

(Pending Committee Approval)

**Land Use Committee Minutes
Monday, October 3, 2022
Meeting held virtually via Zoom**

Attendance:

Committee Members: C. Moerdler, M. Wolpoff, R. Ginty, B. Bender, N. Fazio, D. Padernacht, J. Reyes, D. Gellman, S. Alexander, Laura Spalter (Board Chair, Ex Officio)

Absent members:

Guests: L. Chong (CB8 Member), S. Krompinger (Board Member), L. Daub (Board Member), S. Vazquez (Board Member), R. Fanuzzi (Board Member), C. Tepelus (Board Member), Council Member Eric Dinowitz, Tanbir Choudhury (Eric Dinowitz's Office), Frederick Klein Assembly Member Jeff Dinowitz Office) Ted Weinstein (HPD), Winnie Campbell (HPD)

C. Moerdler called the meeting to order at 7:00 pm.

BSA Application: 651-60 BZ 600 West 246th Street

James Power, Kramer Levin, represented the applicant, Briar Hill Realty LLC, is applying to extend the term of a variance previously granted under 651-60-BZ pursuant to Pre-1961 Zoning Resolution Section 7, which allowed the use of cellar space in a multiple dwelling as a valet service and stationary store, and to waive the Board's Rules of Procedure to allow the application to be filed more than thirty days after the expiration of the variance.

C. Moerdler called the vote and D. Padernacht seconded.

Be It Resolved, the Land Use Committee of Bronx Community Board No. 8 approves an Application for a BSA variance for an extension of basement variance for a stationery store and for a late filing at the location of 600 West 246th Street.

Vote:

Approved: C. Moerdler, M. Wolpoff, R. Ginty, B. Bender, N. Fazio, D. Padernacht, J. Reyes, D. Gellman,

Opposed:0

Abstain:0

This application has been adopted and will be sent to the full board for a vote.

Proposed Development: 215 West Kingsbridge Road, 229 West Kingsbridge Road

The architect, Jakov Ceric, represented the owner at the meeting. There is ongoing earthwork at 215 & 229 West Kingsbridge Road. The architect stated that 215 West Kingsbridge Road will have twenty-three units and be six stories. 225 West Kingsbridge Road will have thirty seven units and be seven stories tall. The developments are as of right and will be 30% affordable to comply with 421A. This architect does not represent 235 West Kingsbridge Road. C. Moerdler asked that the owner attend the next meeting to discuss the projects. C. Moerdler requested that the AMI information be sent to the board office.

Visitation Site

C. Moerdler reported that there have been environmental and traffic concerns about this proposed development. SCA has declined to appear in front of the board to answer questions again. We will continue to apply pressure with help of the Elected Officials. The Elected Officials have been in touch with Tishman Speyer. There are concerns about density and impacts on the neighborhood and the make up of apartments (25 studio apartments). We expect an update on the apartment make up from Tishman Speyer. Ned Klein of Assemblyman Dinowitz's Office stated that SCA is open to input and will come back to the board if invited next year before the design is finalized. Dates for a meeting with SCA & Tishman Speyer will be discussed.

Affordable Housing Discussion: Ted Weinstein, HPD

Ted Weinstein provided a background on affordable housing in NYC. HPD has numerous programs for developers building housing in order to keep housing affordable in New York City. The Area Medium Income (AMI) for all cities across the country is defined each year by U.S. Department of Housing and Urban Development (HUD). The 2022 AMI for the New York City region is \$120,100 for a three-person family (100% AMI). For more information on this please see HPD's website on [term sheets](#) and [AMI](#). It's important to note that there are developments in The Bronx with no public subsidies and are charging very high rents.

Ted Weinstein took questions from committee members and the public. C. Moerdler stated that most people do not know what the AMI of this area is. Why are developers not required to be more transparent with AMI Tiers? T. Weinstein stated about 54% in the 11th Council District are rent burdened. A discussion of making AMI specific to local community rather than several counties took place.

[Housing Connect](#) is the portal to find and apply the affordable housing lottery. A question of how many affordable housing buildings in CB8 was asked. Only one building was found in the HPD database, 6469 Broadway. There have presumably been other buildings developed which were

not financed through HPD but which as a result of their using public tax incentive incentives were required to provide a percentage of units as "affordable", i.e. depending on program, 20 to 30% of the units being income restricted.

Update from the 3745 Riverdale Ave Working Group

The working group did not meet with Stagg over the summer but met this month. There will be updates on the construction plan. M. Wolpoff reported that Stagg has requested approval for a change in work hours. Neighbors are OK with this change.

C. Moerdler called the vote, seconded by D. Gellman

Be It Resolved, the Land Use Committee of Bronx Community Board No. 8 approves a change in Saturday work Hours for 3745 Riverdale Avenue from 10 am to 9 am during concrete operations.

Vote: Unanimous

In Favor: C. Moerdler, M. Wolpoff, R. Ginty, D. Padernacht, S. Alexander, B. Bender, N. Fazio, D. Gellman, J. Reyes

Abstain:0

Oppose:0

Schervier Complaints(SNAD)

There have been many complaints about trees being cut down by Schervier in their parking lot. The community is concerned the clear cutting is preparation for potential construction of this site. This is the second time this issue has been brought to the committee this year. Neighbors showed photos of the issue.

C. Moerdler proposed the following resolution

Be it Resolved, the Land Use Committee of Bronx Community Board No. 8 authorizes the Board or Land Use Committee Chair to (1) communicate with the New York State and New York City Health Departments to request a formal investigation as to whether the licenses and regulatory authorizations of Schervier should be revoked and appropriate disciplinary and/or regulatory penalties imposed based on continuing willful violations of law following notice and (2) notification of Department of City Planning and City Planning Commission that an ongoing and documented series of SNAD violations have occurred and are occurring on premises owned by or under the authority or control of Schervier and affiliated entities, including unauthorized wholesale tree removals at premises at Independence Avenue and West 231 St (violations have been issued by DOB and were previously issued by DOB); since workmen have indicated construction is planned and

no permits therefor have issued nor application therefor made to the Board, a stay of any permit issuance to Schervier and its affiliate or parent entities is formally requested.

Vote: Unanimous In Favor: C. Moerdler, M. Wolpoff, R. Ginty, D. Padernacht, S. Alexander, B. Bender, N. Fazio, D. Gellman, J. Reyes

Abstain: 0

Oppose:0

September Committee Minutes were approved unanimously.

C. Moerdler reported that the committee will continue to discuss affordable housing.

The meeting was adjourned at 9:05 pm.

Minutes submitted by C. Gannon, District Manager

Reviewed by: C. Moerdler, Chair