

Land Use Committee Meeting Minutes
Bronx Community Board 8
Thursday, September 4, 2025 at 7:00 PM
Board Office – 5676 Riverdale Ave, Suite 100, Bronx, NY 10471

Meeting Recording

1. Welcome Committee Members and Guests – Roll Call

Land Use Committee Members:

Present (8): Charles Moerdler, Martin Wolpoff (ADA), Bob Bender, Lee Chong (ADA on zoom), Steve Matthew, Adiana Rivera, Daniel Rowen & Laura Spalter

Absent (1): John Yanong

Quorum is present

Board Members & Staff: Chairperson Julie Reyes (Zoom), Farrah Kule Rubin (District Manager)

Guests: Jennifer Mazawey, Esquire, Melissa Brotschul, and Rebecca Bodine of Bohler Engineering representing Raising Canes, Nick Dembowski (Kingsbridge Historical Society), Dr. Steven Payne (Director Bronx Historical Society), Angel Hernandez (Bronx Historian), Dr. Kelly Britt (Professor Urban Archeology at CUNY Brooklyn, PANYC), Margaret Holnes (Director Van Cortlandt House Museum), Councilman Eric Dinowitz, Abba Leffler (Resident of Van Cortlandt Village), David Gellman, Michelle Mullen (Riverdale Press), Jennifer LaFrieda, Joseph Bohm

Request by Chair to move the 3040 Scenic Place SNAD issue to the top of the agenda.
Unanimously approved.

Discussion- The owners of 3040 Scenic Place and of 3061 Scenic Place were present to discuss the issues regarding investigations made on SNAD violations.

The following points were made:

- It is not the Committees function to mediate neighbor disputes
- Complaint by neighbor that there are violations of the building code, DOB inspected and found no violations except in 1 instance out of 7. Also, complaint that 3061 Scenic Place property markers were all removed presumably by 3040 Scenic Place.
- Suggestion by chair that they need a third a party mediator to resolve the ongoing issues. Both parties are in agreement on this and will work with a mediator.
- Committee will draft a resolution regarding the lack of enforcement of SNAD in our district, a high priority of Community Board 8, to submit to Department of Investigations and will ask Council to legislate allowing photos to be used by inspectors in investigations on violations.

2. Approval of June 10, 2025 Committee Minutes: Unanimously Approved

In Favor (8): C. Moerdler, M. Wolpoff, B. Bender, L. Chong, S. Matthew, A. Rivera, D. Rowen,
L. Spalter

Opposed: 0

Abstain: 0

3. Board of Standard & Appeals (BSA) Applications:

- A. BSA Application for **5832 Broadway, Bronx, NY 10463** [BSA Cal. No. 2025-19-BZ](#)
Request to Renew Old BSA Application and legalize installation of Retaining Wall at rear
of Repair Shop to secure a new Certificate of Occupancy.
- Representatives from engineering firm Nasir Khanzada, presented on behalf of the
applicant, Apo Shakain, for the Gulf Station.
 - Hearing on September 29th with BSA.

Questions/Discussion:

Marty - why a gap of C of O until present? BSA Term 2014 expired owner did not renew. In
2022 they were hired and saw paperwork needed to be updated.

Bob - Why seeing pages of proposed elevation? No elevation, nothing being changed. Need to
update these plans to show that.

Sent notice of hearing to neighbors and did not get any objections.

Land Use Committee would like copies of the letters sent and signed letter that they did not
receive any comments on this from the neighborhood before the General meeting on
September 9, 2025.

Land Use Committee Resolution:

WHEREAS, representatives from engineering firm Nasir Khanzada, presented on behalf of the applicant,
Apo Shakain, to the Land Use Committee on the BSA Application for 5832 Broadway, Bronx, NY 10463

WHEREAS, application is to file extend the term of the BSA variance which expired on 10/14/2014; and

WHEREAS, the existing 4 dispensers will remain in the same layout; and

WHEREAS, the existing canopy over the dispenser island and tanks remain the same; and

WHEREAS, they will clean up the site by removing junk cars, fixing the fence, and trimming the trees and
branches; and

WHEREAS, the parking layout will remain the same and will be repainted and the curb cuts will be
fixed/restored; and

WHEREAS, the existing signage will remain, and a new Gulf Logo with illuminated two face price sign will
be installed for gas station symbol and customer guidance; and

WHEREAS, on condition that the applicant sends the board a copy of the notification letters and receipts sent to the neighbors within 400 feet of the property as well as a signed statement that they received no responses to any of those letters before the General Board meeting on September 9, 2025.

NOW THEREFORE, BE IT RESOLVED, for the reasons set forth above, the Land Use Committee APPROVES this application.

Unanimously approved.

Approved (8): B. Bender, L. Chong, S. Matthew, C. Moerdler, A. Rivera, D. Rowen, L. Spalter, M. Wolpoff

Opposed (0)

Abstained (0)

B. BSA Application for 3657 Kingsbridge Avenue, Bronx, NY 10463

[BSA Cal. No. 2025-27-BZ](#)

This application proposes to demolish the existing building on the Site and construct a new, Use Group VI, eating and drinking establishment with parking and accessory drive through service.

- Jennifer Mazawey, Esquire, Paul Going, Melissa Brotschul, and Rebecca Bodine of Bohler Engineering representing Raising Canes presented the plans for their client
- Operating Hours 9:30 AM - 3:30 AM
- 15 employees on site for 800 customer orders per day. 70% come through drive thru
- 6 levels committed to community on education, feeding the hungry, pet welfare, active lifestyle, business development & entrepreneurship
- Have security in other areas and not opposed to it here since have late hours
- Will consider earlier closing time after review of stats in a few months
- Want to open as soon as possible. Schedules for BSA meeting November 5 and 6, 2025

Chair asked for them to look at area as far as refuse, abandoned vehicles. They are speaking to landlord to clean up the area. Need area to be cleaned up before the full board vote on Tuesday September 9, 2025. They agreed to this. Chair requests and recommends that they hire security.

Laura and Marty - Concerns with late hours. Other location at West 125th Streets closes at 12 am. Can it be earlier? Harlem location does not include drive-thru and has special requirements in that community.

David – Why only one-story building? Can they consider housing above? Responded It is not part of their business plan and is zoned as C2 commercial property.

Land Use Committee Resolution:

WHEREAS, the representatives for Raising Canes, Jennifer Mazawey, Esquire, Melissa Brotschul, and Rebecca Bodine of Bohler Engineering, presented on behalf of the applicant, Raising Canes, to the Land Use Committee on the BSA Application for 3657 Kingsbridge Avenue, Bronx, NY 10463

WHEREAS, the applicant proposes to demolish the 1 level vacant diner on site and construct a new, Use Group IV, eating and drinking establishment with parking and accessory drive through service; and

WHEREAS, the remainder of the site is occupied by 12 proposed twelve parking spaces and drive-thru facility; and

WHEREAS, the proposed configuration includes a curb cut on each of the sites two frontages, each leading to full movement driveways. A 22-foot curb cut on West 238th Street entrance and 23-foot curb cut on the Kingsbridge Avenue entrance; and

WHEREAS, the Site will be operated by 15 employees and open seven days a week from 9:30 am – 3:30 am; and

WHEREAS, there will be security at the request of the Community Board; and

WHEREAS, on the condition that the applicant agrees to clean up the site and parking area before the General Board meeting on September 9, 2025 at 7:00 PM.

NOW THEREFORE, BE IT RESOLVED, for the reasons set forth above, the Land Use Committee APPROVES this application.

Approved

Approved (6): B. Bender, L. Chong, S. Matthew, C. Moerdler, L. Spalter, M. Wolpoff

Opposed (2): A. Rivera, D. Rowen

Abstained (0)

4. Discussion with Nick Dembowski, President of the Kingsbridge Historical Society, regarding [proposed development](#) of 11-story mixed-use building at 5517 Broadway and a 12-story building at 205 West 230th Street in Kingsbridge and the likelihood of historically significant human remains on the property.

Discussion:

- Nick Dembowski, Exec Director of the Kingsbridge Historical Society gave a presentation, link below, on the history of this location on West 230th Street and Broadway and evidence of possible remnants of cultural resources or a burial site of historical significance.
- Attended with several local cultural organizations and historians in consultation with Dr. Jeff Bendremer, Tribal Historic Preservation Officer of the Stockbridge-Munsee community.
- He would like to be proactive and ask if we can be an intermediary along with our elected officials to reach out to the developer and see if they would be willing to let them examine the site, using non-invasive radar, to detect for possible remains. The law states all construction must cease if there is evidence of human remains on the site.
- Several years ago, Nick flagged this site on NY State Cultural Resource inventory system



230th presentation
to CB8 KHS Septemb

Chair asked District Manager to follow up with the developer to see if we can get this resolved with the interested parties.

5. Old Business/New Business

Discussion on 5 Charter Revision Proposals on the Ballot, 3 of which will have an effect on community boards. Council Member Dinowitz is working with NYC Land Use team on an objective presentation for the Board meeting September 9, 2025 and what these ballot questions mean. Questions on these ballots are misleading. These proposals would remove comment and review from the Community, Community Boards and NYC Council on Land Use decisions.

- Propose having a joint meeting with the Law, Rules & Ethics Committee at the end of September to focus only on these proposals. Will set up the meeting for September 30, 2025 @ 6:00 PM.

Laura spoke on a court case against the City of Yes with 100 plaintiffs who argued a lack of CEQR–environmental review for Carbon Neutrality which is in violation of State environmental laws. Will keep the board posted.

Abba Leffler – Spoke on 7 micro unit conversions and 8 large scale developments occurring in Van Cortlandt Park Village area causing quality of life issues: noise, parties (3488 Cannon Place - 60 cars and parties all night), prostitution (69 Stevenson Place run by Westhab) which has elevated in the area since then. What can we do?

Laura – should attend next Public Safety Committee meeting on September 16, 2025 to discuss these quality of life issues. Speak with the Riverdale Press who is at this meeting.

6. **Adjournment:** 9:08 PM - Next meeting will be a joint meeting with Law, Rules & Ethics Committee on Tuesday, September 30, 2025

Respectfully submitted,
Farrah Kule Rubin, District Manager