

Pending Committee Approval

Bronx Community Board 8

Land Use Committee Meeting

June 5th, 2023

Minutes

A link to a recording of the meeting is available here: https://youtu.be/E_2le4Q7A2I

Committee Members (7): Charles Moerdler, Martin Wolpoff, Bob Bender, Lee Chong, David Gellman, Rosemary Ginty, Julie Reyes

Absent (2): Nick Fazio, Sylvia Alexander

Guests: Ted Weinstein (HPD), Laura Spalter (chair), Mary Ellen Gibbs, Ron Schulman, Mohammad Yaghoubi, Maryam Yaghoubi Farzaneh, Farrah Kule Rubin (District Manager), Jasmin Tepale (DCP), Camila Thomas (DCP), Council Member Eric Dinowitz, Karen Argenti, Michael Hinman, Margaret Della, Melba Kurman, Teresa Rodriguez, Frank St. Jacques,

Land Use Committee Chair C. Moerdler called the meeting to order at approximately 7pm.

Minutes:

M. Wolpoff made a motion to approve the May 2023 Land Use Committee meeting minutes. B. Bender seconded the motion. It was taken to a vote as follows:

VOTE IN FAVOR (6): C. Moerdler, M. Wolpoff, B. Bender, L. Chong, D. Gellman, J. Reyes

OPPOSED (0): None

ABSTENTIONS (1): R. Ginty

The motion to approve the May 2023 Land Use Committee meeting minutes passed.

City of Yes for Carbon Neutrality Zoning Text Amendment

Jasmine Tepale and Camila Thomas from the NYC Department of City Planning (DCP) presented the City of Yes for Carbon Neutrality Zoning Text Amendment. A copy of the presentation as well as additional materials are available on DCP's website here:

<https://www.nyc.gov/site/planning/plans/city-of-yes/city-of-yes-carbon-neutrality.page>

The following comments, questions and suggestions were made:

- Concerns regarding the scheduling of the presentation, given how close the Board was to its summer recess.

- Comments that the text amendment amounted to an ‘unfunded mandate.’
- Calls for real estate taxes to be reduced to compensate for the building owner’s expense.
- Question on whether the City had considered the impact electrification will have on the prevalence of electrical blackouts.
 - o DCP noted that electrification won’t happen overnight and that the first step is to ensure buildings are as efficient as possible.
- Comments that agree with the plan in concept but note that decarbonizing the City’s building stock will be expensive.
- Question on how much the Zoning Text Amendment will cost building owners.
 - o DCP noted that the zoning changes will enable building owners to comply with Local Law 97 more easily, and that the Zoning Resolution hasn’t been updated to reflect new technology that wasn’t available in the 1960s.
- Chair Moerdler asked if DCP was prepared to recommend the modification or repeal of Local Law 97 (LL97).
 - o DCP noted that LL97 is a Department of Building’s initiative not the Department of City Planning’s, and recommended speaking with elected officials regarding legislative matters.
- DCP noted that federal funding will be made available through New York State for climate infrastructure and that tax credits are currently available at the state level. Recommended connecting with NYSERDA and NYC Accelerator.
- Question as to whether there’s a waiver for LL97.
- Question of whether there are any studies on the impact of the zoning text amendments to CB8 and Environmental Justice Communities in CB8.
- Comment in support of preserving/creating greenspace amid land use changes and in support of the job creation.
- The committee agreed, without any objections, to reconvene at a future date on the matter.

Stagg Development - 3745 Riverdale Avenue

M. Wolpoff provided a report on the construction of housing at 3745 Riverdale Avenue and noted that there would be a meeting that week about it.

Pre-ULURP Application - 5602-5604 Broadway

Frank St. Jacques from Akerman LLP presented a pre-certified land use development to the Committee. The address of the development/proposed land use action is 5602-5604 Broadway. The suggested change is to amend the zoning from an M1-1 manufacturing district to a R7-3/C2-3 residential district with a commercial overlay. A copy of the presentation is available here: <https://cbbronx.cityofnewyork.us/cb8/wp-content/uploads/sites/3/2023/06/5602-04-Broadway-Rezoning-CB8-06-05-23.pdf>

The following comments, questions and suggestions were made regarding the presentation:

- Comments regarding the proximity to the new Tibbets Brook Greenway.
- Comment that CB8 voted against Mandatory Inclusionary Housing and that one may look at this development as ‘spot zoning.’
- Owners note that they are committed to affordable housing, and that it will not become a homeless shelter.
- Owners’ representatives noted that there has not been any transfer of development rights, that there is no designated community facility area but that there will be an amenity space such as a recreation room as required.
- Representatives noted that residential parking is not required due to the property’s proximity to transit, however they would be operating a 24-hour garage as a public parking facility.
- Comment commending the owners for the large share of units within the development which would have multiple bedrooms.
- Comment urging caution around flooding on the lower levels.
 - o Owners’ representatives noted that the lower levels will be dry flood proofed and that habitable areas must be 12 feet above flood elevation, stated that they are complying with all regulations around sustainability.
- Representatives note that the MTA determined that a transit easement is not required.
- Question on whether Bronx CB8 residents get a 50% preference for apartments.
- Council Member Eric Dinowitz gave credit to developers for increasing the number of family-sized units.
- Ted Weinstein (HPD) recommended that the owners apply to HPD as soon as possible, commented that the development is good in terms of proximity, aesthetics and a higher percentage of 2- and 3-bedroom units than required.

Adjournment

A motion to adjourn the meeting was made by C. Moerdler and unanimously adopted. The meeting adjourned at approximately 9:12pm

Minutes were prepared by Luke Szabados, Community Coordinator, Bronx CB8

Reviewed by Charles Moerdler