FULL BOARD MEETING MINUTES
Wednesday, April 11, 2007
NYU MEDICAL CENTER
550 FIRST AVENUE

Hon. Lyle Frank, Chair

ATTENDANCE

Members answering first roll call:
Arcaro, Barrett, Buchwald, Cervera, Collins, Curtis, Dankberg, Frank, Garland, Garodnick, Goldman, Greenspan, Haile, Hollister, Imbimbo, Judge, Knowles, LaBarbera, Lilien, Lynn, McGuire, McIntosh, Monterossa, Moses, Oddo, Papush, Parrish, Peveri, Reiss, Rosenthal, Rubin, Scala, Schachter, Schaeffer, Sepersky, Sherrod, Simon, Steinberg, Talbot, Thompson, Ursillo, West, Winfield

Members answering second roll call:
Arcaro, Barrett, Bloch, Buchwald, Cervera, Collins, Curtis, Dankberg, Frank, Garland, Garodnick, Goldman, Greenspan, Haile, Hollister, Imbimbo, Judge, Knowles, LaBarbera, Lilien, Lynn, McGuire, McIntosh, Monterossa, Moses, Oddo, Papush, Parrish, Peveri, Reiss, Rosenthal, Rubin, Scala, Schachter, Schaeffer, Sepersky, Sherrod, Simon, Steinberg, Talbot, Thompson, Ursillo, West, Winfield

Excused:
Ross, Russo-**excused from last part of meeting last recorded vote was 9c.**

Absent:
Disman, Parker, Rosa, Williams

Member attendance: Present: **44** Absent: **4** Excused: **2**

Guests signed in: Josh Bocian representing B.P. Scott Stringer; Laura Morrison representing Sen. Tom Duane; Leena Krishnaswamy representing Cg/M Carolyn Maloney; A/M Brian Kavanagh; C/M Dan Garodnick; Greg Geller representing C/M Rosie Mendez; Ronnit Bendavid-Val-DPR; Ester Blanco, Dianne Carr-Music Makers NY; Jay Charles, Minna Charles, Loretta Chin, Sandy Leiva-Davila, Dhanwanh Doma, Karsten Drus, Maryanne Fraser, James Hendricks, Gretchen Kruesi, Charles Kibel-Kibel Co.;Peter Levenson-Kibel Co.; Marthalie McClean, Tim Murphy, Tania Muzac, Venus Navarro, Paul O'Connor, William O'Neil, Amanda Pabon, Catherine Rizzo, Nily Rozic, Mathew Shotkin, Ziggy Stawieki, Najah Tamimi, Sandy Udoh

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Meeting Called to Order

Lyle Frank, Chair, called the meeting to order.

Adoption of the agenda

PUBLIC SESSION

Greg Geller representing C/M Rosie Mendez thanked all that attended the Quality of Life Forum.

He reported that C/M Mendez is opposed to the third restructuring of the Department of Education (DOE). He stated that the council member opposes the restructuring at this time because school principals have to choose from three options and the principals in her district have been calling her office to inform her that they're really not clear on the information on these three options. The principals were informed that they needed to make a decision by the end of April or beginning of May and they would be held accountable for their decisions. C/M Mendez as well as other elected officials are concerned that a lot of city money has been going to outside consultants and could be better used towards reducing class sizes, especially since there isn't much money in the budget.

For additional reports and information, see the Council Member's Community Report or call 212-677-1077 to obtain a copy.

Leena Krisnaswamy representing Cg/M Carolyn Maloney reported that Cg/M Maloney co-signed onto a letter with several other elected officials addressed to Dep. Mayor Doctoroff expressing their reservations & concerns about the alienation of Robert Moses Park with this district having the least amount of park space in Manhattan. She is hopeful that this will be the beginning of an open dialogue between the Community Board, Mayor's Office, and the U.N. in creating active park space in this community.

She then reported that Cg/M Maloney, along with Sen. Edward Kennedy, has reintroduced the Women's Equality Amendment (ERA) to Congress. This is to ensure that women finally achieve official equality in America. Rep. Maloney has stated that women's equality has far too long been a dream deferred. Women are under represented in government and business, earn less than men and are nearly twice as poor in old age. During the last 30 years women have made great strides toward achieving equality, but without the ERA, women have often been denied the ability to seek justice when there was discrimination. This year, there are more than 193 original cosponsors of the ERA.

There are planned hearings in the House Judiciary Committee's Sub-committee on the Constitution, Civil Rights & Civil Liberties. The Senator's & Members of Congress have expressed their commitment to making sure that women finally achieve official equality. She is hopeful that this amendment will finally pass.

For additional reports and information, see the Congress Member's Community Report or call 212-860-0606 to obtain a copy.

Peter Levenson representing Kibel Companies is requesting support from the Board on the modified resolution for 300 E. 34th St. aka 303-319 E. 33rd St. b/w 1st & 2nd Ave.

Diane Carr representing Make Music New York came reaching out to the community in search of amateur and professional musicians to participate in the upcoming event sponsored by the organization. On June 21st , working with the Citizens Committee for NYC, they bring together hundreds of community leaders throughout the city to put on neighborhood concerts. For more on this event and other projects you can call 917-779-9709 or visit the web site at www.makemusicny.org.

C/M Dan Garodnick briefly reported on the Parks committee meeting he attended last night along with representatives from Dep. Mayor Doctoroff's office to discuss the issue of using Robert Moses Park as a potential consolidation space for the United Nations. He also stated that a letter was sent and co-signed by himself and other elected officials expressing their joint view that any discussion of Robert Moses Park needs to be considered in the complete review of the redevelopment of this entire neighborhood.

C/M Garodnick then reported that he participated in the ribbon cutting ceremony for a new Greenstreet at the northeast corner 20th St. & 1st Ave.. He also dug in and planted a couple of flowers. This represents more green space within the community.

He has been working with tenant advocacy groups to try to provide free legal services to the tenants in Stuyvesant Town/Peter Cooper Village, many of whom have received notices from their landlord informing them that their time is up and they have to move. His office sponsored its first free legal clinic a month ago and will be holding the next one on Thursday, April 12th, 5:00 p.m. – 8:00 p.m. at JHS 104.

C/M Garodnick recently hosted a citywide Chess challenge. The Garodnick Chess challenge took place on Saturday, March 24th at JHS 164. The program "Chess in the Schools" is a non-profit, City Council funded organization that uses chess to develop student's critical thinking skills & their emotional intelligence. This program helps the students learn to plan ahead and to recognize that every move carries a consequence.

He then reported that he has recently introduced legislation, Intro. 550, in relation to requiring that critical examinations of building facades for buildings greater than six stories in height take place on a five-year cycle starting from the year in which the building was erected. This bill would stagger the mandated inspections for building facades so that there wouldn't be a massive crunch of inspections in the same year.

In addition, the Council Member stated that his office has reached out to EMS & FDNY to set up a meeting to further discuss the Quick Medic Response issue which emanated from Community Board 6's Public Safety Committee. He has spoken to Scott Talbot on this issue to gain further understanding about it and he hopes to work towards bringing this issue forward and into fruition.

For further reports and information, see the Council Members East Side Bulletin or call 212-818-0580 to obtain a copy.

Peter O'Connor & James Hendricks, owners of the Black Bear Lodge, came to respond to the negative resolution that would be presented that evening. They have requested a positive resolution from the Board.

Mathew Shotkin area resident wanted to know why the Second Ave. Subway construction was taking so long.

A/M Brian Kavanagh reported that he attended the meeting on Robert Moses Park issue and that the meeting was very productive.

He announced that the Second Ave. ground breaking would be held tomorrow in the tunnel at 99th St. The Second Ave Subway will play a major role in changing the eastside for a very long time.
A/M Kavanagh then briefly spoke about the adopted Expense budget for NYS, which was passed last Sunday. He stated that there were several positives in the budget process that he was happy with, for instance, NY schools received a substantial boost in the budget. The Assembly member and his colleagues really fought hard to make sure that the Healthcare system was not hit to hard.

He was disappointed that this budget does not address one of the most fundamental needs of our communities which is a continuing need for a stable affordable housing policy that would really take a step in keeping our communities like CB6 affordable. He voted against this housing budget because there wasn't much in the area of extra funding for NYS.

For additional reports & information, call 212-979-9696 or e-mail kavanab@assmbly.state.ny.us

Roll Call – Carol Schachter

BUSINESS SESSION

Adoption of the March 14th Full Board minutes.
Minutes were adopted by voice vote.

Chair's Report – Lyle Frank
1. Substantive Issues for this Report

a. Meeting with bar owners in the east 50's
We had a very good meeting with the bar owners in the East 50's. In attendance was Harry Ursillo, Mark Thompson, Steve Dubnoff & Toni Carlina.
b. Meeting with landscape architect re ERRC site
the Landscape architects will be coming to give a presentation at next months FB meeting. Ed Rubin will give the details about this issue.
c. Senior services coming to 33rd Street
Lyle, Sandro Sherrod, Lou Sepersky & Genevieve Cervera met with Monsignor Sicano to discuss senior services at the E. 33rd Street site. It's a community facility that would like to work with the board to see what kind of services should be there. The Health Seniors & Disability Issues committee will continue to work on what kind of services should be there.

d. Robert Moses playground
e. Quality of Life Forum
Thank you to all who attended.
f. A pedestrian ramp fixed
Thank you to Toni, the pedestrian ramp by the V.A. hospital was made level.
g. BID's and BID committees

He has asked for volunteers to become non voting members of our BID's. Anyone interested in getting involved please let him know. These BID's have numerous committees that coincide with our own.

2. Procedural Issues for This Report

a. Welcome new members; congrats to reappointed members

Lyle welcomed new members, Linda Goldman, Louise Dankberg & Tom LaBarbera, all of whom were recently appointed to the Board. Geraldine Rosa was also appointed to the Board. All of the new members have been appointed to a committee.

b. Thank you to Elizabeth Tu and Robert Schoor

A big thank you to Elizabeth Tu and Robert Schoor for all of the work they did while appointed to the Board. Robert Schoor however has been appointed as Public Member to one of the committees.

c. Another new committee vice-chair

Lyle announced that he has appointed another Vice Chair to the Health, Seniors & Disability Issues committee. Genevieve Cervera will now be the co-Vice Chair for Disability Issues and Clara Reiss will continue to be co-Vice chair for the Senior Issues.

d. CB6 in the news – There has been recent articles in Our Town Newspaper about the work being done by this CB6. There have been a couple of articles about the Youth & Education committee meeting and an article about the coordination of the Transportation Committee. We will continue to try and get the word out about the great work that CB6 does in terms of our committees.

e. Notifications

He spoke to the representatives from the SLA and he asked if the board had at least 60 days in which to give a recommendation and their answer was yes. The SLA stated that they do give us up to 30 days to send a recommendation and then there is a lengthy process before they make their decision.

f. Bundling

Robert Rule's on bundling resolutions is that if one person objects to bundling then we don't bundle.

g. A new member of the CB6 staff

Toni will make this announcement.

h. By-Laws opinion solicitation form - (return to packet with ballot)

The By-Laws Opinion form has been put in your packets, fill it out and place it back in your packet to be handed in at the end of the meeting.

3. Good and welfare

a. Remembering Michael Gottlieb

There will be a memorial for him this weekend. Mark Thompson gave the details for the event.

b. Come out to honor Carol Schachter

Our Annual Board Meeting Dinner to honor our former Chair will be held May 14th. Paige Judge gave the information this event.

District Manager's Report – Toni Carlina

Toni reported that after interviewing a dozen candidates, we now have a new staff member; Melissa Severe is a recent Brooklyn College graduate and will start work on Monday, April 16th.

She then announced that Carol Schachter, Harry Ursillo, Lyle Frank & herself would be attending the Rest/Bar Task Force first meeting. The Night Life Association which has been very successful in teaching businesses how to handle their crowds better and the 17th Pct. will also participate in this meeting.

Toni thanked Gary Papush for his assistance on the letter they wrote to Parks Commissioner Adrian Benepe requesting his assistance in arranging a meeting with NYS DOT anytime between April 23rd to May 4th, to discuss the opening of the lawn area behind 1 Sutton Place South for public use.

Tresurer's Report – Bea Disman
Due to her absence the report was waived.

Borough President's Report – Josh Bocian

Josh brought greetings & congratulations from the Borough President to all the newly appointed board members. He stated that CB6 had the least newly appointed membership and that B.P. Stringer is pleased with CB6.
He announced that the first round of new board member trainings would begin on May 14th & May 21st , that would be the Intro 101 training and then in June the B.P.'s office would do the more in depth trainings.

He also announced that he is working on getting more City Planning books for those members who have not received them yet.

Josh reported that this year the B.P's office has asked to review all community boards by-laws to help out with public member policies and to make a few suggestions.

He then reported that they are also working with Toni and the other Manhattan District Managers to put together an Annual Report. He stated that it is a City Charter mandated issue that each community board does an annual report. With these annual reports the B.P.'s office would be able to go to the administration and state that these community boards need more funding. Community Boards cannot do their job with the amount they are operating with now.

For further reports & information see the Borough President monthly report or go to www.mbpo.org to obtain one.

COMMITTEE REPORTS

1. **By-Laws Select Committee –** Darren Bloch, Chair

a. **Report**

Due to the absence of Darren Bloch, Marty Barrett gave the report. Marty reported that the committee has been reviewing all the great suggestions given to them.

He reported that at the last meeting the committee discussed what the authority the Executive committee had during the summer months when most of the other committees didn't meet. They were informed that the Executive committee could not make any decisions without the full board.

The committee also had a discussion on Board member attendance as it pertained to absences.

For further information see committee minutes.

2. Youth & Education Committee – Maxine McIntosh, Chair

a. **Report**

Maxine reported that Jamie Smarr attended the March committee meeting to give an update on the progress of the P.S. 59/Art & Design H.S. project. She stated that they have located a temporary site for the students of P.S. 59.

She also reported that a speaker from the Dept. of Education (DOE) attended the meeting as well to discuss and give an update on the restructuring being done within the DOE.

She announced that applications for Summer Youth Employment program (SYEP) were now available on the Dept. of Youth & Community Development (DYCD) website. The deadline to hand in a completed application is May 18th .

3. Public Safety, Environmental & Human Rights – Fred Arcaro, Chair

a. **Report**

Fred waived the committee report

4. Housing & Homeless Services – Claude Winfield, Chair

a. **Report**

Claude reported tenant representatives Princess Usanga from the Parkside Evangeline & Sharon Gee from the Ten Eyck attended the committee meeting to voice their opposition and concerns about the closing of these housing facilities. He stated they have informed him that the Salvation Army has been using nefarious practices in an attempt to empty the buildings and that both buildings have practically been cleared. A request for a representative from the Salvation Army was invited to attend the meeting but was unable to come.

Claude announced there would be a rally for the Preservation of Affordable Housing in Stuyvesant Town/Peter Cooper Village on Wednesday, May 23rd . All are encouraged to participate.

For this and other reports see committee minutes.

5. Transportation Committee – Lou Sepersky, Chair

a. **Objection to the New York City Department of Transportation's process for the proposed creation of certain bicycle routes in and through Community Board 6.**

WHEREAS, the New York City Department of Transportation's Manhattan Borough (DoT) office has proposed the establishment of a bicycle route along 21st Street, (a short stretch of First Avenue), and East 20th Street westward from the East River through, Community Board 6 (CB6) to the Hudson River, and

WHEREAS, DoT asserts it had done a comprehensive review of the street conditions, which it has not shared with CB6, nor was CB6 invited to be a participant in the creation or execution of any study or investigation, and which alleged study was done without consultation of CB6, and

WHEREAS, DoT has proposed road marking and traffic changes to accommodate the bike lanes based on what appears to be a very limited analysis of the capability of some local streets to handle the proposed bicycle lane(s) safely, and

WHEREAS, DoT has told CB6 the creation of the bike route, with or without agreement or participation of CB6, is "a done deal," now

THEREFORE, BE IT

RESOLVED that Community Board 6 (CB6) strongly objects to the manner and form of the attempted imposition of the East 20th (First Avenue) and 21st Streets bicycle routes in and through CB6 by the New York City Department of Transportation (DoT), and

BE IT FURTHER

RESOLVED that CB6 urges that DoT undertake a full and comprehensive review and analysis of the impact (i.e. pedestrian, traffic both local residential and commercial) of the proposed bikeway project, which shall include CB6 at each and every step, and

BE IT FURTHER

RESOLVED that CB6 demands that neither DoT, nor any other City agency, take any step to install or mark this proposed bicycle route unless and until CB6 has had the opportunity to review and comment on the bike lanes contemplated for CB6.

VOTE: 43 in Favor 2 Opposed 0 Abstention 0 Not Entitled

b. **Request for the New York City Transit and the New York City Department of Transportation to relocate the existing layover location of the east end of the M23 bus route.**

WHEREAS, the M23 bus route runs on Avenue C (a/k/a the Franklin D. Roosevelt Service Road) to the Hudson River, and
WHEREAS, the eastern layover, currently is on Avenue C, at the northwest corner of East 20th Street, in Community Board 6, and

WHEREAS, this layover arrangement is considered to be hazardous to southbound traffic on Avenue C and turning traffic on to 20th Street going west, and to pedestrians using this corner, and

WHEREAS, there appears to be sufficient space at the East 20th Street corner (west bound) to accommodate an articulated bus without dislocation to existing parking, now

THEREFORE, BE IT

RESOLVED, that New York City Transit and the New York City Department of Transportation examine the corner of Avenue C (a/k/a the Franklin D. Roosevelt Service Road) and East 20th Street, with the view to moving the westbound M23 bus layover location to the northwest corner of East 20th Street, at Avenue C.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

c. **Construction of an unenclosed covered Intermodal Bus - Ferry transfer point at East 34th Street and the East River without seating, toilets and other suitable amenities.**

WHEREAS the New York City Economic Development Corporation (EDC) is in the process of a major renovation and upgrading of the in water ferry docking facilities and its "upland" intermodal bus and ferry transfer point at the East River and East 34th Street, and

WHERAS, EDC has reported to Community Board 6 that the estimated costs of the upgrading and improvement to the water docking facilities appear to have been very much more expensive than had been anticipated, and

WHEREAS, as a result of the unanticipated higher costs of the in water portion of the project, EDC has made a decision to proceed with the docking facilities (now underway) by substantially redirecting its budget at the expense of the up land terminal by planning to install a totally inadequate canopy covered area, without the minimum level of amenities (including the elimination of seating, toilets and of its being enclosed and appropriately climate controlled), now

THEREFORE, BE IT

RESOLVED that Community Board 6 calls upon the New York City Economic Development Corporation (EDC) to construct a ferry shelter at the 34th Street intermodal ferry - bus transfer point that at least is appropriately enclosed, has sufficient seating capacity, toilet facilities, and is appropriately climate controlled.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

d. **Calling for the override of the Mayor's veto of Introduction 331-A, the "Pedicab" bill.**

WHEREAS, the New York City Council (Council) has passed Introduction Number 331-A, (Intro.331-A) which was adopted in consultation with the Mayor and was forwarded to him for signature, and

WHEREAS, this legislation laid out the standards and operating criteria for "pedicabs" (passenger carrying tricycles) which operate on New York City streets, including those in Community Board 6 CB6), and

WHEREAS, at the March 30, 2007 signing ceremony the Mayor declined to sign this legislation and issued a veto message which included as its sole and only reason for rejecting the enactment that he "...disagree(s) with Intro. 331-A's imposition of a numerical cap on the number of pedicabs permitted to operate in the City," now

THEREFORE, BE IT

RESOLVED that the New York Council having found that it is suitable and appropriate to establish a maximum number of "pedicabs" permitted to operate in New York City, that Community Board 6 urges the Council to override the Mayor's veto of Introduction 331-A.

VOTE: 31 in Favor 11 Opposed 3 Abstention 0 Not Entitled

e. **Report**
Lou thanked various members of the committee for their help in drafting the resolutions.

6. Budget & Governmental Affairs – Dan Williams, Chair

a. **To amend State law to end the exemptions of a number of designated corporations and authorities from the Uniform Land Use Review procedure and other oversight processes.**

Whereas New York State (NYS) law (Education Law Sec. 454(6), (22) exempts the Educational Construction Fund (ECF) from any general, special, or local law, charter or ordinance, or any City Official responsible for the acquisition of real property for school purposes from the provisions of Section 197-c(a)(3) and (4), the Uniform Land Use Review Procedure (ULURP) of the New York City Charter, designed for the "timely construction," by transferring property identified under standards established in the Education Law Sec. 456(1), and

Whereas the NYS State Public Authorities Law (PAL) (Sec.1730 (1) exempts the Department of Education and School Construction Authority (SCA) "from any general, special or local law, city charter, administrative code, ordinance or resolution governing Uniform Land Use Review Procedures 'governing the use of land and improvements thereon within the city,'" including "site selections for educational facilities" or for the "conveyance or other grant of property or any interest therein by the city, the city (school) board, the city board or any other person, firm or organization to the authority or to the city board;" and the re-conveyance or transfer of property to the city board or to the city by the authority or any disposition or property (PAL Sec. 1730(1)), and

Whereas NYS law exempts New York City ("City") Chartered entities which are Not For Profit Corporation(s) not owned by the City, (e.g. the City's Economic Development Corporation (EDC)), from ULURP, and also including EDC, ECF, and SCA projects within Community Board 6 (Manhattan), and

Whereas NYS law similarly exempts City projects when entered into agreements with the NYS Urban Development Corporation (UDC) currently known as the Empire State Development Corporation (ESDC), so long as its participation in the project is at least "incidental but necessary," which justification (referenced in the legislative history of the statue creating the agency) is that "one of the purposes of the exemption is to reduce bureaucratic delay in redevelopment projects at the various levels of government" (cited in Waybro Corp. v. Board of Estimate, 67 N.Y. 2nd at 349), and

Whereas "State law provides a broad and specific exemption from ULURP and any other local laws 'of like or similar tenor or import' for transit projects done in connection with the MTA" (Metropolitan Transportation Authority)... PAL sec. 1266-c(5) exempts the agency, the New York City Transit Authority (TA) or any of its subsidiaries, in-so-far as the acquisition of any real property for the purposes of any transit project, the subsequent transfer of any real property, and

Whereas the State has created and established the United Nations development district and a corporation (United Nations Development Corporation (UNDC)) to fulfill its mission (New York State Senate #5854 - by the Rules Committee of 1968), which may, for whatever reasons, be similarly exempt from ULURP, and

Whereas the justification for such exemption(s) is to avoid delays in the process of their respective programs and projects, in the case of the ECF by seeking to provide for the timely construction of school buildings in combination with other compatible and lawful uses, and

Whereas no demonstration has been made that ULURP alone has delayed a project as ULURP occurs in parallel with other steps and processes in the planning and development of construction projects which seek alterations of the existing zoning map, and

Whereas the importance of these agencies in shaping a community warrants responsible public review and comment through ULURP, for their respective projects, now

Therefore be it

Resolved that Community Board 6 (CB6), Manhattan, calls upon both Houses of the New York State (State) Legislature to pass, and for the Governor to sign, legislation ending the exemption of the New York City Economic Development Corporation (EDC), the Educational Construction Fund (ECF) and the School Construction Authority (SCA), the State's Urban Development Corporation (UDC - a/k/a the Empire State Development Corporation) , the Metropolitan Transportation Authority (MTA - including the New York City Transit Authority) and the United Nations Development Corporation (UNDC), and such other agencies involved in buying, selling or in substantial leasing of real property in CB6, as may have been granted statutory exemptions from Section 197-c (a)(3)&(4) the Urban Land Use Review Procedure (ULURP) and such other sections of the New York City Charter designed to provide, insure and facilitate Community Board oversight and review of New York City land use activities enumerated in the City Charter.

VOTE: 42 in Favor 0 Opposed 3 Abstention 0 Not Entitled

b. Report

Due to the absence of Dan Williams, Marty Barrett gave the committee report. Marty informed the members that the committee meets every fourth Wednesday of the month.

7. Health, Seniors & Disability Issues – Sandro Sherrod, Chair

a. **For the inclusion of Community and Senior representation in PLANYC**

Whereas, the Mayor has published a plan, entitled PLANYC, for the city's next 25-years; and

Whereas, the Mayor has appointed a city sustainability advisory board that does not include community or senior advocates; and

Whereas, the plan as outlined does not include the "older adult" population's projected growth or an "older adult" needs assessment; and

Whereas, the plan highlights the need for 265,000 more housing units to welcome new-New Yorkers, but fails to identify the housing needed for New York's aging population; now

Therefore be it

Resolved, that Community Board Six urges that the Mayor include planning for "older adults" in the 25-year plan and include community board and older adult advocates representation on the city sustainability board.

VOTE: 44 in Favor 0 Opposed 1 Abstention 0 Not Entitled

b. **Against possible closure of Gristedes Supermarket**

Whereas, Red Apple Group, Inc. has sold eight of its Gristedes stores to Duane Reade; and

Whereas, since the closing of Dagostino's on 20th Street, Gristedes on First Avenue and 20th Street has become the only supermarket within walking distance for many residents of Peter Cooper Village and Stuyvesant Town; and

Whereas, Peter Cooper Village and Stuyvesant Town contains a large number of senior residents; and

Whereas, there are already no less than six drugstores along the portion of First Avenue that is adjacent to Peter Cooper Village and Stuyvesant Town; now

Therefore be it

Resolved, that Community Board Six implores Mr. Catsimatidis and Red Apple Group, Inc to keep Gristedes on First Avenue and 20th Street open, as it is the only supermarket available to many of limited mobility and its closure would certainly present an undue hardship on the residents of the community.

VOTE: 42 in Favor 0 Opposed 3 Abstention 0 Not Entitled

c. **Report**

Sandro invited board members to attend the April 16th Health, Seniors & Disability Issues committee meeting. He reported that the committee would now meet on the third Monday of every month in room 100A of the Smilow Building.

For committee reports see committee minutes.

8. Parks, Landmarks, & Cultural Affairs – Gary Papush, Chair

a. **Katharine Hepburn Garden**

WHEREAS, the Friends of Dag Hammarskjöld Plaza report late night inappropriate use and potential damage to the Katharine Hepburn Garden and have made complaints to the 17th Pct, and

WHEREAS, the police have stated they could enforce a curfew if proper signage was posted by the Department of Parks and Recreation, and

WHEREAS, the Friends have requested that Community Board 6 make such a request of the Parks Department,

THEREFORE, BE IT

RESOLVED, Community Board 6 supports creation of a curfew for the Katharine Hepburn Garden at Dag Hammarskjöld Plaza and that the Department of Parks place appropriate signage stating that the garden closes at 11:00 P.M.

VOTE: 45 in Favor 0 Opposed 5 Abstention 0 Not Entitled

a. **Report**

Gary gave a brief recap of the Parks, Landmarks & Cultural Affairs committee meeting where of the elected officials present all reaffirmed their position on the Robert Moses Park issue. They would not support alienation without an active replacement.

He also reported that a representative from New Yorkers for Parks attended the meeting to participate in the discussion on the alienation of parkland.

For these and/or other reports see committee minutes.

9. Land Use Committee – Edward Rubin, Chair

a. **Request to extend the term of an existing variance at 399-423 East 52nd Street (a/k/a 404-420 East 53rd Street)**

WHEREAS, Sutton House, Inc., (Block 1364, Lot 5) 399-423 East 52nd Street (a/k/a 404-420 East 53rd Street, between First Avenue and the Franklin D. Roosevelt Drive, in Community Board 6, has applied to the Board of Standards and Appeals (878-62-BZ; 872-62-A), for the extension of the term of an existing variance to permit the continued use a garage for transient parking for a term of ten (10) years, now

THEREFORE, BE IT
RESOLVED that Community Board 6 (CB6) offers no objection to the application for an extension of the variance (878-62-BZ; 879-62-A) to permit continued transient parking at the garage at 399-423 East 52nd Street (a/k/a 404-420 East 53rd Street, Block 1364, Lot 5) and

BE IT FURTHER

RESOLVED that CB6 does object to a term of ten (10) years and urges the extension be for no more than five (5) years as this allows for more effective review and supervision of the premises and their use.

VOTE: 44 in Favor 0 Opposed 1 Abstention 0 Not Entitled

b. **The extension and expansion of a Transit Easement Volume to allow for construction of part of a station for the anticipated Second Avenue subway (Application #N 0702050 ZCM) at 300 East 34th Street.**

WHEREAS, The Kibel Companies, LLC., (Kibel) is the owner and operator of the building at 300 East 34th Street (a/k/a 303-319 East 33rd Street, Block 939, Lots 1,6,7,8,9 and 17), which is partly within the Special Transit Land Use District, within Community Board 6, and

WHEREAS, the New York City Transit Authority (TA), a unit of the Metropolitan Transportation Authority (MTA), has determined that easement is required, and

WHEREAS, the original easement was been re-located by agreement between the Kibel and the TA to a portion of the existing open plaza at the northeast corner of 33rd Street and Second Avenue, now

THEREFORE, BE IT

RESOLVED that Community Board 6 supports the maintenance, as re-located, of the Transit Easement Volume to allow for construction of part of a station for the anticipated Second Avenue subway, as presented in Application #N 0702050 ZCM, by the Kibel Companies, LLC., (Kibel), 300 East 34th Street (a/k/a 303-319 East 33rd Street, Block 939, Lots 1,6,7,8,9 and 17), which is partly within the Special Transit Land Use District.

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

c. Application for the modification of an existing special permit and Restrictive Declaration at 300 East 34th Street

WHEREAS, The Kibel Companies LLC (Kibel) the owner and operator of 300 East 34th Street, (a/k/a 303-319 East 33rd Street; Block 939 and now Lots 1,6,7,8,9 and 17) in Community Board 6, was the recipient of a special permit with regard to changes in the (then) existing zoning and was a party to a Restrictive Declaration (in 1970 and thereafter), and

WHEREAS, the building was retroactively permitted (1973) to increase its height from 33 to 36 floors by being allowed to add the development rights from Lots 6 and 7 and agreed to renovate a building on Lot 7, housing the 33 Club, as a community facility or as a community facility or residential use, and

WHEREAS, Kibel has applied for a modification of the Restrictive Declaration (CP-M990544 (B) ZSM) to construct a free standing 12 story building, plus penthouses as of right building and community facility (to accommodate the 33 Club) this is being accomplished by enlarging the existing zoning lot consisting of Lots 1, 6 and 7 to include Lots 8, 9 and 17 (but which would still remain within the existing permissible limits for C1-9/R8A zoning district), now

THEREFORE, BE IT

RESOLVED that Community Board 6 offers no objection to the application by The Kibel Companies LLC (Kibel) owner and operator of 300 East 34th Street, (a/k/a 303-319 East 33rd Street; Block 939 and now Lots 1,6,7,8,9 and 17) for the modification of an approved special permit and Restrictive Declaration (M 990544 (B) ZSM).

VOTE: 45 in Favor 0 Opposed 0 Abstention 0 Not Entitled

d. **Report**

Ed gave a brief report on the Joint, Land Use, Transportation & Youth & Education meeting. He reported that the committee has learned that Hunter College is considering selling of the entire Brookdale Campus as opposed to just making space for Julia Richman H.S. The committee has also found out that Hunter has issued an RFEI (Request for Expression of Interest) for the Brookdale Campus. See committee minutes for full report.

For this and other reports, see committee minutes.

10. Business & Governmental Affairs – Carol A. Schachter, Chair

b. **Alteration, Hotel liquor license for 205 East 45 LLC, d/b/a Riingo Restaurant, 205 E. 45th St. at 3rd Ave.**

WHEREAS, the applicants appeared before the Business Affairs & Street Activities Committee of Community Board 6 on 4/5/07; and

WHEREAS, the alteration involves the extension of licensed premises to include an unenclosed sidewalk café consisting of seven (7) tables and eighteen (18) seats in front of the hotel premises, some of which are within the building line; and

WHEREAS, the restaurant's hours of operation are weekdays 7 AM – 12 AM and on weekends 7 AM – 1 AM and is wheelchair accessible, with no music, dancing nor a staging (waiting) area; and

WHEREAS, the application is not subject to a 500'/200' hearing; and

WHEREAS, the curb line clearance is the minimum 8-foot legal requirement, but, the applicants were advised that CB6 prefers a 10-foot clearance; and

WHEREAS, there was no community opposition to the application; now

THEREFORE, be it

RESOLVED, that Community Board 6 unanimously supports the Alteration, Hotel liquor license for 205 East 45 LLC, d/b/a Riingo Restaurant, 205 E. 45th St. at 3rd Ave.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled

c. **New, On-premises liquor license for G&P Entertainment, Inc., d/b/a tbd, 151 E. 50th St., b/w 3rd & Lexington Aves.**

WHEREAS, the applicant appeared before the Business Affairs & Street Activities Committee of Community Board 6 on 4/5/07; and

WHEREAS, the restaurant/lounge's hours of operation are weekdays 5 PM – 4 AM and weekends 10 PM – 4 AM (but closed Sun/Mon except for private parties) with a capacity of 463 patrons, is wheelchair accessible, will have a public assembly permit, will have music provided by DJ/recorded/live and will have sound controls in place; and

WHEREAS, the establish will have windows that would be open during warmer months; and

WHEREAS, the application is subject to a 500'/200' hearing; and

WHEREAS, the location always has been a nightclub (Club Ibis, Roundtable) in a predominantly commercial area; now

THEREFORE, be it

RESOLVED, that Community Board 6 has no objection at this time to the New, On-premises liquor license for G&P Entertainment, Inc., d/b/a tbd, 151 E. 50th St., b/w 3rd & Lexington Aves.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled

f1. **Renewal, On-premises liquor license for 274 Pub on Third, Inc., d/b/a Black Bear Lodge, 274 3rd Ave. b/w E. 21st & E. 22nd Sts.**

WHEREAS, the applicant appeared before the Business Affairs & Street Activities Committee of Community Board 6 on 4/5/07; and

WHEREAS, tenants from Quaker Ridge, 201 E. 21st St., appeared to oppose the liquor license renewal; and

WHEREAS, there has been continuous dialogue between the Black Bear Lodge and the Copper Door (272 3rd Ave., the premises next door) about who, exactly, is responsible for the loud and noisy crowds the people from Quaker Ridge keep bringing to the attention of CB6, the 311 system and the 13th Precinct; and

WHEREAS, tenants from Quaker Ridge, across the street from both bars, report open doors which let out sounds, occasional crowds of people who sometimes urinate on the street, a general noise problem that exceeds street-level consideration; and

WHEREAS, Paul O'Connor, an owner, said he has a bouncer 7 days a week and would provide the Quaker Ridge tenants and CB6 contact information, including his private cell phone number that they could call when there is a problem; and

WHEREAS, Mr. O'Connor, furthermore, said he'd make sure the doors were closed, he'd monitor the noise and he would be more open with his neighbors; now

THEREFORE, be it

RESOLVED, that Community Board 6 does not oppose the Renewal, of an On-premises liquor license for 274 Pub on Third, Inc., d/b/a Black Bear Lodge, 274 3rd Ave. b/w E. 21st & E. 22nd Streets.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled

g. **New, On-premises liquor license for New Amber Asian Cuisine, Inc., d/b/a Aquamarine Asian Cuisine, 715 2nd Ave. b/w E. 38th & E. 39th Sts.**

WHEREAS, the applicants appeared before the Business Affairs & Street Activities Committee of Community Board 6 on 4/5/07; and

WHEREAS, the restaurant's hours of operation are weekdays 11 AM – 11 PM/weekends 11 AM – 12 AM with a capacity of 60, is wheelchair accessible, with no music, dancing nor a staging (waiting) area; and

WHEREAS, there was no community opposition to the application; now

THEREFORE, be it

RESOLVED, that Community Board 6 has no objection at this time to the New, On-premises liquor license for New Amber Asian Cuisine, Inc., d/b/a Aquamarine Asian Cuisine, 715 2nd Ave. b/w E. 38th & E. 39th Sts.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled

i. **Renewal, Enclosed Sidewalk Café with 4 Tables and 21 Seats for Centurion Plaza Donuts d/b/a Dunkin Donuts at 243 Third Avenue at E. 20 Street**

WHEREAS, the applicant appeared before us to answer any concerns and provided a complete copy of her renewal application; and

WHEREAS, we were promised that there would be no huge coffee cup installations or other markings on this establishment; and

WHEREAS, the establishment now has counter-tops and is simply considering using the space similarly to Tang Tang; now

THEREFORE, be it

RESOLVED, that Community Board Six does not oppose the application for a Renewal of an Enclosed Sidewalk Cafe for the above entity at this time.

VOTE: 43 in Favor 0 Opposed 1 Abstention 0 Not Entitled

j. **Renewal of Unenclosed Sidewalk Cafe for STS Restaurant Corp. d/b/a Cinema Diner, 505 Third Avenue at E. 34th St., 3 tables and 6 seats**

WHEREAS, the applicants appeared before us to answer community concerns about their café as they have done in the past; and

WHEREAS, the applicants have previously demonstrated their responsiveness to the community's needs in general; and

WHEREAS, the owner is seeking renewal under this application only for the Third Avenue portion of the café; now

THEREFORE, be it

RESOLVED, that Community Board Six supports the application by Cinema Diner for a renewal of its unenclosed sidewalk café on Third Avenue as above at this time.

VOTE: 40 in Favor 3 Opposed 1 Abstention 0 Not Entitled

k. **Renewal, Unenclosed Sidewalk Café with 9 Tables and 24 Seats for Lasagna Restaurant Inc. d/b/a Lasagna Restaurant, 941 Second Avenue at E. 50 Street**

WHEREAS, the applicants appeared before us to answer any concerns and provided a complete copy of their renewal application; and

WHEREAS, we were promised that they would use painted boundaries and signed a Change of Agreement Form to that effect; and

WHEREAS, we presented problems from the past including the oversized lamp fixture and Astroturf, both of which have been removed to the community's satisfaction; now

THEREFORE, be it

RESOLVED, that Community Board Six opposes the application for a Renewal of an Unenclosed Sidewalk Cafe for the above entity at this time unless they adhere to the Change of Agreement Form submitted.

VOTE: 44 in Favor 0 Opposed 0 Abstention 0 Not Entitled

m. **Report**
Carol announced the date & location for the next committee meeting.

Old/new Business

Second Roll Call

Adjournment: 10:50