

RICHARD EGGERS
CHAIR

VICE-CHAIRS
CLAUDE L. WINFIELD, 1ST
MOLLY HOLLISTER, 2ND



DAN MINER
DISTRICT MANAGER

BEATRICE DISMAN, TREASURER

KATHY THOMPSON
SECRETARY
AARON HUMPHREY
ASST. SECRETARY

THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD SIX
866 UNITED NATIONS PLAZA, SUITE 308

**Manhattan Community Board Six
Full Board Meeting Minutes
November 18th, 2015 – 7:00 PM
NYU Langone Medical Center, 550 1st Avenue, Alumni Hall A**

Newly elected Board Chair Rick Eggers called the meeting to order at 7:09 pm. He thanked everyone for their participation in the election of the new executive board and introduced himself and the others sitting on the dais, who were District Manager, Dan Miner; First Vice-Chair, Claude L. Winfield; and Secretary Kathy Thompson.

There was no public hearing. Chair Eggers noted that there may be flexibility in the agenda when the Borough President's representative arrives. With that, the agenda was adopted.

The first roll call was conducted by Secretary Kathy Thompson.

Public Session - Elected Representatives Reports

Before the elected representatives reports Chair Eggers reminded members of the public that all speakers are allowed a maximum of three minutes to speak. The chair may shorten the allotted speaking time if the evening's agenda is long and overall time is running short. He also asked the elected officials to be mindful of the three minute speaking allotment as well. Should anyone have questions regarding the process for speaking during Public Session, information will be posted on the CB6 website at www.cbsix.org.

Shelby Garner from Congresswoman Carolyn Maloney's office reintroduced himself to the board and announced that he is returning to his previously-held position with Ms. Maloney as this district's representative. He can be contacted at Shelby.Garner@mail.house.gov or 212-860-0606. He discussed Ms. Maloney's co-sponsorship of The James Zadroga 9/11 Health and Compensation Reauthorization Act to permanently extend the World Trade Center Health Program and Victim Compensation Fund, which are set to shut down completely in 2016. For more information please go to: <http://maloney.house.gov/>.

Sarah Diaz from the office of State Senator Liz Krueger announced that the next Roundtable for Boomers and Seniors will be held on December 3rd. On November 19th, Senator Krueger will be submitting testimony to DHCR in opposition of rent control increases. For more information please go to: <http://www.lizkrueger.com/>.

Rebecca Kriegman from the office of State Senator Brad Hoylman reported that Senator Hoylman is partnering with New York Legal Assistance Group on December 4th to bring their Mobile Legal Help Clinic to the district for free legal advice and counsel. He also introduced a bill into the NY State Senate reinstating benefits to LGBT veterans. Lastly, Senator Hoylman was named EPL/Environmental Advocates' Legislator of the Year. For more information please go to: <http://bradhoylman.com/>.

Brice Peyre from the office of New York State Assembly Member Richard Gottfried reported that AM Gottfried just spoke at the Bellevue Community Advisory Board. He also noted that the legislation introduced by AM Gottfried, the Medical Marijuana Expedited Access Bill, was signed into law by Governor Cuomo on November 11th. AM Gottfried is co-hosting a free flu shot clinic on November 19th; and Mr. Gottfried congratulates former CB6 board member Lyle Frank on his election to judge of NY Civil Court. For more information please go to: <http://www.dickgottfried.org/>.

Board Chair Eggers followed up the congratulations to Mr. Frank by announcing to the entire board the election of Mr. Frank, and offering the best wishes of Community Board Six.

Laura Atlas from the office of Public Advocate Letitia James announced that Ms. James will be releasing a watch list of the City's 100 Worst Landlords and is launching a website called www.landlordwatchers.com. A rally will be held on November 23rd in City Hall Park in association with the watch list. For more information please go to: <http://pubadvocate.nyc.gov/>.

Howie Levine from the office of Councilmember Dan Garodnick reported that CM Garodnick, Borough President Brewer, and the East Midtown Steering Committee, of which CB6 is a member, released their report on East Midtown Rezoning on October 29th. He noted the recommendations will be included into the ULURP process. He also reported on the recent sale of Stuyvesant Town and Peter Cooper Village to a partnership of the Blackstone Group and Ivanhoe Cambridge. Mr. Levine announced that the Food Emporium on Second Avenue and 51st Street has gone bankrupt and will be replaced with a CVS. For more information please go to: <http://www.garodnick.com/>.

Taylor Digby from the office of Council Member Ben Kallos announced that a special East River Esplanade Visioning Session will be held on November 19th. The second Monday of every month the Urban Justice Center will hold a family law and domestic violence clinic in the Council Member's office. He also reported on CM Kallos' most recent actions in the fight against superscrapers in the district. Lastly, he announced CM Kallos' holiday party on December 17th in his district office. For more information please go to: <http://benkallos.com/>

Jasmine Vargas from NYC Parks 54th Street Center advised us that the fall programs are in full swing. She noted that the Parks Department is involved not only with recreation but also aquatics and forestry. She noted that the Recreation Center has 35 classes including water aerobics, youth soccer training, youth street hockey, adult dancing and adult dodge ball. Lastly, the Recreation Center will be closed Thanksgiving and Christmas days. For more information please go to: <http://www.nycgovparks.org/facilities/recreationcenters/M130>.

Carlina Rivera from the office of Council Member Rosie Mendez congratulated CB6 board member Ellen Imbimbo for her recognition by the Murray Hill Neighborhood Association with the Community Service Award. She encouraged everyone to visit the new exhibit called 'Saving Place: 50 Years of New York City Landmarks' at the Museum of the City of New York. She also reported on CM Mendez' recent meeting with MTA officials on the delays of Phase II of the Second Avenue Subway. For more information please go to: <http://council.nyc.gov/d2/html/members/home.shtml>.

Public Session - Members of the Public

Barbara Hess spoke on working with the local branches of the library at Grand Central, Kips Bay and other branches in speaking on the Affordable Care Act and tax identity theft. She encourages everyone to visit their local branch for scheduling times.

Former CB6 Board Member Lyle Frank, in attendance with his son, thanked everyone for their kind wishes during his candidacy for judgeship. He was elected on November 3rd to the Civil Court bench. On November 4th he resigned from CB6. His induction to the bench will be in January, 2016.

Business Session

Adoption of the October minutes: In response to a question, Chair Eggers explained that the total votes cast for each officer in the October election is included in the minutes. The actual ballots and a list of how each member voted is available at the District Office. There is some question whether a list noting how each Board member voted should be included in the minutes. The Chair explained that CB6 has not listed the individual votes in the previous ten years and that at least some other Manhattan community boards also only report the aggregate votes. The Chair is checking with the Borough President's Office on how to proceed for the future. The October minutes were then adopted.

Chair's Report

This was Chair Rick Eggers' first meeting as Chair. He thanked everyone for their assistance during the transition period, as well as congratulating incoming executive board members. He announced his fellow executive board members to be: Claude L. Winfield as First Vice-Chair; Molly Hollister as Second Vice-Chair; Charles Buchwald as Treasurer; Beatrice Disman as Assistant Treasurer; Kathy Thompson as Secretary; and Aaron Humphrey as Assistant Secretary. He also announced that he had appointed Sandra McKee to be Chair of the Transportation Committee. He noted that some board member roles have expanded by announcing that Claude L. Winfield will continue as chief mentor to newly appointed board members, but will also be considering training for experienced board members. Sandro Sherrod will continue as de-facto chief technology officer. Sandro has been invaluable in re-designing the website and newsletter, expanding the board's presence on social media and live-streaming the board meetings. He will be investigating the possibility of tracking resolutions once passed and creating a searchable resolutions library. Chair Eggers announced that Letty Simon will be reviewing all intern reports before they are made public, as well as editing the POPs and Landmarks reports and will be reviewing guidelines for other Board communications.

He noted that in all board member packets is an announcement of the public scoping meeting in advance of the environmental impact statement for the East Side Coastal Resiliency Project on December 3rd. Details will be posted on the CB6 website at www.cbsix.org. He reported that he had sent a letter to Chair Weisbrod of the City Planning Commission requesting additional time for the Housing, Homeless and Human Rights Committee and the Land Use and Waterfront Committee to study the DCP proposals on Mandatory Inclusionary Housing and Zoning for Quality and Affordability. While the letter is not included in board member packets, it is available for review in the district office.

He is working with Budget and Governmental Affairs Committee Chair Pedro Carrillo on a follow-up procedure to track our progress in advocating for the needs identified in our annual District Needs Statement and budget requests. He would also like to focus on emergency preparedness in the community in light of events over the past few years including Superstorm Sandy, the Ebola scare, and, most recently, the Paris terrorist attacks. He feels that we should be mindful of the vulnerable population in our district and how best to serve them in the event of future emergencies.

Next Chair Eggers advised the board that he will be asking the district office to update all members' contact information. He noted that he is aware of privacy issues for members and would like members to review what information they would allow to be made public with the district office. He also reminded all board members that they are not allowed to share contact information of board members with members of the public.

He asked all board members to be courteous during email exchanges between members; and that policy and resolutions are not shaped during email exchanges but rather through open meetings. Chair Eggers also reminded all board members that no member speaks for the board unless specifically authorized to do so; making special note that board members cannot speak to the press on behalf of the board without prior authorization.

Lastly, Chair Eggers announced that the board holiday party will be on December 16th at the board office after the executive board meeting. Board member Ann Seligman will once again chair the committee organizing the event, assisted by Karen in the district office and other board members who wish to participate. A modest fee will be required, which will be announced at a later date.

District Manager's Report

District Manager Dan Miner reported that he will be working with board members Sandro Sherrod and Letty Simon on multiple projects. He is also putting together a list of resources for services for youth and children in the district which will be included on the website. A new addition to the website will be a list of community organizations in our district. He is working with the Church of the Covenant on 42nd Street, along with a group of faith organizations, on the district's homeless issues. This group will be meeting with a representative from the Mayor's office on the homeless issues in early December. For more information please go to: <http://cbsix.org/>.

Treasurer's Report

Treasurer Charles Buchwald reported from the November 12, 2015 data that the starting total 2016 Personal Services budget amount is \$188,684.00, from which \$47,898.22 has been spent and \$141,514.53 remains. From the starting total Other Than Personal Services budget of \$120,292.00, the remainder is \$117,758.82. Most of OTPS consists of the street fair fund of \$79,818.00. The total OTPS without the street fair fund is \$37,940.82. The total rent is \$115,105.00. The total for PS, OTPS and rent is \$424,820.00.

Borough President's Report

Lucille Songhai from Manhattan Borough President Gale Brewer's office noted that there were 200 people speaking and submitting testimony at the recent public hearing on Mandatory Including Housing and Zoning for Quality and Affordability. She acknowledged that CB6 would be voting on a joint resolution this evening and that the board's resolution would be included in the Borough Board meeting tomorrow. There will be a special Borough Board meeting on November 30th after all community boards have voted to discuss MIH/ZQA further.

Ms. Songhai announced that it is time for community board member appointments. She noted that applications are available in paper format, but that online applications are also available and encouraged.

Lastly, Ms. Songhai invited Sandro Sherrod up to the dais to receive a plaque of appreciation which included a proclamation of November 18th as Sandro Sherrod Appreciation Day in Manhattan.

For more information please go to: <http://manhattanbp.nyc.gov/html/home/home.shtml>.

At 8:25 pm Chair Eggers called a short break for two committees to caucus. The meeting resumed at 8:42 pm.

Committee Resolutions & Reports

1. Health and Education

Chair Ahsia Badi waived a report.

2. Land Use and Waterfront

Chair Terrence O'Neal reviewed the committee's recent consideration of MIH/ZQA and the joint resolution prepared with the Housing, Homeless and Human Rights Committee. That resolution will be presented by HHHR Committee Chair Raj Nayar. He noted that CM Garodnick had visited the November committee meeting to discuss a potential sale of air rights in the sale of Stuyvesant Town and Peter Cooper Village, as well as a brief report on the East Midtown Steering Committee's recently released report on East Midtown rezoning. He reminded everyone of the upcoming scoping session for the East Side Coastal Resiliency Project on December 3rd; and that the committee will continue addressing the DSNY garage, the 58th Street proposed megatower, and will be hearing from the EDC in December on an update on the Waterside pier.

3. Budget and Governmental Affairs

Chair Pedro Carrillo waived a report

4. Parks, Landmarks and Cultural Affairs

Chair Mark Thompson reported that the caucus during recess was for a resolution in support of a grouping of 4 pieces of sculpture by a Brazilian artist to be placed in Dag Hammarskjold Plaza. The grouping will be installed later this month and will be in place until the spring of 2016. The request for a resolution was presented at the last minute; and the resolution will follow the same format as similar resolutions regarding sculpture presentations in Dag Hammarskjold Plaza. The resolution passed committee unanimously and the full board passed the resolution unanimously. Chair Thompson then reported on testimony given by himself and Gary Papush to the Landmarks Preservation Committee on behalf of the Chester A. Arthur House, as well as other calendared locations in the CB6 district. Finally, he announced that November 20th will mark the date of the one millionth tree planted in NYC.

4. Parks, Landmarks & Cultural Affairs – Mark Thompson, Chair				
a. DPR application for placement of temporary art sculptures by Brazilian artist Mazeredo in Dag Hammarskjold Plaza. from November 2015 – Spring 2016	36	0	0	0

5. Business and Street Activities

David Colby Reed reported on behalf of Chair Keith Powers. It was noted that David attended his first BASA committee meeting in October and is now presenting the October resolutions. The resolutions were bundled. Resolutions 5a,d,e,f,h,I,j,k,l all passed with one abstention for cause. The report was waived.

5. Business Affairs & Street Activities – Keith Powers, Chair				
a. New BW Lic., Coffee House Holdings dba Starbucks Coffee, 875 3 rd Ave btw E. 52 nd & 53 rd Sts	35	0	0	1
d. New OP Liq. Lic., AJ Bontempo, Sergio Riva, Mario Riva dba TBD, 179 3 rd Ave @E. 17 th St	36	0	0	0
e. New OP Liq. Lic., Lava 164 Corp dba TBD, 306 E 49 th St. btw 1 st & 2 nd Aves	36	0	0	0
f. Corp Ch for America Ootoya Inc. dba Tempura Matsui, 222 E 39 th St. btw Tunnel Exit St. & 2 nd Ave	36	0	0	0
h. Alteration application for Munster Cafe LLC dba Bar Rua, 497 3 rd Ave btw E. 33 rd & 34 th Sts	36	0	0	0
i. New OP Liq. Lic, Chipotle Mexican Grill of Colorado, LLC dba Chipotle Mexican Grill, 286 1 st Ave @E. 17 th St	36	0	0	0
j. New BW Lic, P.R. Crepe LTD dba John's Restaurant, 823 2 nd Ave @E. 44 th St	36	0	0	0
k. Corp Ch for Redd Rover Group dba Evolve Bar & Lounge, 221 E 58 th St. btw 2 nd & 3 rd Aves	36	0	0	0
l. New BW Lic., Keizo Seki & Shigeru Mase, 127 E 39 th St. @ Lexington Ave	36	0	0	0

6. Public Safety and Environment

Chair Nick Smolney presented Resolution 6b, which passed unanimously. He waived a report.

6. Public Safety & Environment – Nick Smolney, Chair				
a. Int 0377-2014 Requiring the cleaning of liquid on a sidewalk, flagging or curbstone generated by trash placed curbside for collection	36	0	0	0

7. Transportation

Chair Sandra McKee presented Resolution 7c, which passed unanimously. She reported that Move New York will make a presentation at the December committee meeting.

7. Transportation – Sandra McKee, Chair				
a. FDNY-Engine 21: options for Westbound fire engines on E. 40 th Street	36	0	0	0

8. Housing, Homeless and Human Rights

Chair Raj Nayar, along with Land Use and Waterfront Committee Chair Terrence O’neal, presented the joint resolution on Mandatory Inclusionary Housing & Zoning for Quality & Affordability. At the earlier caucus a friendly amendment was introduced to the fourth Resolved which reads: ‘**Resolved**, that Community Board Six requests that developers should not be eligible to apply for the 421-a program if they are participating in the generating site or MIH site program and that the 421-a program be limited to 25 years;’ The vote count in committee was 14-0-3-0. The full board passed at 33-0-3-0. He waived a report.

8. Housing, Homeless & Human Rights – Rajesh Nayar, Chair JOINT w/LUWFT				
a. DCP proposals on Mandatory Inclusionary Housing and Zoning for Quality Affordability.	33	0	3	0

Old/New Business

There was no old or new business.

The second roll call was conducted by Secretary Kathy Thompson.

The meeting adjourned at 9 pm.

Minutes submitted by Secretary Kathy Thompson.

RESOLUTIONS

4. PARKS, LANDMARKS & CULTURAL AFFAIRS

- a. **DPR Application for placement of temporary sculpture by Mazeredo in Dag Hammarskjold Plaza on E. 47th St. between 1st & 2nd Aves**

WHEREAS, Jennifer Lantzas, the Public Art Coordinator for New York City Parks, provided information to the Community Board 6 office regarding a proposed sculpture installation of four pieces entitled ‘Babel,’ ‘Butterfly,’ ‘Dialogue,’ and ‘Communication,’ which is proposed for installation on the sculpture platform at Dag Hammarskjold Plaza; and

WHEREAS, the sculptures are the works of the Brazilian artist Mazeredo, who translates the sounds she hears in Brazil into vibrant colors and shapes that make up her sculptures; and

WHEREAS, the exhibition will include two workshops where the artist will give free lessons to park visitors of all ages; and

WHEREAS, the sculptures will be installed at the end of November, 2015 in Dag Hammarskjold Plaza and removed at the end of Spring, 2016; and

WHEREAS, the individual sculptures range in height from 5’ to 6.5’ with weights from 170 pounds to 205 pounds; and

WHEREAS, Dag Hammarskjold Plaza is the gateway to the United Nations and has a long history of successful public art installations; and

WHEREAS, the NYC Parks Department will be coordinating the installation and removal of the sculptures; **now**

THEREFORE, BE IT

RESOLVED, that Community Board Six supports the DPR APPLICATION FOR PLACEMENT OF FOUR TEMPORARY T SCULPTURES BY MAZEREDO IN DAG HAMMARKSKJOLD PLAZA ON EAST 47TH STREET BETWEEN FIRST AND SECOND AVENUES.

Vote: 36 in Favor 0 Opposed 0 Abstention 0 Not Entitled

5. BUSINESS AFFAIRS & STREET ACTIVITIES

- a. **New BW Lic., Coffee House Holdings dba Starbucks Coffee, 875 3rd Ave btw E. 52nd & 53rd Sts.**

WHEREAS, Representative, Alex Lawrence appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 29, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, Starbucks is beginning an evening program that will feature acoustic music, a dinner menu, and craft beers and wine; and

WHEREAS, Starbucks is choosing specific locations around the city for the evening program, including the Starbucks location at 875 3rd Avenue in CB6M; and

WHEREAS, the evening program will start at 2 pm until the store closing with beer and wine served only during these hours, and

WHEREAS, no beer or wine will be allowed to be taken off premises; and

WHEREAS, Starbucks will have employees ensuring compliance with New York State age restrictions prohibiting liquor to be served to anyone under 21 years old; and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on October 29, 2015 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

Vote: 35 in Favor 0 Opposed 0 Abstention 1 Not Entitled

d. **New OP Liq. Lic., AJ Bontempo, Sergio Riva, Mario Riva, dba TBD, 179 3rd Ave @ E. 17th St.**

WHEREAS, Owners, AJ Bontempo, Susanne Vigo, Segio Riva, and Mario Riva appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 29, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owners currently operates three (3) restaurants, including La Folia in CB6M, and

WHEREAS, La Folia is in good standing with CB6M and has not had any issues with the community, and

WHEREAS, the owners presented a restaurant and menu that would feature upscale French cuisine, including small plates, salads, and pastas, and

WHEREAS, the owners agreed to hours of operation of 11 a.m. to 2 a.m. daily; and

WHEREAS, the owner of the existing establishment, Mumbles, appeared to speak in favor of the application; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on October 29, 2015 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

Vote: 36 in Favor 0 Opposed 0 Abstention 0 Not Entitled

e. **New OP Liq. Lic., Lava 164 Corp dba TBD, 306 E 49th St. btw 1st and 2nd Aves.**

WHEREAS, Owner, James Cafieno and Representative, Herbert Cunniffie appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 29, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, the owner proposes to open a bar, named Marshall Street, that serves food at this location with a focus on being an establishment that serves the surrounding local neighborhood, and

WHEREAS, the owner proposes to include an Atomic Wings in the establishment for takeout and delivery service; and

WHEREAS, CB6M has concerns with the amount of liquor license establishments in this immediate neighborhood and believes that an additional late night establishment until 4 a.m. is not appropriate in this area, and

WHEREAS, the owner agreed to limit the hours of operation until 2 a.m. for seven days a week, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on October 29, 2015 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** "Hours of Operation," that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

Vote: 36 in Favor 0 Opposed 0 Abstention 0 Not Entitled

f. **Corp. Ch. for America Ootoya Inc. dba Tempura Matsui, 222 East 39th St. btw Tunnel Exit St. and 2nd Ave.**

WHEREAS, President, Tomonori Takada appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 29, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, American Ootoya is an existing Japanese restaurant that is seeking an upgrade to an on-premise license, and

WHEREAS, the owners of the restaurant operate multiple establishments and were recently awarded a Michelin Star for their restaurant; and

WHEREAS, this establishment will maintain its existing method of operation with no changes to hours, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on October 29, 2015 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** "Hours of Operation," that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

Vote: 36 in Favor 0 Opposed 0 Abstention 0 Not Entitled

h. Alteration Application for Munster Café LLC dba Bar Rua, 497 3rd Ave btw. 33rd & 34th Sts.

WHEREAS, Owner, Ken McCoy appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 29, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this establishment is an existing licensed establishment with an on-premise liquor license, and

WHEREAS, the owner is seeking an alteration to the license to allow for a bar in the rear of the restaurant to allow for more private events and to remove congestion near the front of the bar, and

WHEREAS, the hours and method of operation will not change, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on October 29, 2015 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** “Hours of Operation,” that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

Vote: 36 in Favor 0 Opposed 0 Abstention 0 Not Entitled

i. New OP Liq. Lic. Chipotle Mexican Grill of Colorado, LLC dba Chipotle Mexican Grill, 286 1st Ave @ E. 17th St.

WHEREAS, the applicants did not appear before BASA to answer any concerns regarding this license; and

WHEREAS, failure to appear rendered the committee unable to make a determination to whether application was in the public interest or to determine the “bona fides” of the application; and

WHEREAS, the 500 foot rule applies and therefore there is no way to determine whether this change is in the public interest; now

THEREFORE, be it

RESOLVED, that Community Board Six objects to this application.

Vote: 36 in Favor 0 Opposed 0 Abstention 0 Not Entitled

j. New BW Lic., P.R. Crepe LTD dba John’s Restaurant, 832 2nd Ave @ E. 44th Street

WHEREAS, Owners, Nikolas Tsiniias and George Tsiniias appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 29, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location is an existing restaurant that is transferring ownership between family members; and

WHEREAS, this establishment will maintain the existing method of operations and requesting additional hours to allow for a 12 am closing, and

WHEREAS, the establishment is in good standing with CB6M and has not had a history of complaints or community issues; and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on October 29, 2015 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** "Hours of Operation," that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

Vote: 36 in Favor 0 Opposed 0 Abstention 0 Not Entitled

k. **Corp. Ch. for Redd Rover Group dba Evolve Bar & Lounge, 221 East 58th Street btw. 2nd and 3rd Aves.**

WHEREAS, Owner, Michael Daniels appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 29, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this is an existing establishment that is seeking a corporate change in ownership; and

WHEREAS, a minority owner is selling shares in the business to the majority owner of the establishment, and

WHEREAS, there are no proposed changes in method of operation or hours of operation, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on October 29, 2015 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** "Hours of Operation," that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

Vote: 36 in Favor 0 Opposed 0 Abstention 0 Not Entitled

l. **New BW Lic., Keizo Seiki & Shigeru Mase, 127 E. 39th Street @ Lexington Ave.**

WHEREAS, The owners appeared before the Business Affairs and Street Activities Committee of Community Board 6 Manhattan (CB6M) on October 29, 2015, CB6M having jurisdiction of the premises in the license application process; and

WHEREAS, this location will be a Japanese Restaurant operated by owners with multiple restaurants, and

WHEREAS, the owners have received a Michelin star for Sushi Zo in Los Angeles. And

WHEREAS, this establishment will close at 11PM nightly, and

WHEREAS, the restaurant will have 10-15 seats, and

WHEREAS, no members of the community had any comments for or against; now

THEREFORE, be it

RESOLVED, that pursuant to the presentation made by the Representative at the meeting of the Business Affairs and Street Activities committee held on October 29, 2015 and pursuant to all other considerations, CB6M has **no objection** to the application so long as the Applicant adheres to all the Representations made by the Representative to the Committee.

BE IT FURTHER RESOLVED, if the SLA application, **however**, contains a different method of operation than has been presented to CB6M as stated in this, **including** "Hours of Operation," that differ in **any way** from those described above, then CB6M **opposes** the application and **urges** the SLA to deny the application based on such misrepresentation to Community Board 6 Manhattan.

Vote: 36 in Favor 0 Opposed 0 Abstention 0 Not Entitled

6. PUBLIC SAFETY & ENVIRONMENT

b. Int 0377-2014 Requiring the cleaning of liquid on a sidewalk, flagging or curbstone generated by trash placed curbside for collection

WHEREAS, Manhattan Community Board 6 has been investigating all reasonable measures to curb rodent populations; and

WHEREAS, The waste associated with food or beverage service establishments can attract rodents and vermin; and

WHEREAS, Under the current city code, establishments are responsible for keeping sidewalk, flagging or curbstone free of garbage, refuse, rubbish, litter, debris and other offensive material; and

WHEREAS, The city code doesn't include liquid associated with this waste, which can be just as odorous and offensive; and

WHEREAS, New York City Intro 0377-2014 has provisions to clarify this, by mandating that establishments clean this liquid, either within one hour of waste collection if the collection is during business hours or if collection is not during business hours then by the later of 7:00 a.m., or two hours before the time at which such establishment reopens for business; and

WHEREAS, Intro 0377-2014 has provisions to double the fines associated with both trash and the liquids they generate, so as to strengthen compliance; and

WHEREAS, Intro 0377-2014 includes for the establishment to make use of a hose, as weather permits to wash away these liquids, so as to ease the burden of cleaning; now

THEREFORE, BE IT

RESOLVED, that Community Board 6 urges the New York City Council to pass and the Mayor to sign Intro 0377 of 2014.

Vote: 36 in Favor 0 Opposed 0 Abstention 0 Not Entitled

7. TRANSPORTATION

c. Request by City Fire Department (Borough Command) for alteration of traffic movement on 40th Street between Tunnel Exit Street and 2nd Avenue.

Whereas, the New York City Fire Department's Engine Company 21 is housed at 238 east 40th street on the south side of this east-bound street, and

Whereas, the FDNY Engine Company 21 responds to more than 4,000 incidents yearly and approximately 70% of the calls to which the fire company responds are to the west and/or north of the fire house, and

Whereas, response time is severely degraded because, when a call comes in, firefighters must manually stop traffic at Tunnel Exit Street to clear the way, and

Whereas, the FDNY Engine Company 21 currently can control the traffic signal at 2nd avenue and 40th street, and would greatly benefit from the ability to control the signal at 40th street and the Tunnel Exit Street, and

Whereas, moving and delivery trucks serving the 362-unit residential building across the street frequently park in the No Standing zone opposite the fire house, and

Whereas response time is also degraded because vehicles parked in the No Standing zone impede the trucks from making any turn out of the firehouse, and

Whereas, the No Standing zone is clearly identified but cannot be constantly enforced, and

Whereas, slower response times put lives & property at risk;

THEREFORE BE IT

Resolved that Community Board 6 urges the New York City Department of Transportation (DOT) to grant the New York City Fire Department's Engine Company 21 (238 East 40th Street) request for control of the traffic signal at 40th street and Tunnel Exit Street, and

Be It Further Resolved that Community Board 6 urges DOT to demark a 60' No Standing zone with flexible bollards opposite the fire station to physically prevent vehicles from parking illegally in this zone and impeding the exit of the fire trucks.

Vote: 36 in Favor 0 Opposed 0 Abstention 0 Not Entitled

8. HOUSING, HOMELESS & HUMAN RIGHTS – Joint Resolution w/LUWFT

a. DCP ULURP Applic. N160049ZRY Zoning for Quality and Affordability and Mandatory Inclusionary Housing Text Amendment

Whereas, the Mayor has proposed a plan entitled Housing New York which is a ten-year plan for the construction of 80,000 new units of affordable housing and the preservation of 120,000 existing units of affordable housing; and

Whereas, the range of initiatives the Mayor has set forth includes two city-wide zoning text amendment proposals known as Zoning for Quality and Affordability (ZQA) and Mandatory Inclusionary Housing (MIH); and

Whereas, the ZQA text amendment will:

- Increase available floor area for developments that include affordable senior housing
- Remove parking requirements for affordable housing developments
- Modify height and setback restrictions in contextual districts;
- Make provisions of permanent affordable housing a requirement for any development involving new construction, enlargement or conversion that requires a rezoning; and

Whereas, the ZQA text amendment allows developers to construct affordable senior citizen apartments as small as 250 square feet for its residents across the City of New York; and

Whereas, the ZQA text amendment increases the density, floor area, height and dwelling unit count of affordable senior housing across the City of New York, which will significantly diminish air, light, open space and living space; and

Whereas, the MIH text amendment offers the following options by way of rezoning or special permits:

1. 25% affordable housing at 60% AMI
2. 30% affordable housing at 80% AMI

3. Option 1 or 2 and 30% affordable housing at average of 120% AMI in Manhattan CB 9-12 only (workforce option); and

Whereas, the MIH text amendment allows real estate developers to propose a building or building segment containing either residential affordable floor area or a supportive housing project, which generates floor area compensation generating sites which contain affordable housing units and allows real estate developers utilizing (“generating sites”) to seek public funding; and

Whereas, the MIH text amendment requires distribution of affordable housing units in new construction affordable housing or substantial rehabilitation affordable housing in a specific, equitable manner; and

Whereas, the MIH text amendment generally states that any affordable housing units other than supportive housing units or affordable independent residences for seniors shall be distributed in a specific, equitable manner; and

Whereas, in Mandatory Inclusionary Housing areas the “affordable housing fund” is a fund administered by HPD, all contributions to which shall be used for development, acquisition, rehabilitation, or preservation of affordable housing, or other affordable housing purposes as set forth in the guidelines; and

Whereas, a development, enlargement, or conversion from non-residential to residential use that increases the number of dwelling units by no more than 25, and increases residential floor area on the zoning lot by less than 25,000 square feet, may satisfy the requirements of this Section by making a contribution to the affordable housing fund. The amount of such contribution shall be related to the cost of constructing an equivalent amount of affordable floor area, as set forth in the guidelines; and

Whereas, the current administration has stated a goal of creating 200,000 units of affordable housing, but has, to date, offered no planning process to study the impacts of this increase in density; and,

Whereas, increasing the permissible height of a building by as much as 40 feet may have an undesirable impact on light and air on the street; and,

Whereas, without studying the impacts of the new bulk provision that would arise from the proposed zoning text amendments, we are dealing with an infinite number of potential issues;

Now, therefore, be it

Resolved, that Community Board Six does not support the text amendments as currently drafted, since they fail to address too many vital steps in planning and process, thus potentially undermining their desired results; and

Resolved, that Community Board Six requests that in all requirements for MIH sites proposed in the text amendment to also apply to “generating sites” to ensure that developers be required to create affordable housing within the community district where the development project is located; and be it further

Resolved, that Community Board Six requests that requirements for MIH sites also apply to “generating sites” to ensure that developments built on the same site or within the same building of the development project share a common lobby, entrances, amenities, and any other common facilities between market rate and affordable units, so that these units remain indistinguishable, one from the other; and be it further

Resolved, that Community Board Six requests that developers should not be eligible to apply for the 421-a program if they are participating in the generating site or MIH site program; and be it further

Resolved, that Community Board Six requests that affordable senior housing and care facilities benefits under Zoning for Quality and Affordability should be made permanent; and be it further

Resolved, that Community Board Six requests the workforce option under Mandatory Inclusionary Housing Sites be available to Community District Six as well as Community Districts 1 through 8; and be it further resolved

Resolved, that Community Board Six requests the workforce option be increased to an AMI average above 130%; and be it further

Resolved, that Community Board Six requests that the hardship relief application become more restrictive and that the agency overseeing the application review process be independent of HPD to ensure accountability and transparency; and be it further

Resolved, that Community Board Six requests that developers be required to relocate tenants currently living in buildings targeted for development into the new development project upon completion at affordable housing rates, without the requirement of adhering to the affordable housing income requirements; and be it further

Resolved, that Community Board Six requests that the text amendment includes specific considerations to set aside affordable housing units within generating sites or MIH sites for current and former members of the armed forces (“Veterans”) and such units should be no less than 2% of the total number of units in the development; and be it further

Resolved, that Community Board Six requests HPD to be transparent as to the allocation of funds from the ‘affordable housing fund’ by developers taking advantage of the less than 25 units/less than 25,000 feet residential floor area requirements; and, be it further

Resolved, that Community Board Six requests that zoning lot mergers include a height limit under ZQA; and, be it further

Resolved, that Community Board Six requests that the rear yard provisions be maintained and not permitted to be reduced under ZQA so that the public and occupants can continue to experience as much open space as possible; and, be it further

Resolved, that Community Board Six requests an additional 90 days to review the proposed changes to the zoning text amendment to fully study the impacts of the proposed revisions in our community district; and, be it further

Resolved, that Community Board Six requests that the City of New York implement a planning process to study the impact of the proposed city-wide goal of 200,000 units of affordable housing to determine how many market-rate units are projected to be produced; where these units are likely to be built; and what their impact will be on school seats, open space, public transit, traffic, and existing infrastructure

VOTE: 33 in Favor 0 Opposed 3 Abstention 0 Not Entitled

ATTENDANCE

	NAME	Dec	Jan'15	Feb	Mar	Apr	May	Jun	Sept	Oct	Nov
1	Fred Arcaro	P	A	P	P	P	P	P	P	P	E
2	Kyle Ayade									P	P
3	Ahsia Badi	P	P	P	P	A	P	P	P	P	P
4	Martin Barrett	P	P	P	P	P	A	P	E	A	E
5	Robin Broshi	P	P	P	P	P	P	P	P	A	E
6	Charles Buchwald	P	P	P	P	P	P	P	P	P	P
7	Pedro Carrillo	P	P	P	P	P	P	P	P	P	P
8	Jim Collins	P	P	P	P	P	P	P	E	P	E
9	Colleen Curtis	P	P	P	P	P	P	P	P	P	P
10	Louise Dankberg	P	P	A	P	P	P	P	P	A	P
11	Daniel Devine	A	P	A	P	A	P	A	A	A	E
12	Carole G. Diarra						A	P	P	P	E
13	Beatrice Disman	P	P	P	P	E	P	P	P	P	P
14	Richard Eggers	P	P	P	P	P	P	P	P	P	P
15	Lyle Frank	A	P	A	P	P	A	P	P	A	
16	Ernest Grigg	P	E	A	P	P	P	A	A	A	
17	Molly Hollister	P	P	P	P	P	P	A	P	P	P
18	Aaron Humphrey	P	P	P	P	P	P	P	P	P	E
19	Ellen Imbimbo	P	P	P	P	P	P	P	P	P	P
20	Paige Judge	E	P	E	P	P	P	P	A	P	E
21	Kathleen Kelly						P	P	P	P	P
22	Sandra McKee	P	P	P	P	P	P	P	P	P	P
23	Karen Moore						P	A	P	P	P
24	Rajesh Nayar	P	E	P	P	P	P	P	E	P	P
25	Terrence O'Neal	P	P	P	P	P	P	P	P	P	P
26	Gary Papush	P	P	P	P	P	P	P	P	E	P
27	Joseph Parrish	A	P	P	P	P	P	P	P	P	P
28	Keith Powers	P	E	P	P	P	P	P	P	A	E
29	Ashish Rajadhyaksha						P	P	P	P	P
30	David C. Reed						P	P	P	P	P
31	Eugene Santoro	P	P	P	P	P	P	P	P	P	P
32	Frank Scala	P	E	P	P	P	P	P	P	P	P
33	Paula Schaeffer	P	A	P	P	P	P	P	P	P	P
34	Lawrence Scheyer	P	A	P	P	P	P	P	P	P	P
35	Ann Seligman	P	P	P	P	P	P	P	P	P	P
36	Lou Sepersky	P	P	P	P	P	P	P	P	P	P
37	Sarah Shmoon						P	P	P	P	E
38	Sandro Sherrod	P	P	P	P	P	P	P	P	P	P
39	Mary Silver						P	P	E	P	P
40	Letty Simon	E	P	P	P	P	P	P	P	P	P
41	Nicholas Smolney	E	P	P	P	A	E	A	E	P	P
42	Susan Steinberg	P	P	P	P	A	A	E	P	A	P

Mary Silver	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Letty Simon	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Nick Smolney	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Susan Steinberg	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Kathy Thompson	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Mark Thompson	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Brian Van Niewenhoven	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Pamila Vassil	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A
Wilbur Weder	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
John Pettit West														
Ronald White														
Claude L. Winfield	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	A