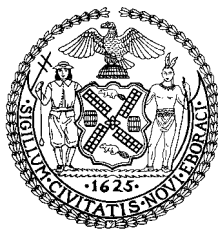


James G. Clynes
Chairman

Latha Thompson
District Manager



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The City of New York
Manhattan Community Board 8

FULL BOARD MEETING

Nightingale-Bamford School
20 East 92nd Street (Fifth-Madison)
Auditorium
Wednesday, June 21, 2017
6:30PM

Community Board Members Present: Elizabeth Ashby, Gayle Baron, Michele Birnbaum, Matthew Bondy, Loraine Brown, Alida Camp, Barbara Chocky, Sarah Chu, James Clynes, Daniel Dornbaum, Susan Evans, A. Scott Falk, Matthew Feather, Alexandra Harrington, Edward Hartzog, David Helpern, Sophia James, Lorraine Johnson, Craig Lader, Katherine LaGuardia, Rebecca Lamorte, David Liston, Jacqueline Ludorf, Valerie Mason, Michael Mellamphy, Jane Parshall, Peter Patch, Sharon Pope, Rita Lee Popper, David Rosenstein, Barbara Rudder, Abraham Salcedo, William Sanchez, M. Barry Schneider, Kimberly Selway, Tricia Shimamura, Cos Spagnoletti, Marco Tamayo, Debra Teitelbaum, Nicholas Viest, Adam Wald, Charles Warren

Community Board Members (Excused): Lori Ann Bores, David Menegon, Brianna Pierce, Margaret Price,

Community Board Members (Unexcused): Sara Solomon, Lynne Strong-Shinozaki, Carolina Tejo, Elaine Walsh

Total Attendance: 42

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, Judy Schneider, representing the East Sixties Neighborhood Association, spoke in favor of the street fair.
- Member of the public, Evan Zehoder, representing the Marine Transfer Station Repurpose Initiative, spoke in favor of the MTS Repurpose Initiative.
- Member of the public, Donna Sbriglia, representing SOKOL NY, spoke on program cuts.
- Member of the public, Stephanie Lizza, representing New York Presbyterian/Weill Cornell Medical Center, spoke on the services of the hospital.
- Member of the public, Karen Lapidus, spoke in opposition to the construction on East End Avenue.
- Member of the public, Jordan Wouk, spoke in opposition to the snow melt.

2. Adoption of the Agenda – Agenda adopted.

3. Adoption of the Minutes – March 15, 2017 Land Use/Full Board meeting 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

Representatives from the elected officials' offices reported on their latest initiatives.

6. Chair's Report – Jim Clynes

Jim Clynes gave his report. He welcomed the new board members and alerted them to the Communications Committee Report which is produced by board members Will Sanchez and David Rosenstein. The articles are a good read. He also let them know about the 3 media outlets that cover Community Board 8. **DNAinfo.com** covers Community Board 8 on a daily basis and is an internet media news service. He encourages them to log on to it and register to get e-mails on updates of all the latest news. The second media outlet is **Our Town** which is a free newspaper and can be found at dispensers on the sidewalk on Thursday mornings of every week. The third media outlet is **Manhattan Express**, a newspaper that can be found at Gristede's Supermarkets and some apartment buildings have it delivered as well.

7. Committee Reports and Action Items:

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

RE: The Urgent Need for Funding to Repair the East River Esplanade

WHEREAS conditions on the decaying East River Esplanade on the Upper East Side have become increasingly dire, as highlighted by the recent collapse of a sizable portion of this walkway in CB8-M; and

WHEREAS the possibility of another such collapse along this much-used thoroughfare appears highly likely and could result in injuries; and

WHEREAS the planned patchwork of repairs is proceeding too slowly to keep pace with the worsening conditions on the Esplanade and the rising cost of its repairs; and

WHEREAS CB8-M has urged the City to allocate another \$169 million in fiscal 2019 to speed up full structural repairs to the Esplanade on the Upper East Side; therefore,

BE IT RESOLVED that Community Board 8-Manhattan reiterates its urgent request of March 2017 that the City allocate an additional \$169 million in its fiscal 2019 budget to complete urgently needed structural repairs to the East River Esplanade on Manhattan's Upper East Side.

The full CB8M board voted to adopt the resolution by a unanimous approval of 42 in favor, 0 opposed and 0 abstentions.

b. Street Life Committee – Abraham Salcedo, Chair

1a. Alderney LLC, dba NA, 1426 3rd Avenue (80th/81st) –Application for unenclosed sidewalk café with 17 tables & 34 chairs. DCA #2019771-DCA. Due 6/16/2017

Applications will only be approved based upon the applicants' agreement to the following stipulations:

- 1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.**
- 2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.**
- 3. The applicant will keep the front of the establishment clean.**
- 4. The applicant will be denied if they participate in bar-crawls.**

WHEREAS this is a renewal application for a sidewalk cafe; and

WHEREAS there are no changes to the application; 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 stipulations above.

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

1b. TSG 89 Corp., dba Midnight Express Diner, 1715 Second Avenue (@89th)-Renewal application for an enclosed sidewalk café with 20 tables and 40 chairs. DCA #13557-2016-ASCW. Due 7/15/2017

Applications will only be approved based upon the applicants' agreement to the following stipulations:

- 1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.**
- 2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.**
- 3. The applicant will keep the front of the establishment clean.**
- 4. The applicant will be denied if they participate in bar-crawls.**

WHEREAS this is a renewal application for a sidewalk cafe; and

WHEREAS there are no changes to the application; 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 stipulations above.

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

2a. East Side Burgers, 1, LLC, dba Wahlburger's, 1633 Second Avenue (@85th)-New application (existing) under change of ownership for an enclosed sidewalk café with 9 tables and 22 chairs. DCA#4967-2017-ASWC. Due 6/29/2017

Applications will only be approved based upon the applicants' agreement to the following stipulations:

- 1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.**
- 2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.**
- 3. The applicant will keep the front of the establishment clean.**
- 4. The applicant will be denied if they participate in bar-crawls.**

WHEREAS this is a new application for a sidewalk cafe; 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 stipulations above.

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

2b. BACON & BAGELS, LLC, dba Quality Eats, 1496 Second Avenue (@78th)-Application for an unenclosed sidewalk café with 17 tables and 46 chairs. DCA#7231-2017-ASWC. Due 7/6/2017

Applications will only be approved based upon the applicants' agreement to the following stipulations:

- 1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.**
- 2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.**
- 3. The applicant will keep the front of the establishment clean.**
- 4. The applicant will be denied if they participate in bar-crawls.**

WHEREAS this is a new application for a sidewalk cafe; 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 stipulations above.

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

3a. Renzan Sushi Corporation, dba Sushi Ren Japanese Cuisine & Bar, 1584 Second Avenue (@82nd)-Renewal application for Liquor, Wine, Beer & Cider

Applications will only be approved based upon the applicants' agreement to the following stipulations:

1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.

2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.

3. The applicant will keep the front of the establishment clean.

4. The applicant will be denied if they participate in bar-crawls.

WHEREAS this is a renewal application for a liquor, wine, beer & cider; and

WHEREAS there are no changes to the application;

WHEREAS no one from the public objected, however it was noted from a member of the public that the applicant's delivery personnel do not always wear the venue's name and IDs; and

WHEREAS the applicant agreed to ensure that delivery personnel wear such identifying marks; 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 stipulations above.

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

4a. Schaller Manufacturing Corp., dba Schaller & Weber, 1654 Second Avenue (85th/86th)-Alteration application for Wine, Beer & Cider

Applications will only be approved based upon the applicants' agreement to the following stipulations:

1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.

2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.

3. The applicant will keep the front of the establishment clean.

4. The applicant will be denied if they participate in bar-crawls.

WHEREAS this is an application for a transfer; and

WHEREAS there are no other changes to the application; 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 stipulations above.

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

5a. Amber Sushi 1 Inc, dba NA, 1406 3rd Avenue (79th/80th) – New Application for Liquor, Wine, Beer & Cider.

Applications will only be approved based upon the applicants' agreement to the following stipulations:

1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.

2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.

3. The applicant will keep the front of the establishment clean.

4. The applicant will be denied if they participate in bar-crawls.

WHEREAS this is an new application for liquor, wine, beer and cider; and

WHEREAS there are no other changes to the application; and

WHEREAS no one from the public objected, however there a point raised about adhering to bicycle regulation; 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 stipulations above.

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

5b. MHH 1590, LLC, dba Maria's , 1219 Lexington Avenue (82nd/83rd) – New Application for Liquor, Wine, Beer & Cider.

Applications will only be approved based upon the applicants' agreement to the following stipulations:

1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.

2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.

3. The applicant will keep the front of the establishment clean.

4. The applicant will be denied if they participate in bar-crawls.

WHEREAS this is an new application for liquor, wine, beer and cider; and

WHEREAS there are no other changes to the application; and

WHEREAS no one from the public objected; and

WHEREAS the applicant agreed to provide Community Board 8 that the venue awning can sustain winds of 100mph; 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 stipulations above.

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

5c. Prince Dessert & Tea Room III Inc, dba Prince Dessert & Tea Room, 1521 York Avenue (80th/81st) – New Application for Wine, Beer & Cider.

Applications will only be approved based upon the applicants' agreement to the following stipulations:

1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.

2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.

3. The applicant will keep the front of the establishment clean.

4. The applicant will be denied if they participate in bar-crawls.

WHEREAS this is an new application for wine, beer and cider; and

WHEREAS there are no other changes to the application; 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 stipulations above.

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

5d. 305 East 92 Inc., dba Zebu Grill, 305 East 92nd Street (1st/2nd)-New application for Liquor, Wine, Beer & Cider

Applications will only be approved based upon the applicants' agreement to the following stipulations:

1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.

2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.

3. The applicant will keep the front of the establishment clean.

4. The applicant will be denied if they participate in bar-crawls.

WHEREAS this is an new application for liquor, wine, beer and cider; and

WHEREAS there are no other changes to the application; 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 stipulations above.

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

5e. Great Lakes NY, NY Inc., dba Ko Sushi, 1329 Second Avenue (@70th)-New application for Wine, Beer & Cider

Applications will only be approved based upon the applicants' agreement to the following stipulations:

1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.

2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.

3. The applicant will keep the front of the establishment clean.

4. The applicant will be denied if they participate in bar-crawls.

WHEREAS this is an new application for wine, beer and cider; and

WHEREAS there are no other changes to the application; 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 stipulations above.
Manhattan Community Board 8 adopted the recommendation by a unanimous vote of 42 in favor, 0 opposed and 0 abstentions.

5f. Moira June Caringal Inc., dba Room 1705, 1705 First Avenue (88th/89th)-New application for Wine, Beer & Cider

Applications will only be approved based upon the applicants' agreement to the following stipulations:

1. The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.

2. The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.

3. The applicant will keep the front of the establishment clean.

4. The applicant will be denied if they participate in bar-crawls.

WHEREAS this is an new application for liquor, wine, beer and cider; and

WHEREAS there are no other changes to the application; 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 stipulations above.

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

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

Re: 1107 Fifth Avenue (between 91st and 92nd Streets)-Carnegie Hill Historic District - *Peter E. Varsalona, architect* – Neo-Renaissance style apartment building designed by Rouse & Goldstone and constructed in 1925.

Application for elevator bulkhead alterations.

WHEREAS this apartment house is 13 stories high;

WHEREAS there is an existing elevator shaft with four elevators rising through the building to the highest floor;

WHEREAS the application is to extend the elevator shaft vertically to enable one of the elevators to go to the roof – to provide elevator access to the roof for the first time;

WHEREAS there are existing stair bulkheads to the east and west;

WHEREAS the application includes the addition of another bulkhead to contain a powder room;

WHEREAS all the bulkheads except the elevator bulkhead are relatively low;

WHEREAS the water tower for the building is on top of the elevator bulkhead;

WHEREAS the height above the roof to the top of the water tower enclosure is 31'-10";

WHEREAS the water tower enclosure will be raised '10'-0" to enable the elevator bulkhead to be extended 10'-0";

WHEREAS the overall height above the roof to the top of the water tower enclosure will be 41'-10";

WHEREAS the bulkhead and water tower enclosure will be clad in sheet metal, painted white, to match the existing;

WHEREAS the proposed elevator bulkhead and water tower are not visible from the sidewalks on the opposite sides of East 92nd Street and Fifth Avenue directly across from the building;

WHEREAS the existing elevator bulkhead and water tower are seen from oblique angles on Fifth Avenue and elsewhere;

WHEREAS the proposed elevator bulkhead and water tower will be very visible from oblique angles on Fifth Avenue and elsewhere;

WHEREAS the existing elevator bulkhead and water tower enclosure are visible from within Central Park and the proposed elevator bulkhead and water tower enclosure will be that much more visible when seen from Central Park;

WHEREAS the building already suffers from a bulkhead and water tower enclosure that is too high and too visible;

WHEREAS the proposed bulkhead and water tower with its height of over 41 feet above roof level, or three to four stories above roof level, is too tall and out of proportion for the building;

WHEREAS the proposed bulkhead and water tower is not appropriate within the historic district;

THEREFORE be it resolved that this application is **disapproved**.

Manhattan Community Board 8 adopted this recommendation to disapprove by a unanimous vote of 42 in favor, 0 opposed and 0 abstentions.

Re: 122 East 66th Street [Cosmopolitan Club] (between Lexington and Park Avenues) - Upper East Side Historic District - *Martin L. Griggs, architect*. Application is for installation of HVAC equipment.

WHEREAS 122 East 66th Street is a Regency revival-style 10-story building with wrought iron balconies designed by Thomas Harlan Elliot as the new home for the Cosmopolitan Club) and constructed in 1931-32;

WHEREAS the applicant proposes to replace an existing make-up air unit for the kitchen exhaust system with a larger, more efficient make-up air unit. [A make-up air unit adds replacement air to what's being drawn out of the kitchen by the kitchen's exhaust hoods.];

WHEREAS the existing make-up air unit for the kitchen exhaust system is on the 3rd floor balcony on the front elevation;

WHEREAS the new unit would be installed in the exact same location; the new unit would be larger -- 36" wide x 9' long x 42" high -- and would be painted the same gray color as the gray paint on the front elevation to minimize its size;

WHEREAS the new unit would be located behind a white decorative metal railing and set in the center arch of three decorative vertical metal arches on the floor, with the white decorative metal being the predominant element that catches the eye and provides the unique character of the building;

WHEREAS the additional size of the unit will provide a needed heating and cooling function so that it can be used during the winter months. (The existing unit cannot be used during the winter.)

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

Manhattan Community Board 8 adopted this recommendation by a unanimous vote of 42 in favor, 0 opposed and 0 abstentions.

Re: 144 East End Avenue - (between 86th and 87th Streets) - Henderson Place Historic District - *William Bialosky, architect*. Application for a one-story roof top addition.

WHEREAS 144 East End Avenue is an Elizabethan style townhouse designed by Lamb and Rich and constructed in 1882.

WHEREAS 144 East End Avenue is within the Henderson Place Historic District. Of the 32 houses built originally built by the developer John C. Richardson for persons of "moderate means", only 24 survive.

WHEREAS the historic district was designated in 1969; the designation report emphasizes that the homogenous group of small town houses that comprise the district retain much of their original picturesque charm and character.

WHEREAS the applicant proposes a one story 400 sq. ft. roof-top addition 18' wide x 17' long x 7'10" high and set back 14'10" from the front elevation.

WHEREAS the applicant also proposes, at the roof line, a 42" railing; the addition is set back behind the railing.

WHEREAS the applicant proposes to clad the addition in a turn-coated stainless steel that will be patinated to look like cooper; the color of the addition will be in keeping with the existing slate shingles on the 4th floor below it.

WHEREAS the Henderson Place Historic District is a tiny architectural gem within New York City; the houses, although built for people of "moderate means", have elements such as projecting bays, wide arched entryways, and detailed windows that are usually more emblematic of houses built for Lamb and Rich's wealthier clientele

WHEREAS given the beauty and history of the district, the houses should kept as close to their original condition as possible.

WHEREAS the applicant's proposal is not appropriate within the district;

WHEREAS the historic important of the district and the builder's original intention to build modest, contiguous houses on the site is part of the social history of New York City cannot be overemphasized or compromised.

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

Manhattan Community Board 8 adopted this recommendation to disapprove by a unanimous vote of 42 in favor, 0 opposed and 0 abstentions.

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

Re: Continued discussion of a request for a Cornell Tech Shuttle Bus stop at 1081 Third Avenue (In front of Tony's Di Napoli Restaurant) and 1300 York Avenue (In front of the Weill Medical Center) Requested by Cornell University

WHEREAS Cornell University has operated a Campus-to-Campus Executive Coach Service bus route between Ithaca and Manhattan since 2004; and

WHEREAS the new Cornell Tech campus on Roosevelt Island, located within Community District 8, will open later this year; and

WHEREAS the proposed new bus stop at 1081 Third Avenue (SE corner of 64th, in front of Tony Di Napoli's) will allow the Campus-to-Campus bus to connect the Ithaca and Roosevelt Island campuses via the 63rd Street F & Q subway station; and

WHEREAS Cornell's Campus-to-Campus bus will continue to use the existing stop in front of the Weill Medical Center at 1300 York Avenue (near 69th Street); and

WHEREAS no additional buses will be added to the existing Campus-to-Campus Executive Coach Service; and

WHEREAS no member of the public objected;

BE IT RESOLVED that Community Board 8M approves the request for a new bus stop at 1081 Third Avenue and continued use of a bus stop at 1300 York Avenue, as presented.

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

Re: A request for a new Revocable Consent to install a snowmelt system at 12 East 82nd Street.

WHEREAS petitioner seeks a Revocable Consent for a snowmelt system at 12 East 82nd Street;

BE IT RESOLVED that Community Board 8M approves the Revocable Consent at 12 East 82nd Street for the proposed Snowmelt System as presented.

Manhattan Community Board 8 approved the resolution by a vote of 35 in favor, 5 opposed, 2 abstentions.

e. Vendor Committee – Michele Birnbaum and Marco Tamayo, Co-Chairs

RE: Street Vendors Restrictions

WHEREAS, the DOT is addressing the adverse effects of vending vehicles in the street in front of businesses without their consent in New York City Department of Transportation TRAFFIC RULES, Title 34, Chapter 4, Rules of the City of New York (February 21, 2017), Section 4-12 MISCELLANEOUS and

WHEREAS, such adverse effects can also be present if vending apparatus is on the sidewalk in front of street level storefronts and businesses,

THEREFORE BE IT RESOLVED, that Community Board 8 Manhattan advises the DOT RULE be amended as follows:

New York City Department of Transportation TRAFFIC RULES, Title 34, Chapter 4, Rules of the City of New York (February 21, 2017), Section 4-12 MISCELLANEOUS

(RED indicates wording addition.)

(g) Peddlers. No peddler, vendor, hawker, or huckster shall stop or remain or permit any cart, wagon, **table** or vehicle owned or controlled by him/her, to stop, remain upon or otherwise encumber any **sidewalk or** street in front of any premises if the owner or lessee of the ground floor thereof objects. No peddler, vendor, hawker, or huckster shall permit his cart, wagon, **table** or vehicle to stand on any **sidewalk or** street when stopping, standing, or parking is prohibited or on any **sidewalk or** street within 25 feet of any corner of the curb or to stand at any time on any sidewalk **or street** or within 500 feet of any public market or within 200 feet of any public or private school.

AND BE IT FURTHER RESOLVED, that the DOT implement an enforcement protocol for this RULE as soon as possible.

Manhattan Community Board 8 passed the resolution of approval by a vote of 30 in favor, 10 opposed, 3 abstentions and 0 not voting for cause.

The meeting was adjourned at 7:38PM.

James G. Clynes, Chairman