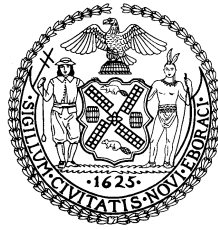


James G. Clynes
Chairman

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

Church of the Holy Trinity
316 East 88th Street
Draesal Hall
Wednesday, September 21, 2016
6:30PM

Community Board Members Present: Elizabeth Ashby, Gayle Baron, Michele Birnbaum, Matthew Bondy, Lori Ann Bores, Alida Camp, Barbara Chocky, Sarah Chu, James Clynes, Daniel Dornbaum, Susan Evans, A. Scott Falk, Edward Hartzog, David Helpert, Sophia James, Andrew Kalloch, Craig Lader, Katherine LaGuardia, David Liston, Jacqueline Ludorf, Zoe Markowitz, Michael Mellamphy, David Menegon, Glen Pandolfino, Peter Patch, Ellen Polivy, Sharon Pope, Rita Lee Popper, Barbara Rudder, Abraham Salcedo, M. Barry Schneider, Tricia Shimamura, Sara Solomon, Cos Spagnoletti, Lynne Strong-Shinozaki, Marco Tamayo, Debra Teitelbaum, Carolina Tejo, Nicholas Viest, Elaine Walsh, Charles Warren

Community Board Members (Excused): Loraine Brown, Jeffrey Escobar, Lorraine Johnson, Jane Parshall, Margaret Price, Hattie Quarnstrom-Figueroa, David Rosenstein, William Sanchez

Community Board Members (Unexcused):

Total Attendance: 41

Chairman James G. Clynes called the meeting to order at 6:30PM.

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

- Member of the public, Betty Cooper Wallerstein, representing East 79th Street Neighborhood Association, asked the full board and chair to clarify process and role of a board committee vis-à-vis the community.
- Member of the public, Alina Moran, representing the NYC Health & Hospitals/Metropolitan Hospital, spoke on introduction of CEO.
- Member of the public, Shelley Rogers, spoke in opposition to LINKNYC – DOT.
- Member of the public, Thomas Birnbaum, spoke in opposition to LINKNYC and privacy issues.
- Member of the public, Rick Azar and Markus Doschantt, owners of 3 East 82nd Street, spoke on the revocable consent.
- Member of the public, Bruce Kinlin, Kinlin Rutherford Architects, representing Lawrence Creel of 110 East 78th Street, spoke in favor of 110 East 78th Street.
- Member of the public, Howard Zipser, spoke in favor of 110 East 78th Street.
- Member of the public, Todd Berman, Clearview Festival Productions and Pop-ups, spoke on the proposed street fair guideline changes from the Mayor's Office.
- Member of the public, Geoff Saunders, spoke in opposition to granting a license to 1403 Second Avenue.
- Member of the public, Kathy Jolowicz, representing the 19th Precinct Community Council, spoke on the street fair.
- Member of the public, Judy Schneider, representing East Sixties Neighborhood Association, spoke in opposition to new street fair festival rules.
- Member of the public, Valerie Campbell, representing the owner of 172-4 East 73rd Street, spoke in favor of 172-4 East 73rd Street.

- Member of the public, Stephanie Fierman, spoke on NYC Dept. of Consumer Affairs and the State Liquor Authority issues with Confession Box located at 304 East 78th Street.
- Member of the public, Jordan Wouk, spoke in opposition to LINKNYC.
- Member of the public, Maria Delfina Rodriguez, spoke in opposition to the bars on Second Avenue and 85th Street.
- Member of the public, Gerard Renny and Charles Sub, spoke in favor of the State Liquor Authority.
- Member of the public, Lo van der Valk, representing Carnegie Hill Neighbors, spoke in favor of the street fair on East 91st Street between Park and Lexington Avenue.

- **Public Hearing: BSA Special Order Calendar No. 75-95-BZ, 1635 Third Avenue**-Application to extend the term of a previously granted special permit allowing the operation of a physical culture establishment/health club (PCE) New York Sports Club at the subject premises. The original application was filed under ZR Section 73-36 to allow a variation of ZR Section 32-00.

Whereas, the application to extend the term of a previously granted special permit allowing the operation of a physical culture establishment/health club (PCE) New York Sports Club at the subject premises. The original application was filed under ZR Section 73-36 to allow a variation of ZR Section 32-00, therefore **Be It Resolved** that Community Board 8 approves the application to extend the term of a previously granted special permit allowing the operation of a physical culture establishment/health club (PCE) New York Sports Club at the subject premises.

Manhattan Community Board 8 adopted the resolution (to approve the application) by a vote of 39 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

- **Public Hearing: BSA Special Order Calendar No. 2016-4240-BZ, 1231 Third Avenue**-Application to allow the operation of a physical culture establishment/health club New York Sports club on a portion of the first floor and cellar of the subject premises.

Whereas, the application to allow the operation of a physical culture establishment/health club New York Sports club on a portion of the first floor and cellar of the subject premises, therefore

Be It Resolved that Community Board 8 approves the application to allow the operation of a physical culture establishment/health club New York Sports club on a portion of the first floor and cellar of the subject premises.

Manhattan Community Board 8 adopted the resolution (to approve the application) by a vote of 37 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

2. **Adoption of the Agenda** – Agenda adopted.

3. **Adoption of the Minutes** – April 20, 2016 and May 18, 2016 Full Board minutes adopted.

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

Yissely Ortiz, a representative from Manhattan Borough President Gale Brewer's office reported on her latest initiatives.

5. **Elected Officials' Reports**

Council Member Ben Kallos spoke on his latest initiatives, community events and recommended that the board members vote affirmative to open the Queensboro Oval Park to the public which is a Parks & Recreation Committee resolution.

Assembly Member Dan Quart spoke on his latest initiatives, community events and recommended that the board members vote affirmative to open the Queensboro Oval Park to the public which is a Parks & Recreation Committee resolution.

Shelby Garner, a representative from Congresswoman Carolyn Maloney's office spoke on her latest initiatives.

Laura Acosta, a representative from Public Advocate Letitia James' office spoke on her latest initiatives.

Christopher Consalvo, a representative from Liz Krueger's office, spoke on her latest initiatives, community events and recommended that the board members vote affirmative to open the Queensboro Oval Park to the public which is a Parks & Recreation Committee resolution.

Katarina Matic, a representative from Assembly Member Rebecca Seawright's office, spoke on her latest initiatives.

Will Brightbill, a representative from Council Member Daniel Garodnick's office spoke on his latest initiatives.

Ten Alexandria, a representative from Senator Jose Serrano's office, spoke on his latest initiatives.

6. District Manager's Report – Latha Thompson

Latha Thompson gave her report. Latha mentioned that on Friday there will be a District Service Cabinet meeting where the Street Activity Permit Office will make a presentation on the new rule changes. She asked if anyone has any questions to please submit them to her as soon as possible.

7. Chair's Report – Jim Clynes

Chairman Jim Clynes gave his report. Jim announced that sadly, Larry Parnes has resigned as Community Board 8 member. Larry was a Co-Chair of the Street Life and Roosevelt Island Committees. His knowledge of New York City rules, regulations, zoning and land use was encyclopedic and he will be missed. Jim also stated that the Community Board needs to rev up getting signatures for the petitions to open the Queensboro Oval. We only have about 300 signatures and we need at least 1,000 signatures. Jim urged all board members to get involved in getting these signatures and made it a goal to have 1,000 signatures on Park's Commissioner Silver's desk by Halloween. He then moved the meeting to the selection of the Nominating Committee.

8. Selection of Nominating Committee

The Manhattan Community Board 8 members selected their Nominating Committee Members. The selected Nominating Committee members are Michele Birnbaum (Chair of Nominating Committee), Elizabeth Ashby, Jacqueline Ludorf, Tricia Shimamura, Carolina Tejo, Nick Viest, and Elaine Walsh.

9. Committee Reports and Action Items:

a. Parks & Recreation Committee – Susan Evans and Margaret Price, Co-Chairs

Re: Naming John Jay Park's Swimming Pool After Henry J. Stern

WHEREAS the City at large, including Manhattan's Upper East Side, has long benefitted from the many civic contributions of Henry J. Stern; and

WHEREAS Mr. Stern's 40 years of high-level public service included 15 years as Parks Commissioner, as well as two terms as a City Council Member and service as a first deputy commissioner of Consumer Affairs; and

WHEREAS Mr. Stern's many contributions as Parks Commissioner entailed serving as a leader in the movement to create park conservancies, helping invent the concept of Greenstreets to promote green space, successfully pressing the City Council to pass a law criminalizing the destruction of trees, and encouraging the restoration of swimming pools in disrepair; and

WHEREAS Henry Stern, an Upper East Side resident and a former member of Community Board 8-Manhattan, had frequently used the swimming pool at John Jay Park; and

WHEREAS naming John Jay Park's pool after Henry J. Stern involves only the swimming pool and would not include changing the name of that park; therefore,

BE IT RESOLVED that Community Board 8-Manhattan approves of the request to name the swimming pool at John Jay Park the Henry J. Stern pool and asks the City's Parks Dept. to adopt that name for the pool as soon as possible.

CB8M board voted to unanimously adopt the resolution by a vote of 37 in favor, 0 opposed and 0 abstentions.

Re: The City's Proposal to Continue Privatizing the Queensboro Oval, starting in 2017 and its Plan to Issue an RFP for a Concessionaire.

WHEREAS the Upper East Side of Manhattan has among the least public parkland of any district in New York City, despite its very large and growing population; and

WHEREAS the Queensboro Oval, a public park located on York Avenue at 59th Street, has long been privatized for more than 9 months a year, preventing the public from accessing this park most of the year; and

WHEREAS the City's license with the current concessionaire at this park expires in August 2017; and

WHEREAS Community Board 8-Manhattan, with the strong support of elected officials, Community Board 6-Manhattan and hundreds of members of the public, have been pressing the Parks Dept. to deprivatize the Queensboro Oval and return it to the public year-round when the City’s current license expires; and

WHEREAS Parks Dept. officials told Community Board 8 they are unaware of any other New York City public parks that are similarly licensed to a private concessionaire; and

WHEREAS the Parks Dept. soon plans to issue a Request for Proposals (RFP) for an outside organization to operate the Oval after the license with the current concessionaire expires next year—thereby continuing to privatize the Queensboro Oval park; and

WHEREAS Community Board 8-Manhattan, and many elected officials and members of the public, adamantly oppose the City’s intent to continue privatizing the Queensboro Oval Park beyond 2017 and its plan to soon issue an RFP for the operation of the Oval, starting next year; therefore,

BE IT RESOLVED that Community Board 8-Manhattan strongly urges the Parks Dept. to return the Queensboro Oval Park to the public year-round, starting in 2017 and to abandon its near-term plans to issue a Request for Proposals for a concessionaire to develop, operate and maintain facilities at the Queensboro Oval Park, starting in 2017.

CB8M board voted to unanimously adopt the resolution by a vote of 37 in favor, 0 opposed and 0 abstentions.

b. Street Life Committee – Laurence Parnes and Abraham Salcedo, Co-Chairs

August 2, 2016 Street Life Committee Meeting

3a. Dig Inn 1297 Lexington Avenue LLC., dba Dig Inn, 1297 Lexington Avenue (87th/88th)-New application for Wine, Beer and Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8’s stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant’s application to CB 8 indicates the restaurant will be open until 11 pm seven days a week; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 11 pm seven days a week.

Manhattan Community Board 8 adopted recommendation by a vote of 38 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

3b. OVG Café LLC, dba Candle Café, 1307 Third Avenue (74th/75th)-New application

WHEREAS the restaurant currently has a wine and beer license; and

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8’s stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant’s application to CB 8 indicates the restaurant will be open until 10:30 pm seven days a week; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 10:30 pm seven days a week.

Manhattan Community Board 8 adopted recommendation by a vote of 38 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

3c. Shigemitsu New York Inc., dba Harbs, 1374 Third Avenue (78th/79th)-New application for Wine, Beer and Cider

WHEREAS a similar application from this applicant was approved by the Street Life Committee by a vote of 9-0-0 on August 4, 2015; and

WHEREAS that application was withdrawn at SLA’s request and has been reclassified from a restaurant to a tavern; and

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8’s stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant’s application to CB 8 indicates the restaurant will be open until 9 pm Monday through Thursday and Sunday and until 10 pm Friday and Saturday; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 9 pm Monday through Thursday and Sunday and until 10 pm Friday and Saturday.

Manhattan Community Board 8 adopted recommendation by a vote of 38 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

3d. Lake Toba Inc., 1643 Second Avenue (85th/86th)-New application for Liquor, Wine, Beer and Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 10:30 pm Monday through Thursday and Sunday and until 11 pm Friday and Saturday; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 10:30 pm Monday through Thursday and Sunday and until 11 pm Friday and Saturday.

Manhattan Community Board 8 adopted recommendation by a vote of 38 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

3e. Esquina NYC 1402Second LLC., dba La Esquina-The Corner, 1402 Second Avenue (@73rd) New application for Liquor, Wine, Beer and Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 12 midnight seven days a week; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 12 midnight seven days a week

Manhattan Community Board 8 adopted recommendation by a vote of 38 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

3f. Shorty's Restaurants LLC., dba Shorty's, 1678 First Avenue (87th/88th)-New application for Liquor, Wine, Beer & Cider

WHEREAS this is an application reflecting a change in ownership; and

WHEREAS at the June 9, 2016 Street Life Committee meeting, the committee adopted a resolution to approve the application by a vote of 4-1-0 subject to the stipulation that use of the rear yard terminate at 11 pm; and

WHEREAS at the June 16, 2016 full board meeting of CB 8 there was discussion about the legality of the use of the rear yard; and

WHEREAS a motion to approve the resolution of the Street Life Committee lost by a vote of 12-26-1; and

WHEREAS CB 8 took no further action at that meeting; and

WHEREAS the applicant appeared at the August 2, 2016 Street Life Committee meeting; and

WHEREAS an architect representing the applicant provided information from the Department of Buildings that included plans for the establishment that were approved in 2007 and showed use of the rear yard; and

WHEREAS the architect stated his opinion that use of the rear yard is legal; and

WHEREAS the committee requested that the applicant file for a new C of O that included use of the rear yard; and

WHEREAS the applicant indicated that use of the rear yard was temporarily halted on July 5, 2016; and

WHEREAS the applicant indicated he would consider ending use of the rear yard at 10 pm, consistent with restrictions placed on other restaurants by the committee; and

WHEREAS at the August committee meeting no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the use of the rear terminate at 10 pm daily.

Manhattan Community Board 8 adopted the recommendation by a vote of 36 in favor, 4 opposed, 0 abstentions and 0 not voting for cause.

3g. Sistine Restaurant Inc., dba Sistina, 24 East 81st Street (5th/Madison)-Removal of Liquor, Wine, Beer and Cider

WHEREAS this restaurant is relocating from its current location at 1555 2nd Avenue (between E. 80th and E. 81st streets); and

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 12 midnight Monday through Thursday and until 1 am Friday and Saturday; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 12 midnight Monday through Thursday and until 1 am Friday and Saturday 2.

Manhattan Community Board 8 adopted recommendation by a vote of 38 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

September 6, 2016 Street Life Committee Meeting

1a. **Saltoto, Inc., dba Salvo's, 1477 York Avenue (78th/79th)**-Renewal application for an unenclosed sidewalk café with 8 tables and 20 chairs. DCA # 2002656-DCA. Due Date September 18, 2016

WHEREAS there are no changes to the café; and

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED**.

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

1b. **EAT Madison LLC, dba Eli's Essentials, 922 Madison Avenue (73rd/74th)**-Renewal application for a small unenclosed sidewalk café with 1 table and 2 chairs. DCA #2009249-DCA. Due Date October 9, 2016.

WHEREAS a neighborhood resident spoke in opposition at the Street Life Committee meeting on September 6, 2016 stating that the sidewalk was too narrow for a café and that the establishment had an ice cream cart, a bench, and umbrella on the sidewalk; and

WHEREAS, the applicant's representative stated that there is a permit from DOT for the ice cream cart and that the umbrella and bench would be removed; and

WHEREAS there are no changes proposed for the café; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the bench and umbrella be removed.

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

2a. **Eat Third 79 LLC, 1390 Third Avenue (79th/80th)**-Change in the Method of Operation for Liquor, Wine, Beer & Cider

WHEREAS this is an application to extend the hours of the SLA license from 12 midnight Monday through Thursday and from 1 am on Friday and Saturday to 2 am seven days a week; and

WHEREAS there are no other changes; and

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 2 am seven days a week.

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

2b. **1629 2nd Restaurant LLC, dba Ethyl's, 1629 Second Avenue (84th/85th)**-Alteration application for Liquor, Wine, Beer & Cider

WHEREAS this is an application to extend the liquor license to include the establishment's sidewalk café; and

WHEREAS a member of the public spoke at the September 6, 2016 Street Life Committee meeting in opposition to the application. She stated that excessive noise and loud music emanated from the restaurant at late hours and showed copies of complaints she has made to NYCDEP. She noted, that the restaurant does not close its windows after 10 pm and also objected to dancing by employees; and

WHEREAS the applicant and his attorney pointed out that in September, 2015 the full board approved a modification of the establishment's liquor license to allow live music; and

WHEREAS the resolution adopted by a vote of 28-0-0 at the Land Use Committee meeting on September 9, 2015 stated:

WHEREAS the applicant is seeking an alteration to his license in order to permit live music; and WHEREAS there are many recent 311 noise complaints for the establishment as well as one made directly to the board office; and WHEREAS the applicant has agreed to contact the person who made the complaint to the board office; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls and will close all operable doors and windows at 10 pm; therefore BE IT RESOLVED that the application is APPROVED subject to the stipulation that all operable doors and windows be closed at 10 pm; and

WHEREAS the applicant the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant has agreed to the stipulations in the following resolution; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulations that: 1) All operable windows and doors be closed nightly and 10 pm; 2) Karaoke is not permitted; and 3) Live music shall only be permitted on 1 day a week, such music shall last for no longer than 1 hour and such music shall terminate not later than 10 pm. **Manhattan Community Board 8 adopted the recommendation by a vote of 30 in favor, 8 opposed, 2 abstentions and 0 not voting for cause.**

3a. UESMEX LLC dba Connigo, 1685 First Avenue (87th/88th)-New application for Liquor, Wine, Beer and Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 1 am seven days a week; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 1 am seven days a week.

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

3b. DB Bar Inc., dba to Be Determined 316 East 84th Street (1st/2nd)-New application for Liquor, Wine, Beer & Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 1 am seven days a week with a food to drink ratio of 50%/50%; and

WHEREAS this is a mid-block location; and

WHEREAS the applicant agreed to the Street Life Committee's recommendation that the hours of operation for the SLA license be until 12 midnight Sunday through Wednesday and until 1 am Thursday, Friday and Saturday; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license be until 12 midnight Sunday through Wednesday and until 1 am Thursday, Friday and Saturday.

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

3c. Sushi Gama Corp., 1403 Second Avenue (@73rd)-New application for Liquor, Beer, Wine & Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 11 pm Monday through Thursday and Sunday and until 12 midnight Friday and Saturday; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 11 pm Monday through Thursday and Sunday and until 12 midnight Friday and Saturday.

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

3d. Barking Dog NYC LLC, 1678 Third Avenue (@94th)-New application for Liquor, Wine, Beer & Cider

WHEREAS this is an application for a change in ownership; and

WHEREAS there are no other changes; and

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 12 midnight seven days a week; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 12 midnight seven days a week.

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

3e. 26 East 60th Street Hospitality LLC, 26 East 60th Street (Madison/Park)-New application for Wine, Beer & Cider

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; and

WHEREAS the applicant's application to CB 8 indicates the restaurant will be open until 11 pm seven days a week; therefore

BE IT RESOLVED that the application is **APPROVED** subject to the stipulation that the hours of operation for the SLA license shall be until 11 pm seven days a week.

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

c. Transportation Committee – A. Scott Falk and Charles Warren, Co-Chairs

Re: A request to close East 76th Street between Second and Third Avenues during recess and lunch hours for Wagner School (joint item with the Youth, Education & Libraries committee)

WHEREAS MS 167-Robert F. Wagner Middle School, located at 220 East 76th Street between Second and Third Avenues is requesting to close that block of East 76th Street from 11 AM to 2 PM on school days, for the duration of a major construction project at the school; and

WHEREAS the construction project is expected to be complete by the end of 2017;

THEREFORE BE IT RESOLVED that Community Board 8M approves the temporary closure of East 76th Street between Second and Third Avenues as a play street for Wagner Middle School, from 11 AM to 2 PM on school days for the duration of their current construction project, but no later than December 2017.

Manhattan Community Board 8 unanimously approved the resolution by a vote of 41 in favor 0 opposed 0 abstentions and 0 not voting for cause.

Re: A request for a new Revocable Consent to install a fenced-in area and steps at 110 East 78th Street.

(Requested by DOT, Division of Franchises, Concessions and Consents)

BE IT RESOLVED, Community Board 8M **APPROVES** the application for a new Revocable Consent to install a fenced-in area and steps at 110 East 78th Street.

Manhattan Community Board 8 approved the resolution by a vote of 31 in favor 7 opposed 3 abstentions and 0 not voting for cause.

Re: A request to relocate a Citi Bike docking station from East 91st Street to Second Avenue between East 90th and East 91st Street.

WHEREAS East 91st Street between Second and Third Avenues has been closed to motor vehicle traffic for approximately four decades, and serves as an oasis for New Yorkers of all ages; and

WHEREAS Community Board 8 Manhattan has urged our elected officials and the City of New York to permanently close this block to vehicular traffic; and

WHEREAS NYC DOT has installed a Citi Bike docking station in the roadway on this block, which has had negative impacts for some users of this street, particularly for seniors using the benches closest to Second Avenue;

THEREFORE BE IT RESOLVED that Community Board 8 Manhattan urges NYC DOT to relocate the East 91st Street Citi Bike docking station around the corner, onto the western sidewalk of Second Avenue between 90th and 91st Street, alongside Ruppert Park.

Manhattan Community Board 8 approved the resolution by a vote of 33 in favor 5 opposed 1 abstentions and 1 not voting for cause.

Re: A continued discussion of LinkNYC towers

WHEREAS a key benefit of LinkNYC kiosks is the free high-speed Wi-Fi access to the Internet; and

WHEREAS the plan for future installation does not show good coverage for Isaacs Houses and Holmes Towers; and

WHEREAS the LinkNYC kiosks have three cameras; and

WHEREAS one needs to supply an email address in order to use the free high-speed Wi-Fi to access the Internet; and

WHEREAS the LinkNYC system silently extracts data from smartphones; and

WHEREAS when the built-in tablet in the 35" LinkNYC kiosks is being used, over five feet of sidewalk are blocked;

THEREFORE BE IT RESOLVED that Community Board 8 Manhattan requests that New York City and CityBridge meet with the Isaacs Houses and Holmes Tower communities to address their needs and implement those needs before any further LinkNYC kiosks are installed in the District; and

BE IT FURTHER RESOLVED that CB8M requests that within the district, except as requested by Isaacs Houses and Holmes Tower communities, cameras in current LinkNYC kiosks be removed and not included in any future installations; that the requirement to provide an email address not be required to use any features of current or future LinkNYC kiosks in the District, including access to the Internet; and that no data be extracted by LinkNYC kiosks within the District from smartphones without an affirmative approval by the user and an easy ability to revoke approval; and

BE IT FURTHER RESOLVED that CB8M requests that within the District, except as requested by Isaacs Houses & Holmes Tower communities, 35” LinkNYC kiosks be installed only on sidewalks that are at least 20 feet wide and that 16” LinkNYC kiosks be installed only on sidewalks that are at least 15 feet wide; and

BE IT FURTHER RESOLVED that CB8M requests that within the District, the location and type of all current and future installations will be reviewed by and receive input from the Community Board.

Manhattan Community Board 8 approved the resolution by a vote of 28 in favor 5 opposed 7 abstentions and 0 not voting for cause.

Re: A request to change the signage from No Parking, 7AM to 7PM to Street Cleaning regulations, except in front of medical facilities, on the north side of East 68th Street between First & Second Avenue.

WHEREAS the majority of the north curb of East 68th Street between First & Second Avenues is currently restricted to No Parking on Weekdays from 7 AM to 7 PM; and

WHEREAS these parking regulations in front of the medical facilities on the north curb of East 68th Street between First & Second Avenues is currently restricted to No Standing Any Time;

THEREFORE BE IT RESOLVED that Community Board 8 requests that DOT change all parking regulations on the north curb of East 68th Street between First & Second Avenues to standard Alternate Side Parking, except in front of the medical facilities.

Manhattan Community Board 8 approved the resolution by a vote of 37 in favor 3 opposed 0 abstentions and 0 not voting for cause.

d. Budget Committee – Barbara Chocky – Chair

FY 2018 Community District Needs and Community Board Budget Request Form

There is a new process for preparing the District Needs Statement and Budget Priorities under the direction of the Department of City Planning. The Needs Statement and Budget Request have been combined into one electronic form, the preliminary submission is due August 5, 2016 and the final submission is due October 31, 2016.

Each board is responsible for identifying the three (3) most important priorities overall. The top three priorities for FY2018 for Community Board 8 are:

1-Affordable Housing

2-Parks

3-Schools

The form is broken down in to seven (7) service and program areas which must select one (1) overall priority for each area.

1-Health Care and Human Services

- Services to reduce homelessness

2-Education and Youth

- School and educational facilities (Capacity)

3-Public Safety

- General crime

4-Core Infrastructure & City Services

- Cleanliness/trash collection

5-Land Use, Housing & Economic Development

- Affordable Housing program

6-Transportation

- Roadway maintenance

7-Parks, Cultural and Other Community Facilities

- [Other]-Full funding of the East River Esplanade and funding to create a year round park at the Queensboro Oval

Manhattan Community Board 8 voted unanimously to approve the FY 2018 Community District Needs and Community Board Budget Request Form by a vote of 40 in favor, 0 opposed, and 0 abstentions.

e. Street Fair Committee – Barbara Chocky and Lorraine Johnson, Co-Chairs

1. Public Hearing re: Applications for Single-block Street Fairs for Calendar Year 2016

- a. PS6 PTA to close East 82nd Street between Park and Madison Avenues on Saturday, October 15, 2016 from 8AM to 6PM for a Block Festival.**

Manhattan Community Board 8 adopted the motion to approve by a unanimous vote of 41 in favor, 0 opposed, and 0 abstentions.

- b. Temple Israel of the City of New York to close East 75th Street between Park and Lexington Avenues on Monday, October 24, 2016 from 12Noon to 8PM for a Block Party.**

Manhattan Community Board 8 adopted the motion to approve by a unanimous vote of 41 in favor, 0 opposed, and 0 abstentions.

- c. PS 158 School to close East 77th Street between York and Cherokee Place on Saturday, October 29, 2016 from 9AM to 4PM for a Block Party.**

Manhattan Community Board 8 adopted the motion to approve by a unanimous vote of 41 in favor, 0 opposed, and 0 abstentions.

- d. Carnegie Hill Neighbors to close East 92nd Street between Madison and Park Avenues on Monday, October 31, 2016 for a Block Party.**

Manhattan Community Board 8 adopted the motion to approve by a unanimous vote of 41 in favor, 0 opposed, and 0 abstentions.

- e. Anna Caspersen to close East 91st Street between Park and Lexington Avenues on Monday, October, 31, 2016 from 3PM to 8PM for a Block Party.**

Manhattan Community Board 8 adopted the motion to disapprove by a vote of 21 in favor, 16 opposed, and 1 abstention.

Re: Proposed Rule Changes for Street Festivals

Whereas the new rules and regulations proposed by the Office of City Wide Events Coordination and Management for Street Activity Permits would have a deleterious effect on many not-for-profit organizations which benefit from the proceeds generated by the multi-block festivals currently authorized within Manhattan Community District 8, and

Whereas many not-for-profits within CD #8 derive much of their operating income from the funds generated by their single block or small multi-block festivals,

THEREFORE, BE IT RESOLVED THAT Manhattan Community Board 8 requests that the Chair of Board 8, James G. Clynes, write a compelling letter to Mr. Michael Carey, Executive Director of the Office of City Wide Events Coordination and Management for Street Activity Permits that urges his department to reconsider for the following changes:

- Each community Board would be limited to the same number of multi-block festivals and single block festivals as the prior years 2016 & 2015, so there would be no increase in the amount of festivals; and
- All existing sponsors conducting two festivals for more than 5 years would be allowed to continue doing so, all new applications would be limited to one fair per calendar year; and
- Gradually increasing the community participation by vendors over the years and starting with 5% from within the district taking the time necessary to be inclusive and to involve the community boards, community groups as well as all interested parties; and
- Sponsors should be able to reserve the right at the close of their event when filing the final income summary to have the option to pay 20% of all rental fees paid by the vendors **OR** pay based on the number of blocks utilized, not the number of blocks listed on the permit—which is a proposed new fees structure under these rule; and

- Eliminate submission of addresses and phone numbers of vendors 30 days prior to the event—which is a proposed major change under new rules, as vendors wait for the week of the event before they book their space based on the weather forecast; and

BE IT FURTHER RESOLVED with these new rules the goal should be to allow the local Community Boards to best regulate the assignment of multi-block street festivals and single-block street fairs within its district as distinct from a one-size fit all rules and regulations set forth by City Hall.

Manhattan Community Board 8 adopted the resolution regarding the proposed rule changes for Street Festivals by a unanimous vote.

f. **Landmarks Committee – David Helpern and Jane Parshall, Co-Chairs**

Re: 172-174 East 73rd Street (between Lexington and 3rd Avenues) – Upper East Side Historic District – Andrew W. Wright, architect; Adam Taubman, Valerie Campbell, Kramer Levin. NB: Li Saltzman Architects prepared the existing conditions report. Application is for enlargement of 3rd floor, addition of a 4th floor and a rooftop bulkhead. Application for a report pursuant to Section 74-711 of the Zoning Resolution.

[Section 74-711 Special Permit –the City Planning Commission may permit modification of the use and bulk regulations provided that the application includes a report from the Landmarks Preservation Commission stating that a program has been established for a continuing maintenance program that will result in the preservation of the building. Any application shall include a Certificate of Appropriateness from the Landmarks Preservation Commission stating that the bulk modifications relate harmoniously to the subject landmark building.]

THIS APPLICATION IS DIVIDED INTO THREE PARTS FOR VOTING PURPOSES. [However, please see below. At the full board meeting, the three parts were voted on together. Valerie Campbell, the applicant’s land use attorney, presented a revised plan for the 4th floor addition and the bulkhead which was more acceptable than the original plan.]

WHEREAS 172-174 East 73rd Street is a Romanesque Revival style carriage house designed by Frank Wennemer and constructed in 1889.

WHEREAS 172-174 East 73rd Street is a 3-story carriage house designated an Individual Landmark in 1980 and is one of several carriage houses along the block that have individual designations.

WHEREAS the applicant proposes an expansion of the existing 3rd floor, the addition of a 4th floor and the addition of a rooftop bulkhead.

WHEREAS the existing rear elevation is set back 6’ from the property line and is non-compliant within the existing zoning.

WHEREAS a special permit (Section 74-711) is required to waive the rear yard requirement and to waive the minimum distance between legally required windows.

WHEREAS the applicant, as part of the Section 74-711 special permit, as agreed to a program for continuing maintenance and a restrictive declaration will be filed against the property.

WHEREAS as part of the continuing maintenance program, the applicant has agreed to a complete restoration of 172-174 East 73rd Street, including restorative work at the front elevation.

WHEREAS at the 3rd floor, the applicant proposes a build out of the existing 3rd floor that would add 1,405 square feet so that the 3rd floor would now be 25’ wide x 60’ long.

WHEREAS the new 4th floor would add an additional 1,655 sq. ft. to the house and measure 25’ x 66’; the height of the 4th floor would be 10’7”. [The existing height of the carriage house is 38’10” to the top of the cornice.]

WHEREAS the front and side elevations of the new 4th floor would slope inwards towards the top presenting as a “truncated pyramid”.

WHEREAS the bulkhead above add another 393 sq. ft. to the building; the bulkhead which extends across width of the house, is set back 30’ from the front elevation and 56’ from rear elevation.

WHEREAS the cladding for both the new 4th floor and the bulkhead would be metal.

WHEREAS the existing cornice at the 3rd floor visually blocks 3 ½ feet of the new 4th floor front elevation.

WHEREAS the new 4th floor and the new bulkhead are not visible from the public way; the 4th floor is set back 15’ from the front elevation.

WHEREAS the restoration of the existing carriage house has a preservation purpose including, at the front elevation, restoring the now-painted limestone at the ground level, replacing all the windows with in-kind wood windows and repairing and matching damaged bluestone at the base.

WHEREAS at the rear, the applicant is removing an existing 6’ x 10’ addition that extended to the rear lot line and creating 2 new windows at the new rear ground floor elevation where the addition formerly stood.

WHEREAS at the rear, at the new 3rd floor buildout, as well as at the new 4th floor, there will be new windows, French doors and terraces.

WHEREAS at the rear, the applicant proposes to mimic the arched tops of the existing windows for the new wooden windows and to reincorporate the sawtooth brick corbelling at the top of the 3rd and 2nd floors at the new masonry walltops.

WHEREAS proposed additions to the top of the house as well as the work at the rear elevation are contextual both to the individual landmarked carriage house and within the historic district.

PART A.

THEREFORE BE IT RESOLVED that Part A of this application – the buildout at the 3rd floor, the addition of a 4th floor and the rooftop bulkhead -- is approved as presented

PART B – The restoration of the existing carriage house based on the existing conditions report by Li Saltzman Architects.

THEREFORE BE IT RESOLVED that Part B of this application – the restoration of the existing carriage house and the continuing maintenance program going forward is approved as presented.

PART C -That the requirements for the Section 74-711 Special Permit have been met.

PLEASE NOTE THAT PARTS A, B AND C WERE VOTED ON TOGETHER AT THE SEPTEMBER FULL BOARD MEETING.

Manhattan Community Board 8 adopted this recommendation by a vote of 37 in favor, 1 opposed, and 1 not voting for cause.

Re: 827 Madison Avenue-Upper East Side Historic District - Queen Anne style residence designed by Lamb & Wheeler and constructed in 1880-81. Application for the renovation of existing storefront.

WHEREAS the current storefront has no definable style and no historic material;

WHEREAS the current storefront has a dark aspect due to the use of dark materials;

WHEREAS the current store has a two story high space in the front corner;

WHEREAS the storefront windows are expressed vertically to reflect the two story high space;

WHEREAS the second floor of the store will be extended into the corner to create two floors throughout the store;

WHEREAS the new storefront windows will have spandrel panels that reflect the two floors;

WHEREAS the stone cladding for the new façade will be light in color;

WHEREAS the new storefront openings will have clear glass;

WHEREAS the new storefront openings will be framed with a double marble surround, the outer marble having a dark color and the inner marble having a light color;

WHEREAS the window frames and spandrels will be of statuary bronze;

WHEREAS the storefront on Madison Avenue will have a single storefront opening providing an uninterrupted view into the store;

WHEREAS the entrance to the store will be discretely located in the second opening to the east of Madison Avenue;

WHEREAS the entrance will have a bronze marquee that will extend about eight feet from the face of the wall and taper to a thin edge;

WHEREAS the spandrel panels create a horizontal proportioning of the storefront openings which is similar to the proportioning of adjacent and nearby stores on Madison Avenue;

WHEREAS the proposed storefront design is contextual and appropriate with the historic district;

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

The Landmarks Committee unanimously approved the committee recommendation.

Re: 605 Park Avenue - Upper East Side Historic District - *Tiffani Simple, architect.* Application for window, balcony enclosure and balcony railing master plans and replacement of entrance canopy.

WHEREAS 605 Park Avenue is a no-style contributing building within the Upper East Side Historic District designed by Y Sylvan Bien and constructed in 1953-54.

WHEREAS the applicant proposes a balcony enclosure master plan, a window replacement master plan, an entrance canopy replacement and a balcony railing replacement master plan.

WHEREAS for the balcony enclosure master plan, the applicant proposes aluminum framed balcony enclosures with fixed windows at the front and 2 casement windows on the sides. [Building terraces are included within balcony master plan.]

WHEREAS for the railing replacement master plan, the applicant proposes that all railing replacement match the bottom portion of the currently approved balcony enclosures. [New railings will match approved enclosures in configuration, material and finish until balcony is enclosed at a later date.]

WHEREAS for the window replacement master plan, the applicant proposes fixed and casement aluminum framed windows to replace the existing double hung windows. The applicant proposes to change all the building's windows at the same time; there are now 4 different types of windows.

WHEREAS although the applicant proposes to install new windows in every apartment at the same time, balcony replacement will be at the discretion of the apartment owner.

WHEREAS the applicant proposes a metal clad canopy to replace the existing canvas canopy; the metal clad canopy will present as "lighter".

WHEREAS the applicant proposes to keep the existing brass posts that support the entrance canopy.

WHEREAS proposed changes for the balconies, the railings, the windows and the entrance canopy are improvements both to the "look" of Sylvan Bien's no-style building and to the surrounding streetscape.

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

The Landmarks Committee unanimously approved the committee recommendation.

Re: 117 East 64th Street-Upper East Side Historic District - Rick Azar, architect-Neo-Grec residence designed by John McCool and constructed in 1876-77. Application for rooftop bulkhead.

WHEREAS the front and rear facades will be repaired and restored;

WHEREAS modern storm windows in the front will be removed and the existing windows replaced in kind;

WHEREAS the iron fence and iron railings will be repaired and restored;

WHEREAS the mix of windows in the rear will be replaced with multi-pane windows that are more in keeping with the style of the house;

WHEREAS a new stair and elevator bulkhead and new railings will be built on the roof;

WHEREAS the bulkhead will be of zinc and the railings of steel;

WHEREAS new air conditioning equipment will be screened

WHEREAS the chimneys in the rear on the western side of the house will be abandoned and capped as they would be too close to the new bulkhead;

WHEREAS new chimneys will be built in the rear on the eastern side of the house;

WHEREAS the new bulkhead and chimneys cannot be seen except very minimally from Park Avenue and from a garage entrance on East 65th Street;

WHEREAS the proposed restoration and new bulkhead are contextual and appropriate with the historic district;

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

The Landmarks Committee unanimously approved the committee recommendation.

Re: 812 Fifth Avenue – Upper East Side Historic District – Upper East Side Historic District – Nick Butterini, Designer. Application is for the installation of two mirrors at the penthouse terrace.

WHEREAS 812 Fifth Avenue is a “No Style” non-contributing apartment building designed by Robert Bien and constructed in 1961.

WHEREAS the applicant would like to install/add two mirrors to the side parts/side walls of exterior terrace space on the 18th floor of a 2-story penthouse; the 2 terraces are on the lower level of the 5th Avenue facing penthouse.

WHEREAS the spaces on the two terraces are narrow; the applicant would like to add the mirrors so that the views can be enjoyed without going outside.

WHEREAS the mirrors would measure 7’6” high from the terrace paving and approximately 6’2” high from the parapet; the mirrors would be 42”wide.

WHEREAS the mirrors would present as windows and would be dark gray with a metallic silver metal frame to match the existing window frames.

WHEREAS the mirrors are removable.

WHEREAS the mirrors would catch the sun-- especially the mirror on the south terrace wall—there are inherent dangers/hazards presented by the reflections that would bounce off the mirrors.

WHEREAS the mirrors are visible from approximately 300' into Central Park.

WHEREAS existing windows on the various elevations of the penthouse provide the same views out as would the mirrors; thus the mirrors would duplicate the views already provided by the windows.

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

Manhattan Community Board 8 adopted this recommendation by a vote of 39 in favor, 0 opposed, and 1 not voting for cause.

Re: 157 East 78th Street-Individual Landmark - Eric Hammarberg, architect-Italianate style row house designed by Henry Armstrong and constructed in 1861. Application for chimney modification.

WHEREAS 157 East 78th Street is a four story townhouse;

WHEREAS a new a 170 foot high building was erected adjacent to and on the west side of 157 East 78th Street, approximately 120 feet taller than the house;

WHEREAS two north chimneys on the west side in the rear are still in use;

WHEREAS the two chimneys are not visible from across the street but are visible from the rear yard;

WHEREAS the chimneys must either be extended above the top of the new building or shifted 15 feet to the east of the new building;

WHEREAS if the existing chimneys were extended next to and above the new building, the velocity of the air from the induced draft due to the height would change the air pressures inside and outside the house – and thereby change the environment within the house;

WHEREAS the owner proposes to angle the chimneys up at 45 degrees and to terminate them 15 feet to the east of the new building;

WHEREAS the owner will also angle the chimneys towards the rear of the house to minimize the visibility of the chimneys;

WHEREAS the tops of the relocated chimneys will be 22 feet above the rear of the house and about 20 feet above the front of the house due to the slope of the roof to the rear;

WHEREAS the relocated chimneys will be round, stainless steel, insulated flues;

WHEREAS the proposed chimneys will not be visible from across the street but will be visible from the rear yard;

WHEREAS the architect stated that he would specify that the flues have a matt finish instead of a polished finish to minimize the possibility of reflected sunlight;

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

Manhattan Community Board 8 adopted this recommendation by a vote of 47 in favor, 0 opposed, 0 abstentions, and 1 not voting for cause.

Re: 15 East 84th Street (between 5th and Madison Avenues) – Upper East Side Historic District. Robert Goldrich, Leon Levy Foundation. Application to install two window banners.

WHEREAS 15 East 84th Street is an Italian Renaissance style house designed by Renwick, Aspinwall & Owen and constructed in 1899.

WHEREAS 15 East 84th Street is owned by the Leon Levy Foundation and currently houses the Institute for the Study of the Ancient World, a part of New York University.

WHEREAS the applicant sponsors exhibitions from time to time which are advertised through banners fixed to the two windows on either side of the entry door; the exhibitions have a short time frame.

WHEREAS the applicant is now planning an exhibition that is much longer than usual; the banners that will be used to advertise the show will be installed for a timeframe that goes beyond the timeframe that the Landmarks Commission allows for the installation of banners; because of this, a Certificate of Appropriateness is required for the banners. The banners will be installed for approximately 9 months.

WHEREAS the banners will be 91" tall x 52 ½" wide and will be made of vinyl canvas and attached to the front of the windows with plastic ties and will be blue and white.

Manhattan Community Board 8 adopted this recommendation by a vote of 41 in favor, 1 opposed, 0 abstentions and 0 not voting for cause.

The meeting was adjourned at 8:48PM.

James G. Clynes, Chairman