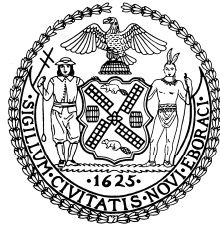


Nicholas D. Viest
Chairman

Latha Thompson
District Manager



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The City of New York
Manhattan Community Board 8

LAND USE MEETING
WEDNESDAY, OCTOBER 10, 2012
Asphalt Green
555 East 90th Street, Mazur Hall
6:30PM

Community Board Members Present: Elizabeth Ashby, John Bartos, Michele Birnbaum, Molly Blayney, Matthew Bondy, Sarah Chu, James Clynes, Jeffrey Escobar, Cory Evans, Susan Evans, A. Scott Falk, Edward Hartzog, Jonathan Horn, Lorraine Johnson, Dave Kleckner, David Liston, Jacqueline Ludorf, Laurence Parnes, Jane Parshall, Mary Boresz Pike, Margaret Price, David Rosenstein, Barbara Rudder, Judith Schneider, M. Barry Schneider, Teri Slater, Cos Spagnoletti, Patrick Stewart, Marco Tamayo, Debra Teitelbaum, Nicholas Viest, Charles Warren, Hedi White

Community Board Members (Excused): Kenneth Austin, Albert Barrueco, Lori Ann Bores, Deirdre Breslin, Roy Carlin, Christina Davis, George Fuchs, David Helpern, Domenico Minerva, Ellen Polivy, Rita Lee Popper, William Sanchez, Helene Simon,

Community Board Members (Unexcused): Barbara Chocky, Lorange Hockert, Hattie Quarnstrom, Elaine Walsh

Total Attendance: 33

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

1. Public Hearing: BSA Variance Application for 113 East 90th Street-The site contains a 3-story building in front and a 2-story building in the rear. The application seeks a variance to waive lot coverage, minimum distance between buildings and minimum distance of legally required windows from wall. Requested variance will allow entire property to be used as a single-family residence.

Whereas, the site contains a 3-story building in front and a 2-story building in the rear. The application seeks a variance to waive lot coverage, minimum distance between buildings and minimum distance of legally required windows from wall. Requested variance will allow entire property to be used as a single-family residence.

Whereas, Community Board 8M held a public hearing regarding this matter; therefore

Be It Resolved that Community Board 8M approves the BSA variance to allow the entire property to be used as a single-family residence.

Community Board 8M adopted the resolution by a vote of 30 in favor, 0 opposed, and 0 abstentions.

2. **Public Hearing: BSA Calendar No. 107-06-BZ, 140 East 63rd Street**-Application to amend resolution and allow extension of existing physical culture establishment, Equinox.

Whereas, this application is to amend resolution and allow the extension of existing physical culture establishment, Equinox.

Whereas, Community Board 8M held a public hearing regarding this matter; therefore

Be It Resolved that Community Board 8M approves the BSA application to amend the resolution and allow the extension of the existing physical culture establishment, Equinox.

Community Board 8M adopted resolution by a vote of 28 in favor, 1 opposed, and 1 abstention.

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

1a. **Virgilia Café, Inc. dba Antonucci, 168 East 81st Street (Lexington/Third Avenues)** – Renewal application for an unenclosed sidewalk café with 4 tables and 16 seats, DCA #1225069

WHEREAS there are no changes to the café and nobody from the public objected,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 31 in favor, 0 opposed, and 0 abstentions.

1b. **Alfie Company, LLC dba Cavatappo Grill, 1712 First Avenue (88th/89th Streets)** – Renewal application for an unenclosed sidewalk café with 12 tables and 24 seats, DCA #1292343. Café Hours: Mon.-Thurs. 1pm to 12am, Fri.-Sun. 1pm to 1am. Food/Drink: 75/25.

WHEREAS there are no changes to the café and nobody from the public objected,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 31 in favor, 0 opposed, and 0 abstentions.

1c. **Don Pablo, Inc. dba Libertador, 1725 Second Avenue (89th/90th Streets)** – Renewal application for an unenclosed sidewalk café with 32 tables and 16 seats, DCA #1344183. Café Hours: Mon.-Fri. 5pm to 1am, Sat.-Sun. 11am to 1am. Food/Drink: 75/25.

WHEREAS there are no changes to the café and nobody from the public objected,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 31 in favor, 0 opposed, and 0 abstentions.

1d. **Arkady, Inc. dba Al Forno, 1484 Second Avenue (77th/78th Streets)** – Renewal application for an unenclosed sidewalk café with 9 tables and 19 seats, DCA #1103699. Café Hours: Mon.-Thurs. 12pm to 11pm, Fri.-Sat. 12pm to 12am, Sun. 12pm -11pm Food/Drink: 80/20.

WHEREAS there are no changes to the café and nobody from the public objected,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 31 in favor, 0 opposed, and 0 abstentions.

1e. **K.K. & D. of 79th St. Rest. Corp. dba Nectar Café, 1022 Madison Avenue (@ 79th Street)** – Renewal application for an unenclosed sidewalk café with 3 tables and 12 seats, DCA #1171759. Café Hours: Mon.-Thurs. 6am to 8pm, Fri.-Sat. 6am to 8pm, Sun. 12pm -8pm Food/Drink: 100/0

WHEREAS there are no changes to the café and nobody from the public objected,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 31 in favor, 0 opposed, and 0 abstentions.

1f. **Thierry, Inc dba Le Charlot, 12 East 69th Street (Fifth/Madison Avenues)** – Renewal application for an unenclosed sidewalk café with 6 tables and 17 seats, DCA #1167909. Café Hours: Mon.-Thurs. 12pm to 12am, Fri.-Sat. 12pm to 12am. Sun. n/a. Food/Drink: 95/5.

WHEREAS there are no changes to the café and nobody from the public objected,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 31 in favor, 0 opposed, and 0 abstentions.

1g. **Baraonda Restaurant, Inc. dba Baraonda, 1439 Second Avenue (74th/75th Streets)** – Renewal application for an unenclosed sidewalk café with 20 tables and 40 seats, DCA #1215929. Café Hours: Mon.-Thurs. 5pm to 12am, Fri.-Sat. 11am to 1am, Sun. 11am -1am Food/Drink: 80/20.

WHEREAS there are no changes to the café and nobody from the public objected,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 31 in favor, 0 opposed, and 0 abstentions.

1h. **62nd & 1st, LLC dba Neely's Barbecue Parlor, 1125 First Avenue (@ 62nd Street)** – Renewal application for an unenclosed sidewalk café with 20 tables and 40 seats, DCA #1136669. Café Hours: Mon.-Thurs. 11am to 12am, Fri.-Sat. 11am to 1am, Sun. 11am -1am Food/Drink: 80/20.

WHEREAS there are no changes to the café and nobody from the public objected,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 31 in favor, 0 opposed, and 0 abstentions.

1i. **Haru Too, Inc. dba Haru Sake Bar, 1327 Third Avenue (@ 76th Street)** – Renewal application for an unenclosed sidewalk café with 19 tables and 38 seats, DCA #1106426. Café Hours: Mon.-Thurs. 11am to midnight, Fri.-Sat. 11am to 1am, Sun. 11am -1am Food/Drink: 80/20.

WHEREAS there are no changes to the café and nobody from the public objected,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 31 in favor, 0 opposed, and 0 abstentions.

2a. **Northeast Corner (NEC) of York Avenue and 68th Street** – New proposed newsstand, DCA #: 1443607.

BE IT RESOLVED THAT the application is **DIS-Approved**.

Manhattan Community Board 8 adopted the resolution by a vote of 25 in favor, 6 opposed, and 1 abstention.

3a. **Tripti Inc. dba Moti Mahal Delux, 1149 First Avenue (@ 63rd Street)** – New application for a wine and beer only license. Hours: Mon.-Sun. 11am to 11pm. Food/Drink: 95/5.

WHEREAS there were no objections from the public,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 32 in favor, 0 opposed, and 0 abstentions.

3b. **60th Street, LLC dba The Jeffrey, 311 East 60th Street (First/Second Avenues)** – New application for a wine, beer, and liquor (on-premises) license. Hours: Mon.-Thurs. 8am to 2am, Fri.-Sat. 10am to 4am, Sun. 12pm -2am Food/Drink: 40/60.

WHEREAS the owners pledged to do the following: install necessary structures to reduce outdoor noise and would refrain from building any structure without the necessary approvals, maintain a clean sidewalk and keep the area clear of smokers, refrain from playing any music in the rear yard, install necessary soundproofing to keep noise from penetrating into adjacent living spaces, and

WHEREAS the owners pledged to close the establishment on Sunday through Thursday at 12:00am and on Friday and Saturday at 2:00am, and

WHEREAS the owners pledged to discontinue use of the rear yard on Sunday through Thursday at 7:00pm and on Friday and Saturday at 2:00am

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 22 in favor, 9 opposed, and 2 abstentions.

3c. **The Surrealists, LLC, 1463 Third Avenue (82nd/83rd Streets)** – New application for a wine, beer and liquor (on-premises) liquor license. Hours: Mon.-Sun. 10am to 3am. Food/Drink: 60/40.

WHEREAS there were no objections from the public,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 32 in favor, 0 opposed, and 0 abstentions.

3d. **Mexibq Kitchen & Draught, LLC, 1631-1633 Second Avenue (84th/85th Streets)** - New application for a wine, beer and liquor (on-premises) liquor license. Hours: Mon.-Thurs. 10am to 2am, Fri.-Sat. 10am to 4am, Sun. 10am -2am Food/Drink: 70/30.

WHEREAS the owners agreed to close the establishment on Sunday through Thursday at 12:00am and on Friday and Saturday at 4:00am, and

WHEREAS the owners agreed to discontinue use of the rear yard on Sunday through Thursday at 8:00pm and on Friday and Saturday at 10:00pm, and

WHEREAS the owners agreed to close the front windows and doors at 10:00pm every day of the week,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 26 in favor, 6 opposed, and 1 abstention.

3e. **S and M Lounge Corp. dba La Nuit Restaurant, 1134 First Avenue (62nd/63rd Streets)** - New application for a wine, beer and liquor (on-premises) liquor license. Hours: Mon.-Thurs. 11am to 2am, Fri.-Sat. 10am to 4am, Sun. 10am -2am. Food/Drink: 65/25.

WHEREAS the owners agreed to have two security guards present at the establishment to assist with crowd disbursement and noise reduction on Friday and Saturday nights,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 29 in favor, 1 opposed, and 3 abstentions.

3f. **117 East 60th Street, LLC, 117 East 60th Street (Park/Lexington Avenues)** - New application for a wine, beer and liquor (on-premises) liquor license. Hours: Mon.-Thurs. 8am to 1am, Fri.-Sat. 8am to 2am, Sun. 10am to midnight. Food/Drink: 80/20.

WHEREAS there were no objections from the public,

BE IT RESOLVED that the application is Approved

Manhattan Community Board 8 adopted the resolution by a vote of 32 in favor, 0 opposed, and 0 abstentions.

4. Old Business

No old business.

5. New Business

No new business.

The meeting was adjourned at 7:41PM.

Nicholas D. Viest, Chair