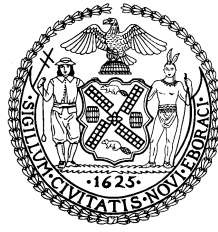


Nicholas D. Viest
Chairman

Latha Thompson
District Manager



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The City of New York
Manhattan Community Board 8

LAND USE/FULL BOARD MEETING

New York Blood Center
310 East 67th Street
Auditorium
Wednesday, December 17, 2014
6:30PM

Community Board Members Present: Elizabeth Ashby, Lowell Barton, Michele Birnbaum, Matthew Bondy, Lori Ann Bores, Barbara Chocky, Sarah Chu, James Clynes, Christina Davis, Susan Evans, A. Scott Falk, Edward Hartzog, David Helpert, Lorance Hockert, Jonathan Horn, Lorraine Johnson, Allison Kopf, Craig Lader, David Liston, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, Jane Parshall, Rita Lee Popper, Margaret Price, Hattie Quarnstrom, Barbara Rudder, Abraham Salcedo, William Sanchez, Judith Schneider, M. Barry Schneider, Marco Tamayo, Debra Teitelbaum, Nicholas Viest, Elaine Walsh, Charles Warren, Hedi White, Timothy Yeo, Gregory Zaffiro

Community Board Members (Excused): Sophia James, Sharon Pope, David Rosenstein, Teri Slater, Cos Spagnoletti

Community Board Members (Unexcused): Albert Barrueco, Jeffrey Escobar, Dave Kleckner, Ellen Polivy, Jared Stone

Total Attendance: 39

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

1. Public Session – Those who wish to speak during the Public Session must register to do so by 6:45 pm

- Member of the public, Jill Eisner, representing Pledge2Protect, spoke in opposition to the Marine Transfer Station.
- Member of the public, Dr. York Batley, spoke on air quality and emissions issues.
- Member of the public, Erlinda Brent, representing Pledge2Protect, spoke on traffic safety.
- Member of the public, Gerry Levine, representing Pledge2Protect, spoke in opposition to the Marine Transfer Station.
- Member of the public, Lindy Linder, representing Pledge2Protect, spoke in opposition to the Marine Transfer Station and its detriment to seniors.
- Member of the public, Barbara Goldenberg, representing Pledge2Protect, spoke in opposition to the Marine Transfer Station and its financial costs.
- Member of the public, Helaine Eisenberg, spoke on emergency vehicle access in Yorkville.
- Member of the public, Dara Hunt, spoke on the Department of Environment Conservation permit.
- Member of the public, Rebecca Donsky and Jean Pamphile, representing the New York Public Library, spoke on the library's January events.
- Member of the public, Clark Minnell, spoke in opposition to the Park Avenue Christian Church development.
- Member of the public, Jordon Wouk, spoke in opposition to the East 81st Street Pedestrian Bridge construction.
- Member of the public, Charles H. Whitman, representing the Committee for 81st Street Pedestrian Bridge, spoke in favor of the 81st Street Pedestrian Bridge.

- Public Hearing: BSA Cal No. 270-14-BZ, 203 East 92nd Street, Block 1538, Lot 10**-Application for a special permit, pursuant to ZR 73-36 to permit a physical culture establishment to be operated as Equinox Fitness within a portion of a new mixed-use building.

Whereas, the application for a special permit, pursuant to ZR 73-36 to permit a physical culture establishment to be operated as Equinox Fitness within a portion of a new mixed-use building.

Be It Resolved that Community Board 8 **disapproves** the application for a special permit pursuant to ZR 73-36 to permit a physical culture establishment to operate within portions of 203 East 92nd Street.

Community Board 8M adopted the resolution (to disapprove the application) by a vote of 19 in favor, 18 opposed, 0 abstentions and 0 not voting for cause.
- Public Hearing: BSA Cal No. 705-81-BZ, 1433 York Avenue, Block 1471, Lot 21**-Application for the extension of term of variance allowing a physical culture establishment operated as New York Health and Racquet Club within portions of an existing mixed-use building and for the extension of time to obtain a Certificate of Occupancy.

Whereas, the application for the extension of term of variance allowing a physical culture establishment operated as New York Health and Racquet Club within portions of an existing mixed-use building and for the extension of time to obtain a Certificate of Occupancy.

Be It Resolved that Community Board 8 **approves** the application for the extension of term of variance allowing a physical culture establishment to operate as New York Health and Racquet Club with portions of 1433 York Avenue

Community Board 8M adopted the resolution (to approve the application) by a vote of 38 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

2. Adoption of the Agenda – Agenda adopted.

3. Adoption of the Minutes – October 8, 2014 Land Use and October 15, 2014 Full Board meeting minutes adopted.

4. Manhattan Borough President’s Report:

Jesus Perez, a representative from Manhattan Borough President Gale Brewer’s office, reported on her latest initiatives.

5. Elected Official’s Reports:

- Patrick Madigan, a representative from Senator Liz Krueger’s office, reported on her latest initiatives.
- Council Member Ben Kallos reported on his latest initiatives.
- Tricia Shimamura, a representative from Congress Member Carolyn Maloney’s office, reported on her latest initiatives.
- George Damalas, a representative from Senator Jose Serrano’s office reported on his latest initiatives.
- Rohan Narine, a representative from Assembly Member Dan Quart’s office, reported on his latest initiatives.
- Will Brightbill, a representative from Council Member Daniel Garodnick’s office, reported on his latest initiatives.

6. Chair’s Report – Nick Viest:

Chair Nick Viest gave his report. Nick announced that he was honored to serve as Chair for the past three years. He did his best to keep the discussion civil. He thanked the elected officials and their representatives. He thanked the Community Board 8 staff. He thanked the co-chairs of the committees and all the board members for their work. He stated that he was honored and privileged to have served the board for the past three years as Chair and is looking forward to the years ahead and to working with Jim Clynes, the Chair elect.

7. Committee Reports and Action Items:

a. Landmarks Committee-David Helpert and Jane Parshall, Co-Chairs

Re: 132 East 73rd Street (between Lexington and Park Avenues) – Upper East Side Historic District – J.C. Calderon, Architect – Neo- Grec style single family house designed by William McNamara and completed in

1879-1880. Application is for fence at front areaway, work at first floor front elevation and sidewalk snow melt system.

WHEREAS 132 East 73rd Street is a neo-Grec style single family home designed by William McNamara and constructed in 1879-1880;

WHEREAS the applicant's initial proposal for work at 132 East 73rd Street was approved by the Landmarks Committee of Community Board #8 in September, 2014 and subsequently by the Full Board; the applicant, however, withdrew his application at the Landmarks Preservation Commission -- thus, a Certificate of Appropriateness was never granted for the work the Board approved in September;

WHEREAS the applicant has now submitted a new application to the LPC, including a new design for an areaway fence;

WHEREAS the proposed new wrought iron steel picket fence will extend out 5'8" from the property line and will be 4' high with the vertical posts extending up an additional 6" and will extend across the width of the house (the lot is approx. 15' wide) and turn the corner at the west side of the property so that the fence presents as an L-shape.

WHEREAS the design for the fence will mimic the existing middle window grille at the ground elevation and will have alternating heights for the pickets;

WHEREAS the fence will have a horizontal channel at the top;

WHEREAS 7 planters will be placed within the front areaway;

WHEREAS the applicant proposes to replace the existing light fixture with a new, larger-in-scale design;

WHEREAS the applicant proposes to replace the limestone surround of the existing front door with a new, more substantial door trim and lintel;

WHEREAS applicant proposes to add a limestone band/lintel at the point where the first and second floors meet;

WHEREAS the applicant proposes to install an electrical snow melt system using NYC-DOT guidelines both under the areaway and under the sidewalk in front of the house;

WHEREAS the proposed changes to the entrance door surround, the proposed new light fixture and the proposed addition of the limestone band at the top of the ground floor add elegance and definition to the front elevation and are contextual and appropriate within the historic district;

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

Manhattan Community Board 8 adopted this recommendation by a vote of 38 in favor, 0 opposed, 0 abstentions, and 0 not voting for cause.

Re: 1006 Madison Avenue (between 77th and 78th Streets)-Upper East Side Historic District - John Field, Architect-French Second Empire style, five story residence designed by G.E. Knowlden and completed in 1870. Application is for a storefront replacement on the first floor.

WHEREAS no portion of the current storefront is original to the building;

WHEREAS the street level of the storefront dates from 1927 and the upper portion of the storefront dates from around 1900;

WHEREAS the design of the street level portion of the storefront has a unique character and great charm due to the proportions, the curved glass, and the recessed doors;

WHEREAS the proposed storefront retains all elements of the upper portion of the existing storefront including the fluted spandrel but introduces a new storefront at the street level that is in line with the storefront above;

WHEREAS the new entry level portion of the storefront replicates the symmetry above with glass doors on either side of a large central window;

WHEREAS the details of the pilasters at each edge of the existing upper storefront will be replicated in the new street level storefront and the mullions will also be similar to the mullions above;

WHEREAS the existing deeply recessed door to the apartment above will be visible through the new, northerly glass door;

WHEREAS the proposed overall storefront design may be closer in appearance to the storefront that was added to the building around 1900 but takes away the distinctiveness of the current street level design dating from 1927;

THEREFORE be it resolved that this application is disapproved.

Manhattan Community Board 8 adopted this recommendation by a vote of 28 in favor, 7 opposed, 4 abstentions, and 0 not voting for cause.

b. Parks Committee-Margaret Price and Barbara Rudder, Co-Chairs

Re: Proposal to Create a Public Park at 1190 Second Avenue

WHEREAS the densely populated Upper East Side of Manhattan has among the least public parkland of any district of New York City; and

WHEREAS that lack of public open space prevents the community, including many children and older adults, from enjoying basic quality-of-life opportunities available elsewhere in New York City; and

WHEREAS CB8M's Parks Committee has identified the large lot at 1190 Second Ave. at 63rd St. as a potential site for a future park, since it currently contains no major permanent buildings; and

WHEREAS residents of that area have no other nearby public parkland; and

WHEREAS that Second Ave. site, now being used by the MTA as a construction staging area for its East Side Access (ESA) transportation project, conceivably could become available for parkland once the MTA completes its ESA project in approximately 2022; therefore,

BE IT RESOLVED that CB8M strongly favors converting the MTA-owned lot at 1190 Second Avenue at 63rd Street to a public park once the East Side Access transportation project is completed. The board also urges the City and the MTA to support this plan for new parkland, since Manhattan's Community Board 8 district has among the least amount of parkland of any New York City area.

Manhattan Community Board 8 approved the resolution by a vote of 36 in favor, 0 opposed, 1 abstention and 0 not voting for cause.

c. Transportation Committee-A. Scott Falk and Charles Warren, Co-Chairs

Re: Update on the East 81st Street Pedestrian Bridge

WHEREAS the East 81st Street Pedestrian Bridge has structural deficiencies and is the second- lowest-rated bridge in New York City; and

WHEREAS NYC Dept. of Design & Construction (DDC) has entered into a contract to replace this bridge (project ID HBPED100M); and

WHEREAS this project consists of three main components:

1. An ADA-accessible ramp onto John Finley Walk, to be constructed on East 81st Street
2. The replacement of the pedestrian bridge over the FDR Drive at East 81st Street
3. A new 452-foot ramp from the pedestrian bridge down to the lower esplanade level; and

WHEREAS this project is located on the East River Esplanade and within a residential area; and

WHEREAS the community is unhappy with the current design; and

WHEREAS at the December 3, 2014, CB8M Transportation Committee meeting, DDC repeatedly affirmed their willingness to tweak the design in conjunction with CB8M to address community concerns, and to meet with a small working group from CB8M and area residents prior to the January 7, 2015, Transportation Committee meeting; and

WHEREAS the planned ADA-accessible ramp on East 81st Street will negatively impact the residents of that block; and

WHEREAS there currently exists a short set of stairs on East 82nd Street with a non-compliant metal ramp; and

WHEREAS the current staircase from East 81st Street onto John Finley walk covers a greater vertical distance than the current staircase on East 82nd Street, and thus would require a greater ramp distance for ADA compliance; and

WHEREAS relocating the ADA-accessible ramp one block north, from East 81st Street to East 82nd Street, could still provide proximate ADA access to John Finley Walk and the replacement pedestrian bridge, while reducing the impact on area residents;

WHEREAS on October 17, 2012, CB8M passed a resolution that "urges the DOT and the DDC to make further changes to the 81st 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" (by a vote of 39 yes, 0 no, 1 abstention, 1 not voting for cause); and

WHEREAS DDC did not effectively respond to repeated requests from Community Board 8 Manhattan (CB8M) to come back to the Transportation Committee with further updates and modifications to the project design; and **WHEREAS** DDC did not notify CB8M before apparently obtaining Public Design Commission approval of this project; and

WHEREAS the current view south from the end of John Finley Walk at 81st Street will be negatively impacted by the 8-foot-high fence required for new construction in close proximity to a highway; and

WHEREAS DDC has repeatedly expressed the intention for an “open” design to minimize visual impact and maximize sightlines; and
WHEREAS DDC is planning to use a 1” x 1” stainless steel mesh fencing material; and
WHEREAS the community is concerned that the mesh fencing will impact sightlines and invoke the look of a prison yard; and
WHEREAS Community Board 8 Manhattan believes clear fencing materials will be more appropriate and more aesthetically pleasing; and
WHEREAS DDC was unaware of the Dept. of Parks and Recreation’s plans for capital repairs to the East River Esplanade in the area surrounding the project location; and
WHEREAS there is no irrigation along the lower portion of the East River Esplanade, south of 81st Street; and
WHEREAS the plantings that Parks and DDC have planned beneath the new 452-foot ramp cannot be maintained properly without water; and
WHEREAS there is a need for irrigation at other locations along the East River Esplanade;
THEREFORE BE IT RESOLVED that Community Board 8 Manhattan wants NYC Dept. of Design & Construction (DDC) to relocate the new ADA-accessible ramp onto John Finley Walk, from its currently planned location on East 81st Street to one block north at East 82nd Street; and
BE IT FURTHER RESOLVED that Community Board 8 Manhattan wants DDC to use clear/transparent materials for all fences for this project, including the fence at the southern end of John Finley Walk and the fences lining the 452-foot esplanade ramp, even if such fencing material must be obtained from new, alternate vendors; and
BE IT FURTHER RESOLVED that Community Board 8 Manhattan asked DDC to work closely with the NYC Dept. of Parks & Recreation to coordinate DDC’s capital construction project with the planned esplanade infrastructure repairs, and to work with Parks & Recreation to bring irrigation to the Esplanade as part of this bridge project.
Manhattan Community Board 8 passed the resolution of approval by a vote of 38 in favor, 1 opposed, 0 abstentions and 0 not voting for cause.

Re: A presentation from Asphalt Green regarding the entrance ramp for the MTS

WHEREAS construction has started on the East 91st Street Marine Transfer Station project; and
WHEREAS Community Board 8 Manhattan remains unequivocally opposed to the Marine Transfer Station project; and
WHEREAS Asphalt Green, Pledge 2 Protect, and residents of the Stanley Isaacs and Holmes Tower also oppose the Marine Transfer Station, but have formed a coalition to explore mitigation of some the dangers that the project faces;
WHEREAS the Marine Transfer Station is expected to bring 150 NYC Dept. of Sanitation garbage trucks and an unknown number of private garbage trucks to the project site daily, traversing 5,500 feet of non-designated truck routes in a residential area; and
WHEREAS garbage trucks are responsible for a sizable percentage of truck-related crashes in New York City; and
WHEREAS truck turns pose a danger to pedestrians; and
WHEREAS there are one million pedestrians who use the crosswalks in the areas between 86th Street & 92nd Street annually, including 400,000 children; and
WHEREAS approximately half as many pedestrians cross York Avenue at 92nd Street as compared to 91st Street; and
WHEREAS relocating the entrance ramp for the Marine Transfer Station approximately one block north could mitigate some of the pedestrian safety issues and avoid having trucks pass through the middle of Asphalt Green; and
WHEREAS the Asphalt Green coalition is requesting a traffic study to identify the safest and fairest alternate truck routes; and
WHEREAS New York City’s Sanitation Commissioner has expressed a willingness to discuss relocating the ramp, but has not postponed demolition of the existing ramp while that discussion proceeds;
THEREFORE BE IT RESOLVED that Community Board 8 Manhattan continues to oppose the East 91st Street Marine Transfer Station, but nonetheless gives full support to the Asphalt Green coalition’s efforts to find a better solution should the MTS project go forward; and

BE IT FURTHER RESOLVED that Community Board 8 Manhattan urges the NYC Department of Sanitation and the NYC Department of Design & Construction to halt demolition on the existing ramp until the proposal for relocating the ramp has been fully explored.

Manhattan Community Board 8 passed the resolution of approval by a vote of 34 in favor, 3 opposed, 0 abstentions and 1 not voting for cause.

d. Street Fair Committee-Barbara Chocky and Hedi White, Co-Chairs

Public Hearings re: Applications for Multi-Block Street Fairs for Calendar Year 2015

1A. P.S. 183 to partially close the sidewalk on East 67th Street between York and First Avenues for parking and vendors and the sidewalk on the North side of 66th Street between First and York Avenues on Saturdays from Saturday, January 3, 2015 to Saturday December 26, 2015 for a flea market.

Manhattan Community Board 8 motioned to approve this application by a vote of 36 in favor, 0 opposed, and 1 abstention.

1B. 19th Precinct Community Council-to close Lexington Avenue between 60th - 66th streets on Saturday, May 2, 2015 from 12:00pm to 6:00pm, for a Street Festival.

This event was held last year with no complaints. The community is invited. Funds go to the 19th precinct for children's programs and other needs of the precinct that are not met by the City budget. All merchants on Lexington Avenue are invited to participate at reduced rates. There will be cooking on the block and games for the children. All proper permits will be obtained.

Manhattan Community Board 8 motioned to approve this application by a vote of 37 in favor, 0 opposed, 0 abstentions and 1 not voting for cause.

1C. Manhattan Chamber of Commerce to close Third Avenue from 66th to 86th Streets on Saturday. May 30, 2015 from 12:00pm to 6:00pm for a Street Festival.

This was one of the original multi-block Street Festivals in our community. This is the "Second Avenue" festival being held on Third Avenue because of the subway construction. Merchants from Second Avenue are given priority for space. There will be vendors, inflatable rides, food, vendors and entertainment. Funds from the event are distributed to local community groups.

Manhattan Community Board 8 motioned to approve this application by a vote of 36 in favor, 0 opposed, and 1 abstention.

1D. Lenox Hill Neighborhood House to close First Avenue from 68th to 79th Streets on Saturday June 6, 2015 from 12:00pm to 6:00pm for a Street Festival.

This event has been held for over ten years. Funds raised are used for their programs. There will be general vendors, food, entertainment, inflatable rides and information relating to their programs.

Manhattan Community Board 8 motioned to approve this application by a vote of 36 in favor, 0 opposed, 0 abstentions and 2 not voting for cause.

1E. French Institute/Alliance Francaise to close East 60th Street from Fifth to Lexington on Sunday, July 12, 2015 from 12:00pm to 6:00pm for a Street Festival

This event is to celebrate Bastille Day and was held last year. Numerous French Restaurants participate. There have not been any complaints. The community is invited.

Manhattan Community Board 8 motioned to approve this application by a vote of 36 in favor, 0 opposed, and 1 abstention.

1F. Manhattan Chamber of Commerce to close Third Avenue from 66th to 86th Streets on Sunday, September 13, 2015 from 12:00pm to 6:00pm for a Street Festival.

This event was one of the original multi-block street festivals in our community. Funds from the event will be distributed by the Chamber to local community groups. There will be inflatable rides, vendors, food entertainment and an area designated as "theater block".

Manhattan Community Board 8 motioned to approve this application by a vote of 36 in favor, 0 opposed, and 1 abstention.

1G. 92nd Street Y to close Lexington Avenue from 79^t to 96th Streets on Sunday September 20, 2015 for a Street Festival.

All their staff and many volunteers participate in this event. There are many events for children health information, entertainment, “Best of Broadway” and vendors. Twelve countries participate in” International” part of the event.

Manhattan Community Board 8 motioned to approve this application by a vote of 36 in favor, 0 opposed, and 1 abstention.

1H. Review of Greenmarket located on the South side of East 82nd Street between First and York Avenues from Saturdays, January 3, 2015 to Saturday, December 2, 2014 from 8:00am to 5:00pm for a Farmers Market.

There have been no complaints relating to this market. It includes recycling of clothes, electronics and paper. They also sponsor nutrition classes. The Community sent the Community Board many letters and emails supporting the application.

Manhattan Community Board 8 motioned to approve this application by a vote of 36 in favor, 0 opposed, and 1 abstention.

1I. Review of the Greenmarket located on the East side of First Avenue between 92nd and 93rd Streets from, Sunday, June 28, 2015 to Sunday, November 22, 2015 from 8:00am to 5:00pm for a farmers market.

There have been no complaints relating to this market. The community supports it.

Manhattan Community Board 8 motioned to approve this application by a vote of 36 in favor, 0 opposed, and 1 abstention.

Public Hearings re: Applications for Single-Block Street Fairs

2A. The Dalton School to close East 91st Street between Park and Madison Avenues on Friday, May 22, 2015 from 11:30am to 3:00pm for a block party.

This event has been held for 25 years. Food will be sold and the Community is invited.

Manhattan Community Board 8 motioned to approve this application by a vote of 36 in favor, 0 opposed, and 1 abstention.

2B. Sephardic Academy of Manhattan to close East 66th Street between First and Second Avenues on Sunday, May 31, 2015 from 10:00am to 4:00pm for a block party.

This is a new event. It was laid over from the last meeting so the applicant could relocate the event from East 67th Street, which is a bus route. The community will be invited.

Manhattan Community Board 8 motioned to approve this application by a vote of 36 in favor, 0 opposed, and 1 abstention.

e. Street Life Committee-Jonathan Horn and Domenico Minerva, Co-Chairs

1a. K.K. & D. Of 79th St. Rest Corp., dba Nectar Café, 1022 Madison Ave (@79th) - Renewal application for a small unenclosed sidewalk café with 3 tables and 12 chairs, DCA # 1171759-DCA.

WHEREAS there are no changes to the café and no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

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

1b. East Side Burgers, LLC., Bare Burger, 1370 First Avenue (@ 73rd Street) – Renewal application for an unenclosed sidewalk café with 9 tables and 20 chairs.

WHEREAS there are no changes to the café and no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

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

1c. **TGD Group Inc., Bottega, 233 East 70 Street (@ Second Ave)** - Renewal application for an unenclosed sidewalk café with 27 tables and 58 chairs.

WHEREAS there are no changes to the café and no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

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

1d. Paul's **Corner Inc., Mon Petit Café, 801 Lexington Ave (@ 62nd Street)** - Renewal application for a small unenclosed sidewalk café with 4 tables and 8 chairs, DCA # 1420012-DCA.

WHEREAS there are no changes to the café and no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

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

2a. **Alderney LLC., dba Pizza Beach, 1426 Third Avenue (@ 81st Street)** – New application for an unenclosed sidewalk café with 17 tables and 34 chairs, DCA# 15198-2014-ASWC.

WHEREAS no one from the public objected and the plans were seemingly unobtrusive,

BE IT RESOLVED THAT the application is Approved.

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

3c. **1317 Restaurant Co LLC., dba Fratelli, 1317 First Avenue (@ 71st St) – Upgrade from Wine and Beer to Liquor, Wine and Beer.**

WHEREAS no one from the public objected,

BE IT RESOLVED THAT the application is Approved.

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

4c. **Mamexicana LLC d/b/a Gina Mexicana, 1288 Madison Avenue (91/92)** - New application for Liquor, Wine and Beer.

WHEREAS there were no objections from the public, and

WHEREAS the applicant agreed to the following hours of operation:

Sunday to Thursday – 11:00am to 10:00pm

Friday to Saturday – 11:00am to 11:00pm

BE IT RESOLVED THAT the application is Approved

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

RE: **205-215 East 96th St., SEC of 96th and Third Avenue** – Application for a newsstand.

WHEREAS one member from the public who operated a nearby coffee cart objected to the proximity to his coffee cart, and

WHEREAS the location seemed appropriate for a newsstand,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the recommendation by a vote of 22 in favor, 13 opposed, and 2 abstentions.

f. Budget Committee-Barbara Chocky, Chair (For board members only, closed to the public)

Manhattan Community Board 8 members discussed staff salary issues.

8. Old Business

9. New Business-A draft resolution supporting State Legislature Bill A5355/S3076, concerning electric substation placement

WHEREAS, Siting a substation is within the unreviewed discretion of a utility; and

WHEREAS, no procedure exists for the siting of electric substations, even though a utility can take property for a substation site by condemnation; and

WHEREAS, these substations can have significant impacts on the surrounding communities, especially in densely populated areas; and

WHEREAS, Substations generate electro-magnetic fields, which are thought by some to increase the risk of certain cancers; and

WHEREAS, Electric substations should be subject to Public Service commission review, just as power plants and transmission lines are; and

WHEREAS, A5355 introduced in the Assembly by Assembly Member Richard Gottfried and S3076 introduced by Senator Brad Hoylman in the Senate would;

- 1) Expand the definition of major utility transmission facility to include a facility in which electric current is transformed from the transmission system to the distribution system or a facility within the current distribution system that is larger than 500 square feet and in which electric current is transformed.
- 2) Extend all the requirements of Article VII to electric substations.
- 3) Set out a procedure for the granting of a certificate of environmental capability and public need before a facility can be built.
- 4) Include environmental impact studies, public hearings, and judicial review of the decision.

NOW, THEREFORE, BE IT KNOWN that the Manhattan Borough Board supports and calls for the passage of A5355 and S3076 in 2015. Please note that these bills will have new numbers after they are reintroduced in the 2015-2016 session of the New York State Legislature.

Manhattan Community Board 8 adopted the resolution by a vote of 33 in favor, 4 opposed and 1 abstention.

The meeting was adjourned at 9:51PM.

Nicholas D. Viest, Chair