

Russell Squire
Chair

Will Brightbill
District Manager



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**The City of New York
Community Board 8 Manhattan
Full Board Meeting
PUBLIC HEARING**

Wednesday, July 19, 2023 - 6:30 PM

**This meeting was conducted in a hybrid format in person and via Zoom
Hunter College West Building Room 615
Southwest Corner of Lexington & 68th**

MINUTES:

Community Board Members Present: Michael Anderson, Bill Angelos, Elizabeth Ashby, P. Gayle Baron, Jennifer Bayer Michaels, Alida Camp, Sarah Chu, Lindsey Cormack, Rebecca Dangoor, Felice Farber, Edward Hartzog, David P. Helpern, Wilma Johnson, Paul Krikler, Craig Lader, Addeson Levy, Valerie Mason, John McClement, Evan Meyerson, CJ Mossman, Jane Parshall, John Philips, Rita Popper, Margaret Price, Elizabeth Rose, Barbara Rudder, William Sanchez, Judy Schneider, Robin Seligson, Cos Spagnoletti, Russell Squire, Marco Tamayo, Adam Wald, Charles Warren

Community Board Members Virtual: Michele Birnbaum (Health), Lori Bores (Disability), Loraine Brown (Disability), Anthony Cohn (Travel), Billy Freeland (Health), Bradley Hershenson (Unexcused), Sharon Pope-Marshall (Elder Care), Sharon Weiner (Unexcused)

Community Board Members Excused: Taina Borrero, Juno Chowla-Song, Saundra Coleman, Sahar Husain, Abraham Salcedo

Community Board Members Absent: Rebecca Lamorte, Jack Sasson, Anju Suresh

Total Attendance: 34

Chairman Russell Squire called the meeting to order at 6:30 PM.

1. Public Session

The interim president of Hunter College Dr. Ann Kirschner introduced herself and welcomed everyone to Hunter College.

- Peter Gray spoke about bicycle safety.
- Andrew Fine representing the East 86th Street Association spoke in favor of the Transportation Committee resolution on e-bikes and mopeds.
- Dylan Jeronimo Kennedy spoke in opposition to the Transportation Committee resolution on e-bikes and mopeds.
- Liz Daly representing The Frick Collection provided updates on their exhibitions.
- Eliot Spitzer spoke in favor of the Landmarks Committee resolution for 985 Fifth Avenue.
- Charles Sanson spoke about a proposal to tear down buildings on 90th Street between 2nd and 3rd Avenue.
- Judith Berdy spoke about the East River Esplanade.
- Stephanie Reckler representing the Committee to Protect our Lenox Hill Neighborhood informed the public about the committee.
- Janice Ziegler spoke in favor of the Landmarks Committee resolution for 163 East 78th Street.
- Jeanette Goldman spoke about pigeons on 86th Street and Lexington Avenue.

- Matt Bauer representing the Madison Avenue Business Improvement District spoke on their latest updates. He also spoke in favor of the bus shelter resolution from the Transportation Committee.
- Nuha Ansan representing Friends of the Upper East Side Historic Districts spoke in favor of the bus shelter resolution from the Transportation Committee.
- Evelyn David spoke in opposition to congestion pricing.
- Erica Bersin spoke in opposition to congestion pricing.
- Leslie Carroll spoke in opposition to the proposed cannabis dispensary on Lexington Avenue.
- Lo van der Valk representing Carnegie Hill Neighbors spoke in opposition to the proposed cannabis dispensary for site grounds.
- Markel Bababekov spoke about the application by The Herbal Care THC LLC.
- Dr. Jeffrey Drebin representing Memorial Sloan Kettering Cancer Center spoke in favor of the MSK Pavilion Task Force resolution.
- Judy Schneider, member of CB8, representing ESNA spoke about donations being requested at the Bentley Hotel for migrants.

2. Adoption of the Agenda – Agenda Adopted

3. Adoption of the Minutes – Minutes Adopted

4. Manhattan Borough President’s Report

Manhattan Borough President Mark Levine reported on his latest initiatives.

5. Elected Officials’ Reports

- State Assembly Member Rebecca Seawright
- Council Member Keith Powers
- Representative Jerry Nadler
- Manhattan District Attorney Alvin Bragg
- State Senator Liz Krueger
- State Assembly Member Alex Bore
- State Senator Jose Serrano
- Council Member Julie Menin

6. Chair’s Report – Russell Squire

Chair Russell Squire gave his report.

7. District Manager's Report – Will Brightbill

District Manager Will Brightbill gave his report.

8. Committee Reports and Action Items

A. MSK Pavilion Task Force – Anthony Cohn and Felice Farber, Co-Chairs

MSK-1: Item 1

Item 1: Memorial Sloan Kettering Cancer Center Pavilion

WHEREAS the maximum height of the building envelope will be no more than 594 feet; and

WHEREAS the proposed Pavilion will utilize virtually all of the available Floor Area derived from the change in zoning and virtually all the remaining Floor Area of the 2001 LSCFD; and

WHEREAS Operating Room Floors and Patient Floors will require 18-foot and 15-foot floor to floor heights respectively; and

WHEREAS MSK has committed to constructing a new cancer Pavilion that meets the highest standards of carbon neutrality possible; and

WHEREAS MSK has committed to constructing the building using union labor for both onsite construction and offsite fabrication; and

WHEREAS MSK has committed to coordinating with P.S. 183 on noise mitigation and minimizing the impact of construction on P.S. 183; and

WHEREAS CB8 is home to multiple world class healthcare institutions, including MSK, with several concentrated in the vicinity of the proposed site; and

WHEREAS MSK has committed to implementing the highest levels of noise mitigation, dust control, and pest control during construction and demolition; and

WHEREAS MSK has committed to holding monthly meetings with local residents and stakeholders to provide updates on construction and address any concerns;

NOW THEREFORE BE IT RESOLVED that Community Board 8 Manhattan requests MSK incorporate the following recommendations in their Zoning Application and the Revocable Consent Application:

- Replacement of all 300 units of housing in the current building with 300 new housing units in Community District 8;
- A design that meets the needs of MSK to care for the projected increase in cancer patients in a lower profile structure than currently proposed;
- That the new Pavilion meet the highest standards of carbon neutrality possible, as proposed by MSK;
- That MSK construct the building using union labor, as proposed by MSK;
- That MSK require union labor to be used for off-site fabrication, as proposed by MSK;
- That MSK design the building exterior with material that does not reflect light onto the surrounding community including residences and parks;
- That MSK implement the highest levels of noise mitigation, dust control, and pest control as proposed by MSK;
- That MSK ensure adequate lighting on its construction fencing to ensure a well-lit and safe community;
- That MSK install artwork on the construction fence to beautify the neighborhood during the six-year construction duration;
- That MSK coordinate noise mitigation plans with P.S.183 to minimize the impact of construction activities on the students at P.S. 183, as proposed by MSK;
- That MSK maximize the use of greenery in the facility design and install greenery in front of the Schwartz building;
- That MSK work to mitigate the traffic back-up at the parking garage;
- That MSK holds monthly meetings with the community during the course of construction to apprise the community of construction progress and next steps, and receive feedback regarding any concerns, as proposed by MSK;
- That MSK post on the construction site and its website an emergency phone number that is different from 311, for community concerns about construction activities;
- That MSK, in their traffic studies, pay particular attention to the following issues:
 - Drop-off on York Avenue (although this will be “prohibited” under the proposal)
 - Queuing for parking on York and both side streets
 - Traffic headed to and from the FDR Drive at 62nd Street
 - Garage capacity both in the Pavilion and surrounding neighborhood
 - Possible effects of Congestion Pricing both on neighborhood parking capacity, and increased traffic from the 59th Street Bridge
- That MSK conduct shadow studies and make mitigation proposals for the effects of shadows from such a tall building

- That MSK present an appropriate aesthetic solution for the generally acceptable skybridge proposed to connect the Pavilion with the existing hospital to the north.

Community Board 8 Manhattan approved this resolution by a vote of 39 in favor, 1 opposed, 2 abstentions and 0 not voting for cause.

B. Transportation Committee – Abraham Salcedo, Chair

TR-1: Items 4 and 5 – Unanimous Approvals

TR-2: Item 3

TR-3: Item 2

TR-4: Item 1

TR-5: Item 6 – Substitute Motion Removing E-Bikes – Failed

TR-6: Item 6 – Original Resolution

Item 4: Revocable Consent Application to construct, maintain and use Three Electrical Sockets, together with Electrical Conduits at 112 East 75th Street for Temple Israel

WHEREAS; Temple Israel, located at 112 East 75th Street, has submitted a revocable consent application to construct, maintain and use three electrical sockets, together with electrical conduits; and

WHEREAS; the electrical sockets and conduits will connect the building with 3 sidewalk tree pits; and

WHEREAS; the tree pits are being enlarged to meet NYC Parks Department requirements; and

WHEREAS; the primary purpose of providing an electric feed is for lighting; and

WHEREAS; any maintenance needs will be able to be accessed from the building;

THEREFORE BE IT RESOLVED, that Community Board 8 approves the revocable consent request by Temple Israel at 112 East 75th Street to construct, maintain and use three electrical sockets together with electrical conduits.

Item 5: Request to add street cleaning regulations across the of entirety Lexington Avenue between 59th and 96th Streets

WHEREAS; complaints have been received by Community Board 8 regarding the cleanliness of Lexington Avenue between 59th and 96th Streets; and

WHEREAS; current parking signage along Lexington Avenue lacks dedicated times in which parking is restricted to allow street sweepers to operate; and

WHEREAS; prior to the 2019 introduction of the bus lane, there had been No Standing regulations in effect during certain hours that allowed street sweeping to occur;

WHEREAS; nearby Third Avenue has street sweeping regulations in place, and is viewed as being cleaner than Lexington Avenue; and

WHEREAS; clean streets are of critical importance to residents, visitors and businesses of Community District 8;

THEREFORE BE IT RESOLVED, that Community Board 8 requests that NYCDOT change parking regulations along Lexington Avenue between 59th Street and 96th Street to incorporate appropriate street sweeping or no standing regulations to allow street sweepers to clean the street on a regular basis.

Community Board 8 Manhattan unanimously approved these resolutions by a vote of 42 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

Item 3: Request by The Surrey Hotel to extend the Hotel Loading Zone located on East 76th Street between Madison and 5th Avenues across the entire frontage of the hotel

WHEREAS; The Surrey Hotel, at 20 East 76th Street, is requesting an extension of the existing hotel loading zone; and

WHEREAS; the current loading zone is approximately 50' in length, and doesn't encompass the entire frontage of the hotel; and

WHEREAS; the Surrey Hotel is requesting an additional 30' of hotel loading zone to extend to the west property line; and

WHEREAS; the additional loading zone would result in the loss of 1 metered parking space; and

WHEREAS; the hotel loading zone would help allow deliveries of goods and services along with passenger pickups and drop-offs to occur; and

WHEREAS; The Surrey Hotel will actively manage the hotel loading zone and assign a transportation director to oversee it to help ensure that it operates in a manner that doesn't interfere with traffic on East 76th Street;

THEREFORE BE IT RESOLVED, that Community Board 8 approves the request by the Surrey Hotel to extend the existing Hotel Loading Zone by approximately 30' to cover the remaining western frontage of the 20 East 76th Street

Community Board 8 Manhattan approved this resolution by a vote of 40 in favor, 2 opposed, 0 abstentions and 0 not voting for cause.

Item 2: Request by Durama Tours, Inc. DBA The Ride, for a sightseeing bus stop on Fifth Avenue between 83rd and 84th Streets

WHEREAS; Durama Tours, DBA "The Ride", is requesting use of a tourism bus stop on 5th Avenue between 83rd and 84th Streets; and

WHEREAS; Durama Tours has purchased "The Ride", a sightseeing bus service, from an operator no longer in business; and

WHEREAS; Durama Tours will use the same bus stop and provide the same tourism service as the prior operator, with 5 daily trips every day except Tuesdays; and

WHEREAS; the bus stop on 5th Avenue between 83rd and 84th Streets is shared with another tourism bus service, and trip times are coordinated to not overlap; and

WHEREAS; Durama Tours buses will be picking up and dropping off passengers who have purchased tickets online; and

WHEREAS; Durama Tours will not be conducting any sales of tickets or provide any on-street entertainment at the bus stop being requested for use; and

THEREFORE BE IT RESOLVED, that Community Board 8, approves the request by Durama Tours, Inc., DBA "The Ride", to use the tourism bus stop on 5th Avenue between 83rd and 84th Streets

Community Board 8 Manhattan approved this resolution by a vote of 39 in favor, 3 opposed, 0 abstentions and 0 not voting for cause.

Item 1: Discussion of Proposed JCDecaux Street Furniture (Bus Shelter) locations along Madison Avenue (Joint with Landmarks Committee)

WHEREAS; Community Board 8 Manhattan is on record from September 2019 opposing bus shelters along Madison Avenue; and

WHEREAS; A public hearing was held by the NYC Franchise and Concessions Review Commission in June 2023 to extend and amend the existing agreement between NYCDOT and JCDecaux Street Furniture NY, LLC; and

WHEREAS; The draft agreement includes proposed bus shelters at six bus stop locations along Madison Avenue within Community District 8; and

WHEREAS; Due to the narrowness of Madison Avenue’s sidewalks, such proposed bus shelters would use a different design than the standard bus shelter design in place elsewhere in NYC; and

WHEREAS; Even more narrow bus shelters on Madison Ave. would inhibit pedestrian flow, block storefronts, and interfere with business operations for retailers along the corridor; and

WHEREAS; Madison Avenue bus shelters may include illuminated advertisements that are otherwise noncompliant with existing C5-3 and C5-1 zoning; and

WHEREAS; The proposed design has not obtained approval of the Landmarks Preservation Commission; and

WHEREAS; Bus shelters such as those being proposed would be in conflict with the character of Madison Avenue;

THEREFORE, BE IT RESOLVED, that Community Board 8 Manhattan opposes proposed bus shelter locations at Madison Avenue between 59th Street and 60th Street, Madison Avenue and 63rd Street, Madison Avenue between 65th Street and 66th Street, Madison Avenue between 69th Street and 70th Street, and Madison Avenue and 71st Street.

Community Board 8 Manhattan approved this resolution by a vote of 28 in favor, 12 opposed, 1 abstention and 0 not voting for cause

Item 6: E-Bike Safety – discussion of potential licensing and registration of bikes

A substitute motion was made in order to remove “e-bikes” from the resolution. The substitute motion failed by a vote of 8 in favor, 31 opposed, 3 abstentions, and 0 not voting for cause.

WHEREAS; the use of E-Bikes and Mopeds in New York City has grown significantly in recent years; and

WHEREAS; pedestrians in Community District 8 are feeling increasingly threatened by e-bikes and mopeds that operate at high speeds; and

WHEREAS; e-bikes and mopeds are also frequently witnessed operating in unsafe and illegal manners, including being driven on sidewalks, in the wrong directions on roads, and mopeds using bike lanes they are prohibited from ; and

WHEREAS; enforcement by police of e-bike and moped use is insufficient and unable to discourage bad behaviors; and

WHEREAS; the lack of license plates and registration of e-bikes is seen as a barrier to proper enforcement; and

WHEREAS; the lack of insurance requirements for e-bikes and mopeds is seen as problematic when injuries are caused by them without any responsibility being borne by the operator/owner; and

WHEREAS; e-bike and moped use is largely driven by e-commerce and restaurant deliveries, and the business owners and delivery services should bear responsibility for employees working under their direction who use e-bikes and mopeds; and

WHEREAS; the recent pilot program that allows e-bikes to be used in NYC Parks such as Central Park has adversely impacted the experience of parkgoers who feel threatened by bikes operating at fast speeds;

THEREFORE BE IT RESOLVED, that Community Board 8 calls for license plate, registration and insurance requirements for e-bikes and mopeds; and

BE IT FURTHER RESOLVED, that Community Board 8 requests laws requiring that all e-bikes and mopeds be registered before they are allowed to leave stores at which they are sold; and

BE IT FURTHER RESOLVED, that where violators of safety rules are in the course of their employment by a restaurant or delivery service, Community Board 8 calls for the penalty to be enforced against the business/service and not the operator; and

BE IT FURTHER RESOLVED, that Community Board 8 calls for the immediate suspension of the pilot program that now allows e-bikes to be operated within Central Park.

Community Board 8 Manhattan approved this resolution by a vote of 32 in favor, 8 opposed, 2 abstentions, and 0 not voting for cause.

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

LM-1: Item 1

LM-2: Item 2

Item 1: **985 Fifth Avenue (Metropolitan Museum Historic District)** - *Ward Dennis, Higgins Quasebarth, Willian Sofield, Studio Sofield; Elliot Spitzer, Spitzer Enterprises* - A no-style apartment building designed by Wechsler & Schimenti and constructed in 1970. Application is to demolish the existing building and to construct a new building

WHEREAS 985 Fifth Avenue is a no-style apartment building designed by Wechsler & Schimenti and constructed in 1970;

WHEREAS 985 Fifth Avenue is now a balconied 25-story apartment building of glass and glazed brick; 985 Fifth Avenue replaced three town houses which had stood on the site; #985, known as one of the Brokaw mansions, #986 and # 987;

WHEREAS 985 Fifth Avenue is considered a non-contributing building within the historic district;

WHEREAS 985 Fifth Avenue is set back from the street wall by a driveway which is not a typical feature of a Fifth Avenue building;

WHEREAS the applicant proposes to construct a new 210' high as-of-right apartment building to replace the existing building using the classic Fifth Avenue prewar vernacular for design details;

WHEREAS the new building will be clad in limestone at the front elevation; the secondary elevations will be clad in brick with limestone detailing;

WHEREAS historic precedents for the new design include both materials and a classical organization for the base, middle/shaft and top/crown of the proposed building; the shafts of antecedent buildings are usually unadorned and the crowns return to a more elaborate decoration and are 3-dimensional;

WHEREAS fenestration on the Fifth Avenue elevation will be larger with smaller windows on the south, east and west-facing elevations; the simple steel casement windows are set fairly deeply into the wall and present as casements — the casements at the middle of the front elevation flank a fixed window;

WHEREAS the proposed building steps back in stages with the limestone crown/mechanical enclosures stepping back even more; the first set back will occur above the 13th floor, another slight set back will occur at the 18th and 19th floors with crown or top of the building set back even further;

WHEREAS there is a decorative railing at the 5th floor of the front elevation, at the 12th floor of the front elevation, at the 14th floor of the front elevation, at the 16th floor of the front elevation, the 18th floor of the front elevation and at the roof of the front elevation;

WHEREAS at the second floor at the front elevation below each window are a set of curved inward shapes as decoration; these present as a limestone post and rail — with metal spandrels;

WHEREAS the railing levels at the 5th floor, at the 12th floor, at the 14th floor and at the 18th floor have different shapes of cast glass infill set into a limestone panel with limestone railings — the same convex limestone shape that is on the second floor is repeated on each decorative railing with a cast glass decorative panel between;

WHEREAS typically rear elevations along Fifth Avenue are visible from Madison Avenue; the side elevation at the north will be mostly brick with limestone at the crown; the south elevation will be brick with slightly more limestone and at the rear, the not completely unconsidered elevation will be mostly brick with limestone at the crown;

WHEREAS at the south-facing elevation, as it meets the front elevation at the corner, the quoining will be limestone to create a solid corner; although 985 Fifth Avenue is not a corner building, the south elevation is decorated and given a fair amount of consideration in its detailing;

WHEREAS there will be a 4-story rusticated base with a prominent 2-story entrance; the detailing at the rusticated base matches exactly the detailing at its neighbor at 988 Fifth Avenue;

WHEREAS the applicant, in the proposed new building, will re-establish the street wall, include set backs at the upper floors and will shift the bulkhead to the south; the new rear yard will be slightly larger;

WHEREAS the applicant plans a green space/garden at both sides of the front entrance with limestone bollards;

WHEREAS at the north elevation, the facade will be pulled back at the corner so that the beautiful rope moulding at 988 Fifth Avenue remains visible;

WHEREAS instead of the traditional lanterns to provide light at the entrance, there will be a more abstract vertical lighting feature that will present as being perpendicular to the more recessed front door; the entrance awning will float from front to rear;

WHEREAS there will be a dog bar at the left of the entrance door set into base and below the left vertical light column; there will be a sculptured bird set on top of the basin for the dog bar;

WHEREAS the metal or grille work on the entry door will have the numbers 985 subtly set within the grill; the grill with the abstract numbers set into the grill presents as modern and is a way of reminding passers-by of the house that was there previously;

WHEREAS at the service window at the front elevation to the right of the front entrance there is a sculpture of a squirrel with an acorn;

WHEREAS the service door to the south of the front entrance on Fifth Avenue is bronze and in bas relief tells the history of the site highlighting the history especially of the Brokaw houses and their demolition that was a contributing factor to the eventual creation of the Landmarks Preservation Commission; the service door is a homage to what went before;

WHEREAS at the upper part of the building corner cuts diminish the massing; the spandrels for the upper portion are austere; the neoclassical detailing at the upper top or roof includes limestone eggs and limestone railings;

WHEREAS 988 Fifth Avenue, 985's neighbor to the north, will lose some of its lot line windows;

WHEREAS a revocable consent will be required from the Department of Transportation for the part of the green space at the ground at the front elevation that protrudes into the public way;

WHEREAS Studio Sofield is well known for the whimsical touches incorporated into its buildings — in this case the dog fountain and the squirrel — and for its artistic touches such as the grillwork on the front door incorporating the numbers 985 and the repeated patterns as the decorative railings at the front elevation ascend upward and become more elaborate;

WHEREAS the windows at the front elevation present as empty vacant eyes even though deeply set into a flat facade and the building feels too big for the site;

WHEREAS on balance, while the comments about the windows have merit, Studio Sofield brings a unique view with a historical perspective to the proposed design for 985 Fifth Avenue; Studio Scofield is not replicating a 1920s prewar building but rather combining the best elements of a prewar building with a modernist sensibility and is to be applauded;

WHEREAS the attention to detail in the applicant's presentation was superb;

WHEREAS this resolution could never do justice to the applicant's presentation;

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

Community Board 8 Manhattan approved this resolution by a vote of 27 in favor, 6 opposed, 6 abstentions, and 2 not voting for cause.

Item 2: **163 East 78th Street (Individual Landmark)** - *Thomas J. Zoli, Principal Architect, Workshop/APD* - A Vernacular style building with Italianate influence designed by Henry Armstrong and constructed in 1861, combined in 1911, and altered in 1929 and 1939 with the latter by A.L. Muller. Application is for a one-story addition, a rear-yard extension, and window replacement.

WHEREAS the applicant proposes to replace windows, add a two-story extension in the rear, and add a penthouse to this four-story individual landmark;

WHEREAS the building is a double townhouse, 36'-0" wide, 42'-0" high, and 60'-0" long from front to back;

WHEREAS the windows to be replaced on the second and third floors of the front of the building will appear the same as the current windows as to proportions and thickness of mullions and muntins;

WHEREAS the proposed windows will visually replicate the transoms of the current windows, will be full height, and will replicate the original French doors;

WHEREAS the metal gates on the current windows will be removed and replaced with metal railings;

WHEREAS the existing cast stone sills under the third-floor windows will be replaced with brownstone sills to match sills and lintels on the face of the building;

WHEREAS the ground floor façade will be similar to the existing;

WHEREAS the double lintel over the service door at the eastern end will be changed to the single lintel that runs across the face of the building;

WHEREAS the brick on the stucco on the fourth floor will be replaced with brick to match the brick below;

WHEREAS the punched in windows on the fourth floor will be extended to full height and will match the French doors and windows on the second and third floors;

WHEREAS the front façade will be raised twelve inches to match the height of the party wall to the west and a metal cap in the color family of the brownstone will be added;

WHEREAS the building will be extended in the rear so that the third and fourth floor facades align with the facades of the adjacent townhouses and the first and second floors extended further to an overall length of 70 feet, to leave a 32-foot-long rear yard;

WHEREAS a conservatory type structure, about half the width of the building, will be added on the easterly end of the third floor;

WHEREAS the facade of the first and second floors in the rear will be divided into four bays;

WHEREAS the two bays in the center on the ground floor will be fully glazed with glass doors to the garden;

WHEREAS the two side bays on the ground floor will have full width windows that start about 3'-0" above grade;

WHEREAS all four bays of the second floor will be fully glazed;

WHEREAS the two bays of the conservatory will be fully glazed;

WHEREAS the first and second floors and the conservatory will have large-scale, multi-pane glazing;

WHEREAS the west half of the third floor and the fourth floor will have punched in multi-pane windows;

WHEREAS the fourth floor will have a multi-pane glass door to the roof of the conservatory;

WHEREAS the penthouse to be added to the fourth-floor roof will be placed towards the rear of the building with a small setback from the rear façade;

WHEREAS the front of the penthouse will be a sloped, south facing skylight;

WHEREAS the rear façade will have multi-pane windows;

WHEREAS the penthouse will be 11'-11" high in relation to the roof;

WHEREAS the overall height of the building to the top of the penthouse will be 52'-8" and the overall height to the top of the elevator shaft and mechanical equipment will be 55'-6";

WHEREAS the mock-up of the penthouse is highly visible from the corner of East 78th Street and Lexington Avenue;

WHEREAS the areaway will not be changed in size;

WHEREAS the free form planting areas in the areaway will be changed to symmetrical "L" shaped planters on the east and west sides;

WHEREAS the low brick wall will be replaced with a new brick wall, the bluestone paving will be replaced with new bluestone paving, a new bluestone ramp will be set at the eastern edge of the areaway to lead to the service door, and the existing black metal railing and gates will be refurbished and reinstalled;

WHEREAS the proposed, highly glazed rear façade is contemporary and not consistent with the overall character of the historic facades

WHEREAS the proposed penthouse is not in character with the historic architecture and is highly visible from street level;

WHEREAS the proposed additions to the house are not contextual and appropriate for this individual landmark;

THEREFORE, BE IT RESOLVED that this application is **DISAPPROVED**

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

D. Street Life Committee – Abraham Salcedo, Chair

SL-1: Items 1A-D, 2B-C, 2E, 3A – Unanimous Approvals

SL-2: Item 2D

SL-3: Item 4A

Item 1A: Raon NYC Inc, 207 East 59th Street (Between Second and Third Avenues) New Application and Temporary Retail Permit for Liquor, Wine, Beer and Cider

WHEREAS this is a New application for a Liquor, Wine, Beer, and Cider License and Temporary Retail Permit; 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 agreed to stipulate that it will ensure that the premises is ADA compliant and that it will ensure there are no issues with garbage from the establishment; therefore

BE IT RESOLVED that the application is **APPROVED**, subject to the stipulations above.

Item 1B: Singh Brothers UES LLC., dba Ines, 417-419 East 74th Street (Between First and York Avenues) New Application and Temporary Retail Permit for Wine, Beer and Cider

WHEREAS this is a new application for a Wine, Beer, and Cider License and Temporary Retail Permit; 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 therefore

BE IT RESOLVED that the application is **APPROVED**, subject to the stipulations above.

Item 1C: Lezzet NYC Inc., dba Lezzet Turkish Restaurant, 791 Lexington Avenue (Between East 61st and 62nd Streets) New Application for Liquor, Wine, Beer and Cider

WHEREAS this is a new application for a Liquor, Wine, Beer, and Cider 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 therefore

BE IT RESOLVED that the application is **APPROVED**, subject to the stipulations above.

Item 1D: 164 Franklin Hotel LLC & Interstate Management Company LLC., dba The Franklin Hotel, 163 East 87th Street (Between Third and Lexington Avenues) New Application for Wine, Beer and Cider

WHEREAS this is a new application for a Wine, Beer, and Cider 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 agree that they would provide a CofO for use of the outdoor terrace; therefore

BE IT RESOLVED that the application is **APPROVED**, subject to the stipulations above.

Item 2B: Sazzak Inc., dba Zuccherio E Pomodri, 1448 First Avenue (Between East 75th and East 76th Streets) Class Change Application for Liquor, Wine, Beer and Cider

WHEREAS this is a class change application to upgrade to a Liquor, Wine, Beer and Cider 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; therefore

BE IT RESOLVED that the application is **APPROVED, subject to the stipulations above.**

Item 2C: The New Chinatown UES Inc., dba Chinatown Restaurant, 1650 Third Avenue (Between East 92nd and East 93rd Streets) Class Change Application for Liquor, Wine, Beer and Cider

WHEREAS this is a class change application to upgrade to a Liquor, Wine, Beer and Cider 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; therefore

BE IT RESOLVED that the application is **APPROVED, subject to the stipulations above.**

Item 2E: UES 85 Inc., dba Vanessa's Dumpling House, 1623 Second Avenue (Between East 84th and East 85th Streets) Corporate Change Application for Wine, Beer and Cider and License

WHEREAS this is a corporate change application to a Wine, Beer and Cider License to modify owners; 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; therefore

BE IT RESOLVED that the application is **APPROVED, subject to the stipulations above.**

Item 3A: 1626 2nd Avenue Restaurant Group LLC., dba Fumo Upper East Side, 1626 Second Avenue (Between East 84th and East 85th Streets) 30 Day Waiver New Application and Temporary Retail Permit for Liquor, Wine, Beer and Cider

WHEREAS this is a new application to a Liquor, Wine, Beer, and Cider License and Temporary Retail Permit; 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; therefore

BE IT RESOLVED that the application is **APPROVED, subject to the stipulations above.**

Community Board 8 Manhattan unanimously approved these resolutions by a vote of 40 in favor, 0 opposed, 0 abstentions and 0 not voting for cause.

Item 2D: ESM Group 1415 LLC., dba Bread N Wine, 1415 Lexington Avenue (Between East 92nd and East 93rd Streets) Class Change for Liquor, Wine, Beer, and Cider (to include Live Music)

WHEREAS this is a class change application to add live music to a Liquor, Wine, Beer and Cider 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 the applicant agreed to cease live music by 9pm; therefore

BE IT RESOLVED that the application is **APPROVED, subject to the stipulations above.**

Community Board 8 Manhattan approved this resolution by a vote of 39 in favor, 3 opposed, 0 abstentions and 0 not voting for cause

Item 4A: The Herbal Care THC LLC 1410-1412 Lexington Avenue (Between East 92nd and East 93rd Streets) New Application for Retail Dispensary

WHEREAS this is a new application for a retail dispensary; and

WHEREAS no one from the public objected; and

WHEREAS the applicant has agreed to Community Board 8's stipulations and; therefore

BE IT RESOLVED that the application is **APPROVED, subject to the stipulations above.**

Community Board 8 Manhattan approved this resolution by a vote of 29 in favor, 8 opposed, 5 abstentions and 0 not voting for cause

9. Old Business –

Community Board 8 discussed a one-month extension of a June 2022 hybrid meeting resolution.

Community Board 8 passed a one-month extension of the June 2022 resolution by a vote of 33 in favor, 8 opposed, 0 abstentions, and 0 not voting for cause

10. New Business – No items of New Business were discussed

The meeting was adjourned at 9:42 PM

Russell Squire, Chair

DRAFT

Name	Attendance	MSK-1	TR-1	TR-2	TR-3	TR-4	TR-5	TR-6	LM-1	LM 2	SL-1	SL-2	SL-3	OB-1
ANDERSON, MICHAEL	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Abst	Yes	Yes	Yes	No	Yes
ANGELOS, BILL	Present	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
ASHBY, ELIZABETH	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
BARON, P. GAYLE	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
BAYER MICHAELS, JENNIFER	Present	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	No	Yes
BIRNBAUM, MICHELE	Virtual	Yes	Yes	Yes	No	Yes	No	Yes	No	Yes	Yes	No	No	No
BORES, LORI ANN	Virtual	Yes	Yes	Yes	Yes	Abst	Yes	No	Abst	Yes	Yes	Yes	Abst	Yes
BORRERO, TAINA	Excused													
BROWN, LORAINÉ	Virtual	Yes	Yes	Yes	Yes		No	Yes				Yes	Yes	Yes
CAMP, ALIDA	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	No	No	Yes
CHOWLA-SONG, JUNO	Excused													
CHU, SARAH	Present	No	Yes	No	Yes	Yes	Abst	Abst	Yes	Yes	Yes	Yes	Yes	
COHN, ANTHONY	Virtual	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	Yes
COLEMAN, SAUNDREA	Excused													
CORMACK, LINDSEY	Present	Yes	Yes	Yes	Yes	Yes	Yes	No	Abst	Yes	Yes	Yes	Yes	No
DANGOOR, REBECCA	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
FARBER, FELICE	Present	Yes	Yes	Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes
FREELAND, BILLY	Virtual	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
HARTZOG, EDWARD	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	No
HERSHENSON, BRADLEY	Virtual	Yes	Yes	Yes	Yes	No	Abst	Abst	Yes	Yes	Yes	Yes	Yes	Yes
HELPERN, DAVID P.	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	NVFC	Yes	Yes	Yes	No	No
HUSAIN, SAHAR	Excused													
JOHNSON, WILMA	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	No
KRIKLER, PAUL	Present	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
LADER, CRAIG	Present	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
LAMORTE, REBECCA	Absent													
LEHV, ADESON	Present	Yes	Yes	Yes	Yes	No	Abst	Yes	Yes	No	Yes	Yes	Yes	Yes
MASON, VALERIE	Present	Abst	Yes	Yes	No	Yes	No	Yes	Abst	Yes	Yes	Yes	Abst	No
MCCLEMENT, JOHN	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
MEYERSON, EVAN	Present	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
MOSSMAN, CJ	Present	Yes	Yes	Yes	Yes	No	No	No	No	Yes	Yes	Yes	Yes	Yes
PARSHALL, JANE	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	No
PHILIPS, JOHN	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Abst	Yes	Yes	Yes	Abst	Yes
POPE-MARSHALL, SHARON	Virtual	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Abst	Yes
POPPER, RITA	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
PRICE, MARGARET	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Abst	Yes
ROSE, ELIZABETH	Present	Yes	Yes	No	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	Yes
RUDDER, BARBARA	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	No
SALCEDO, ABRAHAM	Excused													
SANCHEZ, WILLIAM	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes			Yes	Yes	Yes
SASSON, JACK	Absent													
SCHNEIDER, JUDY	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	No	Yes
SELIGSON, ROBIN	Present	Yes	Yes	Yes	Yes	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
SPAGNOLETTI, COS	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	No	Yes	Yes
SQUIRE, RUSSELL	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
SURESH, ANJU	Absent													
TAMAYO, MARCO	Present	Abst	Yes	Yes	No	Yes	No	Yes	Abst	Yes	Yes	Yes	No	Yes
WALD, ADAM	Present	Yes	Yes	Yes	Yes	Yes	No	Yes	NVFC	Yes	Yes	Yes	Yes	Yes
WARREN, CHARLES	Present	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
WEINER, SHARON	Virtual	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Total Yes		39	42	40	39	28	8	32	27	39	40	39	29	33
Total No		1	0	2	3	12	31	8	6	1	0	3	8	8
Total Abstain		2	0	0	0	1	3	2	6	0	0	0	5	0
Total Not Vote For Cause		0	0	0	0	0	0	0	2	0	0	0	0	0
Total Votes	34 -- Quorum	42	42	42	42	41	42	42	41	40	40	42	42	41