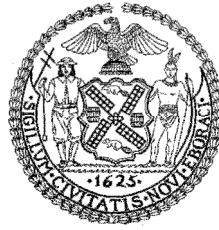


**Nicholas D. Viest**  
Chairman

**Latha Thompson**  
District Manager



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

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

**LAND USE MEETING**  
**WEDNESDAY, MAY 9, 2012**  
**New York Blood Center**  
**310 East 67<sup>th</sup> Street**  
**Auditorium**  
**6:30PM**

**Community Board Members Present:** Elizabeth Ashby, Albert Barrueco, John Bartos, Michele Birnbaum, Matthew Bondy, Lori Ann Bores, Roy Carlin, Barbara Chocky, Sarah Chu, Christina Davis, Jeffrey Escobar, Cory Evans, Susan Evans, A. Scott Falk, Edward Hartzog, David Helpern, Jonathan Horn, Lorraine Johnson, Dave Kleckner, David Liston, Jacqueline Ludorf, Laurence Parnes, Jane Parshall, Mary Boresz Pike, Rita Lee Popper, Margaret Price, Hattie Quarnstrom, David Rosenstein, Barbara Rudder, William Sanchez, Judith Schneider, M. Barry Schneider, Helene Simon, Teri Slater, Cos Spagnoletti, Patrick Stewart, Marco Tamayo, Debra Teitelbaum, Nicholas Viest, Charles Warren, Hedi White

**Community Board Members (Excused):** Molly Blayney, Deirdre Breslin, James Clynes, Elaine Walsh

**Community Board Members (Unexcused):** Kenneth Austin, George Fuchs, Lorance Hockert, Domenico Minerva, Ellen Polivy

**Total Attendance: 41**

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

**1. Public Hearing: Application # N120213NPY, CEQR # 12DCP123Y-Waterfront Revitalization Program (WRP)**-The Department of City Planning has submitted proposed revisions to the NYC Waterfront Revitalization Program (WRP) for consideration under the rules for the processing of plans pursuant to Charter Section 197-a. The Waterfront Revitalization Program is a regulatory review tool that guides agency reviews of projects proposed within the city's Coastal Zone to ensure that projects promote the economic, ecological, and recreational vitality of New York's waterfront.

**Whereas,** The Department of City Planning has submitted proposed revisions to the NYC Waterfront Revitalization Program (WRP) for consideration under the rules for the processing of plans pursuant to Charter Section 197-a. The Waterfront Revitalization Program is a regulatory review tool that guides agency reviews of projects proposed within the city's Coastal Zone to ensure that projects promote the economic, ecological, and recreational vitality of New York's waterfront.

**THEREFORE BE IT RESOLVED** that Community Board 8M recommends that the proposed revisions to the Waterfront Revitalization Program be changed to include a statement that consideration of any projects along the East River Waterfront of Manhattan be required to prioritize the fulfillment of Policy Eight-"Provide Public Access To, From, And Along New York City's Coastal Waters".

**Community Board 8M approved the resolution by a vote of 41 in favor, 0 opposed and 0 abstentions.**

**2. Public Hearing: BSA Calendar No. 116-12-BZ, CEQR No. 12BSA125K, 1477 Third Avenue-**Application for the legalization of an existing physical culture establishment (PCE) under section 73-36 which requires BSA approval.

**Whereas**, Application for the legalization of an existing physical culture establishment (PCE) under section 73-36 which requires BSA approval.

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

**Be It Resolved** that Community Board 8M approves the BSA application to legalize Exceed Fitness an existing Physical Culture Establishment (PCE) which presently occupies approximately 3,960 square feet on a portion of the ground floor and cellar of 1477 Third Avenue.

**Community Board 8M adopted the resolution by a vote of 39 in favor, 1 opposed, and 1 abstention.**

**3. Public Hearing: BSA Calendar No. 79-12-BZ, CEQR No. 12BSA110M, 1456 First Avenue, Block 1470, Lot 1002-**Application is filed pursuant to Section 73-36 of the Zoning Resolution of the City of New York, as amended, on behalf of Jai, LLC d/b/a House of Jai to permit the operation of a physical culture establishment (PCE) as renovated construction is an existing 31-story building located within a C1-9/R8B zoning district. A PCE is not permitted as-of-right in any zoning district, however, ZR Section 73-36 authorized the BSA to grant special permits to allow the operation of PCEs in certain specified districts, including C1-9.

**Whereas**, Application is filed pursuant to Section 73-36 of the Zoning Resolution of the City of New York, as amended, on behalf of Jai, LLC d/b/a House of Jai to permit the operation of a physical culture establishment (PCE) as renovated construction is an existing 31-story building located within a C1-9/R8B zoning district. A PCE is not permitted as-of-right in any zoning district, however, ZR Section 73-36 authorized the BSA to grant special permits to allow the operation of PCEs in certain specified districts, including C1-9.

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

**Be It Resolved** that Community Board 8M approves the BSA application to permit Jai, LLC d/b/a House of Jai, a physical culture establishment (PCE) as renovated construction is an existing 31-story building located within a C1-9/R8B zoning district.

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

**4. Public Hearing: BSA Calendar No. 80-12-BZ, 140 East 63<sup>rd</sup> Street, Block 1397, Lot 7505-**Application for a special permit, pursuant to Section 73-36 of the Zoning Resolution to permit SoulCycle physical culture establishment (PCE) within an existing 22-story mixed-use building, formerly the Barbizon Hotel and now know as Barbizon 63, located in C1-8X and R8B zoning districts.

**Whereas**, Application for a special permit, pursuant to Section 73-36 of the Zoning Resolution to permit SoulCycle physical culture establishment (PCE) within an existing 22-story mixed-use building, formerly the Barbizon Hotel and now known as Barbizon 63, located in C1-8X and R8B zoning districts.

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

**Be It Resolved** that Community Board 8M **disapproves** the BSA application to permit Soul Cycle, a physical culture establishment (PCE) within portions of an existing 22 story mixed-use building, formerly the Barbizon Hotel and now known as Barbizon 63.

**Community Board 8M adopted the resolution to disapprove by a vote of 28 in favor, 15 opposed, and 0 abstentions.**

## 5. Street Life Committee

1a. **244 East 86<sup>th</sup> Street, Southwest corner of 2<sup>nd</sup> Avenue and E. 86<sup>th</sup> Street** – New application for a newsstand, License #1424641. Due date: June 22<sup>nd</sup> - *Joint item with the Second Avenue Subway Task Force*

**WHEREAS** there were several members from the public & the E. 86th Street Association,

**WHEREAS** the view of the committee was that this site is overly congested, the four corners of the intersection are under heavy construction, and the final outcome for bus stops, etc. will not be finalized for many years,

**WHEREAS** the committee felt that this location should have never been sent to Street life before further scrutiny by DCA & DOT,

**WHEREAS** the committee felt that this application was a burden on the applicant.

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

**BE IT FURTHER RESOLVED THAT** these applications, should be vetted by the relevant agencies before being forwarded to Community Boards.

**Manhattan Community Board 8 adopted the resolution by a vote of 38 in favor, 2 opposed, and 0 abstentions.**

3a. **SL & H Bagel, Inc. d/b/a Bagel Express II, 1228 Second Avenue (64<sup>th</sup>/65<sup>th</sup> Streets)** – Renewal application for an unenclosed sidewalk café with 10 tables and 20 seats, DCA #1286845. Due date: May 17<sup>th</sup>

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

**WHEREAS** they have no submitted, in writing, that they will not use electric bikes,

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

**Manhattan Community Board 8 adopted the resolution by a vote of 40 in favor, 0 opposed, and 2 abstentions.**

3b. **Hailey Grace Corp. d/b/a Genesis Bar & Restaurant, 1708 Second Avenue (88<sup>th</sup>/89<sup>th</sup> Streets)** – Renewal application for an unenclosed sidewalk café with 12 tables and 24 seats, DCA #1219287. Due date: May 17<sup>th</sup>

**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, 0 opposed, and 0 abstentions.**

3c. **8868 Corp. d/b/a Vermicelli, 1492 Second Avenue (77<sup>th</sup>/78<sup>th</sup> Streets)** – Renewal application for an unenclosed sidewalk café with 8 tables and 16 seats, DCA #1224915. Due date: May 14<sup>th</sup>

**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, 0 opposed, and 0 abstentions.**

3d. **EP Properties, Ltd. d/b/a Per Lei, 1347 Second Avenue (@ 71<sup>st</sup> Street)** – Renewal application for an unenclosed sidewalk café with 21 tables and 44 seats, DCA #1220381. Due date: May 21<sup>st</sup>

**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, 0 opposed, and 0 abstentions.**

3e. **Poupetto, Inc. d/b/a Le Bilboquet, 25 East 63<sup>rd</sup> Street (Madison/Park Avenues)** – Renewal application for an unenclosed sidewalk café with 4 tables and 16 seats, DCA #1169925. Due date: may 21<sup>st</sup>

**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, 0 opposed, and 0 abstentions.**

3f. **Eli's Manhattan Warehouse, Inc. d/b/a Eli's, 1411 Third Avenue (80<sup>th</sup>/81<sup>st</sup> Streets)** – Renewal application for an unenclosed sidewalk café with 5 tables and 20 seats, DCA #1159625. Due date: May 29<sup>th</sup>

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, 0 opposed, and 0 abstentions.**

3g. **1326 Restaurant, LLC d/b/a Beach Café, 1326 Second Avenue (@ 70<sup>th</sup> Street)** – Renewal application for an unenclosed sidewalk café with 20 tables and 40 seats, DCA #1217877. Due date: May 29<sup>th</sup>

WHEREAS this application is for 13 tables & 28 seats, and only on 70<sup>th</sup> street.

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, 0 opposed, and 0 abstentions.**

3h. **E.A.T. is owned by Eli Zabar, Inc. d/b/a E.A.T., 1064 Madison Avenue (80<sup>th</sup>/81<sup>st</sup> Streets)** – Renewal application for an unenclosed sidewalk café with 6 tables and 21 seats, DCA #1172157. Due date: May 29<sup>th</sup>

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, 0 opposed, and 0 abstentions.**

3i. **1226 Second Avenue Realty Corp. d/b/a Primola, 1226 Second Avenue (64<sup>th</sup>/65<sup>th</sup> Streets)** – Renewal application for an unenclosed sidewalk café with 11 tables and 22 seats, DCA # 1167555. Due date: May 31<sup>st</sup>

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, 0 opposed, and 0 abstentions.**

3j. **SLD Deli Grill, Inc. d/b/a Gracie's Café, 1530 York Avenue (80<sup>th</sup>/81<sup>st</sup> Streets)** – Re-apply application for an unenclosed sidewalk café with 18 tables and 36 seats, DCA #1256574. Due date: May 24<sup>th</sup>

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, 0 opposed, and 0 abstentions.**

4a. **CLGM, Inc. d/b/a Yefsi Estaiatorio, 1481 York Avenue (78<sup>th</sup>/79<sup>th</sup> Streets)** – New application for an unenclosed sidewalk café with 9 tables and 20 seats, DCA #1422663. Due date: May 11<sup>th</sup>

WHEREAS this is a new café and no one from the public objected,

WHEREAS there is ample room, & it abuts an enclosed café,

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

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

5a. **East Side Burgers, LLC d/b/a Bare Burger, 1370 First Avenue (@ 73<sup>rd</sup> Street)** – Application to alteration a wine and beer license to include a sidewalk café

WHEREAS this is an existing establishment,

WHEREAS the applicant needs to include the café in the license,

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

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

6a. **Mahasadethee, Inc. d/b/a Thai@Lex, 1244 Lexington Avenue (83<sup>rd</sup>/84<sup>th</sup> Streets)** – New application for a wine and beer license

WHEREAS this is for beer & wine only 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 42 in favor, 0 opposed, and 0 abstentions.**

6c. Artblock, LLC d/b/a TBD, 976 Madison Avenue (76<sup>th</sup>/77<sup>th</sup> Street) – New application for a liquor, wine and beer license  
**WHEREAS** this is for beer & wine only 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 42 in favor, 0 opposed, and 0 abstentions.**

6d. 1679 Third Avenue Restaurant Corp., 1679 Third Avenue (@ 94<sup>th</sup> Street) – New application for a liquor, wine and beer license  
**WHEREAS** this is for beer & wine only 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 42 in favor, 0 opposed, and 0 abstentions.**

#### **6. Old Business**

No old business.

#### **7. New Business**

No new business.

The meeting was adjourned at 9:30PM.

**Nicholas D. Viest, Chair**