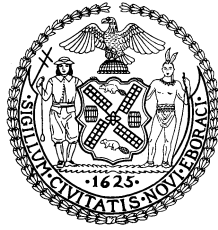


Jacqueline Ludorf
Chairman

Latha Thompson
District Manager



505 Park Avenue
Suite 620
New York, N.Y. 10022
(212) 758-4340
(212) 758-4616 (Fax)
www.cb8m.com Website
info@cb8m.com - E-Mail

The City of New York
Manhattan Community Board 8

LAND USE/FULL BOARD MEETING
WEDNESDAY, DECEMBER 15, 2010
New York Blood Center
310 East 67th Street, New York, NY
Auditorium
7:00PM

Community Board Members Present: Joie Anderson, Elizabeth Ashby, Michael Auerbach, Michele Birnbaum, Matthew Bondy, Lori Ann Bores, Deirdre Breslin, Roy Carlin, Barbara Chocky, Sarah Chu, James Clynes, Christina Davis, Susan Evans, A. Scott Falk, George Fuchs, Ruth Halberg, David Helpern, Jonathan Horn, Dave Kleckner, Laura Lijewski, David Liston, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, Jane Parshall, Ellen Polivy, N. Sharon Pope, Rita Lee Popper, Margaret Price, David Rosenstein, Barbara Rudder, William Sanchez, Judith Schneider, M. Barry Schneider, Helene Simon, Teri Slater, Cos Spagnoletti, H. Patrick Stewart, Marco Tamayo, Debra Teitelbaum, Alexander Tisch, Nicholas Viest, Elaine Walsh, Charles Warren, Hedi White

Community Board Members (Excused): Lorance Hockert, Lorraine Johnson

Community Board Members (Unexcused): Kenneth Austin, Mary Boresz Pike

Total Attendance: 45

Chair Jacqueline Ludorf called the meeting to order at 7:00PM.

1. Public Session:

- Member of the public, Stephen Morgan, representing 16 East 96th Street Corporation, spoke on a street life topic.
- Member of the public, Tali Cantor, representing CIVITAS, spoke in favor of the Select Bus Service.
- Members of the public, Elizabeth Knotts and Susan Ellis, representing the New York City Parks Department, spoke on the Croton signage.
- Member of the public, Barry Mallin, ESQ., representing the 710 Park Avenue Co-op, spoke on his opposition to the Explorer's Club liquor license application.
- Member of the public, Donald Bernstein, representing The Explorer's Club, spoke in favor of The Explorer's Club liquor license application.
- Member of the public, Suah Na, representing Chon Engineering, PC, spoke on the store front installation at 351 Lexington Avenue.

- Member of the public, Jean Pamphile, representing the New York Public Library, presented on the programs for the Webster Branch.
- Member of the public, Gladys Sanders-Valdes, representing the New York Public Library, presented on the programs for the Yorkville Branch.
- Member of the public, J. Wonk, spoke in opposition to the new signs in Central Park.
- Members of the public, Corina Stonebanks and Sandra Ripert, spoke on the very dangerous conditions they observed at the East 73rd Street & York Avenue crossing at the entrance to the FDR Drive.
- **Public Hearing-BSA Cal #1095-64 BZ, 605 Park Avenue, Block 1399, Lot 74-Extension of Term of Variance-**An application for the Extension of Term of Variance in accordance with Board of Standards and Appeals calendar #1095-64 BZ, adopted by the BS&A March 9, 1965, to permit the addition of transient parking for the unused and surplus space in the existing garage, not to exceed twenty (20) in number. Extension of the BS&A granted Variance expired on February 6, 2002 (Certificate of Occupancy #114280)

Manhattan Community Board 8 members adopted the resolution by a vote of 32 in favor, 2 opposed, and 7 abstentions for the application of the BSA Cal #1095-64 BZ, 605 Park Avenue, Block 1399, Lot 74-Extension of Term of Variance.

2. Adoption of the Agenda

3. Adoption of the Minutes – Adopted October minutes. November minutes to be reviewed and approved in the next meeting.

4. Manhattan Borough President’s Report

Kristen Ellis, a representative of the Manhattan Borough President’s Office, reminded the current board members to complete their re-applications and for those interested in applying an orientation session would be scheduled on January 6th at 1 Centre Street at 6:30PM. Borough President Stringer and MTA Capital Construction President Michael Horodniceanu are hosting a discussion on Friday, December 17th, 11:30AM-12:30PM at the Adam Clayton Powell State Office Building, 163 West 125th Street, Room 8A. MTA’s planned streetscape improvements along the Second Avenue Subway construction corridor will be presented during the session. The Borough President was also recently at the Carl Schurz tree lighting ceremony. Kristen related happy holidays to all at Community Board 8 on behalf of the Manhattan Borough President’s Office.

5. Elected Official’s Reports

- State Senator Jose Serrano made his report which included the November 30th Roosevelt Island Tram re-opening and the 2nd Avenue Subway construction project. He related that a public hearing on the 2nd Avenue Subway construction project was hosted by Senator Bill Perkins highlighting the community’s concerns. He spoke about the 3 bills that he is co-sponsoring along with Assembly Member Bing & Assembly Member Kellner which will help to address the concerns of the business owners being affected by the 2nd Avenue Subway construction project. One is a grants bill for businesses, a property tax abatement bill for business owners, and the sales tax free zone bill which will provide relief for business owners and drive the economy in that area. He also spoke on the work being done by the East River Esplanade Task Force along with Council Member Lappin’s Office to address the utilization of waterfront access. He reported on the new Select Bus Service and the importance of extending benefits and access to the upper-east-side community residents all the way up to 125th St.
- A representative from Congresswoman Carolyn Maloney’s Office, Brice Peyre, wished Community Board 8 happy holidays on behalf of Congresswoman Maloney who was in Washington. Her office is pleased to report that the House voted to repeal the “Don’t Ask, Don’t Tell” policy of the US Military

that bars openly gay, lesbian, or bisexual individuals from serving in the military. He reported that 2,059 Manhattan residents had tax refund checks worth a total of \$5.65 million returned to the IRS due to mailing address errors. For those who think their refund check has been lost in the mail they can call 1-800-829-1954 or go on-line to IRS.gov. You can also contact Congresswoman Maloney's Office for assistance with this issue by calling 212-860-0606. There was a brief discussion on Representatives Maloney and Jerrold Nadler's response to the smear campaign against the 9/11 Health Bill they authored.

- A representative from State Senator Liz Krueger's Office, Jennifer Krinsky, mentioned the legislation the Senator's Office was working on. The Governor issued an executive order regarding hydrofracking but did not sign the bill, the Governor signed into law Senator Krueger's battery bill which requires battery manufacturers to work with retailers to decrease battery contamination. Jennifer also brought in Health Care Proxy & Living Will Information and Forms that Senator Krueger produced for distribution. She announced that tomorrow, Thursday, December 16th, 8:00AM-10:00AM, the Senator would host the first in a series of Senior Roundtables. She wished everyone a happy holiday on behalf of the State Senator.
- A representative from Assembly Member Micah Kellner's Office, Jean Fischman, reported that Assembly Member Kellner also believes that the Governor's executive order for a moratorium on hydrofracking does not go far enough. She also related the tragic accident involving a 21 year-old student, Jason King that was killed by a truck illegally backing up the wrong way as he was crossing Madison Avenue near 81st St. The driver was only issued a summons for unsafe driving and no further action was taken. The Manhattan District Attorney's Office is currently investigating this matter so that all proper actions will be taken against this reckless driver. She discussed Assembly Member's support for the Shake Shack proposal for the modification of public access hours for the plaza adjoining its restaurant. The Assembly Member believes that changing the public access hours to between 7AM-11PM will allow adequate public access to the plaza while the current round-the-clock access poses a danger to the community.
- A representative from Assembly Member Jonathan Bing's Office, Kelly Postlewait, announced the Assembly Member's initiatives for economic advancement in New York City. The new law will allow organizations to preserve jobs and programs during difficult economic times. He is also reintroducing two bills that support good environmental behavior while also saving money for businesses and consumers. The Assembly Member joined by Mayor Bloomberg is advocating the "Easy to Vote & Easy to Run" proposal. The proposal allows for electronic submission of voter registration forms and absentee ballot applications, to increase youth voter registration, and to make it easier for individuals that move to vote in their new jurisdiction. She further announced that the upper-east-side school rezoning continues. The Community Education Council (CEC) met last night, December 14th and the Department of Education (DOE) submitted their final proposal. The CEC will vote on the proposal on December 22nd. She also announced MTA's 9-day pilot program for Access-A-Ride. People who can not use a wheelchair can opt into a program which will allow them to use a debit card to hail a cab and Access-A-Ride will pick up the tab over \$2.50. She wished everyone a happy holiday.
- A representative from Council Member Daniel Garodnick's Office, David Kimble Stanley, announced that this past month Council Member Garodnick was named Chair of the Consumer Affairs Committee. He held his first meeting which focused on the predatory practices of 'debt settlement' companies. The next meeting will take place tomorrow, December 16th 10:30AM at 250 Broadway and will focus on the promotion of financial literacy in New York City. He stated that the Council Member's Office is pushing the 19th Precinct to aggressively enforce the vendor laws and congratulated the 86th Street residents for finally getting rid of the taco truck. He also announced the e-mail tip line FightFraudNYC@gmail.com for consumers to report complaints, scams, questionable business practices or areas for the Consumer Affairs Committee to delve into its oversight hearings. Council Member Garodnick gave testimony before the State Senate Committee with oversight of the MTA and advocated for physical changes to the Second Avenue Subway construction zone as well as creative financial assistance to the businesses along the construction route. He also mentioned that the Council Member will be following closely the DOE and CEC upper-east-side school rezoning issue. He gave a special thanks to Community Board 8 member, Judy Schneider, for her efforts in keeping the CEC as a topic of interest to the board and keeping parents up-to-date and involved. He wished the board members and public a happy holiday on behalf of Council Member Garodnick and announced that in a month Baby Garodnick would be on his way.

- A representative from Council Member Jessica Lappin's Office, Taina Prado, expressed the Council Member's support for the Shake Shack proposal. On Council Member Lappin's behalf, she thanked the Community Board 8 District Manager, Latha Thompson, for all her hard work throughout the year along with her staff, Lovaeta, and welcomed the new staff members Anub and Irma to the Community Board 8 office and wished everyone a happy holiday.

6. Chair's Report – Jackie Ludorf

Jacqueline Ludorf reported that members of the State Assembly are following up on the resolution to stop hydrofracking until the EPA can finalize its study. This resolution was first voted on by this board and by the Environment and Sanitation Committee. She announced that a board member's information packet was found in the street and reminded all the board members to be very careful with their packets as these packets contain personal information. She also wished everyone a happy holiday and thanked all the board members for serving so well this past year especially all the committee chairs who have done such a great job on their committees.

7. District Manager's Report – Latha Thompson

Latha Thompson announced that the Committee Agendas for January 2011 are due by Friday, December 17, 2010. She thanked the board members for their support and patience throughout the year. She wished everyone a happy holiday on behalf of the Manhattan Community Board 8 staff – herself, Lovaeta, Irma, Anub, and Sam the Manhattan Borough President's Fellow.

8. Committee Reports and Action Items:

- **Zoning and Development Committee – Teri Slater and Elaine Walsh, Co-Chairs**
Re: Shake Shack, 154 East 86th Street – A request from the community to resolve an issue regarding the use of adjacent public plaza by Shake Shack located on 86th Street between Third and Lexington Avenue.
A motion to table failed by a vote of 19 in favor, 19 opposed, and 2 abstentions.
- **Zoning and Development Committee – Teri Slater and Elaine Walsh, Co-Chairs**
Re: Shake Shack, 154 East 86th Street – A request from the community to resolve an issue regarding the use of adjacent public plaza by Shake Shack located on 86th Street between Third and Lexington Avenue.

Whereas, the owners of 154 East 86th Street, where Shake Shack is located, is required to file an application to the Department of City Planning requesting permission to modify the hours during which a public plaza may remain open,

Whereas, the New York City zoning laws require that public plazas remain open 24/7,

Whereas, Shake Shack has made positive efforts to improve and maintain the public plaza,

Whereas, the building owner and the current business, Shake Shack would like to modify the hours during which the public plaza would be closed,

Whereas, the Community Board has received complaints of noise and safety since the plaza has been open 24/7,

Whereas, several members of the public appeared to express concern and requested the plaza close no later than 11pm,

Whereas, in the past, Community Board 8 has taken a position that it is not feasible to allow public plazas to remain open 24/7 in a mixed use, residential community,

Whereas, Council Member Jessica Lappin, State Assembly Member Micah Kellner, and the East 86th Street Association have all written a letter to DCP with a request to modify the hours of the public plaza, **Whereas** a representative of the 19th precinct has stated that the plaza poses a safety hazard when open 24 hours a day and recommends the plaza be closed at night,

Therefore be it resolved that Community Board 8 urges the City Planning Commission to close the public plaza from 11pm to 7am due to the current adverse uses occurring in the plaza after 11pm when Shake Shack is closed,

Be it further resolved that Community Board 8 urges the owners of 154 East 86th Street to immediately file an application to the Department of City Planning requesting a modification of the hours during which the outdoor plaza may be open.

Manhattan Community Board 8 adopted the resolution by a vote of 29 in favor, 12 opposed, 3 abstentions, and 1 not voting for cause.

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

Re: A request for a Revocable Consent for steps and a fenced-in area at 522 East 87th Street.

(Requested by DOT, Franchises, Concessions and Consents) (laid over from Oct & Nov meetings)

Be It Resolved, that Community Board 8M approves the request for a revocable consent covering steps and a fenced –in area located at 522 East 87th Street.

Manhattan Community Board 8 adopted the resolution by a vote of 43 in favor, 0 opposed, 0 abstentions.

Re: Discussion of a Transit Rider Bill of Rights

Whereas, the vast majority of New Yorkers have built their lives around the city’s transit system, and **Whereas**, with every bus and subway cut and every canceled line, the everyday experience of millions of New Yorkers changes for the worse, and

Whereas, with the decision of Albany lawmakers to cut \$143 million from the MTA, riders have faced the loss of 2 subway lines, 38 bus routes, cuts to service citywide and another fare hike in 2011,

Therefore, Be It Resolved that Manhattan Community Board 8 believes that New York City’s Transit Riding Public has the right to:

- Reliable Travel throughout the five boroughs in an affordable and efficient manner by bus or by train
- Fare Hikes That Are Only Enacted As A Last Resort when all other funding options have been exhausted, as well as stable funding for the MTA from the State and City, in good times and bad, that does not increase the current proportion of the budget borne by riders
- Accurate Real-Time Information and clear announcements about when trains and buses will arrive before swiping a MetroCard, or upon arrival at a bus stop
- Well-Lit and Safe Subway And Bus Facilities with MTA employees on hand to provide information and respond in case of emergency
- Clean, Regularly Maintained MTA Facilities including subway stations, subway cars, buses and bus stops
- A More Accessible Transit System, with level boarding for buses and working elevators and escalators within all subway stations
- Helpful, Courteous Service from station agents, bus drivers and other MTA employees to be matched by Respect and Courtesy from the Riding Public
- The Official Prioritization of Operating, maintaining and improving the existing train and bus network.
- Transparent and easily-used Lines of Communication between riders/MTA with mechanisms in place to address rider concerns/complaints
- A minimum of one transit worker and one transit rider as Voting Members of the MTA Board of Directors

Manhattan Community Board 8 adopted the resolution by a vote of 42 in favor, 0 opposed, 1 abstention.

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

1a. **1465 3rd Ave. Rest. Corp. d/b/a Gael Pub, 1465 Third Avenue (83rd Street)** – Renewal application for an unenclosed sidewalk café with 5 tables and 10 seats, DCA #1223078. Due date: 1/3/11. Hours: 1p – 4a weekdays 5p – 4a weekends. Food/Drink: 40/60.

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 resolution by a vote of 41 in favor, 2 opposed, and 1 abstention.

1b. **Terminus Restaurant Associates, LLC d/b/a Orsay Restaurant, 1057 Lexington Avenue (75th Street)**– Renewal application for an enclosed sidewalk café with 14 tables and 28 seats, DCA #1022739. Due date: 12/24/10. Hours: 12p – 11p weekday Fri Sat: 12p – 11p Sun: 12p – 10p. Food/Drink: 80/20.

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 resolution by a vote of 44 in favor, 0 opposed, and 0 abstentions.

1c. **352 East 86th Street, Inc. d/b/a Gracie’s Corner, 352 East 86th Street (First/Second Avenues)** – Renewal application for an enclosed sidewalk café with 8 tables and 20 seats, DCA #0737570. Due date: 1/6/11. Hours: 24 hrs. Food/Drink: 90/10.

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 resolution by a vote of 44 in favor, 0 opposed, and 0 abstentions.

1d. **First Avenue Brother Jimmy’s, LLC d/b/a Brother Jimmy’s BBQ, 1485 Second Avenue (77th/78th Streets)** – Renewal application for an enclosed sidewalk café with 9 tables and 30 seats, DCA #1067948. Due date: 12/21/10. Hours: Sun-Thurs. 11:30a – midnight. Fri – Sat. 11:30a – 1am. Food/Drink: 55/45.

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 resolution by a vote of 44 in favor, 0 opposed, and 0 abstentions.

1e. **Viand Restaurant, Inc. d/b/a Viand Coffee Shop, 300 East 86th Street (First/Second Avenues)** – Renewal application for an enclosed sidewalk café with 8 tables and 14 seats, DCA #0976475. Due date: 11/6/11. Hours: 24 hrs. Food/Drink: 90/10.

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 resolution by a vote of 44 in favor, 0 opposed, and 0 abstentions.

2a. **Edge Dream Lounge, LLC d/b/a Cascabel, 1542 Second Avenue (80th/81st Streets)** – Application to alter an on-premises liquor license and add a sidewalk café Hours: 11a – 2a. Food/Drink: 60/40.

WHEREAS the applicant is reducing the number of bar seats from 6 to 4,

WHEREAS the applicant agreed to close the front doors by 10p,

WHEREAS the applicant agreed to observe all bike rules,

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.

3b. **MJCL, Inc. d/b/a China Spice NYC, 1588 York Avenue (83rd/84th Streets)** – New application for a wine and beer license. Hours: 11:30a – 11p weekdays 11:30a – 11:30a Fri Sat 11:30a – 10:30p 12p – 10:30p. Food/Drink: 90/10.

WHEREAS this application is from a change in ownership,

WHEREAS the owner agrees to comply with all bicycle safety regulations,

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.

3c. **The Explorers Club d/b/a The Explorers Club, 46 East 70th Street (Park/Madison Avenues)** – New application for an on-premises liquor license

WHEREAS the applicant is re applying for a liquor license for the club,

WHEREAS the previous application was approved by the Community Board 8 in November 2005 by a vote of 24 – 0 – 1,

WHEREAS has agreed to all the previous stipulation and reduced the hours that the patio is used to from 10p weekdays and 11:30p weekends to 9p weekdays and 10p weekends,

WHEREAS the stipulations agreed to by the establishment are enforceable by the SLA who can suspend or revoke the license if the stipulations are not complied with,

WHEREAS most of the events listed are lecture series and club related events,

WHEREAS the club will only hold events that are club related or sponsored by a member,

BE IT RESOLVED THAT, the application is approved and,

BE IT FURTHER RESOLVED THAT that the applicant has agreed to the following stipulations:

- Speakers will not be placed on the terrace.
- No music will be played on the terrace.
- Receptions on the terrace will allow no noise other than normal conversations.
- Receptions on the terrace will terminate at 9pm on weekdays and 10pm on weekends.
- Terrace clean-up will be accomplished quietly.
- Music and microphones will be kept at a reasonable level and exterior doors and windows will be closed during their time of use.
- Ads soliciting non-member usage will not be used.
- The applicant will provide a copy of their letter to New York Magazine asking for the removal of The Explorer’s Club from their listings of locations available for rental by the public for catered events, such as weddings.

Manhattan Community Board 8 adopted the resolution by a vote of 39 in favor, 2 opposed, and 3 abstentions.

3d. **SATO, Inc. d/b/a Mole by Taco Taco, 1735 Second Avenue (89th/90th Streets)** – New application for an on-premises liquor license. Hours: 11:30a - 11p weekdays 11a – 12a Fri Sat 11a – 11p Sun.

WHEREAS the applicant is moving from the current “Taco Taco”,

WHEREAS the applicant will call the new establishment “Mole”,

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.

3f. **Midnight Blue, LLC d/b/a Midnight Blue Restaurant & Lounge, 1640 Second Avenue (85th/86th Streets)** – New application for an on-premises liquor license Hours: 12p – 1a Mon – Thurs. 12p – 3a Fri & Sat 12p – 1a 12p – 1a Sun. Food/Drink: 80/20.

WHEREAS the applicant is taking the space currently occupied by “Ciao Bella”,

WHEREAS the applicant will not use the balcony spaces,

WHEREAS the applicant agrees to close the French doors by 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.

3g. **ISI Café, Inc. d/b/a Joanna, 435 East 86th Street (First/York Avenues)** – New application for an on-premises liquor license. Hours: 11:30a – 12a. Food/Drink: 80/20.

WHEREAS the applicant will be taking the space of a previous restaurant,

WHEREAS the applicant has several establishments named Joanna’s,

WHEREAS there will be outdoor tables which are within the property lines of the restaurant,

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.

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

Re: Old Croton Aqueduct System Signage

WHEREAS the proposed signs on the Old Croton Aqueduct system would be intrusively tall and unsightly and conflict with the scenic and natural landscape of the landmarked Central Park; and

WHEREAS the materials for the proposed signs would be less durable than the existing metal signs in Central Park created by the Central Park Conservancy; and

WHEREAS the signage would be unnecessary to the enjoyment of Central Park and would overplay the importance of the Croton Aqueduct system, since that system played only a small role in Central Park’s history; and

WHEREAS designers of the signs ignored Cb8M’s requests for modification of the proposed large signs;

THEREFORE BE IT RESOLVED that Community Board 8 Manhattan disapproves of the proposal for signs in Central Park describing the Old Croton Aqueduct system.

Manhattan Community Board 8 adopted the resolution by a vote of 33 in favor, 10 opposed and 1 abstention.

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

Re: 110 East 70th Street (between Park and Lexington Avenues) – Upper East Side Historic District.

The board adopted the following resolution regarding 110 East 70th Street (between Park and Lexington Avenues) – Upper East Side Historic District. Application is to create an areaway.

WHEREAS 110 East 70th Street is a house originally constructed in 1869 and altered by Robertson & Potter in 1905 in the simplified Beaux-Arts style.

WHEREAS the applicant proposes to create an areaway by installing a new metal fence with a painted black metal gate.

WHEREAS the proposed fence will have a black metal railing that will match the height of neighboring railings and will be set onto bluestone copping.

WHEREAS the area behind the fence will be shallow, with an approximate depth of 4’5” and have bluestone pavers directly in front of the entrance and landscaping at each end of the front elevation.

WHEREAS the landscaping will include two ornamental trees with an evergreen groundcover.

WHEREAS the proposed areaway is in keeping with the scale of the neighborhood.

WHEREAS the proposed fence that will be part of the areaway will be in strict alignment with the fences of adjacent properties and the depth of the areaway will not exceed the depth of areaways of adjacent properties.

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

Manhattan Community Board 8 adopted the resolution by a vote of 41 in favor, 0 opposed, 0 abstentions.

Re: 215 East 61st Street (between Third and Second Avenues) – Treadwell Farm Historic District

The board adopted the following resolutions regarding 215 East 61st Street (between Third and Second Avenues) – Treadwell Farm Historic District – *Ms. Sarah Drake, Architect*. Application is to replace windows, add a two-story extension, and change the color of the stucco on the front elevation.

THIS APPLICATION HAS BEEN DIVIDED INTO TWO PARTS: PART 1 – THE WORK ON THE FRONT ELEVATION AND PART 2 – THE WORK AT THE REAR.

Part 1 – The work on the front elevation

WHEREAS 215 East 61st Street is a rowhouse designed by A. & S. Bussell and constructed in 1875.

WHEREAS 215 East 61st Street is one of a row of houses built by A. & S. Bussell.

WHEREAS the original windows of the house were one-over-one windows that were first altered to multi-paned windows and later altered to transom windows; the applicant proposes returning the windows to their original configuration of one-over-one windows.

WHEREAS the applicant proposes at the parlor floor to realign the existing windows so that they align and match the width of the windows above; the trim detail of the windows will remain the same; there will now be three aligned pairs of windows (one pair to a floor) over a base - the base being the ground floor.

WHEREAS at the penthouse level, the applicant proposes to replace the existing one-over-one windows with single pane windows known as “Hopper” windows.

WHEREAS on the front elevation, the applicant proposes to change the color to a lighter oyster-like color from the existing darker brown color; there would be no change in the existing scored limestone-stucco material.

WHEREAS the applicant proposes to remove the sloped metal roof over the entry door.

WHEREAS the applicant proposes to change the kitchen window at the ground level to a single double-hung window.

WHEREAS the work to be done on the front elevation reflects the simplicity of the original Bussell design.

WHEREAS the applicant proposes to now visually assert the ground floor as a base for the floors above; the original Bussell design included a stoop with the entry at the parlor floor – once the stoop was removed, the windows on the parlor floor were out of alignment and the ground floor as a satisfying base to the rest of the house was compromised.

WHEREAS the applicant has provided a satisfying composition for the front elevation, one that is similar in approach to the elevation at 219 East 61st Street.

THEREFORE BE IT RESOLVED that Part 1 of this application - the work on the front elevation - is approved as presented.

Manhattan Community Board 8 adopted the resolution by a vote of 37 in favor, 1 opposed and 3 abstentions

Part 2 – The work at the rear

WHEREAS at the rear, the applicant proposes to remove an existing bay window and erect a two story rear extension 10’ deep x 18’ wide x 20’ high.

WHEREAS the applicant proposes to reuse the existing brick around a series of casement windows with a fixed window in the center – the new window configuration set into a brick surround would provide the elevation for the extension.

WHEREAS new casement windows on the ground and 1st floors, as well as new casement windows at the 2nd floor, would have aluminum frames (although steel is a preferable material for the frames).

WHEREAS the applicant proposes an in-kind replacement of the sloped skylight at the 3rd and 4th floors.

WHEREAS the rear yard measures 34.19’ from the extension to the rear lot line.

WHEREAS even with the extension, the rear yard will still have a depth of approximately 34’.

WHEREAS although steel framing for the windows at the rear is preferred, the design for the windows at the rear elevation of the extension presents a thoughtful design solution.

WHEREAS the applicant is proposing to remove the paint from the entire rear elevation so that the original brick will be exposed.

THEREFORE BE IT RESOLVED that Part 2 of this application – the work at the rear - is approved as presented.

Manhattan Community Board 8 adopted the resolution by a vote of 39 in favor, 1 opposed and 2 abstentions

Re: 20 East 67th Street (between 5th and Madison Avenues) – Upper East Side Historic District.

The board adopted the following resolution regarding 20 East 67th Street (between 5th and Madison Avenues) – Upper East Side Historic District. Application is to install a blade sign at a retail establishment on the ground floor.

WHEREAS 20 East 67th Street is a neo-Georgian style apartment building designed by Mott B. Schmidt and constructed in 1925.

WHEREAS the applicant proposes to install a 1’ thick sign with acrylic text and painted in a dark charcoal color.

WHEREAS the fabrication will be similar to the sign at the Issac Mizrahi establishment across the street.

WHEREAS the sign and bracket will extend 17’’ from the building face and will be 10’ up from the ground.

WHEREAS the sign will be small and discreet.

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

Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 4 opposed and 0 abstentions

Re: 1012 Lexington Avenue (72nd and 73rd Streets) – Upper East Side Historic District Extension

The board adopted the following resolution regarding 1012 Lexington Avenue (72nd and 73rd Streets) – Upper East Side Historic District Extension - *Mr. Choi, Architect* – Application is to install storefront infill and signage.

WHEREAS 1012 Lexington Avenue is a neo-Grec style rowhouse designed by Thom and Wilson and constructed in 1880-81.

WHEREAS the applicant proposes to replace the existing front elevation at the first and second floors with glass within an aluminum frame.

WHEREAS the proposed glass at the first two floors is too stark and too simplistic, presenting a treatment that is contemporary and stark within the historic district extension.

WHEREAS no consideration was given by the applicant to the context of the existing storefronts on both sides of Lexington Avenue between 72nd and 73rd Streets.

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

Manhattan Community Board 8 adopted the resolution by a vote of 41 in favor, 0 opposed and 1 abstention

- **Youth and Education Committee** – Jim Clynes and Judith Schneider, Co-Chairs

RE: 5-year Capital Plan and need for additional schools in Community District 8

WHEREAS, the New York City Department of Education has proposed a new five-year Capital Plan for 2010-2014 that contains only 374 new seats for the Upper East Side in the K-8 grades, which have already been dedicated, and

WHEREAS, the proposed new seats planned for the Upper East Side, will not be large enough for a K-5 school, and

WHEREAS, since 2007, the Kindergarten enrollment at UES public schools has increased 5% (2006-2007), 8% (2007-2008), 6% (2008-2009), 11% (2009-2010) from the previous year, and

WHEREAS, according to the 2009 Blue Book, every UES public school building has exceeded its utilization cap: PS6 (129%), PS59 (133%), PS151 (141%), PS 158 (117%), PS 183 (143%), PS 198 139%), and PS 290 (149%), and

WHEREAS the establishment of PS151 in 2009 and PS 267 in 2010 have not ended overcrowding and waitlists at UES schools, and

WHEREAS zoned enrollment is increasing significantly each year, and

WHEREAS 2,376 new residential units have been built in Community District 8 between 2000-2009, and only two new elementary schools have been opened, and

WHEREAS the Kindergarten students that entered the public school system in 2008, the marker year that indicated the beginning of the increased trend of public school enrollment on the UES, will enter 6th grade in 2014 and middle school seats will need to be ready, and

WHEREAS, capacity planning should be proactive and not reactive,

THEREFORE BE IT RESOLVED that the Community Board 8 requests enough new capacity planning for at least one additional elementary school on the UES; and

BE IT FURTHER RESOLVED that the Community Board 8 requests enough new capacity planning for at least one additional middle school on the UES.

Manhattan Community Board 8 adopted the resolution by a vote of 41 in favor, 0 opposed, 0 abstentions

Judy Schneider thanked Community Board 8 member Sara Chu for all the work she did on the Zoning Commission Committee of the Community Education Council and Community Board 8 Fellow Sam Stein for his knowledge and work on the City Computer Program and for working very closely with the chair of that committee. She also welcomed back Community Board 8 member H. Patrick Stewart.

9. Old Business

No old business.

10. New Business

No new business.

The meeting was adjourned at 9:30PM.