

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 Website
info@cb8m.com - E-Mail

The City of New York
Manhattan Community Board 8

LAND USE MEETING
October 8, 2014
Hunter Glass Café
Hunter West Building
SW Corner, East 68th Street & Lexington Avenue
6:30PM

Community Board Members Present: Elizabeth Ashby, Barbara Chocky, Sarah Chu, James Clynes, Christina Davis, Jeffrey Escobar, Susan Evans, A. Scott Falk, David Helpern, Lorance Hockert, Sophia James, Lorraine Johnson, Dave Kleckner, Allison Kopf, Craig Lader, Domenico Minerva, Laurence Parnes, Jane Parshall, Ellen Polivy, Sharon Pope, Rita Lee Popper, Margaret Price, Hattie Quarnstrom, David Rosenstein, Barbara Rudder, Abraham Salcedo, Judith Schneider, M. Barry Schneider, Rebecca Seawright, Teri Slater, Cos Spagnoletti, Jared Stone, Marco Tamayo, Nicholas Viest, Elaine Walsh, Charles Warren, Hedi White, Gregory Zaffiro

Community Board Members (Excused): Lowell Barton, Michele Birnbaum, Matthew Bondy, Jonathan Horn, Jacqueline Ludorf, William Sanchez, Debra Teitelbaum, Timothy Yeo

Community Board Members (Unexcused): Albert Barrueco, Lori Ann Bores, Edward Hartzog, David Liston

Total Attendance: 38

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

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

- Member of the public, Alvin Wang, representing New Ichiro Sushi Inc., spoke in favor of the application.

- 1. New York-Presbyterian Hospital will provide an update on the David H. Koch Center located on York Ave. and 69th Street.**
- 2. Public Hearing: ULURP Application No. , 110 East 70th Street, Block 1404, Lot 67-**Application for a special permit pursuant to 74-711 to modify bulk regulations applicable to a single family home within the Upper East Side Historic District in order to legalize the residential use of a portion of a rear yard extension that was created in 1995 for a then-permitted community facility use on the property. Application seeks waivers of (i) rear yard regulations of ZR Section 23-47 to permit retention of an existing structure in required rear yard; (ii) narrow outer court regulations of ZR Section 23-841 to permit retention of existing outer court that does not meet the minimum required width; and (iii) requirements of ZR Section 23-145 as to lot coverage.

WHEREAS, the application for a special permit pursuant to 74-711 to modify bulk regulations applicable to a single family home within the Upper East Side Historic District in order to legalize the residential use of a portion of a rear yard extension that was created in 1995 for a then-permitted community facility use on the property. Application seeks waivers of (i) rear yard regulations of ZR Section 23-47 to permit retention of an existing structure in required rear yard; (ii) narrow outer court regulations of ZR Section 23-841 to permit retention of existing outer court that does not meet the minimum required width; and (iii) requirements of ZR Section 23-145 as to lot coverage, therefore

BE IT RESOLVED that Community Board 8 approves the application for a special permit pursuant to 74-711 to modify bulk regulations applicable to a single family home within the Upper East Side Historic District in order to legalize the residential use of a portion of a rear yard extension that was created in 1995 for a then-permitted community facility use on the property.

Community Board 8M approved the resolution by a vote of 34 in favor, 2 opposed, 2 abstentions and 0 not voting for cause.

3. **Public Hearing: BSA Cal. No. 222-14-BZ, 344 East 63rd Street, Block 1437, Lot 29**-Application for a special permit pursuant to ZR 73-36 to permit a Physical Culture Establishment on the ground floor of the premises.

Whereas, the application for a special permit pursuant to ZR 73-36 to permit a Physical Culture Establishment on the ground floor of the premises, therefore

Be It Resolved that Community Board 8 **approves** the application for a special permit pursuant to ZR 73-36 to permit a Physical Culture Establishment on the ground floor of 344 East 63rd Street.

Community Board 8M adopted the resolution (to approve the application) by a vote of 36 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

4. **Street Life Committee**

1a. **Baraonda Restaurant Inc., dba Baraonda Restaurant, 1439 Second Avenue (@ 75th Street)- Renewal application for an unenclosed sidewalk café with 20 tables and 40 chairs, DCA # 1215929-DCA. Due Date: November 3, 2014**

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 36 in favor, 0 opposed, and 0 abstentions.

1b. **Haru Too, Inc., dba Haru Sake Bar, 1327 Third Avenue (@ 76th Street) - Renewal application for an unenclosed sidewalk café with 19 tables and 38 chairs, DCA # 1106426-DCA. Due Date: November 8, 2014**

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 36 in favor, 0 opposed, and 0 abstentions.

1c. **Tiramisu Restaurant, LLC., dba Tiramisu Restaurant, 1410 Third Avenue (@ 80th Street) - Renewal application for an unenclosed sidewalk café with 13 tables and 26 chairs, DCA # 1282359-DCA. Due Date: November 1, 2014**

WHEREAS when the applicant previously applied for an unenclosed sidewalk café, they agreed to remove an existing wooden sidewalk platform.

WHEREAS there is evidence that the wooden sidewalk platform still exists.

WHEREAS the applicant agreed to remove the wooden sidewalk platform and to show proof of its removal at the October 15th, 2014 full-board meeting.

WHEREAS there are no other 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 36 in favor, 0 opposed, and 0 abstentions.

1d. **Thierry Inc., Le Charlot, dba 19 East 69 Street (@ Madison Avenue) - Renewal application for a small unenclosed sidewalk café with 6 tables and 17 chairs, DCA # 1167909-DCA. Due Date: October 30, 2014**

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 36 in favor, 0 opposed, and 0 abstentions.

1e. **Virgilia Café, Inc., Antonucci, dba 168 East 81 Street (Third/Lexington)** - Renewal application for an unenclosed sidewalk café with 4 tables and 16 chairs, DCA # 1225069-DCA. Due Date: October 19, 2014

WHEREAS there is an existing tree guard that may or may not have been constructed subsequent to the creation of the sidewalk café

WHEREAS the tree guard creates an issue with the clearance requirements of the café regulations.

WHEREAS the applicant will provide verification as to when the tree guard was installed at the October 8th land use meeting.

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

BE IT RESOLVED THAT the application is Approved subject to the applicant providing verification as to when the tree guard was installed.

Manhattan Community Board 8 adopted the recommendation by a vote of 35 in favor, 0 opposed, and 1 abstention.

1f. **1638 Third Ave Corp., dba Effy's Café, 1638 Third Avenue (91/92)** - Renewal application for an unenclosed sidewalk café with 10 tables and 20 chairs, DCA # 2003155-DCA. Due Date: October 26, 2014

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 36 in favor, 0 opposed, and 0 abstentions.

1g. **By The Glass Inc., dba Uva, 1486 Second Avenue (77/78)** - Renewal application for an unenclosed sidewalk café with 8 tables and 16 chairs, DCA # 1190933-DCA. Due Date: October 27, 2014

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 36 in favor, 0 opposed, and 0 abstentions.

1h. **JBB Bar and Grill Inc., dba Epazote, 1606 First Avenue (83/84)** - Renewal application for an unenclosed sidewalk café with 4 tables and 8 chairs, DCA # 1438163-DCA. Due Date: October 13, 2014

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 36 in favor, 0 opposed, and 0 abstentions.

1i. **CLGM Inc., dba Yefsi Estaiatorio, 1481 York Ave (78/79)** - Renewal application for an unenclosed sidewalk café with 9 tables and 20 chairs, DCA # 1422663-DCA. Due Date: October 13, 2014

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 36 in favor, 0 opposed, and 0 abstentions.

1j. **Alfie Company LLC., dba Cavatappo Grill, 1712 First Avenue (88/89)** - Renewal application for an unenclosed sidewalk café with 12 tables and 24 chairs, DCA # 1292343-DCA. Due Date: October 12, 2014

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 36 in favor, 0 opposed, and 0 abstentions.

1k. **Starbucks Corporation, dba Starbucks Coffee Company, 1515 York Avenue (@ 80th Street)** - Renewal application for an unenclosed sidewalk café with 18 tables and 36 chairs, DCA # 1427775-DCA. Due Date: October 13, 2014

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 36 in favor, 0 opposed, and 0 abstentions.

11. **1483 First Avenue Restaurant Inc., dba Maruzzella, 1483 First Avenue (@ 77th Street)** - Renewal application for an unenclosed sidewalk café with 8 tables and 16 chairs, DCA # 1002419-DCA. Due Date: October 09, 2014

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 36 in favor, 0 opposed, and 0 abstentions.

2a. **Boqueria UES LLC., dba Boqueria, 1460 Second Avenue (76/77)**-New application for an unenclosed sidewalk café with 6 tables and 12 chairs.

WHEREAS, this is a new establishment.

WHEREAS, a member of the public sent an email to the Board office expressing concern regarding the possibility of noise in the future.

WHEREAS, the establishment has only been open for one week.

WHEREAS, the owner stated that the front windows do not open up to the sidewalk.

WHEREAS, no one else from the public objected,

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the recommendation by a vote of 36 in favor, 0 opposed, and 0 abstentions.

4a. **1724 Foods LLC., dba Baluchi's, 1724 Second Avenue (89th/90th)** – New application for 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 36 in favor, 0 opposed, and 0 abstentions.

4c. **The Vinegar Factory Inc., dba The Vinegar Factory, 429-433 East 91 Street (@ York Avenue)**

New application for 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 36 in favor, 0 opposed, and 0 abstentions.

4d. **Haru Third Avenue Corp., dba Haru, 1329 Third Avenue (@ 76th Street)** - New application for Liquor, Wine and Beer.

WHEREAS, this application is solely to accommodate a change of corporate ownership.

WHEREAS, a new façade is being constructed on the premises.

WHEREAS, there are no other changes to the restaurant 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 36 in favor, 0 opposed, and 0 abstentions.

4f. **1268 Second Ave LLC., dba TBD, 1268 Second Avenue (66/67)** - New application for Liquor, Wine and Beer.

WHEREAS, this application is solely to accommodate a change of corporate ownership.

WHEREAS, there are no other changes to the establishment 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 36 in favor, 0 opposed, and 0 abstentions.

4g. **CSLL Restaurant Corp., dba EJ's Luncheonette, 1271 Third Avenue A/K/A 201 East 73rd Street** - New application for Liquor, Wine and Beer.

WHEREAS, this application is solely to accommodate a change to include liquor.

WHEREAS, a member of the public objected, but only after the committee voted on the application..

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the recommendation by a vote of 36 in favor, 0 opposed, and 0 abstentions.

4h. **Hophapcity Inc., dba TBD, 1586 Second Avenue (@82nd Street)** - New application for 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 36 in favor, 0 opposed, and 0 abstentions.

4i. **New Ichiro Sushi Inc., dba TBD, 1694 Second Avenue (87/88)** - New application for Wine and Beer.

WHEREAS, a member of the public reported observing a bicycle delivery violation by an employee of this establishment.

WHEREAS, the applicant acknowledged that this delivery man may not have followed proper procedures recently, and

WHEREAS, the applicant agreed to reinforce and institute retraining for his employees regarding the rules and regulations for bicycle delivery

WHEREAS, the applicant agreed to terminate any employee who did not follow the rules.

WHEREAS, the applicant re-committed himself and the establishment to abiding by the bicycle delivery rules and regulations, as per his notarized affidavit to the community board, and

WHEREAS, the applicant acknowledges that a future violation could result in revocation of his SLA license.

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the recommendation by a vote of 35 in favor, 1 opposed, and 0 abstentions.

4k. **Pil Pil Spanish Tapas Inc., dba TBD, 265 East 78 St (@ Second Avenue)** - New application for Wine and Beer.

WHEREAS, a member of the public expressed concern about noise from this establishment in the past, yet did state that there has been no noise in the last six months.

WHEREAS, this application is solely to accommodate a change in corporate ownership.

WHEREAS, there are no changes to the establishment and no one else from the public objected.

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the recommendation by a vote of 36 in favor, 0 opposed, and 0 abstentions.

4l. **Dundee LLC., dba Caledonia Scottish Pub, 1609 Second Avenue (83/84)** - New application for Liquor, Wine and Beer.

WHEREAS, this application is solely to accommodate a change of corporate ownership.

WHEREAS, there are no changes to the establishment and no one else from the public objected.

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the recommendation by a vote of 36 in favor, 0 opposed, and 0 abstentions.

4m. **Lefkada LLC., dba Korali, 1662 Third Avenue (@ 93 Street)** - New application for Liquor, Wine and Beer.

WHEREAS, no one else from the public objected.

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the recommendation by a vote of 36 in favor, 0 opposed, and 0 abstentions.

4n. **800 Ginza Sushi Inc., dba TBD, 800 Lexington Avenue (@ 62nd Street)** - New application for Wine and Beer.

WHEREAS, no one else from the public objected.

BE IT RESOLVED THAT the application is Approved.

Manhattan Community Board 8 adopted the recommendation by a vote of 36 in favor, 0 opposed, and 0 abstentions.

5. Old Business

6. New Business

The meeting was adjourned at 8:03PM.

Nicholas D. Viest, Chair