

**FULL BOARD MEETING MINUTES**  
**Wednesday, April 13, 2005**  
**NYU MEDICAL CENTER**  
**FIRST AVENUE**

**Hon. Carol A Schachter, Chair**

**ATTENDANCE**

**Members answering first roll call:**

Arcaro, Barrett, Bloch, Boettcher, Buchwald, Cohen, Collins, Curtis, Frank, Garodnick, Gruber, Haile, Imbimbo, Knowles, Monterossa, McIntosh, Moses, Papush, I. Ross, V. Ross, Scala, Schachter, Schoor, Schwartz, Sepersky, Simon, Tu, Ursillo, West, Winfield

**Members answering second roll call:**

Arcaro, Barrett, Bloch, Boettcher, Buchwald, Cohen, Collins, Curtis, Frank, Garodnick, Gruber, Haile, Imbimbo, Judge, Knowles, Lynn, Monterossa, McIntosh, Moses, Oddo, Papush, Reiss, I. Ross, V. Ross, Rubin, Scala, Schachter, Schoor, Schwartz, Sepersky, Tu, Simon, Ursillo, West, Winfield

**Excused**

Disman, Garland, Lynn, McGinn, Thompson, Torres,

**Absent (Members not present or not answering one or both roll calls):**

Montoute, Welter,

**Member attendance**            Present: **34**    Absent: **6**    Excused: **2**

**Guests signed in:** Sen. Liz Krueger; Aliya Feldman representing Sen. Thom Duane; Joe Soldevere representing Cg/M Carolyn Maloney; Larry Leibowitz representing NYC Comptroller's Ofc.; Barry Klein representing A/M Jonathan Bing; Jonathan Moody representing Council Spkr. Gifford Miller; Jenny Sedlis representing C/M Moskowitz; Anyse Baron, Richard Byrnes, Philip Caggiano-Humane Society; Jay & Minna Charles, Sandy Leiva-Davila, Micki Egeth, Jeanette Friedman-Center for Living; Mathew Grace-NY Observer; Elizabeth Kabler-Annenberg Foundation, Sabrina Lee, Johnny Leung, Patrick Murphy, Jacqueline Nelson, Pat Pardo-NYPL; Jon Schachter Howard Zipsper.

## INDEX

Meeting Called to Order _____	3
Agenda Changes _____	3
Adoption of the Agenda _____	3
Public Session _____	4
Roll Call _____	6
Business Session _____	6
Adoption of the Minutes for March 9, 2005 _____	6
Report from the Chair _____	6
District Managers' Report _____	6
Borough President's Report _____	6
Committee Reports _____	7
Housing and Homeless Services _____	7
Public Safety _____	7
Youth and Education _____	7
Business and Governmental Affairs _____	9
Human Services _____	17
Parks, Landmarks and Cultural Affairs _____	18
Transportation _____	18
Land Use _____	19
Transportation & Public Safety Resolution _____	21
Old/New Business _____	22
Second Roll Call _____	22
Adjournment _____	22
Appendix A: FULL BOARD ATTENDANCE RECORD _____	23
Appendix B: ROLL CALL VOTES ON RESOLUTIONS _____	24

## **Meeting Called to Order**

**Carol A. Schachter** called the meeting to order.

## **Agenda Changes**

### **PARKS, LANDMARKS & CULTURAL AFFAIRS**

#### **DELETED RESOLUTIONS**

**6a. Landmark designation for 569-573 Lexington Ave. (Summit Hotel).**

**6b.** Transfer jurisdiction of Stuyvesant Cove Park from EDC to Parks Dept., as a Special Planned Community Preservation District(s).

**Due to the fact that the Parks Committee no longer has resolutions Gary will give his report after the Public Safety Committee**

#### **Business & Governmental Affairs**

#### **DELETE RESOLUTION**

**4i. Reso.:** Renewal, unenclosed sidewalk café 4 tables & 8 seats for Arecat Rest. Corp., d/b/a LaGiara, 501 3<sup>rd</sup> Ave., b/w E. 33 & E. 34<sup>th</sup> Sts. DCA app. (#0983511),

#### **LAIID OVER**

**4a. Reso.:** New, unenclosed sidewalk café DCA appl. (#1189376), 6 tables & 12 seats for 226 3<sup>rd</sup> Ave. Rest. Corp., 226 3<sup>rd</sup> Ave. @ E. 19<sup>th</sup> St.

**4f. Reso.:** Renewal, unenclosed sidewalk café DCA appl. (#0931051), 4 tables & 12 seats for M.E.G. Restaurant Enterprises. Ltd., d/b/a Novita, 102 E. 22<sup>nd</sup> St. @ Park Ave. S.

**4l. Reso.:** Revision (no rooftop)-On-premises liquor license for Ohmsayin, Inc., d/b/a Embassy, 862 2<sup>nd</sup> Ave. @ E. 46<sup>th</sup> St.

#### **ADDED RESOLUTIONS**

**4o.** On-premises liquor license for 964-966 2nd Ave.

**4p.** Transfer on-premises liquor license for Lasagna, 941 2<sup>nd</sup> Ave.

**4q.** Restaurant wine license for Aquamarine Asian Cuisine, 713 2<sup>nd</sup> Ave.

**4r.** Alterations On-premises liquor license for Redemption, 1003 2<sup>nd</sup> Ave.

**4s.** On-premises liquor license for Sip Sak, 928 2<sup>nd</sup> Ave.

**4t.** Restaurant wine license for 28 Noodles, 417 3<sup>rd</sup> Ave.

**4u.** Alterations On-premises liquor license for Overlook Lounge, 225 E 44<sup>th</sup> St.

**4v.** New enclosed sidewalk café, #1186134, CK Café, 936 2<sup>nd</sup> Ave.

**4w.** Renewal unenclosed sidewalk café, #1105401, Opal, 251 E 52<sup>nd</sup> St.

**4x.** Restaurant wine license for Plaza Diner, 1066 2<sup>nd</sup> Ave.

**4y.** Street activity-permit by Gramercy Park Block Assoc for a Concert on Friday June 3<sup>rd</sup>, 5-9 PM.

## **HUMAN SERVICES**

### **LAID OVER RESOLUTION**

**5c. Reso:** Proposed changes on possible Medicaid funding cuts.

## **TRANSPORTATION**

### **ADDED RESOLUTIONS**

**7c.** One-year renewal of a limousine service base station license at 326 2<sup>nd</sup> Ave.

**7d** Request for a street co-naming for the Humane Society of NY.

## **LAND USE**

### **TO BE CAUCUSED**

**8b.** BSA appl. #40-50-BZ, Physical Culture Establishment, 1095 2<sup>nd</sup> Ave. (2<sup>nd</sup>. fl.) @ E. 58<sup>th</sup> St.

## **JOINT COMMITTEES OF TRANSPORTATION & PUBLIC SAFETY**

### **ADDED RESOLUTION**

**9a.** Pedestrian Safety at Gramercy Park North

## **Adoption of the Agenda**

## **PUBLIC SESSION**

**Sen. Liz Krueger** introduced Patrick McCandless as the new CB6 liaison. Sen. Krueger gave a brief update on the NYS budget and her views of the budget.

See the Senator's Community Report.

She then announced that DEP is now looking at 59<sup>th</sup> and 1<sup>st</sup> Ave. as the prime site for the Third Water Tunnel shaft 33b.

**Joe Soldevere** representing Cg/M Carolyn Maloney announced that the Congress Member is holding a special East Side Town Hall Meeting with a focus on Social Security on Sunday, April 17<sup>th</sup>, at Simon Baruch Middle School, 330 East 21<sup>st</sup> Street. He stated for the record Cg/M Maloney is against the privatization of Social Security.

Joe reported that a bill that would extend the life of the working group charged with providing full reports to the public on the Government's ties to the Nazis after World War II received a two-year extension. Cg/M Maloney is the original author of the 1998 Nazi War Crimes Disclosure Act.

For further reports, see the Congress Member's Community Report.

**Aliya Feldman** representing Sen. Thom Duane reported that Sen. Duane continues to fight against the plans for a West Side Stadium. As it stands now the Public Authorities Control Board (PACB) in Albany will make the final decision on whether the stadium will be built and if State money will be used for the project. He encourages the people to write to Albany immediately to oppose a West Side Stadium.

She also reported that the Senator chaired a Public Forum on “Rockefeller Drug Law Reform and the disproportionate impact on women”. The hearing highlighted the urgent need for real drug reform. He will continue to lead the fight for real reform and that it is placed on Albany’s agenda.

For further information on these and other reports, see the Senator’s Community Bulletin.

**Barry Klein** representing A/M Jonathan Bing re-introduced himself as the new CB6 liaison.

For A/M Bing’s reports, see his Community Bulletin.

**Jonathan Moody** representing Spkr. Gifford Miller reported that the City Council would create a report card on HIV/AIDS Services Administration’s performance (Intro 541-A). This bill would require them to inform the Council every 90 days on how often the apartments they subsidize are inspected, how long it takes to place clients in temporary and permanent housing; and how many clients are enrolled in other benefit programs.

He announced that the American-Italian Foundation, Women’s Outreach Network & Spkr. Miller are sponsoring free mammograms on Tuesday, May 3<sup>rd</sup> @ Knickerbocker Plaza, 1751-63 Second Ave and 91<sup>st</sup> Street.

For further reports, see Spkr. Miller’s Community Bulletin.

**Phillip Caggiano** representing the Humane Society spoke in support of the street co-naming of E. 59<sup>th</sup> St. b/w 1<sup>st</sup> & 2<sup>nd</sup> Aves. Mr. Caggiano requests a favorable vote on the resolution.

**Jeannette Friedman** representing the Center for Living sponsored by the Annenberg Foundation gave a brief description of the program and its operation. She requests a favorable vote on the resolution.

**Micki Egeth** spoke in opposition to the Visions42, plan for a 42<sup>nd</sup> St cross-town light-rail.

**Jenny Sedlis** representing C/M Eva Moskowitz reported that C/M Moskowitz has introduced new legislation regarding the placement of City’s muni-meters.

In addition, C/M Moskowitz plans go to court with the tenants of PCV on April 10<sup>th</sup> to protest the implementation of security keycards.

Jenny announced that on Tuesday, May 17<sup>th</sup> the C/M is sponsoring a Forum on Home Rule, featuring panelist Michael Mckee, Assoc. Director of Tenants and Neighbors, The Met Council on Housing and an Attorney from the Legal Aid Society. It will be held at Hunter College - Brookdale Campus, auditorium on E. 25<sup>th</sup> St. b/w 1<sup>st</sup> Ave & FDR Drive.

For further reports see the C/M’s community report and forum flyer or contact the office at 212-788-7393.

**Roll Call** – Harry Ursillo

**BUSINESS SESSION**

**Adoption of March 9<sup>th</sup> Full Board minutes.**

Minutes were adopted by voice vote.

**Chair's Report** – Carol A. Schachter

Carol made a few announcements: **1)** Read the names of those board members reappointed by the Borough President. **2)** An invitation was sent to all board members by Rob Byrnes of EMA to a Wine Tasting at North Fork Bank on April 21<sup>st</sup>. **3)** Ed Rubin and Irene Preveri were excused from tonight's meeting, they representing the Board at C/M Lopez's Inclusionary Zoning forum that we are co-sponsoring. **4)** A/M Steven Sanders has scheduled a meeting for Monday, April 18<sup>th</sup> at City Planning, to introduce Shampa Chandra's replacement. **5)** Monday April 18<sup>th</sup> at the Marriott Marquis, 1545 Broadway & 45<sup>th</sup> St. there will be a presentation by Visions42. Lyle Frank will represent the Board.

**District Manager's Report** – Toni Carlina

Toni reported that on March 21<sup>st</sup>, Carol and she attended the Mayor's reception at Gracie Mansion in honor of NYC Community Boards.

Toni thanked Ed Rubin for inviting her to the March 23<sup>rd</sup> EDC meeting regarding the Bellevue campus; she found it to be enlightening.

**Up-date on Stuy Cove Park lights:** Finally, this past Monday, Tully's sub-contractor, Welsbach conducted an on site investigation of the problem and will report their findings to us within the next few days.

**Regarding the EDC water main project on PCV E. 20<sup>th</sup> St. sidewalk**

In approximately 2 weeks, EDC will replace the Belgium blocks in accordance with the Community Board resolution.

**For Clara Reiss:** In regards to the bus shelter on 20<sup>th</sup> & 1<sup>st</sup> Ave., the bus stop was moved approx. 100' north, from the old site; the existing site is currently being evaluated for a shelter. The shelter for 23<sup>rd</sup> & 3<sup>rd</sup> Ave. should have been installed on April 8<sup>th</sup>. She asked the Board Members to check that site and let her know if it has been installed.

Additionally Toni reported that she has been informed by EDC that Empire City Subway is doing very sloppy street work that they are being blamed for; the Highway Inspection and Quality Assurance (HIQA) division of DOT has been contacted, an inspector is being sent to assess the situation.

**Borough President's Report** – Brad Sussman

Brad made two announcements: **1)** National Dance Week-NYC: A Dance Inspired Art Exhibition; Thursday, April 14<sup>th</sup> @ the Borough President's office. The exhibit will be there April 14<sup>th</sup> through May 6<sup>th</sup>.

2) National Dance Week-NYC: A Dance Inspired Art Exhibition; on Wednesday, April 27<sup>th</sup> in City Council Chambers there will be dance performances by numerous dancers and honorees including the Radio City Music Hall Rockettes. Brad invited everyone to attend these events.

For further information, see the Borough President's Community Board report.

## **COMMITTEE REPORTS**

### **1. Housing & Homeless – Claude Winfield, Chair**

#### **a. Report**

Claude thanked Toni and the office staff for all the work they did on organizing the Inclusionary Zoning housing forum; unfortunately, it had to be cancelled.

Claude reported that on April 8<sup>th</sup> he attended a meeting at the Dept. of City Planning; on the Consolidated Plan for 2006. He found it to be very interesting and enlightening; however, he was shocked by the lack of public input.

He then reported that at the May committee meeting they would review Intro. 316 - 2004. This legislation would prohibit owners of multiple dwellings from requiring tenants to present identifying documents to gain entry into multiple dwellings.

### **2. Public Safety – Fred Arcaro, Chair**

#### **a. Report**

Fred welcomed the new Public Members to the committee, and thanked Vicki Ross for doing the March committee minutes.

He gave a brief summary of the March 14<sup>th</sup> meeting. See committee minutes.

He then reported that he received a draft scope of analysis to prepare a draft EIS from DEP on the new placement of the 3<sup>rd</sup> Water Tunnel Shaft site. Fred stated that as it was pointed out earlier in the meeting that the primary proposed location for the 3<sup>rd</sup> Water Tunnel Shaft 33B site is the N/W corner of 59<sup>th</sup> St. and First Ave. He congratulated the Board and area residents for their persistence; and thanked the elected official for their support in this effort. The Board members in turn thanked Fred for all of his hard work. He then stated that there would be a Public Hearing to obtain community comments on this Monday, May 9<sup>th</sup> @ the NY Blood Center, Auditorium, 310 East 67<sup>th</sup> Street @ 6:30 pm.

He additionally reported that Co Edison has given notice that the 14<sup>th</sup> Street re-powering station is running at full capacity. TRC is now preparing for the demolition of the First Ave Waterside Plant b/w 38<sup>th</sup> and 40<sup>th</sup> Streets. He and Charles Buchwald, Chair of the Con Ed Subcommittee will conduct a joint committee meeting on May 9<sup>th</sup>; there will be a presentation by TRC to explain the demolition process.

### **3. Youth & Education – Maxine McIntosh, Chair**

#### **a. Science Education in New York City Public Schools: A Report by the Committee on Education, the Council of the City of New York**

**Whereas**, Science education is vital to our nation's competitiveness, and a thriving science community provides much of the intellectual property that drives New York City's economy with its

many companies in computer science, pharmaceuticals, educational facilities and research and,

**Whereas**, a good science education not only prepares students for science related jobs, but also teaches children to think critically and,

**Whereas**, recent science test scores indicate one half of the Fourth graders and a little over that percentage of Eighth graders in NYC cannot pass the State science test and;

**Whereas**, Science education is being squeezed out of the school day on the theory that literacy must come first, as it is a prerequisite for all other learning and;

**Whereas**, the failure in science education has been well documented and known for years by City Education officials and;

**Whereas**, the New York City Council Committee on Education has published a findings report with specific recommendations for improvements in science education titled "Lost in Space: Science Education in New York City Public Schools" dated November 17, 2004

**Therefore, be it**

**Resolved** that Manhattan Community Board Six supports the findings of the Committee on Education to improve Science Education in New York City Schools and

**Be it further**

**Resolved** to support the Six major recommendations contained in the committee report including:

**ONE**, Strengthen requirements for elementary science teachers and offer science teachers more professional development, coaches and money,

**TWO**, Institute a coherent, integrated curriculum and evaluate principals on the quality of science instruction,

**THREE**, Strengthen secondary science curriculum in the earlier years, develop a plan to increase advanced science classes, and provide school lab specialists,

**FOUR**, prioritize the modernization of Science Labs,

**FIVE**, strengthen partnerships with established science institutions, and bring more private dollars for science into schools and

**SIX**, Commit to a higher profile for science education, analyze and disseminate science test scores and increase parent involvement.

**VOTE: 33 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

b. **Report**

Maxine gave a brief report on the March 14<sup>th</sup> committee meeting. Dept. of Juvenile Justice, Scott Trent gave an overview of how DJJ operates and the statistics of youth facilities in NYC.



**4. Business & Governmental Affairs – Tim McGinn, Chair**

Harry E. Ursillo committee Vice-Chair presented the resolutions.

- b. **Revocable Consent for New, Small Unenclosed Sidewalk Café for 3 tables and 12 seats for Feltrim Restaurant Corp, 206 E 34<sup>th</sup> St, b/w 2<sup>nd</sup> & 3<sup>rd</sup> Aves. (DCA appl. #1190469)**

**WHEREAS**, the applicant appeared to address any community concerns; and

**WHEREAS**, there were no objections from the public on the applicant; and

**WHEREAS**, there is no history of complaints regarding the establishment; and

**WHEREAS**, there will be a 3-foot service aisle and 13-foot clearance to the curb; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application by Feltrim Restaurant Corp for an enclosed sidewalk café for 3 tables and 12 seats.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

- c. **Renewal, Unenclosed Sidewalk Café for 8 tables and 16 seats for Barfly Inc., 244 3<sup>rd</sup> Ave. @ E 20<sup>th</sup> St. (DCA appl. #0920112).**

**WHEREAS**, the applicant appeared to address any community concerns; and

**WHEREAS**, no one from the community appeared to voice any opposition to the renewal; and

**WHEREAS**, there was no history of complaints regarding the establishment; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application by Barfly Inc. for renewal of its unenclosed sidewalk cafe.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

- d. **Renewal, Unenclosed Sidewalk Café for 3 tables and 10 seats for Afacan Restaurant Group, LLC, d/b/a Pescatore Restaurant, 955-957 2<sup>nd</sup> Ave., b/w E 50<sup>th</sup> & E 51<sup>st</sup> Sts., (DCA appl. #1087221)**

**WHEREAS**, the applicant appeared to address any community concerns; and

**WHEREAS**, no one from the community appeared to voice any opposition to the renewal; and

**WHEREAS**, there was no history of complaints regarding the establishment;

**THEREFORE, be it**

**RESOLVED, that** Community Board Six supports the application by Afacan Restaurant Group, LLC, d/b/a Pescatore Restaurant for renewal of its unenclosed sidewalk cafe.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

- e. **Renewal, Unenclosed Sidewalk Café for 7 tables and 14 seats for Joyce East 49<sup>th</sup> Inc, d/b/a Bliss, 256 E 49<sup>th</sup> St, b/w 2<sup>nd</sup> & 3<sup>rd</sup> Aves., (DCA appl. #1143035)**

**WHEREAS,** the applicant appeared to address any community concerns; and

**WHEREAS,** no one from the community appeared to voice any opposition to the renewal; and

**WHEREAS,** there was no history of complaints regarding the establishment;

**THEREFORE, be it**

**RESOLVED, that** Community Board Six supports the application by Joyce East 49<sup>th</sup> Inc, d/b/a Bliss for renewal of its unenclosed sidewalk cafe.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

- g. **Modify DCA appl. #1189247, Unenclosed Sidewalk Café from 5 tables and 10 seats to 7 tables and 25 seats for Les Brasseurs Inc, d/b/a La Mangeoire, 1008 2<sup>nd</sup> Ave, b/w E 53 & E 54 Sts.**

**WHEREAS,** the applicant appeared to address any community concerns; and

**WHEREAS,** no one from the community appeared to voice any opposition to the renewal; and

**WHEREAS,** there was no history of complaints regarding the establishment;

**THEREFORE, be it**

**RESOLVED, that** Community Board Six supports the application by Les Brasseurs Inc, d/b/a La Mangeoire for renewal of its unenclosed sidewalk cafe.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

- h. **Renewal, enclosed Sidewalk Café for 14 tables and 44 seats for 449 Restaurant Inc, d/b/a Moonstruck East, 449 3<sup>rd</sup> Ave. @ E 31<sup>st</sup> St., (DCA appl. #0924875)**

**WHEREAS,** the applicant appeared to address any community concerns; and

**WHEREAS,** no one from the community appeared to voice any opposition to the renewal; and

**WHEREAS,** there was no history of complaints regarding the establishment;

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application by 449 Restaurant Inc, d/b/a Moonstruck East, for renewal of its unenclosed sidewalk cafe.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

j. **On-Premises Liquor License, Pig & Whistle, 948 2<sup>nd</sup> Ave, b/w E 50 & E. 51<sup>st</sup> Sts.**

**WHEREAS**, the applicant came before our committee to address any community concerns; and

**WHEREAS**, the establishment will be a restaurant and tavern that was formerly known as Martell's Grill; and

**WHEREAS**, the restaurant will operate 11:30 AM – 4 AM daily (kitchen will close at 2 AM), though the applicant will consider our suggestion to shorten the operating hours; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six does not object at this time to the application for an On-premises liquor license.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

k. **Transfer of On-Premises Liquor License for Pulsar LLC, d/b/a/ Rice Restaurant and Take Out, 115 Lex Ave @ E 28<sup>th</sup> St.**

**WHEREAS**, the applicant came before our committee to address any community concerns; and

**WHEREAS**, the applicant informed us that the transfer involves a mere change in corporate name, and that he will not alter the business in any significant manner; and

**WHEREAS**, there has been no history of community complaints regarding this establishment; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six does not object at this time to the application for a transfer On-premises liquor license.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

m. **Transfer of On-Premises Liquor License for M&M Tavern Corp, d/b/a/ tbd, 1074 1<sup>st</sup> Ave, b/w E 58 & E 59<sup>th</sup> Sts.**

**WHEREAS**, the applicant came before our committee to address any community concerns; and

**WHEREAS**, the applicant informed us that the transfer involves a mere change in corporate name, and that he will not alter the business in any significant manner; and

**WHEREAS**, there has been no history of community complaints regarding this establishment; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six does not object at this time to the application for a transfer On-premises liquor license.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

n. **Lambda Car Club - Street Activity Permit application for a Street Festival on Saturday, June 25, 2005 to be held on East 47<sup>th</sup> Street between First and Second Aves.**

**WHEREAS**, the Lamda Car Club holds this event annually without incident; and

**WHEREAS**, the applicant, in the past, has provided a “for fun” event that is also free of charge to the community; and

**WHEREAS**, this street activity is volunteer produced, is primarily on a side street and is sponsored by an organization that is indigenous to the community; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application by the Lambda Car Club for a Street Activity Permit.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

o. **On-Premises Liquor License for Corner 51, formerly Nessa, 964-966 2<sup>nd</sup> Ave @ E 51<sup>st</sup> St.**

**WHEREAS**, the applicant came before our committee to address any community concerns; and

**WHEREAS**, there was no one present in opposition to this license; however a letter was received and read at committee from a resident depicting problems they experienced with the previous owner’s lack of concern for the community, and

**WHEREAS**, the establishment will be a bar/restaurant; and

**WHEREAS**, the restaurant will operate 11:30 AM – 12:30 midnight weekdays and 1 PM – 1 AM on weekends; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six does not object at this time to the application for an On-premises liquor license.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

p. **Transfer of On-Premises Liquor License for Lasagna Restaurant, 941 2<sup>nd</sup> Ave.**

**WHEREAS**, the applicant came before our committee to address any community concerns; and

**WHEREAS**, the applicant informed us that the transfer involves a new owner and corporate name, and the new owner will not alter the business in any significant manner; and

**WHEREAS**, community complaints regarding this establishment consisted of sidewalk obstructions involving a removable lamp and an artificial tree which the new owners have never seen but will address the issue; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six does not object at this time to the application for a transfer On-premises liquor license.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

q. **On-Premises Restaurant Wine License, Aquamarine Asian Cuisine, Inc, 713 2<sup>nd</sup> Ave @ E 39<sup>th</sup> St.**

**WHEREAS**, the applicant came before our committee to address any community concerns; and

**WHEREAS**, the establishment will be a restaurant that closes 11:00 pm weekdays and midnight on weekends; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six does not object at this time to the application for an On-premises liquor license.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

r. **On-Premises Liquor License with Alterations, 60 Sweet Thing, Inc, d/b/a Redemption Bar, 1003 2<sup>nd</sup> Ave. @ E. 53<sup>rd</sup> St.**

**WHEREAS**, the applicant came before our committee to address any community concerns; and

**WHEREAS**, the establishment has a capacity of 149 people; and

**WHEREAS**, the establishment will operate Noon - 2 AM weekdays and Noon – 3 AM weekends; and

**WHEREAS**, there will be a live DJ Wed - Sun; and

**WHEREAS**, neighborhood residents showed up in force to oppose this application; and

**WHEREAS**, the establishment, which has been in operation since 2/05, has had numerous violations including citing by the 17<sup>th</sup> Prcet for underage drinking, no C of O and is simply operating illegally without any regard for required permits and licenses; and

**WHEREAS**, the Business & Governmental Affairs Committee voted unanimously for a negative resolution; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six absolutely opposes the application for an on-premises liquor license at this time and requests that all of the elected officials who represent CB6 take such steps as necessary to urge the SLA to deny the application and take steps to close the establishment.

**VOTE: 32 in Favor 1 Opposed 1 Abstention 0 Not Entitled**

s. **On-Premises Liquor License, Sip Sak, Inc, 928 2<sup>nd</sup> Ave, b/w 49<sup>th</sup> & 50<sup>th</sup> Sts.**

**WHEREAS**, the applicant came before our committee to address any community concerns; and

**WHEREAS** there was no community opposition to the applicant; and

**WHEREAS**, the restaurant will operate 12 noon – 11 PM/midnight; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six does not object at this time to the application for an On-premises liquor license.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

t. **On-Premises Restaurant Wine License, 28 Noodles, LLC, d/b/a tbd, 417 3<sup>rd</sup> Ave, b/w E 29<sup>th</sup> & E 30<sup>th</sup> Sts.**

**WHEREAS**, the applicant came before our committee to address any community concerns; and

**WHEREAS**, the restaurant will operate 11:00 am to 11:00 pm, 7 days a week; and

**WHEREAS**, there was no community opposition to the restaurant; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six does not object at this time to the application for an On-premises wine license.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

u. **On-Premises Liquor License with Alterations, 44<sup>th</sup> St NYC, Inc, d/b/a Overlook Lounge, 225 E 44<sup>th</sup> St, b/w 2<sup>nd</sup> & 3<sup>rd</sup> Aves**

**WHEREAS**, the applicant came before our committee to address any community concerns; and

**WHEREAS**, the establishment will be a bar/restaurant in a commercial area (it was formerly called Costello's); and

**WHEREAS**, the 2<sup>nd</sup> floor is being renovated for an additional dining area and stand up bar; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six does not object at this time to the application for a transfer On-premises liquor license.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

v. **Revocable Consent for Enclosed Sidewalk Café for 6 tables and 12-14 seats for CK Cafe, formerly Chef T, 936 2<sup>nd</sup> Ave, b/w E 49<sup>th</sup> and E 50<sup>th</sup> Sts (DCA appl. #1186134).**

**WHEREAS**, the applicant appeared to address any community concerns; and

**WHEREAS**, there was no opposition from the public; and

**WHEREAS**, there is no history of complaints regarding the establishment; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application by CK Café for an enclosed sidewalk café for 4 tables and 8 seats.

**VOTE: 13 in Favor 21 Opposed 0 Abstention 0 Not Entitled**

Several Board Members expressed their disapproval of this resolution and by a hand vote was voted down; a lengthy discussion ensued on CK Café formerly Chef T@ 936 2<sup>nd</sup> Ave. After numerous comments and recommendations, a new resolution (v1.) was created and voted on unanimously.

v1. **Revocable Consent for Enclosed Sidewalk Café for 6 tables and 12-14 seats for CK Cafe, formerly Chef T, 936 2<sup>nd</sup> Ave, b/w E 49<sup>th</sup> and E 50<sup>th</sup> Sts (DCA appl. #1186134).**

**WHEREAS**, pedestrian clearance for the proposed café is only 7 ft. which is less than the 10 ft. generally supported by long-standing Community Board 6 policy; and

**WHEREAS**, the drawings submitted by the applicant do not show the existence of a tree pit; and

**WHEREAS**, CB6 believes that tree pits should be considered as part of the pedestrian clearance; now

**THEREFORE, be it**

**RESOLVED**, CB6 opposes the approval of the application because of the lack of sufficient clearance.

**VOTE: 27 in Favor 6 Opposed 1 Abstention 0 Not Entitled**

- w. **Renewal, Unenclosed Sidewalk Café for 15 tables and 30 seats for 52 Restaurant Group Corp, d/b/a Opal, 251 E 52<sup>nd</sup> St (DCA appl. #1105401).**

**WHEREAS**, the applicant appeared to address any community concerns; and

**WHEREAS**, no one from the community appeared to voice any opposition to the renewal; and

**WHEREAS**, to the best of the Board's knowledge the owner/s have addressed complaints regarding the establishment; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application by Restaurant Group Corp, d/b/a Opal for renewal of its unenclosed sidewalk cafe.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

- x. **On-Premises Restaurant Wine License, Second Ave Diner Corp, d/b/a Plaza Diner, 1066 2<sup>nd</sup> Ave, b/w E 56<sup>th</sup> & E 57<sup>th</sup> Sts.**

**WHEREAS**, the applicant came before our committee to address any community concerns; and

**WHEREAS**, the diner is opened 24 hrs. a day except Mondays when they close at 11:00 pm; and

**WHEREAS**, the capacity is at 60 and there will be no music; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six does not object at this time to the application for an On-premises wine license.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

- y. **Gramercy Park Block Assn. - Street Activity Permit application for a concert on Thursday, June 2, 2005 to be held on Gramercy Park East, b/w E. 20<sup>th</sup> & E. 21<sup>st</sup> Sts., between the hrs. of 5 – 9 pm.**

**WHEREAS**, the Gramercy Park Block Assn holds this event annually without incident; and

**WHEREAS**, the applicant provides an event that is also free of charge to the community; and

**WHEREAS**, this street activity is volunteer produced, is primarily on a side street and is sponsored by an organization that is indigenous to the community; and

**WHEREAS**, proceeds from any donations will go to WTC charities; and

**WHEREAS**, Vincent DeVito, VP, stated financial statements would be available next year for the Board's perusal; now

**THEREFORE, be it**



**RESOLVED**, that Community Board Six supports the application by the Gramercy Park Block Assn. for a Street Activity Permit.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

**z. Report**

Harry thanked Isabel Ross and Lyle Frank for taking notes during the committee meeting.

**5. Human Services – Lyle Frank, Chair**

**a. Bellevue Funding and the Psych Building – Resolution was withdrawn**

**b. Center for Living, 224-226 East 52nd Street**

**WHEREAS**, the Annenberg Foundation has applied to the NYS Office of Alcoholism and Substance Abuse Services (OASAS) to open the "Center for Living" at 224-226 East 52nd Street on three floors of this building, and

**WHEREAS**, this program would be an abstinence based program for teenagers, and

**WHEREAS**, we have received guarantees from representatives of this program that it at no time would be a methadone program, or a residential program, and

**WHEREAS**, CB#6 has received written guarantees that security would be the utmost priority for this program, with a no loitering policy in effect, and

**WHEREAS**, at CB#6's request, representatives of Center for Living have addressed the 17th Precinct Community Council, and have reached out to the Sutton Area Community, the Turtle Bay Association, the East Midtown Business Improvement District, the Grand Central Partnership, and Assemblyman Jonathan Bing, and

**WHEREAS**, there is no known opposition to this program, and

**WHEREAS**, representatives for the Center for Living have agreed to hold regular community meetings, address CB#6 upon request and provide tours of this facility, now

**THEREFORE, be it**

**RESOLVED**, Community Board #6 supports this program provided that the Center for Living abides by the guarantees it has made to CB#6, and be it further

**RESOLVED**, that CB#6 will call upon OASAS to close this facility if the above is not complied with, or this facility becomes in any way detrimental to the CB#6 area.

**VOTE: 30 in Favor 3 Opposed 1 Abstention 0 Not Entitled**

**c. Report**

Lyle reported that A/M Gottfried would attend the tomorrows committee meeting to discuss Medicaid issues. He invites all Board Members to attend.

**6. Parks, Landmarks and Cultural Affairs – Gary Papush, Chair**

**a. Report**

Gary reported on the Stuyvesant Square Park fence rehabilitation; this project has been an ongoing trial for over 20 years, more money is needed to get the fence rehabilitation done, he is working to obtain some funding through the budget process.

**7. Transportation – Lou Sepersky, Chair**

**a. Intro. # 359, Sunday Parking Regulations – This resolution was tabled.**

**b. Application by Eight Star Inc., to operate a Queens to Manhattan van service.**

**Whereas**, Eight Star, Inc., a Queens based van service, has applied to the Department of Transportation (DoT) for permission to operate a 24 hour-a-day van service from a residential area of Queens (bounded generally by the Long Island Expressway, the Whitestone Expressway, the Cross Island Parkway and the Van Wyck Expressway) areas of Manhattan, irregularly, as far west as Tenth Avenue from 14th to 42nd Streets, with 20 vans, and

**Whereas**, as this routing brings the vans through Community Board 6, Manhattan, and

**Whereas**, it is the understanding of the Dot that the service is on a pre-arranged basis over non-specified or irregular routes from a residential community to a work related central location, mass transit (including airports) or recreational facility, or shopping center, and

**Whereas**, the vans must seat more than nine, but no more than 20, and in the case of Eight Star 19 passengers, and

**Whereas**, DoT requires objections must "clearly specify" why the proposed additional van service will not meet present and/or future public convenience and necessity, now

**Therefore be it**

**Resolved**, Community Board 6, Manhattan, offers no objection to a one (1) year permit for Eight Star Van Service, using up 20 vans each with a capacity of no more than 19 passengers.

**VOTE: 32 in Favor 0 Opposed 2 Abstention 0 Not Entitled**

**c. Request a one-year renewal of a limousine (black car) service base station license at 326 Second Avenue.**

**Whereas**, Saba Car Service has applied (BO1762) to the New York City Taxi and Limousine Commission (TLC) to renew their Hire Base station license, and

**Whereas**, Saba operates the facility at 326 Second Avenue, at 19<sup>th</sup> Street, in Community Board 6 (CB6), Manhattan, for dispatching cars for hire, and

**Whereas**, this base station, which has been at this location since 1990, has not generated complaints of which CB6 is aware, and

**Whereas**, the Taxi and Limousine Commission requires comment within 30 days making the

normal Board review process extremely difficult, if not impossible, now

**Therefore be it**

**Resolved** that Community Board 6 (CB6), Manhattan, has no objection to New York City Taxi and Limousine Commission application (BO1762) for the renewal of a limousine (black car) base station by Saba Car Service, 326 Second Avenue, at 19th Street, and

**Be it further**

**Resolved** that CB6 calls on the Taxi and Limousine Commission to extend its comment period from 30 to at least 45 days to make it possible to submit applications to the normal Community Board review processes.

**VOTE: 34 in Favor 0 Opposed 0 Abstention 0 Not Entitled**

d. **Requested street co-naming for the Humane Society of New York** – Resolution was withdrawn.

e. **Visions42, 42<sup>nd</sup> Street Transit rail** – referred back to committee.

f. **Report**

Lou reported that at the May committee meeting they would discuss the 34<sup>th</sup> St. Heliport operations.

**8. Land Use** – Ed Rubin, Chair

a. **BSA variance (11-05-BZ) to extend the term of variance to increase the degree of non-compliance of an existing grandfathered restaurant use (Use Group 6) in an R&B zoning district.**

**WHEREAS**, Sullivan, Chester & Gardner, P. C., on behalf of Crown 49 LLC owner of record of the Piramides Mayas, Inc., D/B/A Mama Mexico, located at 214 East 49th Street, Manhattan, New York, presented to the Land Use Committee of CB6 on Wednesday, February 2, 2005, an application to permit the lessee to build a small 520 square foot addition at the rear of the restaurant.; and

**WHEREAS**, The above applications is in pursuant to Zoning Resolution Section 72-21 to permit the lessee to increase the degree of non-compliance of an existing, grandfathered restaurant use (Use Group 6) in an R&B zoning district; and

**WHEREAS**, an extension into the rear yard of an R8B district by a commercial use creates an unwanted encroachment which diminishes the light, air and privacy of the residential rear yard; and

**WHEREAS**, it is the policy of CB6 to preserve the residential use and character of its midtown districts; and

**WHEREAS**, the restaurant has failed to adequately demonstrate a compelling need for the expansion of the restaurant into the rear yard; and

**WHEREAS**, the applicant appears to be using the existing rear deck for restaurant purposes without approval; and

**WHEREAS**, applicant has presented plans and information that accompanied its above application that were insufficient and inaccurate to the Land Use Committee; and

**WHEREAS**, applicant has failed to present corrected information to the March Land Use Committee meeting for consideration, now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six opposes the BSA variance (11-05-BZ) application to permit the lessee to build a 520 square foot addition at the rear of the restaurant.

**VOTE: 31 in Favor 2 Opposed 1 Abstention 0 Not Entitled**

b. **BSA (40-05-BZ CEQR No. 05-BSA-097M)) to apply for a Special Permit to permit a Physical Culture Establishment.**

**WHEREAS**, Petraro & Jones, L.L.P. on behalf of Rafael Sassouni owner of record of Graceful Services, Inc. located at 1095 Second Avenue, 2nd Floor, Manhattan, New York, presented to the Land Use Committee of CB6 on Wednesday, April 6, 2005 an application to apply for a Special Permit (Calendar #40-05-BZ CEQR No. 05-BSA-097M) under Zoning Resolution §73-36, to permit a Physical Culture Establishment in C-2 zoning district; and

**WHEREAS**, the above applications is pursuant to Section 73-36 New York City Zoning Resolution and New York City Charter Section 666; and

**WHEREAS**, applicant has filed all papers necessary with the Board of Standards and Appeals for an amendment to apply for a Special Permit to permit a Physical Culture Establishment; and

**WHEREAS**, Graceful Services, Inc does not adversely impact the neighborhood or the surrounding area; and

**WHEREAS**, Graceful Services, Inc will not have any physical impact on traffic or available parking in the neighborhood; and

**WHEREAS**, the proposed heath club special permit will permit Graceful Services, Inc. to convert an existing second floor office to physical culture establishment to provide two additional massage tables, a small storage area, and a full bathroom; and

**WHEREAS**, access between the existing and proposed portions of the physical culture establishments at 1095 and 1097 Second Avenue are shown to be accessed across an existing roof which is shared by a residential apartment; and

**WHEREAS**, the privacy of the existing apartment facing the roof will have its privacy impacted by commercial pedestrian traffic accessing the roof to cross between the two parts of the physical culture establishments at 1095 and 1097 Second Avenue; and

**WHEREAS**, access to the roof may provide for the future possibility that the physical culture establishment may utilize the roof deck as a part of its business operation, now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six has no objection to the application for a Special Permit (Calendar #40-05-BZ CEQR No. 05-BSA-097M) under Zoning Resolution §73-36, to permit a Physical Culture Establishment for a period of five years provided that the applicant provide a direct internal connection between the two portions of its operation at 1095 and 1097 Second Avenue and NOT use the roof for any business purpose including access to the two portions of the business.

**VOTE: 29 in Favor 5 Opposed 0 Abstention 0 Not Entitled**

**c. Report**

Gary Papush gave an update on the Robert Moses Park mitigation, and stated that there would be a presentation given at the May committee meeting.

**9. Joint Committee Mtg.-Transportation & Public Safety Committees**

Lou Sepersky, Chair - Fred Arcaro, Chair

**a. Pedestrian safety at Gramercy Park North**

**Whereas**, there have been numerous car accidents at the intersection of Gramercy Park North and Lexington Avenue giving rise to growing concerns for the safety of pedestrians, and;

**Whereas**, in the past several years there have been many accidents at the intersection of Gramercy Park North and Lexington Avenue, 8 documented accidents this year including 5 accidents in March alone, and;

**Whereas**, one of the car accident resulted in injuries to a tow-truck operator who was at the scene responding to an initial accident that occurred just hours before, and;

**Whereas**, there have been a proliferation of bars and clubs in the Gramercy area which is the source of recent increase in traffic density, and;

**Whereas**, the lights on Gramercy Park's landmarked north and south grate entrances coupled with the dark park between the gates gives the visual illusion of a continuous street, and;

**Whereas**, the Gramercy Park Block Association Traffic Committee and Gramercy Neighborhood Association met with the officers of the 13<sup>th</sup> Precinct and the Department of Transportation to reach important steps to resolving the safety concerns of pedestrians as quickly as possible, and;

**Whereas**, the 13<sup>th</sup> Precinct saw the safety of pedestrians to be so urgent that it, in consultation with Department of Transportation officials quickly issued three recommendations to promote its safety now;

**Therefore, be it**

**Resolved**, that Community Board Six urges the Department of Transportation of the City of New York to expeditiously conduct a study of the Gramercy Park neighborhood area that would promote pedestrian safety and to consider the recommendations made by the 13<sup>th</sup> Precinct listed as follows:

1. The traffic light at Lexington Avenue and East 22<sup>nd</sup> Street should be taken out of synchronization, which will cause speeding southbound traffic to stop at East 22<sup>nd</sup> Street before continuing on to Gramercy Park North.
2. A large flashing arrow directing traffic to turn west that would hang from an existing traffic light.
3. Additional “no through traffic” signs should hang from the traffic lights at the intersections of East 23<sup>rd</sup> and East 22<sup>nd</sup> Street on Lexington Avenue

**Be it further resolved**, that Community Board Six urges the Department of Transportation of the City of New York to consider to making East 24<sup>th</sup> Street an alternate “truck route” to reduce the congestion and the number of trucks that try to turn into Gramercy Park North.

**Be it further resolved**, that Community Board Six urges the Department of Transportation of the City of New York to consider placing antifatigue mats or some other measures that would reduce the speed of cars on Lexington between 22<sup>nd</sup> Street and Gramercy Park North.

**Be it further resolved**, that Community Board Six urges the Department of Transportation of the City of New York to consider placing “New Jersey” barricades on the street in front of the Gramercy Park North gate.

**VOTE: 28 in Favor 3 Opposed 3 Abstention 0 Not Entitled**

**Old/new Business**

**Second Roll Call**

**Adjournment – 11:00**