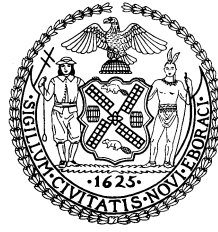


**Jacqueline Ludorf**  
Chairman

**Latha Thompson**  
District Manager



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

**LAND USE/FULL BOARD MEETING**  
**WEDNESDAY, SEPTEMBER 15, 2010**  
**Hunter College School of Social Work**  
**129 East 79<sup>th</sup> Street, Auditorium**  
**6:30PM**

**Community Board Members Present:** Joie Anderson, Elizabeth Ashby, Kenneth Austin, Michele Birnbaum, 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, Lorraine Hockert, Jonathan Horn, Lorraine Johnson, Dave Kleckner, Laura Lijewski, Jacqueline Ludorf, Laurence Parnes, Jane Parshall, Mary Boresz Pike, 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, Nicholas Viest, Betty Wallerstein, Elaine Walsh, Charles Warren, Hedi White  
**Community Board Members (Excused):** Matthew Bondy, David Liston, Alexander Tisch  
**Community Board Members (Unexcused):** Michael Auerbach, Domenico Minerva, Ellen Polivy  
**Total Attendance:** 44

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

**1. Public Session:**

- Informational Presentation – The Metropolitan Museum of Art – President Emily K. Rafferty presented an update on capital projects currently underway at the Museum which include renovations to the American wing and Islamic galleries and the outside plaza fountains.
- Introduction of the new Roosevelt Island Operating Corporation presented by President and CEO Leslie Torres. She discussed the projects going on at Roosevelt Island which includes the renovation of the Tram and the building of the Four Freedoms Park.
- Information on the organization Age-Friendly New York was presented by Julian Menken, member of the public.

**2. Adoption of the Agenda**

**3. Review of the Minutes – February-July 2010 Land Use and Full Board Minutes**

#### **4. Manhattan Borough President's Report:**

Manhattan Borough President Scott M. Stringer presented his special report for senior citizens. He also spoke on his ongoing discussion with MTA Inspector General regarding the Second Avenue Subway project. He discussed his efforts to facilitate the coordination of the multi-million dollar MTA Second Avenue project to model a construction process with other city agencies and the board. Other topics he covered were the "Bank on Manhattan" program initiative designed to help unbanked families open basic bank accounts and gain financial literacy. He briefly discussed his new marriage status and spoke about his personal decision to marry in Connecticut. This decision was based on the fact that basic marriage rights legislation has still not been passed in the New York State Senate.

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

- Council Member Jessica S. Lappin reported on the East River Esplanade Task Force focusing on unsafe conditions in that area. She discussed how her office and Congresswoman Carolyn Maloney's office and other elected officials are creating strategies and by-laws to move forward on this project and address the unsafe conditions. She also discussed the importance of calling 311 when community members are opposed to sidewalk cafés as it creates a documented record. She announced the new textile recycling program bill that was signed by Mayor Bloomberg on August 16<sup>th</sup> which requires the Department of Sanitation to develop a program to collect textiles for recycling.
- Council Member Daniel R. Garodnick reported on news and issues from District 4. He discussed his work centering on Peter Cooper Village tenants' association issues and affordable housing. He also reported on proposed regulations/legislation for pedi-cabs and a passenger bill of rights, technical enhancements to 311 Center systems, internet access and digital divide for New Yorkers, funding secured for cultural after-school programs, and his attempts to alleviate the energy problems experienced in the district 8 area.
- Assembly Member Micah Z. Kellner reported on defending the first amendment rights of animal care and control volunteers. He also spoke about the FDR Memorial and park, new energy efficient and disabled accessible NYC taxis, pedestrian safety and Elle's Law.
- State Senator Liz Krueger reported on news from her September 2010 community bulletin. She discussed "What Makes an Educated Citizen" forum and 4<sup>th</sup> annual senior citizen fair coming up. She also discussed some of the flaws of the primary election's new voting system.
- Brice Peyre, a representative from Congresswoman Carolyn Maloney's office, discussed the funding Congresswoman Maloney obtained for the Four Freedoms Park, the grant for the Ear & Eye Infirmary, and DNA and law enforcement.
- Yvonne Przybyla, a representative from New York State Senator Jose Serrano's office, reported on issues involving the U.S. Census and the opening of the new Asthma Center at E. 104<sup>th</sup> Street.
- Adam Brickman, a representative from Assembly member Jonathan Bing's office, announced the Annual Senior Health Fair at Knickerbocker Plaza that will be held on Wednesday, October 13<sup>th</sup>.

#### **6. Chair's Report – Jacqueline Ludorf:**

Chair Jacqueline Ludorf announced that recently, an outside person sent an e-mail out to the board list without permission. She reminded everyone that board member e-mails are confidential and all correspondence for board members should be forwarded to Latha Thompson at the Community Board Office for dissemination. She also thanked the board members who participated at the street fairs.

**7. Selection of Nominating Committee:**

District Manager Latha Thompson announced the nominating committee list for 2010.  
M. Barry Schneider, accepted nomination  
Elizabeth Ashby, accepted nomination  
David Rosenstein, accepted nomination  
H. Patrick Stewart, accepted nomination  
Kenneth Austin, accepted nomination  
Teri Slater, accepted nomination  
Hedi White, accepted nomination

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

- **Environment and Sanitation Committee** – David Kleckner and Debbie Teitelbaum, Co-Chairs

**The following resolution was adopted by a vote of 41 in favor, 1 opposed, and 0 abstentions:**

**WHEREAS** the confluence of events that include the expiration of the Con Ed lease, the necessity for the UN to build new office space, and the continued presence of temporary caissons that remain in the East River have come together at a unique moment in time, and

**WHEREAS** the remaining caissons are very close to the FDR drive wall and therefore most likely pose no negative environmental impact to the aquatic environment of the East River, and

**WHEREAS** the project will give the City a valuable opportunity to connect the east side Greenway, both to the north and to the south,

**WHEREAS** the residents of the community place a great value on improved access to and beautification of the waterfront, and

**WHEREAS** the vision for the waterfront accomplishes these two very important goals,

**THEREFORE BE IT RESOLVED** that Community Board 8 supports the “Visions for the East Side Waterfront & Parks” for the Greenway and urges the City to move forward on this plan as soon as possible with community input and agency oversight review, and

**BE IT FURTHER RESOLVED** that Community Board 8 M considers it imperative that the plan include the funding and restoration of the small piece of Andres Haswell Green Park, Phase IV, from the former Sanitation Department building to where the Greenway hooks up to Community District 8.

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

1.a. **Alfie, LLC d/b/a Cavatappo Grill, 1712 First Avenue (88<sup>th</sup>/89<sup>th</sup> Streets)** – Renewal application for an unenclosed sidewalk café with 12 tables and 24 seats, DCA #1292343. Due date: Oct. 7<sup>th</sup> Hours: 12p – 11p. Food/Drink: 75/25.

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** there are no changes to existing café, and

**WHEREAS** there have been no complaints,

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

1.b. **1483 First Avenue Restaurant, Inc. d/b/a Maruzzela, 1483 First Avenue (77<sup>th</sup>/78<sup>th</sup> Streets)** – Renewal application for an unenclosed sidewalk café with 8 tables and 16 seats, DCA #1002419. Due date: Oct. 12<sup>th</sup> Hours: 12p – 12a. Food/Drink: 85/15

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** there are no changes to existing café, and

**WHEREAS** there have been no complaints

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

1.c. **Magenta Piccolo Corp. d/b/a Cavatappo Wine Bar, 1728 Second Avenue (89<sup>th</sup>/90<sup>th</sup> Streets)** – Renewal application for an unenclosed sidewalk café with 6 tables and 12 seats, DCA #1222183. Due date: Oct. 12<sup>th</sup> Hours: 5p – 12a weeknights, 5p – 1a weekends, 5p – 11p Sundays. Food/Drink: 40/60

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** there are no changes to existing café, and

**WHEREAS** there have been no complaints

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

1.d. **Palazzo & Corsini, LLC d/b/a Terramare Café, 22 East 65<sup>th</sup> Street (Madison/Fifth Avenues)** – Renewal application for an unenclosed sidewalk café with 5 tables and 10 seats, DCA #1168356. Due date: Oct. 12<sup>th</sup>

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** there are no changes to existing café, and

**WHEREAS** there have been no complaints

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

1.e. **Faith E.F.I. Corp. d/b/a Effy’s Café, 1638 Third Avenue (91<sup>st</sup>/92<sup>nd</sup> Street)** – Renewal application for an unenclosed sidewalk café with 10 tables and 20 seats, DCA #1217336. Due date: Sept. 27<sup>th</sup> Hours: 6a – 10p. Food/Drink:80/20

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** there are no changes to existing café, and

**WHEREAS** there have been no complaints

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

2.a. **76<sup>th</sup> Street Restaurant, LLC d/b/a Café Boulud, 20 East 76<sup>th</sup> Street (@ Madison Avenue)** – Re-apply application for an unenclosed sidewalk café with 12 tables and 24 seats, DCA #1365172. Due date: Sept. 23<sup>rd</sup> Hours: 5:45p – 10:30p weekdays and 5:30p – 11p weekends. Food/Drink: 70/30

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** the application results from a change in the corporate name,

**WHEREAS** there will be no changes to the café,

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

3.a. **Shalizar, LLC d/b/a Persepolis, 1407 Second Avenue (73<sup>rd</sup>/74<sup>th</sup> Streets)** – New application for an unenclosed sidewalk café with 8 tables and 16 seats, DCA #1361517. Due date: Aug. 23<sup>rd</sup> Hours: 12p – 11p weekdays and 12p – 12a weekends. Food/Drink: 80/20.

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** this is a new application, and

**WHEREAS** there was miscommunication between DCA, MTA & DOT

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

3.b. **Le Magnifique, LLC d/b/a Le Magnifique, 1022 Lexington Avenue (@ 73<sup>rd</sup> Street)** – New application for a new unenclosed sidewalk café with 12 tables and 24 seats, DCA #1362784. Due date: Sept. 2<sup>nd</sup> Hours: 8a – 12a weekdays and 9a – 12a weekends. Food/Drink: 70/30.

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** this is only an ownership change, and

**WHEREAS** there are no changes to existing café, and

**WHEREAS** there have been no complaints

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

4.a. **OPSS Corp. d/b/a Our Place, 1444 Third Avenue (@ 82<sup>nd</sup> Street)** – Application to transfer an on-premises liquor license Hours: 11:30a – 11p Food/Drink: 92/8.

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** the application results from a change in ownership,

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

5.a. **Salernitani Ltd. d/b/a San Matteo Pizzeria Espresso Bar, 1739 Second Avenue 89<sup>th</sup>/90<sup>th</sup> Street)** – New application for a wine and beer license Hours: 7a – 10p weekdays and 7a – 11p weekends. Food/Drink: 95/5

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

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

5.b. **Turning Leaf Restaurant, Inc., 1522 First Avenue (79<sup>th</sup>/80<sup>th</sup> Streets)** – New application for a wine and beer license Hours: 12p – 11p weekdays and 12p – 12a weekends. Food/Drink: 80/20

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** a resident in the building was concerned about previous building violations,

**WHEREAS** the applicant stated that he is and will continue to be in compliance in all of the work he has done on the restaurant,

**WHEREAS** also operates 2 other restaurants in Manhattan,

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

5.c. **Lan Xuan Corp. d/b/a Our Place Cuisine of China, 242 East 79<sup>th</sup> Street (Second/Third Avenues)** – New application for a wine and beer license. Hours: 11:30a – 10:30p, 11:30a – 10:30p. Food/Drink: 90/10  
**Manhattan Community Board 8 adopted the following resolution by a vote of 30 in favor, 6 opposed, and 6 abstentions.**

**WHEREAS** the applicant will use the bike rack in the front during operating hours,

**WHEREAS** the applicant agreed to keep the rear yard door closed,

**WHEREAS** the applicant also stated that the staff will be instructed to be considerate of the neighbors,

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

5.d. **347 East 85<sup>th</sup> Partners, LLC d/b/a Luna Rossa, 347 East 85<sup>th</sup> Street (Second/First Avenues)** – New application for a wine and beer license. Hours: 5p – 11p weekdays and 12p – 11p weekends. Food/Drink: 70/30.  
**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

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

5.e. **Avogu Japanese Fusion Restaurant, Inc., 1164 First Avenue (63<sup>rd</sup>/64<sup>th</sup> Streets)** – New application for a wine and beer license Hours: 11:30a – 11p weekdays and 12:30p – 11p weekends. Food/Drink: 95/5.  
**Manhattan Community Board 8 adopted the following resolution was by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** there will be 1 bicycle and the applicant agreed to comply with all bicycle regulations

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

5.f. **265 East 78<sup>th</sup> Street Corp., d/b/a Pil Pil Spanish Wine Bar, 265 East 78<sup>th</sup> Street (Third/Second Avenues)** – New application for a wine and beer license  
**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** the application results from a corporate change,

**WHEREAS** a resident complained about the poorly kept tree bed in front of the restaurant,

**WHEREAS** the landlord is legally responsible for the upkeep of the tree bed,

**WHEREAS** the applicant stated that they would tend to the tree bed in the interest of good relations with their neighbors,

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

5.g. **De Hoop Corp. d/b/a Kaia Wine Bar, 1614 Third Avenue (90<sup>th</sup>/91<sup>st</sup> Street)** – New application for a wine and beer license. Hours: 5p – 12a weekdays and 11a – 1a weekends. Food/Drink: 32/68.  
**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

**WHEREAS** the owner also has an establishment on the West Side of Manhattan,

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

5.h. **Pazzia LLC, 1574 Second Avenue (81<sup>st</sup>/82<sup>nd</sup> Streets)** – New application for an on-premises liquor license. Hours: 12p – 10:30p weekdays and 12p – 11:30p weekends.

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

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

5.i. **Pan Asian 86, Inc. d/b/a Pan Asian, 215 East 86<sup>th</sup> Street (Third/Second Avenues)** – New application for an on-premises liquor license Hours: 11a – 10:30p and 11a – 11p. Food/Drink: 80/20.

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

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

5.j. **Tov Taam, Inc. d/b/a Eighteen Restaurant, 241 East 81<sup>st</sup> Street (Second/Third Avenues)** – New application for an on-premises liquor license Hours: 11:30a – 10:30p Weekdays 8p – 10p Sat, 10a – 12a Sunday. Food/Drink: 80/20

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

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

5.k. **Spice Corner 236, Inc. d/b/a Spice, 1479 First Avenue (77<sup>th</sup>/78<sup>th</sup> Streets)** – New application for an on-premises liquor license Hours: 10a – 12a. weekdays 12p – 11:30p weekends Food/Drink: 80/20

**Manhattan Community Board 8 adopted the following resolution by a vote of 42 in favor, 0 opposed, and 0 abstentions.**

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

5.l. **Remedy Hospitality Group, LLC d/b/a Two Door Café, 339 East 75<sup>th</sup> Street (Second/First Avenues)** – New application for an on-premises liquor license Hours: 11a – 2a weekdays and 10a – 4a weekends. Food/Drink: 70/30.

**Manhattan Community Board 8 adopted the following resolution by a vote of 39 in favor, 1 opposed, and 3 abstentions.**

**WHEREAS** the kitchen will remain open on weekends until 2a,

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

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

**Re: The Loeb Boathouse in Central Park (East 72<sup>nd</sup> Street at Park Drive North)-Scenic Landmark**

The board adopted the following resolution regarding **The Loeb Boathouse in Central Park (East 72<sup>nd</sup> Street at Park Drive North) – Scenic Landmark** – *Mr. Nicholas Koutsomipis, Architect*. Application to replace existing exterior bar and to restore/replace the patio and dock around the bar. (joint with Parks Committee)

**This resolution was approved by a vote of 32 in favor, 8 opposed and 7 abstentions**

**WHEREAS** the applicant proposes to replace the existing bar with an open air pavilion-style bar.

**WHEREAS** the applicant proposes to raise the outdoor deck area about 16” so that the deck is at the height of an adjacent landscaped area and so that there is no grade change between the deck and the restaurant.

**WHEREAS** the applicant proposes to cantilever part of the deck out over the lake.

**WHEREAS** the applicant proposes the replacement of the existing boathouse ticket pavilion with a slightly larger facility that will accommodate both the ticket area and an area for the bar kitchen equipment (dishwashers and icemaker).

**WHEREAS** the proposed bar will be freestanding and unenclosed (with perforated metal roll-down shutters) and will have a wood base and a concrete countertop and a floating aluminum roof and is intended to blend into the restaurant next to it.

**WHEREAS** the aluminum material to be used for the roof is inappropriate within the scenic landmark that is Central Park.

**WHEREAS** the proposed bar has no historic reference or connection to other buildings within the scenic landmark that is Central Park.

**WHEREAS** the proposed bar and its expanded footprint represents an expansion/intrusion into the scenic landmark that is Central Park since it is larger than the existing bar.

**WHEREAS** the bar is overly conspicuous with its spaceship-like roof.

**WHEREAS** raising the deck decreases visibility of the scenic landscape, especially the lake, from passersby.

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

**Re: 15 East 93<sup>rd</sup> Street-(Fifth and Madison)-Carnegie Hill Historic District**

At the Land Use/Full Board meeting on Wednesday, September 15, 2010, the board adopted the following resolution regarding **15 East 93<sup>rd</sup> Street-(Fifth and Madison)-Carnegie Hill Historic District-Mr. Gary Savitzky, architect**-A four-story rowhouse built in 1891-92 by William Graul. Application to restore the existing façade.

**This resolution was approved by a vote of 43 in favor, 0 opposed and 0 abstentions**

**WHEREAS** the building that is the subject of this application is a four-story rowhouse that William Graul built in 1891-92 and is one of four adjacent rowhouses built on the same block at around the same time and in similar styles.

**WHEREAS** the applicant proposes to restore to the facade various items and details that had been removed following the original construction, including the cornice, ornamentation on the facade, details around the bay window, brackets under windows, panel details, and the applicant proposes to recoat the facade using a brownstone stucco mixture and to score the brownstone surface.

**WHEREAS** the work proposed by the applicant will result in a renovated facade that more closely resembles the original design of the building as originally constructed and will be consistent with the character of the above-mentioned adjacent rowhouses.

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



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

**RE: Discussion of Department of Education (DOE) position on bake sales at schools**

**The following resolution was adopted by a vote of 39 in favor, 0 opposed, 2 abstentions:**

**WHEREAS** the Department of Education, in June 2009, enacted a policy to ban all bake sales in City Schools, and

**WHEREAS** bake sales are an important fundraising component of many schools, providing significant assistance to many extra curricular programs, that would otherwise not exist, and

**WHEREAS** bake sales provide a vital social component, offering individuals an opportunity to share cultural heritage, sample family recipes, and show off individual skills,

**WHEREAS** bake sales offer a variety of educational experiences for students, and

**WHEREAS** in the Fall of 2009 Department of Education modified its policy to allow bake sales, on the condition that they only sell the pre-packaged products that are manufactured by Department of Education’s contracted vendors, and which are currently available in school vending machines, such as Hydrox, Pop Tarts, Frito-Lay, Doritos, and Snapple, among others, all of which contain high fructose corn syrup and/or other unhealthy industrial food additives,

**THEREFORE BE IT RESOLVED** that Community Board 8 urges the Department of Education to repeal its ban on selling home baked foods at bake sales, and calls upon our elected officials to review this D.O.E. policy and seek its repeal.

#### **9. Old Business:**

**There was no old business.**

#### **10. New Business-Manhattan Borough Board Resolutions:**

- Marriage Equality Resolution

**The following resolution was approved by a vote of 43 In Favor, 0 Opposed and 0 Abstentions:**

**BE IT RESOLVED THAT** Manhattan Community Board 8 supports marriage equality in New York State and urges the state legislature to enact legislation to achieve this goal without delay.

- Opposition to 58 (formerly Intro 650) Biological, Chemical and Radiological Detectors resolution

**Opposition 58 (formerly Intro 650) Biological, Chemical and Radiological Detectors has been tabled.**

The meeting was adjourned at 9:10pm and the board entered Executive Session to discuss personnel matters.

#### **Executive Session – Personnel**

The board approved the hiring of Irma Torres and Anub Gangadaran as Community Assistants. The board approved the title change to Community Associate and salary increase of Lovaeta Amoako.

The Executive Session was adjourned at 9:25pm