

**FULL BOARD MEETING MINUTES  
Wednesday, March 9, 2005  
NYU MEDICAL CENTER  
FIRST AVENUE**

**Hon. Carol A Schachter, Chair**

**ATTENDANCE**

**Members answering first roll call:**

Arcaro, Barrett, Bloch, Boettcher, Collins, Curtis, Garland, Haile, Imbimbo, Judge, Kner, Knowles, Lynn, McIntosh, Moses, Montoute, Oddo, Papush, Reiss, I. Ross, Rubin, Scala, Schachter, Schwartz, Sepersky, Tu, Ursillo, West, Winfield Younis

**Members answering second roll call:**

Arcaro, Barrett, Bloch, Boettcher, Curtis, Garland, Haile, Imbimbo, Judge, Kner, Knowles, Lynn, McIntosh, Moses, Montoute, Oddo, Papush, Reiss, I. Ross, Rubin, Scala, Schachter, Schwartz, Sepersky, Tu, Ursillo, West, Winfield Younis

**Excused**

Buchwald, Collins (2<sup>nd</sup> half), Disman, Garodnick, McGinn, Monterossa, Simon, Thompson, Torres,

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

Cohen, Frank, Gruber, V. Ross, Schoor, Welter,

**Member attendance** Present: **29** Absent: **6** Excused: **9**

**Guests signed in;** Leena Krishnaswam representing Cg/M Carolyn Maloney; Julie Hendricks representing A/M Jonathan Bing; Eliyanna Kaiser representing A/M Richard Gottfried; Jonathan Moody representing Council Spkr. Gifford Miller; Anise Baron, Marie Beirne, Meryl Brodsky, Minna Charles, Robert Cowen Jr., Malynda Dalton representing Epiphany Library; Mathew Grace-NY Observer; Brian Kell, Helen Lee, Sandra Levine, Kristina Knotch, Francisco Paciocco, Jon Schachter, Matt Shotkin, Susan Steinberg, Sandra Stevens, Jack Taylor, Howard Zipser.

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## **Meeting Called to Order**

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

### **Agenda Changes**

#### **Land Use Committee**

##### **DELETED RESOLUTION**

**2a.** BSA appl. # 11-05BZ for Mama Mexico Restaurant, 214 E. 49<sup>th</sup> St. - laid over to next month.

#### **TRANSPORTATION**

##### **DELETED RESOLUTIONS**

**3a.** Application to operate a van service from Queens to Manhattan – laid-over to next month.

**3b.** Baruch College requests 2 speed bumps, mid-block on E. 25<sup>th</sup> St. b/w Lex. & 3<sup>rd</sup> Aves. – laid-over to next month.

#### **YOUTH COMMITTEE**

##### **DELETED RESOLUTION**

**4a.** Lost in Space” (Science education/DOE)

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

##### **ADDED RESOLUTIONS**

**5d. TO BE CAUCUSED** Jointly with Land Use – Robert Moses Playground, replacement and mitigation.

**5e.** (Jointly with Land Use) – Nomination of ST/PCV, individually or jointly, as a Special Planned Community Preservation District(s).

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

##### **DELETED RESOLUTIONS**

**8f.** Renewal, unenclosed sidewalk café DCA appl. #0983511, 4 tables & 8 seats for Arecat Rest. Corp. d/b/a LaGiara, 501 3<sup>rd</sup> Ave., b/w E. 33<sup>rd</sup> & E 34<sup>th</sup> Sts. – laid-over to next month.

**8i.** Alteration, On-premises liquor license for a patio @ Oceans 961 Corp. d/b/a Jade Bar, 2<sup>nd</sup> Fl. 961 2<sup>nd</sup> Ave. @ 51<sup>st</sup> St. – C of O states 2<sup>nd</sup> floor is for residential use - deferred to Land Use Committee – laid-over to next month.

**8j.** On-premises liquor license for TGLS Hospitality Corp. d/b/a tbd 948-950 2<sup>nd</sup> Ave. b/w E. 50<sup>th</sup> & E. 51<sup>st</sup> Sts. - laid-over to next month.

**8o.** Farmers Market on 2<sup>nd</sup> Ave. b/w E. 32<sup>nd</sup> & E. 33<sup>rd</sup> Sts.  
(When applying, the applicant inadvertently used the wrong date 2004 instead of 2005).

**STILL ON BALLOT PLEASE DELETE**

**8u.** May 14<sup>th</sup> (Sat.), 10am - 6pm—Cabrini Medical Center on E. 19<sup>th</sup> St., b/w 2<sup>nd</sup> & 3<sup>rd</sup> Aves.--must reschedule date because of crane on the street that day.

**ADDED RESOLUTIONS**

**8y.** Street Activity Permit for June 4<sup>th</sup> (Sat) noon to 6pm – Murray Hill Neighborhood Assoc. on E. 35<sup>th</sup> St. b/w Lex. & Madison Aves.

**8z.** Street Activity Permit for May 7<sup>th</sup> (Sat.) 11am to 4pm – Friends Seminary on Rutherford Pl. b/w E. 15<sup>th</sup> & E. 16<sup>th</sup> Sts. and E. 16<sup>th</sup> St. b/w 3<sup>rd</sup> Ave. & Rutherford Pl.

**Adoption of the Agenda**

**PUBLIC SESSION**

**Leena Krishnaswam** representing Cg/M Carolyn Maloney announced that Congress Member Maloney would sponsor a Social Security Town Hall meeting on April 17<sup>th</sup> @ Simon Baruch Middle School on 21<sup>st</sup> Street and 2<sup>nd</sup> Ave @ 3:30 p.m.

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

**Jonathan Moody** representing Spkr. Gifford Miller introduced himself as the new CB6 liaison.

**Julie Hendricks** representing A/M Jonathan Bing gave a brief update on the issues the A/M has been dealing with in the Assembly. She stated that the Assembly has just passed a legislative package that would reform the Public Authorities in NYS; ie: MTA, SLA, PA. She stated this bill, which A/M Bing co-sponsored, would create an inspector general to oversee these Authorities and to create a budget office to control the spending in these agencies.

Julie then announced that she was leaving A/M Bing's office and stated it has been a pleasure working with CB6 members and that the work they do is extremely important.

**Eliyanna Kaiser** representing A/M Richard reported that the Assembly has introduced legislation that would create a NYS Institute for Stem Cell Research and Regenerative Medicine in NYS.

She then reaffirmed, that A/M Gottfried is against the building of the West Side Stadium.

For further information see the A/M's Community report or call the district office @ 212-807-7900.

**Matt Shotkin** area resident opposed to the removal of the bus stop @ 44<sup>th</sup> Street and 2<sup>nd</sup> Ave. He request that it be replaced.

**Marie Beirne, Sandra Levine & Susan Steinberg** all spoke in favor of landmark designation for Stuyvesant Town/Peter Cooper Village.

**Eva Marie Lassiter** area resident spoke in favor of the historic landmark designation for St. Stephen's Church.

**Meryl Brodsky** representing The Turtle Bay Association invited CB6 Board Members to attend the ceremony to officially name East 49<sup>th</sup> St between 2<sup>nd</sup> & 3<sup>rd</sup> Aves, the block on which Katherine Hepburn lived for more than 60 years Katherine Hepburn Place. The ceremony will be held on Monday, March 14<sup>th</sup> on the corner of East 49<sup>th</sup> St. & 2<sup>nd</sup> Ave. @ 12:00 noon.

**Howard Zipser** representing Met Life spoke in opposition to landmark designation of Stuyvesant Town/Peter Cooper Village.

**Roll Call** – Harry E. Ursillo

## **BUSINESS SESSION**

### **Adoption of the February 9<sup>th</sup>, Full Board minutes.**

Minutes were adopted by a voice vote.

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

Carol reported **1)** Bea Disman would take a 2-month leave of absence from her Board duties; she will be missed very much. **2)** Public member Marie Confessorie is home from the hospital, she is recovering very well. **3)** Department of Parks & Recreation would like to invite dependable candidates to participate in their Lifeguard Training program. You must be 16 years of age or older to participate. Anyone interested may contact Liam Kavanaugh @ 212-360-1328.

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

Toni gave updates on numerous projects in the community board 6 area.

### **Up-date on the Medical Examiner's Office - 30th St.**

You are all aware that the M E's office has announced that they have identified, as best they could, the remains of the WTC victims. To assist in opening up the space, they have to date removed 6 of the 8 UPS trailers that housed the remains from the WTC site. As reported last month the trailers that house the 40 to 50 former HHC workers who are moving to Queens was delayed because the sub-contractor never had the completed sewer connection inspected by DEP; we have been able to decrease the wait time by a few weeks by speaking with DEP who has assisted by allowing the contractor to use a video scope instead of re-digging up the street for the sewer connection inspection.

### **Up-date Stuy Cove Park**

On Feb. 24<sup>th</sup>, a meeting was held with CEC, EDC, DEC, DDC and Con Edison. She thanked Aliya Feldman from Sen. Duane's office for supporting CB6 by attending the meeting. On March 14<sup>th</sup> through March 31<sup>st</sup>, the DDC will be replacing nineteen groundwater monitoring wells throughout Stuy Cove Park; the existing wells were damaged during construction of the park and must be reinstalled. DEC and EDC has been actively working to abate both soil and groundwater contamination at the site caused by fuel oil releases from Con Edison's underground pipelines and underground gasoline/diesel storage tanks associated with the former gas station and marina operation. This contamination is underground; the public is not exposed to it. Community impacts are expected to be minimal, as the drilling operation will take place far from residential areas. Regarding the lights, the original contractor, Tully is conducting an investigation that should be completed by early next week on why 3 lights never really worked and why 3 other lights only occasionally work.

### **Up-date on FDNY & NYPD renovations**

For months Toni has been telling board members that this rehab was just about to start, and was held off due to the RNC or the holiday construction embargo. On 2/15, she held a meeting with the capital and construction personnel of NYPD, Dep. Inspector McEnroy and 17<sup>th</sup> Pct personnel, Margaret Forgione DOT Boro Commissioner and DCAS to discuss further delays. Apparently, the city has been waiting for office space for the commanding officers of the 17<sup>th</sup> Pct. DCAS is negotiating a lease agreement with the same landlord who owns another building a few blocks away, once this is done then the rehab can start; hopefully by May or June.

## **Borough President's Report – Bradford Sussman**

Brad reported that in the Borough President's Community Report there is a list of unused scholarships. He stated there are a number of companies and organizations that have donated money for minority scholarships, a great deal of money is being returned because of a lack of interest. If you do not have a college-aged child at home, please share this information with someone who does.

He then announced that there would be a Women's History Month Celebration on Wednesday, March 23<sup>rd</sup> @ Baruch College, E. 24<sup>th</sup> St. & Lexington Ave. at 5:00 p.m. Board members would receive invitations in the mail.

## **COMMITTEE REPORTS**

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

#### **a. Report**

Fred gave a brief report on the February 14<sup>th</sup>, committee meeting regarding the city's proposed Noise Code Revisions. He stated that Geraldine Kelpin & Mark Lanaghan of DEP gave a very informative presentation. He also thanked the Board members who attended the meeting.

See committee minutes.

He then announced the topic of discussion for the March 14<sup>th</sup> committee meeting will be the MTA's East 50<sup>th</sup> Street facility.

See committee minutes.

### **2. Land Use – Ed Rubin, Chair**

#### **b. AVRA Cafe, 141-145 East 48th Street, application for renewal of a "Chair Certification for an open air cafe."**

**Whereas**, the 48th Street Restaurant Associates, LLC, doing business as AVRA Restaurant, 141 - 145 East 48th Street, in Community Board 6, (CB6) Manhattan, has applied (N 050238 ZCM) for a three year extension of a permit for the continued operation of a 97 square foot open air, four table, eight chair,' sidewalk cafe (a chair certification), and

**Whereas**, this application is not subject to the Uniform Land Use Review Procedure (ULURP) and does not require a public hearing, but which has been referred to CB6 for comments within 30-days, and

**Whereas**, it is the oft repeated view of CB6 that a 30-day referral, never affords sufficient time for the Board to review and comment on matter referred to it, now

**Therefore be it**

**Resolved**, that Community Board 6, Manhattan, offers no objection to the application for a three year extension for the operation of a 97 square foot open air, four table, eight chair, sidewalk cafe (a chair certification) by 48th Street Restaurant Associates, LLC, doing business as AVRA Restaurant, 141 - 145 East 48th Street, (N 050238 ZCM), and

**be it further**

**Resolved**, that this is being done within an inadequate 30-day review period and that is the view of CB6 that the Department of City Planning should allow at least 45-days for Community Board review and action.

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

**c. Report**

Ed reported on the continued correspondence between EDC and himself in reference to the RFP for the East River Science Park. He requests that the RFP adhere to the CB6 197-a Plan.

He then reported the presentation given at the committee meeting on a variance request for Mamma Mexico Restaurant; 214 E. 49<sup>th</sup> St. had a number of inaccuracies. The presenter war unprepared thereby was wasting everyone's time. He will suggest to the Land Use committee, that when an applicant gives a presentation that drawings and/or designs be placed on larger boards or at least be large enough to be viewed by all committee members. He would like to take this up at the Executive Board meeting.

See committee minutes.

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

**a. Report**

Lou reported that the Board had passed a resolution for 6 speed humps at Tudor City, 5 of them were rejected. He is drafting a letter reflecting the fact that the committee has a different view on the situation.

He then reported that the application to operate a commuter van service from Flushing, Queens to midtown Manhattan is being held over for discussion at the April committee meeting.

See committee minutes.



**4. Youth & Education – Maxine McIntosh, Chair**

**a. Report**

Maxine announced that the Youth & Education committee meeting date has been changed from the first Thursday of the month to the Third Tuesday of the month. The meeting place will remain the same.

She then announced that applications were available for any candidate who would like to apply for the Community & Citywide Education Councils. Parents or guardians interested in applying may contact 311 or 800-799-3388 or go to the website [www.nycenet.edu/councils](http://www.nycenet.edu/councils). The application process ends on March 19<sup>th</sup>.

See committee minutes.

**5. Parks, Landmarks & Cultural Affairs – Gary Papush, Chair**

**a. Proposed designation of Stuyvesant Town as a NYC Landmark or Historic District**

**Whereas**, Stuyvesant Town, a planned superblock residential community, is bounded by East 14th Street, Avenue C, the Franklin D. Roosevelt Service Road (a/k/a Avenue C), East 20th Street and First Avenue, in Community Board 6 (CB6), Manhattan, and

**Whereas**, the New York City Landmarks Preservation Commission (LPC) is responsible for designating New York City Landmarks, and determines eligibility for designating a site as an Individual Landmark or as a Historic District, and

**Whereas**, the criteria for designation as a Landmark or Historic District includes finding that the site has special character or special historic or aesthetic interest or value as part of the development, heritage or cultural characteristics of the city, state or nation, and

**Whereas**, the New York State Office of Parks, Recreation and Historic Preservation (SHPO) is responsible for listing properties on the New York State and National Registers of Historic Places (NRHP), and

**Whereas**, NRHP eligibility criteria include the significance of a site in United States community planning development, the social history, architecture or landscape design or association with events that have made a significant contribution to the broad patterns of our national history, and

**Whereas**, there is 30-year minimum age standard for designation by the LPC as a Landmark or Historic District and a 50-year minimum age for listing on the NRHP, and

**Whereas**, planning and approval for the construction of Stuyvesant Town began in (approximately) 1941, approval by the Board of Estimate was granted in 1943, in some measure as a slum clearance project that included tax abatements as part of a public - private funding partnership, and

**Whereas**, Stuyvesant Town is comprised of 35 buildings (up to 14 stories) on a 18 square block, 72 acre site, with 8755 apartments designed for a population of approximately 24,000, with garage space for 3000 cars, with the buildings occupying about 23 percent of the super-block site, and

**Whereas**, Stuyvesant Town has a well documented role in the evolution of planned community construction and urban landscape planning, and represents the merging and culmination of several major city design ideas, including the fullest development, to that time, of tower-in-a-park city planning, and

**Whereas**, construction lasted from about 1944 to about 1950, following the Second World War, veterans of that war were among the first residents of Stuyvesant Town, and residency began in 1947, and

**Whereas**, Stuyvesant Town was planned as a whites-only community but played a principal role in the struggle for the abolition of legally permissible segregated housing in New York City and the nation, a major political, social and cultural issue in the mid-20th Century, and

**Whereas**, this struggle at Stuyvesant Town led to law suits to fight such racially discriminatory housing policies and then the enactment, by the New York City Council, of the nation's first legislation to prohibit racial discrimination in housing, the Brown-Isaacs bill (2/16/1951), and, which, in turn led to the eventual passage of similar legislation elsewhere, and

**Whereas**, the SHPO has determined that Stuyvesant Town is eligible for nomination to the Registers based on its historic, architectural, landscaping and urban-planning significance, and

**Whereas**, by law, a listing on the Registers may be done only with the approval of the property owner, in this case, Metropolitan Life Insurance Company, which has thus far not supported such a listing, and

**Whereas**, there is recognized precedent for landmarking of Manhattan planned communities, including City and Suburban Homes, the First Houses, the Harlem River Houses and other notable communities elsewhere, and

**Whereas**, CB6 has received widespread support for historic designation for Stuyvesant Town from elected officials including Congress Member Carolyn B. Maloney, State Senator Thomas K. Duane, State Assembly Member Steven Sanders, and City Council Member Eva Moskowitz; from preservation /

community groups including East Side Rezoning Alliance, DOCOMOMO, and Historic Districts Council; from the Stuyvesant Town / Peter Cooper Village Tenants Association; and from many residents of Stuyvesant Town and Peter Cooper Village, now

**Therefore be it**

**Resolved**, that Stuyvesant Town, a unique planned superblock residential community, bounded by East 14th Street, Avenue C, the Franklin D. Roosevelt Service Road (a/k/a Avenue C), East 20th Street and First Avenue, in Community Board 6 (CB6), Manhattan, be designated by the New York City Landmarks Preservation Commission as a New York City Individual Landmark and/or Historic District, and

**be if further**

**Resolved**, that CB6 calls upon Metropolitan Life Insurance Company to support the nomination of Stuyvesant Town to the National and State Registers of Historic Places, and that in such circumstances the New York State Office of Parks, Recreation and Historic Preservation add Stuyvesant Town to the Registers.

**VOTE: 16 in Favor 11 Opposed 2 Abstention 0 Not Entitled**

**b. Our Lady of the Scapular and St. Stephen's Church**

**WHEREAS**, St. Stephen's located at 149 East 28<sup>th</sup> Street was built in 1854 and enlarged in 1866, and

**WHEREAS**, it was constructed in brick Romanesque revival by the architect James Renwick with interior decoration by Constantino Brumidi, whose only other work in the United States is at the Capitol building in Washington, D.C., and

**WHEREAS**, there is a major campaign to obtain the funding to restore the Brumidi interior designs which could not be removed from the church without destruction, and

**WHEREAS**, the Landmarks Preservation Commission has held a public hearing on designation of the exterior of the church but has taken no action, and

**WHEREAS**, the Landmarks law does not permit designation of the interior of an active house of worship, and

**WHEREAS**, support for the landmark designation of St. Stephen's comes from Borough President Fields, Rep. Maloney (who is seeking federal funding for the

Brumidi restoration), the Murray Hill Neighborhood Association, the National Italian American Foundation, and the Historic Districts Council,

**THEREFORE, BE IT**

**RESOLVED**, Community Board 6 supports all efforts for the restoration of the Brumidi works at St. Stephen's Church, and

**BE IT, FURTHER**

**RESOLVED**, we support designation of the exterior façade of St. Stephen's as an individual landmark, and

**BE IT FURTHER**

**RESOLVED**, we would urge the Landmarks Preservation Commission to designate the Brumidi interior work if the building should cease being an active house of worship.

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

**c. The Temporary Installation of Artwork in Dag Hammarskjöld Park**

**WHEREAS**, the Instituto Cervantes and the Friends of Dag Hammarskjöld Park are seeking approval for the temporary placement of sculptures at the park, and

**WHEREAS**, it will be five sculptures by the Spanish sculptor, Francisco Leiro, and will be installed for a period of approximately 6 months starting in May 2005 with all expenses paid for by the Instituto Cervantes, and

**WHEREAS**, the proposal and scope of the artwork was reviewed by the committee,

**THEREFORE, BE IT**

**RESOLVED**, Community Board 6 has no objection to the approval of the application.

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

**d. Robert Moses Playground replacement & mitigation.**

**WHEREAS**, for more than 2 years Community Board 6 has been studying with the affected communities the proposal for United Nations consolidation which would build on Robert Moses Playground and construct an esplanade park, and

**WHEREAS**, Community Board 6 insists on mitigation and replacement, the esplanade being mitigation and a replacement for the active park space that would be lost at Robert Moses Playground, and

**WHEREAS**, the community has reservations and suggestions as to the location and timing of the replacement for Moses Park that should be explored during the planning process, and

**WHEREAS**, Community Board 6 insists on a full community review of this proposed project under the ULURP process, and

**WHEREAS**, the United Nations Development Corporation is not required to go through ULURP, and

**WHEREAS**, Assemblyman Sanders with the co-sponsorship of Assemblyman Bing and Senator Krueger introduced legislation during last years session which would require the UNDC to submit to the ULURP process for a complete community review of this project, and

**WHEREAS**, this legislation was supported by the Bloomberg administration which also pledged funding for an independent environmental consultant to assist Community Board 6, and

**WHEREAS**, Governor Pataki has pledged to sign the legislation if adopted in both houses, and

**WHEREAS**, our elected representatives in Albany have pledged to us not to introduce any park alienation legislation until after Community Board 6 has had the opportunity to make an informed decision on the merits of the proposal after a full community review;

**THEREFORE, BE IT**

**RESOLVED**, Community Board 6 will support the above-mentioned legislation if re-introduced during this session of the legislature and would urge both houses to adopt it.

**VOTE: 27 in Favor 0 Opposed 2 Abstention 0 Not Entitled**

e. **Nomination of Stuyvesant Town and/or Peter Cooper Village, individually or jointly, as Special Planned Community Preservation District (s).**

**Whereas**, Stuyvesant Town, a planned superblock residential community is bounded by East 14th Street, Avenue C, the Franklin D. Roosevelt Service Road (a/k/a Avenue C), East 20th Street and First Avenue, in Community Board 6 (CB6), Manhattan, and

**Whereas**, Peter Cooper Village is, similarly, a planned superblock residential community of about nine square blocks, estimated as being 19 acres, bounded by East 20th Street, the Franklin D. Roosevelt Drive Service Road (a/k/a Avenue C), East 23rd Street and First Avenue, in CB6, and

**Whereas**, planning and approval for the construction of Stuyvesant Town began in (approximately) 1941, approval by the Board of Estimate was granted in 1943, in some measure as a slum clearance project that included tax abatements as part of a public - private funding partnership, and

**Whereas**, Stuyvesant Town is comprised of 35 buildings (up to 14 stories high) on a 30 square block, 72 acre site, with 8755 apartments designed for a population of approximately 24,000, with garage space for 3000 cars with the buildings occupying about 23 percent of the super-block site, and

**Whereas**, Cooper was fully privately funded, but was similarly built as a planned community (1945 - 1949), and is 21 buildings, with 2495 apartments, from 12 to 15 stories high with a population estimated at between 5000 and 6500 persons, and

**Whereas**, the New York City Planning Commission (CPC) is responsible for zoning Special Planned Community Preservation Districts (SPCPD) within New York City, and

**Whereas**, the criteria for designation as a SPCPD is to promote and protect superior examples of town planning or large-scale development and to protect the character and integrity of these unique communities, and

**Whereas**, Stuyvesant and Cooper, individually or jointly, comprise a unique community and have a quality of significance in American architecture and culture, possess integrity of location, design, setting, and materials, have significance which cumulatively exceeds the total of the components, and consist of buildings and open space arrangement, harmonious scale that adds to the quality of urban life, and

**Whereas**, CB6 has received widespread support for SPCPD designation for Stuyvesant Town and Peter Cooper from elected officials including Congress Member Carolyn Maloney, State Senator Thomas Duane, State Assembly Member Steve Sanders, and City Council Member Eva Moskowitz; from groups including the East Side Rezoning Alliance, the Stuyvesant Town/Peter Cooper Village Tenants Association, and from many area residents, and

**Whereas**, Community Board 6 in it's recent resolution for a 197-a Plan support such a designation for Stuyvesant Town and Peter Cooper Village, now

**Therefore be it**

**Resolved**, that Stuyvesant Town, a planned superblock residential community, bounded by East 14th Street, Avenue C, the Franklin D. Roosevelt Service Road (a/k/a Avenue C), East 20th Street and First Avenue, in the view of Community Board 6 (CB6), Manhattan, meets the understood criteria of the New York City Planning Commission, and so should be designated as a Special Planned Community Preservation District, and **be if further**

**Resolved**, that Peter Cooper Village, similarly a planned superblock residential community, bounded by East 20th Street, the Franklin D. Roosevelt Drive Service Road (a/k/a Avenue C), East 23rd Street and First Avenue, also in CB6, and similarly, in the opinion of CB6, meets the criteria for designation of the New York City Planning Commission as a Special Planned Community Preservation District, and should be so designated.

**VOTE: 19 in Favor 9 Opposed 1 Abstention 0 Not Entitled**

f. **Report**

Gary reported that at the April committee meeting a discussion would begin on the possible transfer of jurisdiction for Stuyvesant Cove Park from EDC to the Dept. of Parks & Recreation.

See committee minutes.

**6. Housing & Homeless – Claude Winfield**

a. **NYS Senate Bill 002061 - the amendment of the Private Housing Finance Law, Mitchell-Lama**

**Whereas**, the New York State Mitchell-Lama Housing Program was created in 1955 for the purpose of building affordable housing. This program, which is legally the Private Housing Finance Law (PHFL), is designed to accommodate the housing needs of middle income families, and

**Whereas**, many private housing finance companies are opting to buy out of the Mitchell-Lama program in order to increase the return on their investment beyond the current Mitchell-Lama statutory limits of six percent per annum, and

**Whereas**, in Community Board Six, Waterside Plaza, Phipps Plaza West, Cooper-Gramercy, Booth House, and East Midtown Plaza have exercised this option affecting a total of 3,120 apartment units, and

**Whereas**, there are two primary post buy-out protections for Mitchell-Lama tenants: 1) Mitchell-Lama development apartments that were initially occupied before 1974 are subject to rent stabilization, and 2) Mitchell-Lama developments that have federally assisted mortgages, eligible tenants (generally those with incomes up to \$59,600 for a family of four) may receive special Section 8 subsidies, and

**Whereas**, under current law, approximately 32,000 tenants of post 1974 Mitchell-Lama developments would not be protected by rent stabilization upon buy-out and would be vulnerable to large rent increases and potential displacement, and

**Whereas**, an estimated 8,000 to 10,000 tenants would be ineligible for Section 8 vouchers and have no protection against rent increases and displacement, and

**Whereas**, this bill, S002061, is designed to encourage housing companies to remain in the Mitchell-Lama program by authorizing returns in excess of the current statutory limit (10 percent with the approval of the Department of Housing Preservation), and

**Whereas**, this legislation provides that tenants in post-1974 Mitchell-Lama rental developments that voluntarily dissolve would be covered under rent stabilization, and

**Whereas**, on February 9, 2005, the New York State Assembly passed A002454 legislation to amend the Private Housing Finance Law, now

**Therefore, be it**

**RESOLVED**, that Community Board Six urges the New York State Senate to pass and the Governor to sign law S002061 legislation that encourages housing companies to remain in the Mitchell-Lama housing program and protects those tenants in post-1974 Mitchell-Lama developments under rent stabilization if an owner buys out of the program.

**VOTE: 28 in Favor 0 Opposed 1 Abstention 0 Not Entitled**



b. **NYS Senate Bill A458-to extend rent regulation protection to NYC tenants in buildings owned by limited-profit housing companies that buy-out.**

**Whereas**, many limited-profit housing companies are exercising their option to buy-out of the Mitchell-Lama program, and

**Whereas**, in Community Board Six, Waterside Plaza, Phipps Plaza West, Cooper-Gramercy, Booth House, and East Midtown Plaza have exercised this option, and

**Whereas**, middle-income tenants in Mitchell-Lama projects will be faced with eviction if they cannot afford the new market rent, and

**Whereas**, the Emergency Tenant Protection Act of 1974 (EPTA) provided for rent stabilization in various municipalities, local opt in, in Nassau, Rockland and Westchester counties predicated on a continuing housing emergency (i.e., vacancy rate less than 5%), amended NYC Rent Stabilization Law, and ended the 1971 vacancy decontrol of rent stabilized units, and

**Whereas**, extending the Emergency Tenant Protection Act to these buildings will ensure that existing tenants can continue to afford to live in their current apartments, while enabling project owners to more easily collect rent increases, and

**Whereas**, on February 8, 2005, the New York State Assembly has passed A00458 legislation to extend the Emergency Tenant Protection Act, now

**Therefore, be it**

**RESOLVED**, that Community Board Six urges the New York State Senate to pass and the Governor to sign into law, legislation that extends the Emergency Tenant Protection Act of 1974 to cover buildings which were owned by limit-profit housing companies who voluntarily dissolved the company.

**VOTE: 28 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

c. **Report**

Claude stated that resolution 6b is in support of the bill passed by the State Assembly on protection for Mitchell-Lama houses and limit-profit housing

companies that choose to opt out of the program and provide a way for some of them to stay in.

He then announced that on March 18<sup>th</sup> the Steven Newman Real Estate Institute will conduct a conference on Inclusionary Zoning @ Baruch College. He stated in February he attended a public hearing at CB8 in February on Inclusionary Zoning in attendance were members from CB4, CB5 and CB9; this topic seems to be of great importance to numerous community boards. The Housing & Homeless committee has agreed to have a Public Hearing on this in May.

Claude announced that Mona Younis would be leaving the board. He thanked her for all of her work in the committee and informed her that she would be missed.

See committee minutes.

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

**a. Report**

Report waived due to Lyle’s absence.

**8. Business & Governmental Affairs – Timothy McGinn, Chair**

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

**a. Renewal, Unenclosed Sidewalk Café for 4 tables and 8 seats for 513 Third Rest. Ltd., d/b/a Joshua Tree 513 3<sup>rd</sup> Avenue (bet East 34<sup>th</sup> & East 35<sup>th</sup> Streets) (DCA appl. #1103740)**

**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 513 Third Rest. Ltd., d/b/a Joshua Tree for renewal of its unenclosed sidewalk cafe.

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

- b. **Modification of Unenclosed Sidewalk Café to increase to 22 tables and 44 seats from 18 tables and 36 seats for 431 Third Rest., d/b/a Banc Cafe 431 3<sup>rd</sup> Avenue (bet East 30<sup>th</sup> & East 31<sup>st</sup> Streets) (DCA appl. #1188885)**

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

**WHEREAS**, the Board had determined last year not to agree to an application for 22 tables and 44 seats until it could first be determined that a smaller café would be a good neighbor; and

**WHEREAS**, the applicant and the sidewalk café were felt to have fit into the neighborhood during the past year; and

**WHEREAS**, the additional tables and chairs will be on the East 30<sup>th</sup> Street side of the restaurant; and

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

**THEREFORE, be it**

**RESOLVED, that Community Board Six supports the application by 431 Third Rest., d/b/a Banc Cafe for modification of its unenclosed sidewalk café permit to increase capacity to 22 tables and 44 seats.**

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

- c. **Renewal, Unenclosed Sidewalk Café for 7 tables and 14 seats for AHN Restaurant 363 3<sup>rd</sup> Avenue (bet East 26<sup>th</sup> & East 27<sup>th</sup> Sts.)(DCA appl. #1135761)**

**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 AHN Restaurant for renewal of its unenclosed sidewalk cafe.**

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

**d. Revocable Consent for Unenclosed Sidewalk Café for 21 tables and 42 seats for Lucifer Restaurant, LLC d/b/a Petit Abeille, 401 East 20<sup>th</sup> Street at 1<sup>st</sup> Avenue (DCA appl. #1188068)**

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

**WHEREAS, the café is located 10 and one-half feet from the curb line; and**

**WHEREAS, the tables and chairs will be on the East 20<sup>th</sup> Street side of the restaurant, and as that is not a heavily used street, should not hinder street traffic; and**

**WHEREAS, the buildings on East 20<sup>th</sup> Street are set back from the street line, thereby minimizing the effect of noise from the café;**

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

**THEREFORE, be it**

**RESOLVED, that Community Board Six supports the application by Lucifer Restaurant, LLC d/b/a Petit Abeille for an unenclosed sidewalk café for to 21 tables and 42 seats.**

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

**e. Renewal, Unenclosed Sidewalk Café for 8 tables and 16 seats for Franchia, Inc., 12 Park Avenue (bet East 34<sup>th</sup> & East 35<sup>th</sup> Streets) (DCA appl. #1135235)**

**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 Franchia, Inc. for renewal of its unenclosed sidewalk cafe.

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

g. **On-Premises Beer & Wine License for CVK Rest. Corp., d/b/a Murray Hill Diner, 222 Lexington Ave. at East 33<sup>rd</sup> Street**

**WHEREAS**, the applicant appeared before the committee to answer any community concerns, of which there were none; and

**WHEREAS**, there is no record of complaints against the establishment;

**THEREFORE**, be it

**RESOLVED**, that Community Board Six supports the application by CVK Rest. Corp., d/b/a Murray Hill Diner for an on-premises beer & wine license.

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

h. **On-Premises Liquor License for Caliente Cab Co. Restaurant, 488 3<sup>rd</sup> Ave. at East 33<sup>rd</sup> Street**

**WHEREAS**, the applicant appeared before the committee to answer any community concerns, of which there were none; and

**WHEREAS**, the applicant has a history of operating restaurants that fit in with the community;

**THEREFORE**, be it

**RESOLVED**, that Community Board Six supports the application by Caliente Cab Co. Restaurant for an on-premises liquor license.

**VOTE: 28 in Favor 1 Opposed 0 Abstention 0 Not Entitled**

k. **Transfer of On-Premises Restaurant Wine License, Rocky's Best Pizza, 607 2<sup>nd</sup> Avenue (between E. 33<sup>rd</sup> and E. 34<sup>th</sup> Streets)**

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

**WHEREAS**, the applicant informed us 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 supports the application for the transfer of an on-premises restaurant wine license at this time.

**VOTE: 28 in Favor 1 Opposed 0 Abstention 0 Not Entitled**

- l. **Transfer of On-Premises Liquor License, 307 3<sup>rd</sup> Avenue Rest., Inc., d/b/a/ Andreas' Brick Oven Ristorante, 307 3<sup>rd</sup> Avenue at E. 23<sup>rd</sup> Street**

**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 supports the application for the transfer of an on-premises liquor license at this time.

**VOTE: 28 in Favor 1 Opposed 0 Abstention 0 Not Entitled**

- m. **On-Premises Liquor License, Birdie NY Inc., d/b/a/ Birdie NY, 316 E. 49th Street**

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

**WHEREAS**, the applicant will make some alterations in the establishment, chiefly moving the bar from one side to the other; and

**WHEREAS**, the capacity of this lounge aimed at Japanese businessmen will be only 25; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application for an on-premises liquor license at this time.

**VOTE: 28 in Favor 1 Opposed 0 Abstention 0 Not Entitled**

n. **On-Premises Liquor License, Alma Grill Rest., LLC, 134 E. 48th Street bet 3<sup>rd</sup> & Lexington Avenues**

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

**WHEREAS**, the establishment will be a steakhouse in the Radisson Hotel; and

**WHEREAS**, the capacity of this restaurant will be 75-90; and

**WHEREAS**, the restaurant will close at 10:00 pm nightly, and as such should not cause a noise problem; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application for an on-premises liquor license at this time.

**VOTE: 28 in Favor 1 Opposed 0 Abstention 0 Not Entitled**

p. **Art Exhibit for Tudor City Greens on Tudor City Place Bet E. 41<sup>st</sup> & E. 43<sup>rd</sup> Streets on June 24<sup>th</sup> and 25th**

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

**WHEREAS**, the applicant will stage an art exhibit with works to be displayed along the park fence; and

**WHEREAS**, there will be no interference with pedestrian traffic; and

**WHEREAS**, the exhibit will add to the quality of life of the community; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application to hold an art exhibit on Tudor City Place bet. E. 41<sup>st</sup> and E. 43<sup>rd</sup> Streets.

**VOTE: 29 in Favor 0 Opposed 0 Abstention 0 Not Entitled**  
**Street Fair Applications**

- q. **Church of Our Savior - Street Activity Permit application on April 25<sup>th</sup> to April 29<sup>th</sup> (M-F). 2005 for a Street Festival to be held at 59 Park Ave., b/w E. 37<sup>th</sup> & E. 38<sup>th</sup> Sts.**

**WHEREAS**, the Church of Our Savior holds this event annually without incident; and

**WHEREAS**, the applicant has represented that proceeds from this event will be used to fund a scholarship; and

**WHEREAS**, the applicant, in the past, has provided services 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 Church of Our Savior for a Street Activity Permit.

**VOTE: 28 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

- r. **Jack & Jill School - Street Activity Permit application for a Street Festival to be held on East 16<sup>th</sup> Street between Third Avenue and Rutherford Place on Saturday, April 24, 2005.**

**WHEREAS**, the Jack & Jill School holds this event annually without incident; and

**WHEREAS**, the applicant has represented that proceeds from this event will be used to fund a scholarship; and

**WHEREAS**, the applicant, in the past, has provided services 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 Jack & Jill School for a Street Activity Permit.

**VOTE: 28 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

- s. **Baruch College - Application for a Street Activity Permit on Thursday, May 5, 2005 for East 25<sup>th</sup> Street between Lexington and Third Avenues.**

**WHEREAS**, Baruch College holds this event annually without incident; and

**WHEREAS**, this is Students Day which is the last event before graduation; 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 6 does not oppose the application by Baruch College for a Street Activity Permit.

**VOTE: 28 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

- t. **High School for Health Professions - Application for a Street Activity Permit on Saturday, May 7, 2005 for East 15<sup>th</sup> St., b/w 1<sup>st</sup> Ave. and Perlman Place**

**WHEREAS**, an application for a street activity permit has been received from the High School for Health Professions for an event to be held on Saturday, May 7<sup>th</sup>; and

**WHEREAS**, a representative of the applicant appeared before our committee; and

**WHEREAS**, the representative answered specific questions/concerns about this application concerning traffic and other matters; and

**WHEREAS**, the High School for Health Professions application is for a street festival staffed by the Parent's Association and staffed by parent and student volunteers; and

**WHEREAS**, the applicant has proven to be a good neighbor over the years; now

**THEREFORE, be it**

**RESOLVED**, that Community Board 6 does not oppose the application by the High School for Health Professions for a Street Activity Permit.

**VOTE: 28 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

v. **Epiphany School--Street Activity Permit application for a Street Festival to be held on E. 22<sup>nd</sup> Street between Third and Second Avenues on Sunday, May 15, 2005.**

**WHEREAS**, an application for a street activity permit has been received from Epiphany School for an event to be held on Sunday, May 15<sup>th</sup>; and

**WHEREAS**, a representative of the applicant appeared before our committee; and

**WHEREAS**, the representative answered specific questions/concerns about this application concerning traffic and other matters; and

**WHEREAS**, the Epiphany School application is for a street festival staffed by the Parent's Association and staffed by parent and student volunteers; and

**WHEREAS**, the applicant has proven to be a good neighbor over the years; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application by Epiphany School for a street activity permit for the dates and location shown above.

**VOTE: 28 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

w. **Federation of Turkish American Assoc. - Street Activity Permit application for a Street Festival on Saturday, May 21, 2005 to be held on East 47<sup>th</sup> Street between First and Second Aves.**

**WHEREAS**, the Federation of Turkish American Assoc. holds this event annually without incident; and

**WHEREAS**, the applicant has represented that proceeds from this event will be used to fund a scholarship; and

**WHEREAS**, the applicant, in the past, has provided services 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 Federation of Turkish American Assoc. for a Street Activity Permit.

**VOTE: 28 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

x. **The Churchill School--Street Activity Permit application for a Street Festival to be held on Saturday, May 21, 2005 for East 30<sup>th</sup> Street between First and Second Avenues.**

**WHEREAS**, an application for a street activity permit has been received from the Churchill School for an event to be held on Saturday, May 21<sup>st</sup>; and

**WHEREAS**, a representative of the applicant appeared before our committee; and

**WHEREAS**, the representative answered specific questions/concerns about this application concerning traffic and other matters; and

**WHEREAS**, the Churchill School application is for a street festival staffed by the Parent's Association and staffed by parent and student volunteers; and

**WHEREAS**, the applicant has proven to be a good neighbor over the years; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application by the Churchill School for a street activity permit for the dates and location shown above.

**VOTE: 28 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

- y. **Murray Hill Neighborhood Association--Street Activity Permit application for a Street Festival to be held on East 35<sup>th</sup> Street between Lexington and Fifth Avenues on Saturday, June 4, 2005.**

**WHEREAS**, the applicant is known by the community board to be a community based organization which has an indigenous relationship to the community and has provided services to the community in the past; and

**WHEREAS**, the proposed street festival will not be held on a major traffic thoroughfare; and

**WHEREAS**, the applicant has represented that proceeds from this event will be used in a manner to benefit the community; and

**WHEREAS**, the applicant has held this event in the past without incident; now

**THEREFORE, be it**

**RESOLVED**, that Community Board Six supports the application by the Murray Hill Neighborhood Association for the date and location above.

**VOTE: 28 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

- z. **Friends Seminary - Street Activity Permit application for a Street Festival to be held on Rutherford Place between 15<sup>th</sup> and 16<sup>th</sup> Streets and on 16<sup>th</sup> Street between Third Avenue and Rutherford Place on Saturday, May 7, 2005.**

**WHEREAS**, The Friends Seminary School holds this event annually without incident; and

**WHEREAS**, the applicant, in the past, has provided services 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 6 does not oppose the application by Friends Seminary for a Street Activity Permit.

**VOTE: 28 in Favor 0 Opposed 1 Abstention 0 Not Entitled**

aa. **Report**

Harry waived the committee report.

**Old/new business**

Marty Barrett once again reminded the committee chairs to hand in their list of budget priorities. The first Budget Committee meeting on the priorities will be in April.

**Second Roll Call**

**Adjournment**