

THE BOROUGH OF MANHATTAN
C. VIRGINIA FIELDS, PRESIDENT
MANHATTAN COMMUNITY BOARD FIVE MINUTES
KYLE MERKER, CHAIR
THURSDAY, OCTOBER 10, 2002

Minutes of the regular Community Board #5 meeting held on **Thursday, October 10, 2002**, at the Fashion Institute of Technology, 227 West 27th Street, “A” Building, 8th Floor, 6:00 p.m. Kyle Merker, Chair, presiding. The tapes of the full meeting are available in the Board office.

Members Present

Alice Adesman,
 Vikki Barbero
 Philip Beer
 Muriel Bernstein
 Angela Bledsoe
 Aaron Block
 Candy Cook
 William Daly
 David Diamond
 George Elkins
 Lola Finkelstein
 Sharon Friedman
 Eric Gering
 Nancy Goshow
 Kevin Guillet
 Lenise Logan
 Joyce Matz
 Howard Mendes
 Kyle Merker
 John Mills
 Joan Piker
 David Rabin
 Carmel Reingold
 Connie Ress

Doreen Seligson
 Rosalie Shields
 David Siesko
 Maxine Teitler
 Michael Utevsky
 Bonnie Williams

Excused

Susan Baida
 Robert Baublitz
 Adeena Besdin
 Judith Breidbart
 Suzanne Esper

Present Part

Michael Presser
 Lawrence Zucker

Absent

Paul Connolly
 Janelle Farris
 Grace A. Forrester
 Scott Isebrand
 Jackson Jhin
 Brian Landeche

Michael Pollok
 Michael Royce
 Mickey Schwartz
 Rosalie Shields
 Brad Wilson

Public Members

Jack Taylor
 Joe Tucker

Public

Richard Heywiger
 Matthew Grace
 Wendy Bermudez
 Joel Shaw
 Ray Fink
 Diane Powers
 Marie McGregor
 Wendy Schorr
 Chi-lu Chiang
 Evelyn Litardo
 James Collum
 Jessica Morris (D.O.H.)
 H. B. Hornstein

Elected Officials

Nicole Johnson
 Borough President C. Virginia Fields

Keri Sender
 Assembly Member Richard Gottfried

Brad Usher
 State Senator Liz Krueger

Jillian Torres
 Councilmember Margarita Lopez

Emily Negrau
 Councilmember Christine Quinn

Staff

Kathy Kinsella
 District Manager

Kim Rodney
 Assistant District Manager

Cindy Perez
 Community Associate

PUBLIC SESSION

At 6:15 p.m., the Full Board meeting of Manhattan Community Board Five was called to order, Kyle Merker presiding.

Richard Heywiger– Social Security Administration – introduced himself and informed the community of SSA's services.

Joel Shaw – stated he was reaching out to Community Boards regarding abandoned bicycles in their areas. He showed pictures of abandoned bicycles chained to bike racks and asked the Board to support his petition asking for legislation empowering Police/Sanitation to remove these bikes.

Jessica Morris – NYC Department of Health and Mental Hygiene – spoke regarding anti-smoking legislation and stated that similar bans have not exacerbated quality of life issues related to bar patrons in local neighborhoods in other cities and spoke of the dangers of second hand smoke.

Ray Fink - Districting Commission – informed the Board that the City was undergoing redistricting for City Council districts. He announced hearings for public input on the district configurations next week. The Commission will release preliminary plans for new districts. There will then be another set of hearings.

Evelyn Litardo - Settlement Housing Fund - announced an affordable housing opportunity at the Biltmore at 267 West 47th Street. Details were available at the information table.

Jack Taylor - stated his opposition to legislation expanding the prohibition on smoking in public places and asked the Board to oppose it.

Keri Sender - Assembly Member Gottfried's Office - announced the Assembly Member's upcoming town hall meeting on October 17.

BUSINESS SESSION

● CHAIR'S REPORT ~ *Kyle Merker*

Mr. Merker spoke of various Land Use and Zoning issues that would be coming up, including Two Columbus Circle. He also spoke of redistricting and having concerns about which neighborhoods will be divided. He asked members to think about their area and send their thoughts to him so that they can be compiled for the Commission.

Mr. Merker informed the Board of the letter from Congress Member Jerrold Nadler regarding the TANF resolution passed at the September meeting.

● DISTRICT MANAGER'S REPORT ~ *Kathy Kinsella*

Ms. Kinsella informed the Board of the upcoming Fire Fighters memorial on October 12 and traffic restrictions that would be in place. She also informed the Board of the Department of Transportation's Thru Streets program scheduled to begin on October 15, and gave a brief description of this program.

Ms. Kinsella announced that Operation Dumpster, a zero tolerance policy for dumpsters, was now in effect for Manhattan.

She then informed the Board of a public briefing regarding construction at MoMA, scheduled for October 21, 2002

She then announced two affordable housing opportunities and that details were available at the information table and at the Board office.

Mr. Merker recognized the Elected Officials' representatives present.

● VOTE ON MINUTES OF THE SEPTEMBER 12, 2002 BOARD MEETING

The minutes passed with a vote of 26 in favor, 0 opposed, 3 abstentions, as follows: **IN FAVOR:** Adesman, Barbero, Beer, Bernstein, Bledsoe, Block, Cook, Daly, Diamond, Elkins, Finkelstein, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Rabin, Reingold, Ress, Seligson, Siesko, Teitler, Williams.
ABSTENTIONS: Merker, Piker, Utevsy.

COMMITTEE REPORTS

● CONSENTS & VARIANCES ~ *VIKKI BARBERO SUBSTITUTED FOR MICKEY SCHWARTZ*

Ms. Vikki Barbero introduced the following resolution:

Radio City Music Hall - Street Activity Permit Application.

WHEREAS, The Radio City Music Hall has applied for a permit for use of the sidewalk to erect two 6'x135' open-sided canopies at 50th and 51st Streets, between Sixth Avenue and Rockefeller Plaza from November 4, 2002 to January 4, 2003; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application by the Radio City Music Hall.

After some discussion regarding how much of the sidewalk would be obstructed, the resolution passed with a vote of 27 in favor, 3 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Barbero, Beer, Bernstein, Bledsoe, Block, Cook, Daly, Diamond, Elkins, Finkelstein, Friedman, Goshow, Guillet, Logan, Mendes, Mills, Piker, Presser, Rabin, Reingold, Ress, Seligson, Siesko, Teitler, Williams, Zucker. **OPPOSED:** Gering, Matz, Utevsy. **ABSTENTION:** Merker.

Ms. Barbero then introduced the following resolution:

NY University College of Dentistry - Street Activity Permit Application

WHEREAS, The NYU College of Dentistry has applied for a permit to hold a public service event for oral cancer screening at 6 East 43rd Street, between Fifth and Madison Avenues on Wednesday, November 7, 2002; therefore, be it

RESOLVED, That Community Board Five **recommends approval** of the application by NYU College of Dentistry for a public service announcement for an oral screen event.

The resolution passed with a vote of 30 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Barbero, Beer, Bernstein, Bledsoe, Block, Cook, Daly, Diamond, Elkins, Finkelstein, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Piker, Presser, Rabin, Reingold, Riss, Seligson, Siesko, Teitler, Utevsky, Williams, Zucker.
ABSTENTION: Merker.

Ms. Barbero then introduced the following resolution:

Laz Third Corp. d/b/a Café Atomico - Unenclosed Sidewalk Café Application.

WHEREAS, Laz Third Corp. d/b/a Café Atomico, 225 5th Avenue has submitted an application for an unenclosed sidewalk café (11 tables/24 seats); and

WHEREAS, Community Board Five has not received any complaints regarding this location; therefore be it

RESOLVED, That Community Board Five **recommends approval** the application by Laz Third Corp. d/b/a Café Atomico, 225 5th Avenue.

After some discussion, the resolution passed with a vote of 30 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Barbero, Beer, Bernstein, Bledsoe, Block, Cook, Daly, Diamond, Elkins, Finkelstein, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Piker, Presser, Rabin, Reingold, Riss, Seligson, Siesko, Teitler, Utevsky, Williams, Zucker. **ABSTENTION:** Merker.

Ms. Barbero then introduced the following resolution:

St. Malachy's Way - Request for a permanent street name blade.

WHEREAS, There has been a request for a permanent street blade to read "Saint Malachy's Way" at the corners of 49th Street and Broadway and 49th Street and 8th Avenue; and

WHEREAS, Community Board Five has traditionally opposed such installation unless certain criteria are met including a special relationship between the honoree, New York City and the location where the flag is to be installed; and

WHEREAS, Community Board Five does feel that such a relationship exists in this case; therefore, be it

RESOLVED, That Community Board Five **supports the addition of a permanent street blade** installation at 49th Street and Broadway and 49th Street and 8th Avenue to read "Saint Malachy's Way" on the condition that the applicant pay for the installation and removal (if there is any reason that it should be removed) of the blade.

After some discussion regarding the history of St. Malachy's in the community and that the Board had passed a resolution last month for a temporary blade, but the request has been amended to a permanent blade, the resolution passed with a vote of 21 in favor, 8 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman, Barbero, Beer, Bernstein, Bledsoe, Cook, Daly, Elkins, Finkelstein, Friedman, Gering, Goshow, Guillet, Matz, Mills, Presser, Rabin, Reingold, Siesko, Teitler, Zucker. **OPPOSED:** Block, Diamond, Logan, Piker, Riss, Seligson, Utevsky, Williams. **ABSTENTIONS:** Mendes, Merker.

● CITY SERVICES & BUDGET ~ DAVID DIAMOND SUBSTITUTING FOR BRAD WILSON

Mr. David Diamond introduced the following resolution:

FY 2004 Budget Priorities

Community Board Five asks that all efforts be made to obtain funding from the Federal and State governments so that the city may maintain its commitment to the quality of life of city residents. The budgets for city departments which provide day to day services can not be reduced. We must focus on providing services to those most vulnerable to the economic downturn, the homeless and unemployed in particular. We urge caution in the

preparation of future budgets in light of drastic changes in our economy. The city must focus on attracting business and rebuilding the economy to increase the tax base and city revenues.

EXPENSE PRIORITIES

1. **Department of Homeless Services:** Full funding for rental assistance programs.
2. **Department of Homeless Services:** Full Funding for Shelter Assistance Programs.
3. **Department of Environmental Protection:** Maintain inspectors at the current 40-person level.
4. **Department of Sanitation:** Maintain levels of Sanitation Police at FY 2002 levels.
5. ~~**Department of Sanitation:** Provide funds for marketing and training on correct sorting as recycling is reinstated~~ **Administration Children's Services:** Additional funding for foster care for adolescents.
6. **Police Department (Traffic Control):** Provide or reallocate additional officers to increase enforcement of traffic and parking regulations, prevent gridlock and control traffic which disrupts our district.
7. **Fire:** Fund upgrades to communication systems including the repeater system for high rise communication.
8. **Housing Preservation & Development:** Full Funding for code enforcement, anti-abandonment, loan programs and narcotics control.
9. **Police:** Reinstated staffing levels of uniformed police to replace 800 positions cut in FY 2003.
10. **Department of Cultural Affairs:** Provide additional funding for program groups, cultural institutions.
11. **Parks:** Maintain staffing levels to keep current quality of parks and fund additional PEP officers for special events.
12. **Parks:** Provide funds to hire necessary workers to maintain Union Square Park after renovations.
13. **Department of Transportation:** Add one additional capital planner.
14. **Department of Transportation:** Maintain traffic device crews.
15. **Administration Children's Services:** Provide additional funding to allow the PINS (Persons In Need of Supervision) to be expanded to cover persons 16-17 years old.
16. ~~**Administration Children's Services:** Additional funding for foster care for adolescents.~~ **Department of Sanitation:** Provide funds for marketing and training of correct sorting as recycling is reinstated.
17. **Human Resources Administration:** Provide funds to ensure no reduction in key programs including employment services, child care benefits, Medicaid-health care and wellness services and rental assistance programs.
18. **Fire:** Fund community fire awareness programs including 3 additional civilian positions plus 20 trainers, 911 simulators, coloring books and equipment.
19. **Fire:** Fund smoke detector and battery distribution.
20. **Department of Buildings:** Fund increases in anti-corruption and audit staff.
21. **Department of Buildings:** Additional funds to increase auditing of self-certification.
22. **Department of Building:** Additional training for quality of life inspectors.
23. **Department of Building:** Additional Plan examiners and inspectors.
24. **Department For the Aging:** Expand the SCRIE program.
25. **Libraries:** Maintain Funding to ensure 6-day service.

CAPITAL PRIORITIES

1. **Department of Sanitation:** Provide funding for 3 additional basket trucks.
2. **Fire Department:** Fund second Hazmat Unit.
3. **Housing Preservation & Development:** Fund construction of supportive housing for persons with HIV/AIDS and mental disabilities and provide low cost permanent housing to compensate for dwindling federal subsidies.

4. **Department of Homeless Services:** Fund construction of additional residential facilities for homeless families and single adults.
5. **Parks & Recreation:** Provide funding for the design, reconstruction and expansion of the playgrounds in the north end of Union Square park.
6. **MTA/NYCT:** provide funding for a full-length Second Avenue subway.
7. **Department of Transportation:** Fund the second phase of Madison Avenue water maintenance replacement.
8. **Parks & Recreation:** Reconstruction of Duffy Square.
9. **Police Department:** Include funding for construction of 10th Police Precinct (currently funded in out years) based on location of suitable site, subject to community review.
10. **Fire:** Purchase additional fireboat in the range of 135-140 ft.
11. **Fire:** Purchase Mobile Command post.
12. **Department of Transportation:** Expand Red Light camera program.
13. **Department of Buildings:** Fund computer initiatives.
14. **Libraries (Donnell Library Center):** Provide funds for the full renovation of the first floor of Donnell Library.
15. **Libraries (Donnell Library Center):** Fund the renovation of the mezzanine that houses the Nathan Straus Young Adult Center and Donnell Reference Services.
16. **Police Department (Midtown South):** Provide funds for the modernization of precinct elevator.
17. **Parks & Recreation:** Provide additional requirement contracts to be used for new pavement, safety surfacing and play equipment for all Community Board Five parks.
18. **Parks & Recreation:** Provide 1 additional and 1 replacement pickup truck.
19. **Libraries:** Centralized facility for book returns operations; branch cleaning operations and maintenance shops, security and shipping.
20. **Libraries:** Fund system-wide replacements of computer terminals with networked PCs, including general branch and research desktop technology replacement and upgrade.
21. **Libraries:** Fund second stage of the wide area network project to extend high-speed communications to desktops.
22. **Libraries:** System wide replacement of Checkpoint Booktheft detection System.
23. **Libraries:** Provide funding for the restoration of building-wide domestic water system at 42nd Street main library.
24. **Libraries:** Upgrade system-wide telecommunications center at the Donnell branch.
25. **Libraries:** Funding for the renovation of support space at the History & Social Sciences library.
26. **Libraries:** Funding for renovation of the Berg rare books room.
27. **Libraries:** Fund exhibition lighting and casework for Salomon gallery.
28. **Libraries:** Upgrade temperature and humidity control system for main stacks (Central Library).
29. **D.E.P.:** Purchase lands around reservoirs for security of water supply.
30. **Department of Transportation:** Repair quadrangle and correction of settlement around Madison Avenue, 58th, 59th and Fifth Avenue.
31. **Human Resources Administration:** Upgrade Job Center's office space and data processing equipment.
32. **Fire:** Fund Laptop Command board program.
33. **Police:** Fund improvements to communication system and necessary replacements.
34. **Police:** Provide funds to meet needs of the vehicle replacement program.

Continuing Support: Capital

- Reconstruct and rehabilitate sewers.

- Renovation and expansion of Mid-Manhattan Library.
- Support for computer initiatives/upgrades in all NYC Departments.
- Reconstruction of streets around Union Square Park and 14th Street.
- Columbus Circle/Eighth Avenue reconstruction project.

After some discussion and a friendly amendment from Angela Bledsoe (see strikethrough and italics), the resolution passed with a vote of 30 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Barbero, Beer, Bernstein, Bledsoe, Block, Cook, Daly, Diamond, Elkins, Finkelstein, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Piker, Presser, Rabin, Reingold, Ress, Seligson, Siesko, Teitler, Utevsky, Williams, Zucker. **ABSTENTION:** Merker.

● LANDMARKS ~ *JOYCE MATZ*

Mr. Eric Gering presented the following resolution on behalf of the Committee:

Certificate of Appropriateness - 895-899 Broadway (former Lord & Taylor Building)

WHEREAS, 895 Broadway, the former Lord & Taylor Building; is an individual landmark, located in the Ladies' Mile Historic District; and

WHEREAS, it is a 4-story cast iron Second Empire neo-Renaissance style department store/commercial building built in 1869 and 1914, and designed by James H. Giles and John H. Duncan; and

WHEREAS, the application is to modify air conditioning equipment installed by a previous owner within the windows on the 20th Street side of the building at 30 ft elevation, without LPC permits; and

WHEREAS, the applicant has designed creative decorative painted aluminum frames and stainless steel mesh to cover louvers also installed without permits by the previous owner, allowing air to circulate through the mesh; therefore be it

RESOLVED, that Community Board Five **recommends approval** of this innovative design for correcting an illegal alteration by the previous owner.

After some discussion, the resolution passed with a vote of 29 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Barbero, Beer, Bledsoe, Block, Cook, Daly, Diamond, Elkins, Finkelstein, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Piker, Presser, Rabin, Reingold, Ress, Seligson, Siesko, Teitler, Utevsky, Williams, Zucker. **ABSTENTIONS:** Merker.

Ms. Matz then presented the following 2 resolutions:

48 East 21st Street

(1) The following resolution is regarding the 74-711 restoration and renovation plan:

WHEREAS, 48 East 21st Street is in the Ladies Mile Historic District and is a neo-Renaissance style 12-story store and loft building built 1910-11 and designed by Maynicke and Franke; and

WHEREAS, the application is a request that the Landmarks Preservation issue a report to the City Planning Commission pursuant to Section 74-711 of the Zoning Resolution for a Modification of Use (from commercial to residential); and

WHEREAS, In return for the LPC support of the application the owner must undertake a restoration and preservation plan, in perpetuity with the property (not with the owner); and

WHEREAS, the restoration plan includes restoring the cornice, cleaning and repointing the masonry and terra cotta, repairing window wood sashes and frames, and, according to the applicant, restoring the existing ground floor infill; and

WHEREAS, the committee was not presented with details of the ground floor infill which, according to the public notice, consists of "new infill"; and

WHEREAS, the change of use will be presented to Community Board Five's Land Use and Zoning Committee at a later date and the Community Board is not commenting on that portion of the application at this time; therefore, be it

RESOLVED, that Community Board Five **recommends approval** of the restoration and preservation plan of the 74-711 application, but **does not approve the "new infill"** until a presentation on the details of the ground floor infill is made.

After much discussion and a friendly amendment (see italics), the resolution regarding the 74-711 restoration and renovation plan passed with a vote of 25 in favor, 4 opposed, 2 abstentions, as follows: **IN FAVOR:** Adesman, Barbero, Bernstein, Bledsoe, Block, Cook, Daly, Diamond, Elkins, Finkelstein, Friedman, Gering, Goshow, Matz, Mills, Piker,

Presser, Rabin, Ress, Seligson, Siesko, Teitler, Utevsky, Williams, Zucker. **OPPOSED:** Beer, Guillet, Mendes, Reingold.
ABSTENTIONS: Logan, Merker.

(2) The following resolution is regarding a Certificate of Appropriateness:

WHEREAS, This application is to construct a two-story rooftop addition and add two rows of lot line windows;
and

WHEREAS, in order to make this a residential building, lot line windows appear to be appropriate, and

WHEREAS, although there appeared to be little visibility of the rooftop addition from the street, there was no detailed mock-up or the usual sight line drawings of the two-story rooftop addition presented, nor did the committee see details of the altered garage entrance on 20th Street, which is part of the original building; therefore, be it

RESOLVED, that the Board **does not recommend approval** of this application ~~until such time as~~ *and requests* a full presentation to be made to Community Board Five's Landmarks Committee.

After two friendly amendments (see strikethrough and italics), the resolution regarding a Certificate of Appropriateness passed with a vote of 27 in favor, 0 opposed, 4 abstentions, as follows: **IN FAVOR:** Adesman, Barbero, Beer, Bernstein, Bledsoe, Block, Cook, Daly, Elkins, Finkelstein, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Rabin, Reingold, Ress, Seligson, Siesko, Teitler, Utevsky, Williams, Zucker.
ABSTENTIONS: Diamond, Merker. Piker, Presser.

Ms. Matz then introduced the following bundled resolutions (2):

Certificate of Appropriateness - 149 Fifth Avenue - application for the restoration of entryway and rehabilitation of public lobby.

WHEREAS, 149 Fifth Avenue, in the Ladies' Mile Historic District, is a neo-Renaissance style store and loft building, built in 1918 and designed by Maynicke & Franke; and

WHEREAS, the 15-story building has three facades, on Broadway, 5th Avenue and 21st Street, with the main entrance on Fifth Avenue; and

WHEREAS, the application is to modify the entrance on the Fifth Avenue façade; and

WHEREAS, the plan is to restore the main entrance and install glass and cast iron doors at the entrance to the vestibule where much has been preserved behind an inappropriate stainless steel alteration in 1953 and then replicate a transom that had been removed at that time; and

WHEREAS, the proposal includes two light fixtures attached to the wall on either side of the entrance, (that are not authentic to the period and appear more art deco than from the early 1900 period), and also the removal of a plaque and brass lettering of the address above the doorway; therefore be it

RESOLVED, that Community Board Five **recommends approval of the new entrance** but **does not approve the light fixtures**.

Certificate of Appropriateness - 150 Fifth Avenue

WHEREAS, Community Board Five takes its role in the review of applications for Certificates of Appropriateness seriously; and

WHEREAS, the above referenced applicant(s) were invited, yet failed to attend Community Board Five's Landmarks' Committee meeting to present their proposal(s) for review; therefore be it

RESOLVED, that Community Board Five **recommends denial** of the above referenced application(s) ~~until the Board has~~ *and requests* an opportunity to review the application(s).

After some discussion and friendly amendments (see strikethrough and italics), the resolution passed with a vote of 30 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Barbero Beer, Bernstein, Bledsoe, Block, Cook, Daly, Diamond, Elkins, Finkelstein, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Piker, Presser, Rabin, Reingold, Ress, Seligson, Siesko, Teitler, Utevsky, Williams, Zucker. **ABSTENTION:** Merker.

Ms. Matz then introduced the following bundled resolutions (2):

Proposed Designation - 3 East 57th Street (L.P. Hollander and Company Building)

WHEREAS, the L.P Hollander Building was opened in 1930 and was representative of the modern style then popular throughout the country and it was designed by the distinguished architectural firm of Shreve, Lamb, and Harmon, whose work includes the Empire State Building, the General Motors Building, and an addition to the Bankers Trust Building (all of which are NYC landmarks) the Brill Building and 500 Fifth Avenue, and

WHEREAS, The Hollander Store, designed in polished black granite with rows of aluminum windows, was sophisticated and attractive and a lively example of the modern style so popular in the 1930's, with its large display windows separated by a central entrance. The window rows span most of the facade, and were the forerunners of the glass and metal curtain wall buildings, and are subdivided by narrow granite piers imposed on them vertically. Additional shallow limestone ornament caps the parapet at the top of the façade further emphasizing the modern design scheme, and

WHEREAS, The Hollander Store, near 5th Ave was located at the center of New York's "Rue de la Paix" and a purveyor of the finest women's clothing and accessories, and known as one of New York's finest stores, therefore be it

RESOLVED, that Community Board Five recommends **landmark designation for the L. P. Hollander Building.**

Proposed Designation - 689-691 Fifth Avenue (aka 1 East 54th Street) (Aeolian Building, later Elizabeth Arden Building)

WHEREAS, the Aeolian Building was constructed in 1925-27 and designed by the renowned architects Warren & Wetmore for the Gould Realty Co., controlled by Commodore Charles A Gould, a wealthy iron and steel manufacturer and 5th Avenue property owner and leased to the Aeolian Co, the world's leading manufacturer of roll-operated instruments; and

WHEREAS, Warren & Wetmore was famous for its designs for hotels and railroad related buildings, notably Grand Central Terminal. The Aeolian Building, with its restrained and graceful neoclassical style, with French Renaissance detailing, is clad in Indiana limestone with Italian marble spandrel panels and buff-colored terra cotta on the upper portion; and

WHEREAS, according to 1916 Zoning, it rises 9 stories, then sets back on the 10th, 12th and 14th stories and has a tower with a pyramidal roof, covered in copper, with bronze garlands and carved ornaments adorning the structure; and

WHEREAS, since 1930 it has been the location of the flagship Elizabeth Arden Red Door Salon, the world famous beauty and cosmetic pioneer; therefore be it

RESOLVED, that Community Board Five **recommends that 689 Fifth Avenue be designated** a NYC landmark.

The bundled resolutions (2) passed with a vote of 28 in favor, 1 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Barbero, Beer, Bernstein, Bledsoe, Cook, Daly, Diamond, Elkins, Finkelstein, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Presser, Rabin, Reingold, Ress, Seligson, Siesko, Teitler, Utevsky, Williams, Zucker. **OPPOSED:** Piker. **ABSTENTION:** Merker.

● **PUBLIC SAFETY & QUALITY OF LIFE ~ VIKKI BARBERO**

Ms. Candy Cook and Mr. Bill Daly presented the following resolution on behalf of the Committee:

Street Vending Regulations

WHEREAS, Community Board Five has received numerous complaints from residents, elected officials' offices and City Agencies regarding congestion, sanitation and other quality of life complaints related to the street vending situation in the area of 26th Street to 30th Street, Fifth Avenue to Sixth Avenue; and

WHEREAS, the complainants include: illegal street sales, vending of counterfeit trademark items on a large scale, overcrowded sidewalks and, severe congestion (particularly on weekends), blocked subway entrances and storefronts, mounds of trash, escalating incidents of theft, noise and a general negative impact on the quality of life of the surrounding neighborhood; and

WHEREAS, the local community has been in discussion for some time with the Public Safety and Quality of Life Committee and the Community Board Five office seeking help in ameliorating these intolerable conditions in their neighborhood; and

WHEREAS, the Community Board has been in communication with various City Agencies (including the 13th Police Precinct, Dept. of Sanitation Enforcement and the local sanitation district, Dept. of Transportation and the Mayor's Community Assistance Unit) regarding ways to address the situation; and

WHEREAS, focused attention on this area could be accomplished by coordinating and concentrating the efforts of all the agencies involved in vendor enforcement (NYPD, DCA, DOH, DOS, ECB, OME, DA) to collaborate on street enforcement in the same manner that counterfeit and illegal production of goods is addressed; and

WHEREAS, the current complicated and arcane regulations are enforceable only by the few officers assigned to specially trained units and even their results are of questionable value since there is little or no punishment for various vending violations and Community Board Five feels that regulations must be simplified and enforceable; therefore, be it

RESOLVED, that Community Board Five requests that the specific block of 28th Street between 5th and Broadway be designated a restricted street and vending not be allowed there, and be it further

RESOLVED, that we call on the Bloomberg administration to establish a fast track enforcement demonstration project in the broader area of 26th –30th Streets- between Fifth and Sixth Avenues area (that could eventually be replicated in other areas), and be it further

RESOLVED, that the Mayor convene the Commissioners whose agencies are responsible for licensing of vendors and enforcement of street vending regulations for the purpose of reworking the regulations and legislation that pertain to street vending.

After some discussion regarding the boundaries of the problem area, the resolution passed with a vote of 28 in favor, 0 opposed, 1 abstention, as follows: **IN FAVOR:** Adesman, Barbero, Beer, Bernstein, Bledsoe, Block, Cook, Daly, Diamond, Elkins, Finkelstein, Friedman, Gering, Goshow, Guillet., Logan, Matz, Mendes, Mills, Piker, Presser, Rabin, Reingold, Ress, Seligson, Siesko, Teitler, Williams, Zucker. **ABSTENTION:** Merker.

● TRANSPORTATION/ENVIRONMENT ~ MICHAEL ROYCE

Mr. David Siesko and Mr. John Mills presented the following bundled resolutions (2) on behalf of the Committee:

Reconfiguration of Times Square

WHEREAS, The Mayor's office, the Department of City Planning and the Department of Transportation issued a report called Midtown Manhattan Pedestrian Network Development Project, Phase I to address issues of pedestrian and vehicular congestion and pedestrian-vehicular conflicts in the Times Square area, and

WHEREAS, this test included widening the sidewalk, providing physical barriers between the pedestrian and vehicular traffic, and initiated neck-downs at crosswalks, and

WHEREAS, these improvements were implemented on a test basis, utilizing temporary materials to mark the areas and delineate the boundaries between pedestrians and vehicular traffic, and

WHEREAS, because these temporary improvements are not at the same elevation as the sidewalk, not made of the same material as the sidewalk, and are not delineated in the same way as the sidewalk, these widening and neck downs are not as apparent as they should be to the pedestrian, and

WHEREAS, these improvements have helped ease pedestrian congestion, yet pedestrians are still spilling into traffic, and the sidewalks would be better utilized if they were made permanently part of the sidewalk, and

WHEREAS, because Times Square could benefit from further pedestrian improvements, the Department of Transportation should consider adding additional sidewalk widening and neck downs in this area, therefore, be it

RESOLVED, that Community Board Five requests that the sidewalk widening and neck-downs in the Times Square Area be made permanent with the following requests:

1. That additional sidewalk widening and neck-downs be considered by DOT
2. That any elements that are made permanent, other than sidewalks, such as planters and other delineators, be presented to the board so that we may review and comment on the designs
3. That the final construction should be of the finest quality and materials
4. That construction happens as rapidly as possible, with incentives for early completion
5. That no new street furniture or other pedestrian impediments be added to this area

Reconfiguration of Herald Square

WHEREAS, The Department of Transportation has implemented a program to address issues of pedestrian and vehicular congestion and pedestrian-vehicular conflicts in the Herald Square area, and

WHEREAS, this test program included widening pedestrian sidewalk areas by providing physical barriers between the pedestrian and vehicular traffic, adding a crosswalk at 33rd street, and initiating neck-downs at crosswalks, and

WHEREAS, these improvements were implemented on a test basis, utilizing temporary materials to mark the areas and delineate the boundaries between pedestrians and vehicular traffic, and

WHEREAS, because these temporary improvements are not at the same elevation as the sidewalk, not made of the same material as the sidewalk, and are not delineated in the same way as the sidewalk, the widening and neck-downs are not as apparent as they should be to the pedestrian, and

WHEREAS, these improvements have helped ease pedestrian congestion, yet would be better utilized if they were made permanently part of the sidewalk, therefore, be it

RESOLVED, that Community Board Five requests that the sidewalk widening and neck-downs in the Herald Square Area be made permanent with the following requests:

1. That DOT address the conflict of vehicles with the bicycle lane at 33rd Street
2. That any elements that are made permanent other than sidewalks, such as planters and other delineators, be presented to the board so that we may review the designs
3. That the final construction should be of the finest quality and materials
4. That construction happen as rapidly as possible, with incentives for early completion
5. That no new street furniture or other pedestrian impediments be added to this area

After some discussion, the bundled resolutions (2) passed with a vote of 30 in favor, 0 opposed, 1 abstention, as follows:

IN FAVOR: Adesman, Barbero, Beer, Bernstein, Bledsoe, Block, Cook, Daly, Diamond, Elkins, Finkelstein, Friedman, Gering, Goshow, Guillet, Logan, Matz, Mendes, Mills, Piker, Presser, Rabin, Reingold, Ress, Seligson, Siesko, Teitler, Utevsky, Williams, Zucker. **ABSTENTION:** Merker.

There being no further business the meeting adjourned at 8:30 PM.

Respectfully submitted,

Suzanne Esper
Secretary