and the New York Fire Department to make sure they were in compliance. Also, the SAS is working with the local businesses to identify issues. Lolita asked the audience if anyone knows of any businesses that may have issues regarding the SAS they should refer the businesses to her.
- Alice Fisher, a representative from NYS Senator Liz Krueger's office, reported on her latest initiatives. She announced that Senator Krueger is hosting a Roundtable for Boomers and Seniors. The Roundtable will be devoted to discussions around "The Challenges of Longevity". Guest speakers will introduce topics such as Longevity and Its Impact on Society, Health Care Challenges, Work Place Challenges, and Aging as a Community Experience, including Family Challenges and The Role of Technology. The first session will take place on Thursday, November 15<sup>th</sup>, 8AM-10AM at Lenox Hill Neighborhood House, 331 East 70<sup>th</sup> Street. To RSVP or for additional information contact Rebekah Glushefski, [rglushevski.nyc@gmail.com](mailto:rglushevski.nyc@gmail.com) or call the office at 212—490-9535.
- Justin Rush, a representative from NYS Senator Jose Serrano's office, reported on his latest initiatives. He announced that today was FDR Memorial Day at Roosevelt Island and on Saturday it will be Residence Day where the residents will get to preview the FDR Memorial along with Senator Serrano. He also announced that there is a new staff member at Senator Serrano's office; Andres Pazmino is the new Community Liaison for Community Board 7.
- Matthew Walsh, a representative from Assembly Member Dan Quart's office, reported on his latest initiatives. On October 15<sup>th</sup> Con Edison released a map of 12 zones they have identified for expansion of gas infrastructure. One of the zones includes a large portion of the Upper East Side. The zone consists of buildings from East 81<sup>st</sup> street to East 65<sup>th</sup> street and from Fifth Avenue to Third Avenue. Buildings that reside within these boundaries must contact Con Edison by **December 14, 2012** to be considered. Please contact Con Edison at 1-800-643-1289 or call the Assembly Member's office at 212-606-0937.
- Emma Lowe, a representative from Council Member Daniel Garodnick's office reported on his latest initiatives. She announced that Council Member Garodnick is calling on the NYPD to fully investigate the tragic accident that killed Rubin Baum on September 22<sup>nd</sup> at the corner of 59<sup>th</sup> Street and Park Avenue and he hopes that the NYPD will act to investigate this accident in order to prevent future accidents. The Council voted in favor of a package of bills to enforce safety for commercial cyclists. Council Member Garodnick has proposed a compromise on the paid sick leave bill. Advocates of the bill and representatives of the small business community responded with support for the framework proposed. As Chair of Consumer Affairs, he is holding a hearing on legislation that should prevent consumers from getting scammed by pedi-cab drivers.
- Michelle Feldman, a representative from Council Member Jessica Lappin's office, reported on her latest initiatives. She announced that today was the opening of the FDR Memorial in Roosevelt Island. The Council Member has been a major proponent securing \$8 million toward this beautiful project which has taken 4 years to be realized. The Council Member thanked everyone who filled out her online survey regarding the MTA's trash removal of garbage cans at subway stations. In the survey, 66% of respondents said they've noticed more trash at the 57<sup>th</sup> Street F station and 93% said removing the garbage cans from the subway station is a bad idea. She will be sure to send the results of this survey to the MTA who will be evaluating the program over the next six months. She is pleased to share that the NYC Council passed new measures to help make streets safer from commercial cyclists. As Chair of the City

Council's Aging Committee, she will be hosting the third annual Senior Cultural Discounts Fair. This event is an opportunity for seniors to learn about free and low-cost offerings for seniors from our city's finest theatres, museums and cultural organizations. The event is being held on Tuesday, October 30<sup>th</sup>, 1PM-4PM, at the Canaan Baptist Church of Christ-Founders Hall, 3<sup>rd</sup> Floor. To RSVP call 212-980-1808. Please join Council Member Lappin at the Medicare Enrollment Awareness Event to learn more about changes to Medicare taking place in 2013. The event is being held on October 18<sup>th</sup>, 11AM-Noon at the Knickerbocker Plaza Community Room, 1751 Second Avenue.

- Christina Parisi, a representative from Congresswoman Carolyn Maloney's office, reported on her latest initiatives. The Congresswoman is hailing the opening of the Four Freedoms Park and the new U.S. Patent Office for Cornell-Technion Engineering School at Roosevelt Island. Representatives Maloney along with Representatives Capito and Slaughter are in support of the proposal allowing stay-at-home spouses with access to family income to be issued credit cards in their own name.
- Helen Ohw, a representative from Assembly Member Micah Kellner's office, reported on his latest initiatives. She gave an update on the lawsuit filed by the Assembly Member against the East 91<sup>st</sup> Street Marine Transfer Station. The oral arguments have been heard and now it is basically a waiting game.

#### **6. Chair's Report – Nick Viest:**

Nick Viest gave his report. Nick welcomed back CB8M Board Member Rita Popper. He gave a report of the last Manhattan Borough Board meeting and will forward the minutes to all the board members by e-mail. He reported that the resolution regarding the Manhattan Borough Board's support for Tidal Surge Preparedness passed. Tomorrow at the Manhattan Borough Board's meeting they will be voting on a resolution for supporting school busing improvements for special education students. Nick distributed this resolution to the CB8M board members to review for a vote. He also spoke on a pedestrian accident in which a woman was seriously hurt at the 79<sup>th</sup> Street and 1<sup>st</sup> Avenue location. There is a safety concern regarding the signals at this intersection.

#### **7. Nominating Committee Report**

Nominating Committee Chair, Barry Schneider, reported that the Nominating Committee members which include John Bartos, Molly Blaney, Susan Evans, David Liston, Barbara Rudder and Teri Slater participated in the interviews and voted a slate of nominated candidates:

**Secretary – Larry Parnes, Jane Parshall and Debra Teitelbaum**

**2<sup>nd</sup> Vice Chair – Sarah Chu**

**1<sup>st</sup> Vice Chair – James Clynes**

**Chair – Nicholas Viest**

#### **8. Committee Reports and Action Items:**

- **Landmarks Committee – David Helpern and David Liston, Co-Chairs**

**Re: 21 East 70<sup>th</sup> Street (between Fifth and Madison Avenues) – Upper East Side Historic District**

– Adam Yarinsky, Architect and Robert Bates, Architect – A Neo-French Classic style residence designed by William J. Rogers and built in 1918-19. Application is to replace windows, conduct restorations, and alter the rooftop and exterior façade.

**WHEREAS** the applicant proposes to replace windows on the east and north facades, construct various restorations and alterations to the south facade, and alter the rooftop.

**WHEREAS** the Committee wishes to consider this application in three parts: 1) the south facade, which faces the street, from the second floor up; 2) the rooftop; 3) the ground floor of the south façade, the east facade; and the north façade which faces the rear yard.

##### **1) The South Facade from the Second Floor Up**

**WHEREAS** the proposed restoration to the south facade from the second floor up would restore the south facade from the second floor up to its original colors and ornamental details, install new bronze rails on the existing second floor balconies, and repair the marble veneer to the bottom of the existing balconies, to match the existing marble veneer, recommend approval.

**THEREFORE BE IT RESOVLED THAT** the Committee **approves** the proposed changes to the south facade from the second floor up.

**Manhattan Community Board 8 adopted this recommendation by a vote of 41 in favor, 0 opposed, and 0 abstentions.**

**2) The Rooftop**

**WHEREAS** the proposed alteration to the roof would result in the movement of mechanical equipment from the south side of the roof to the north side of the roof where they would not be visible from the public way, **THEREFORE BE IT RESOVLED THAT** the Committee **approves** the proposed changes to the rooftop **Manhattan Community Board 8 adopted this recommendation by a vote of 41 in favor, 0 opposed, and 0 abstentions.**

**3) The Ground Floor of the South Façade, the East Façade, and the North Façade**

**WHEREAS** said changes to the south facade at the ground floor would involve materials too dark in color, too contemporary in style, and a design totally unrelated to, and at odds with, the character and design of the building; **WHEREAS** the proposed window replacement on the east facade would involve replacing existing lot line windows with windows that would be tall and narrow and of a dark color, and which would be visible from the Avenue over an existing two story building;

**WHEREAS** the proposed changes to the north facade would involve replacing the existing windows with fixed and operable windows in a curtain wall arrangement with dark mullions and spandrel panel;

**WHEREAS** said changes would not be inconsistent with the character and design of the building;

**THEREFORE BE IT RESOVLED THAT** the Committee **disapproves** the proposed changes to the ground floor of the south, east and north façade.

**Manhattan Community Board 8 adopted the recommendation to disapprove this portion of the application by a vote of 26 in favor, 14 opposed, and 1 abstention.**

**Re: 11-15 East 70<sup>th</sup> Street (between Fifth and Madison Avenues) – Upper East Side Historic District – Andre Tchelistcheff Architects** – A Neo-French Classic style residence designed by John Duncan and built in 1909-10. Application to add windows to the 3<sup>rd</sup> Floor.

**WHEREAS** the proposed lot line windows for the third floor overlook the Frick Collection Garden, **WHEREAS** there are windows that overlook the Garden on the northern end of 11 East 70<sup>th</sup> Street, **WHEREAS** the proposed windows match the double hung windows on the front of 11 East 70<sup>th</sup> Street,

**WHEREAS** the four proposed windows are arranged in pairs because of the two fireplaces on the western wall of 11 East 70<sup>th</sup> Street,

**WHEREAS** the four windows are relatively small, and whereas the four windows appear incidental within the wall and do not compete with the monumental arches in the Frick Garden wall below,

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

**Manhattan Community Board 8 adopted this recommendation by a vote of 38 in favor, 1 opposed, and 0 abstentions.**

**Re: 800 Fifth Avenue (between 61<sup>st</sup> and 62<sup>nd</sup> Streets) - Upper East Side Historic District - John P. Williams, Architect** – A Post Modern style residence designed by Ulrich Franzen & Associates and built in 1977-78. Application to alter garden rooftop and plaza.

**WHEREAS** the applicant proposes to remove the current garden rooftop and plaza which includes a decorative water pool in order to make repairs to the parking garage beneath same.

**WHEREAS** the applicant proposes to replace said garden rooftop and plaza with a new garden rooftop and plaza which would have more shade trees and ornamental plantings, and a larger water pool, then are presently there, and which would be configured such that there would less exposed pavement than is presently there in the current configuration.

**WHEREAS** the applicant would replace the existing planters along the 61st Street side of the current garden rooftop and plaza with new planters and new plantings, substantially similar in size and design to those presently there.

**WHEREAS** the above changes would not significantly change the view of the garden rooftop and plaza from what is currently visible from the public way.

**THEREFORE BE IT RESOVLED THAT** this application is **approved.**

**Manhattan Community Board 8 adopted this recommendation by a vote of 33 in favor, 7 opposed, and 0 abstentions.**

**Re: 11-13 East 67<sup>th</sup> Street (between Fifth and Madison Avenues) - Upper East Side Historic District - Peter Pennoyer, Architect** – 11 East 67<sup>th</sup> Street is a neo-French Classic style townhouse designed by Thom & Wilson and built in 1881-82. 13 East 67<sup>th</sup> Street is an English neo-Classical style townhouse designed by Harry Allan Jacobs and built in 1920-21. Application to combine two townhouses into one residence and restore the façades, alter areaway and rooftop, and replace bricks and windows.

**WHEREAS** the two townhouses are to be combined into a single family residence, whereas the two front facades are to be restored with minimal changes and with each house maintaining its original architectural identity,

**WHEREAS** the original grill work will be replicated at the ground floor of 11 West 67<sup>th</sup> Street including a grill over the former service door and a fence around a new areaway,

**WHEREAS** the windows on the sixth floor of 11 West 67<sup>th</sup> Street will be brought back to the original design,

**WHEREAS** other windows will be replaced in kind but with insulated glass, whereas the missing roof top railing on 13 East 67<sup>th</sup> Street will be replaced,

**WHEREAS** a new bulkhead will be added to 13 East 67<sup>th</sup> Street that will not be visible from the Street, whereas the bulk of the rear portion of the house will be reduced,

**WHEREAS** the exposed metal stair at the rear will be removed,

**WHEREAS** the rear facades of the two houses will be combined into a new design that is traditional in its architectural character and that repeats some of the motifs from the front facades such as the arched windows,

**THEREFORE BE IT RESOVLED THAT** this application is **approved**.

**Manhattan Community Board 8 adopted this recommendation by a vote of 41 in favor, 0 opposed, and 0 abstentions.**

**Re: 38-40 East 75<sup>th</sup> Street (Madison/Park Avenues) – Upper East Side Historic District - Mr. Walter Marin, Architect** – 38 East 75<sup>th</sup> Street is a neo-Grec style residence built in 1881-82 by Thom & Wilson and altered by John W. Ingle in 1926. 40 East 75<sup>th</sup> Street is a noe-Grec with Beaux-Arts addition style residence designed by Thom & Wilson and built in 1881-82. Application to combine the two buildings into one residence, alter the façade and rooftop, and install windows.

**WHEREAS** the applicant proposes to combine two townhouse buildings, 38 East 75th Street and 40 East 75th Street, into one residence, altering the facade and rooftop, and installing uniform windows and railings.

**WHEREAS** the applicant proposes, as part of the above-mentioned combination, to 1) install a new matching bay window on the 38 East 75th townhouse with the same style and details as are present on the 40 East 75th Street townhouse; 2) install the same townhouse facade and architectural details on the 38 East 75th townhouse as are present on the 40 East 75th Street townhouse, but replace the existing brownstone facade and install a new metal dormer roof on the top of the 38 East 75th Street townhouse with the same finish and details as the dormer roof on the 40 East 75th Street townhouse; 3) build an open garden porch on top of the existing roof of the 38 East 75th Street townhouse; 4) install brownstone wall panels and cornices on the front facade of both townhouses; and 5) install a wrought iron railing and fence on the 38 East 75th Street townhouse to match the existing railing style at the 40 East 75th Street townhouse.

**WHEREAS** the above changes would be inconsistent with the architecturally significant scale of the individual rowhouses and would eliminate the individual character of the two buildings which are each distinctly separate, individually identifiable, and historically significant rowhouses.

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

**Manhattan Community Board 8 adopted this recommendation by a vote of 34 in favor, 2 opposed, and 4 abstentions.**

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

**Re: Discussion about the need/desire for a CB8M position urging institutions on the Upper East Side to provide for public open space when they plan new buildings.**

**WHEREAS** Manhattan’s Upper East Side suffers from a severe shortage of public open space, particularly green space, compared with other districts of New York City; and

**WHEREAS** CB8M can help expand available public open space by encouraging institutions to include such open space in their development plans; and

**WHEREAS** providing public open space could enhance institutions' compatibility with the residential zoning districts in which they are permitted to exist; and  
**WHEREAS** providing public open space would help local institutions demonstrate their concern for the community they operate in and sense of partnership with it; therefore,  
**BE IT RESOLVED** that Community Board 8, Manhattan urges all organizations planning new facilities in the CB8M district to incorporate public open space into their plans for the project.  
**Manhattan Community Board 8 approved the resolution by a vote of 37 in favor, 3 opposed and 0 abstentions**

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

**Re: Update on the 81st Street Pedestrian Bridge**

**Security Cameras:**

**WHEREAS** CB8M is concerned about the safety of pedestrians at night who are walking on a very long bridge with no way to get off before the end of the bridge, and

**WHEREAS** CB8M is also concerned about the safety of pedestrians who have to share the bridge with bikers who may be travelling at a high speed because of the length of the bridge;

**THEREFORE, BE IT RESOLVED** that CB8M recommends that security cameras be installed on the East 81<sup>st</sup> Street pedestrian bridge and phones or call boxes also be installed for the protection of those walking on the bridge, particularly at night;

**FURTHER RESOLVED** that CB8M recommends that signs be posted at the appropriate places on and near the bridge telling bikers to walk their bikes on the bridge.

**Community Board 8M APPROVED the resolution by a vote of 32 in favor, 6 opposed, 2 abstentions and 0 not voting for cause.**

**Fence:**

**WHEREAS**, CB8M is concerned that the overall design of the 81<sup>st</sup> Street pedestrian bridge still does not fit with the surrounding neighborhood despite a number of changes made to the bridge;

**WHEREAS**, there is particular concern with the eight foot high fence that faces the buildings and the fact that the bridge is in an area with some parks and esplanades;

**THEREFORE, BE IT RESOLVED** that CB8M urges the DOT and the DDC to make further changes to the 81<sup>st</sup> Street pedestrian bridge so that it blends into the surrounding neighborhood in a better way and to ameliorate the impact of the eight foot high fence facing the buildings in the area.

**Community Board 8M APPROVED the resolution by a vote of 39 in favor, 0 opposed, 1 abstention and 1 not voting for cause.**

**Re: Discussion of the 86th Street Streetscape Improvements**

**WHEREAS** CB8M welcomes the East 86th Street streetscape improvements presented by the Department of Transportation,

**WHEREAS** DOT's plans include the installation of bus bulbs along East 86th Street that will provide space for riders waiting for the M86 buses,

**WHEREAS** off-board fare collection would reduce the amount of time the M86 buses spend loading passengers boarding at these stops, and thus speed traffic on East 86th Street,

**THEREFORE BE IT RESOLVED** that CB8M requests that DOT and New York City Transit launch Select Bus Service–style off-board fare collection on the M86 bus route.

**Community Board 8M APPROVED the original motion resolution by a vote of 31 in favor, 6 opposed, 2 abstentions and 0 not voting for cause.**

**A substitute motion FAILED by a vote of 14 in favor, 22, opposed, 4 abstentions, and 0 not voting for cause.**

## 9. Old Business

No old business.

## 10. New Business

### **Re: Manhattan Community Board 8 Resolution supporting School Busing Improvements for Special Education Students**

**WHEREAS**, parents and members of the community in New York City have raised serious concerns regarding the oversight of transportation for students with disabilities to and from their schools; and

**WHEREAS**, the bus routes taking students with disabilities to school are often longer than 120 minutes in each direction, and weave circuitously through as many as three boroughs, making stops at multiple schools and/or residences; and

**WHEREAS**, these transportation times often exceed individual student mandates per their Individualized Education Programs; and

**WHEREAS**, these lengthy travel times can lead to students missing valuable instruction time due to the late arrival or early departure of their buses; and

**WHEREAS**, the large number of individual busing companies makes it difficult for the Office of Pupil Transportation to address and remedy the multitude of service issues and enforce standards; and

**WHEREAS**, DOE's no-bid contracting process is not competitive and does not encourage accountability and prevention measures through a fair RFP process; and

**WHEREAS**, bus drivers and the accompanying staff responsible for the supervision of students with disabilities, including the boarding and de-boarding process, require regular training on the issues specific to special needs students; and

**WHEREAS**, the Chancellor's Regulation on Pupil Transportation has not been revised since September 5, 2000;

**THEREFORE, BE IT RESOLVED** that the Manhattan Borough Board strongly urges DOE to re-assess its busing protocol with regard to students with disabilities and to specifically explore the following measures:

- 1) Review and revise the Chancellor's Regulation on Pupil Transportation to include:
  - a. An appropriate accountability structure;
  - b. Mechanisms to review busing operations, revise protocol and routes as needed, and capture parent feedback;
  - c. Ensure that all bus staff receives annual training on working with students with disabilities.
- 2) Revise the RFP issued for bus companies to include:
  - a. A requirement that all buses that transport special need students be equipped with cameras, GPS and climate control systems;
  - b. A requirement that all bus company employees participate in annual training.

**Community Board 8M passed the resolution by a vote of 38 in favor, 0 opposed 2 abstentions and 0 not voting for cause.**

The meeting was adjourned at 8:42PM.

**Nicholas D. Viest, Chair**