

Bronx Community Board 8
Land Use Committee Meeting

May 1, 2023

Minutes

A link to a recording of the meeting is available here: <https://youtu.be/ACtWrq7KHbs>

Committee Members (9): Charles Moerdler, Martin Wolpoff, Dan Padernacht, Sylvia Alexander, Bob Bender, Lee Chong, David Gellman, Julie Reyes, Camelia Tepelus

Absent: Nick Fazio, Rosemary Ginty

Guests: Teresa Rodriguez, Ted Weinstein (HPD), Phil Fram, Mossa Tamba, Laura Spalter (chair), Dr. Christina Carlson

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

Minutes:

D. Gellman made a motion to approve the April 3, 2023, Land Use Committee meeting minutes. B. Bender seconded the motion. The motion to approve the April 3, 2023, Land Use Committee meeting minutes passed unanimously.

Affordable Housing Resolution

The committee had a discussion on a proposed Affordable Housing Resolution. The following comments, questions and suggestions were made:

- concerns/comments about how the resolution suggests AMI calculations should be targeted and how they are used in practice,
- suggestion accepted to make modifications to the resolution's wording on the development and construction of housing,
- questions on who the resolution would be written to,
- suggestion accepted on how to more succinctly reference the content of the resolution's appendices,
- suggestions accepted to include references to the NYS Division of Housing and Community Renewal (DHCR) within the resolution in multiple places,
- suggestion accepted to update the fiscal years referenced within the resolution,
- suggestion accepted to remove a statement which stated that there should be a 'requirement' for HPD to give greater weight to family sized apartments,

- suggestion accepted to include statement that HPD ‘may be authorized’ to recommend initiation of a process that identifies underutilized sites,
- suggestion accepted to remove a paragraph that would recommend setting aside proceeds from affordable housing lotteries for the construction/rehabilitation of affordable housing.

A roll call vote was taken to approve the Affordable Housing Resolution, as amended, as follows:

“WHEREAS, the Land Use Committee of Bronx Community Board No. 8 (“BxCB8”) supports increased construction of affordable housing throughout the City of New York and in the several communities comprising this Community Board District; and, to that end, BxCB8 urges revision of the current Affordable Housing programs with respect to site selection, acquisition, development and operation so as to ensure that the resultant housing is truly affordable and sustainable, particularly for those low and moderate income earners and families in the greatest need and facilitating their being able to remain in the community;

NOW THEREFORE, BxCB8 calls upon the Governor, the Legislature, the Mayor, the City Council and all relevant elected or appointed officials concerned with residential housing in the City of New York (“City”) to redouble their efforts and goals with respect to the construction and/or redevelopment of truly affordable housing, prioritizing occupancy of such housing for those lower and moderate income earners and families in the greatest need therefore and, to that end, revising existing policies in, at least, the following respects:

- 1. The current qualification formulae and references to the Area Median Income (“AMI”) applicable to those seeking privately constructed and owned but publicly-subsidized housing should be published and to the extent appropriate utilized in more relevant localized form. The Department of Housing Preservation and Development (HPD), in conjunction with the Department of City Planning (DCP), should be charged with compiling and making publicly available, on an annual basis, the average median income in the (i) in the respective Community Board Districts in the City; and/or (ii) in each Borough (or County) within the City.*
- 2. During the fiscal years 2024-2026, inclusive, the grant of public assistance or support in the financing of housing construction or redevelopment, whether in the form of interest subsidies, capital grants, land acquisition or disposition or any other form of public aid in the development and construction of housing, should be prioritized for the benefit of such housing developments or projects as shall set aside not less than 15% of all apartments per building for those who, at the time of initial rental, are in the income levels specified as being not more than 50% of the AMI as set forth in the then current year AMI schedule and an additional 25% of all apartments for those that then are in income levels not to exceed 100% of the AMI as specified the then current AMI schedule. 1 The Records of the Department of Buildings, HPD and the Department of Homes and Community Renewal (DHCR) shall reflect compliance with the foregoing;*
- 3. HPD in its assessments of Affordable Housing should give greater weight to the number of family-sized apartments in the proposed building rather than to (or even by materially diminishing) the number of contemplated single room, studio or like smaller sized units in its financing eligibility or like calculations and shall give appropriate regard to the preservation of essential positive characteristics of relevant neighborhoods;*

4. *HPD and DHCR shall be charged with examining and publicly reporting at an early date upon the feasibility and terms under which there can be incorporated under an Affordable Housing program the cooperative ownership concepts utilized, for example, in the Amalgamated Housing and Mitchell-Lama developments currently in Community Board 8, Bronx County.*
5. *The Annual Budget appropriation for HPD shall provide for and HPD shall establish and maintain an adequately staffed Office that shall identify all properties owned or controlled, directly or indirectly, by the City or any agency or entity thereof (irrespective of the agency or entity currently in possession) and the dates upon which such properties may be or could become vacant, vacated or otherwise utilizable for the construction, preservation or redevelopment of Affordable Housing. Such Office in consultation with those agencies charged with the construction, preservation or redevelopment of affordable housing shall prioritize the disposition of such properties for Affordable Housing utilization unless the Mayor shall as to any given property, for good cause, publicly direct otherwise in writing;*
6. *The above-mentioned Office shall be authorized to identify such non-publicly-owned properties in the City as are, without good cause shown, under-utilized for an extended period of time and could efficiently be utilized for the construction of or redevelopment into Affordable Housing. After consultation with those agencies charged with the construction or redevelopment of affordable housing, as well as the Corporation Counsel, the above-mentioned Office may be authorized to recommend initiation of such proceedings as shall permit the utilization of such premises for the construction of or redevelopment as Affordable Housing, subject to just compensation for the owner or lessor in possession upon such terms as appear appropriate considering their intended use;*
7. *HPD in conjunction with the Commissioner of Investigations, to the extent required, shall inquire into and publicly report annually on the number, location, ownership of and reasons for vacant but legally habitable (or which through appropriate action could again be legally habitable) apartments in rent stabilized, rent regulated or New York City Housing Authority apartments and shall make recommendations to the Mayor, the City Council and the State with respect thereto, including, as appropriate, the prompt return of such premises to the rental market (as rent regulated premises if that was their state prior to being vacated) to the end that, to the extent possible, such premises are promptly returned to Affordable housing occupancy in view of and during the continuing housing emergency;*
8. *Those agencies charged with the planning, management, financing, construction or redevelopment of Affordable Housing, as well as the Office referenced above, shall on an advisory basis, affirmatively seek at an early stage in the process the advice or comments of the relevant local community-based entities, including the Community Board(s), respecting the location of and any proposed action concerning the construction, redevelopment or rental (including the redefinition of income-eligibility criteria) of Affordable Housing located or to be located in the geographic area actively serviced by such community-based entity or Community Board.”*

In Favor (5): M. Wolpoff, B. Bender, D. Gellman, J. Reyes, C. Moerdler

Abstaining (4): D. Padernacht, S. Alexander, C. Tepelus, L. Chong

The motion to approve the amended Affordable Housing resolution passed.

Stagg Development

M. Wolpoff provided an overview of the current construction status of a Stagg development at 3745 Riverdale Avenue.

C. Moerdler commented that the BxCB8 Traffic and Transportation Committee should take up streetlight/crosswalk request near the driveways at this development.

Landmarks Applications

C. Moerdler provided a report about staff-level applications to the Landmarks Preservation Commission in the Fieldston neighborhood of the district.

C. Moerdler noted that the BxCB8 Board Office received flooding complaints in Fieldston.

Street Activity Permit Office Application

The committee took up an application by Shira Silverman to add an additional day, July 30th, 2023, to a single block festival, the Riverdale Y Sunday Market, on Johnson Avenue between West 235th Street and West 236th Street.

There were no objections. A motion to approve the application unanimously passed.

New Business/Old Business

Member of the public, C. Carlson, spoke in opposition to Tishman Speyer development at 160 Van Cortlandt Park South

D. Padernacht stated that he thinks the Land Use Committee should discuss the development's publicly-available documents. C. Moerdler noted that he understands that Tishman Speyer will come back in September and noted that he hasn't played any role in that nor does he intend to.

Adjournment

A motion to adjourn the meeting was made by C. Moerdler and unanimously adopted. The meeting adjourned at approximately 8:20pm

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