

(Pending Committee Approval)

**Land Use Committee Minutes
March 7, 2022 at 7pm
Meeting held virtually via Zoom**

Attendance:

Committee Members: Charles G. Moerdler (chair), Martin Wolpoff, Sylvia Alexander, Paul Ellis, Dan Padernacht, Julie Reyes, Camelia Tepelus, Omar Murray, Bob Bender, David Gellman

Absent members: Tracy Pardo, Nick Fazio

Guests: Council Member Dinowitz, Joyce Campbell Priveterre (CB8 Treasurer), Karen Pesce (CB8 Member), Michael Hinman (Riverdale Press), Lorenzo Manzano (CM Dinowitz Office) , Kim Wood (Spacesmith LLP.)

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

BSA Application (2021-29-BZ) 3904 Orloff Ave

An application has been filed with the Board of Standards and Appeals for a variance to permit in an R4A zoning District construction of a cellar and residential building that does not provide one required front yard. The proposed building is a two family home with a one car garage.

C. Moerdler asked committee members if they have problems with the application. Committee Members raised concerns of the length of the brick wall, non conformity with the neighborhood, and the garage.

C. Moerdler presented the following resolution and called the vote on each condition:

WHEREAS an application for multiple zoning variances was made to the Board of Standards and Appeals under Calendar No. BSA Application (2021-29-BZ) 3904 Orloff Ave to permit in an R4A Zoning District construction of a cellar and residential building that does not provide a required front yard and for other relief; and

WHEREAS the application was heard before multiple meetings of the Land Use Committee (January 13, 2022, February 7,2022 and March 7, 2022) at which the applicant was afforded the opportunity to be heard and various changes in the proposed application were agreed to be made other than the two set forth below;

WHEREAS the Committee continues to be concerned respecting two aspects of the application as to which it appears that the requisite findings pursuant to Section 72-21 cannot be made,

NOW THEREFORE, BE IT RESOLVED

The Land Use Committee approves the application on condition that:

- a. The proposed stairway from the cellar to the street be removed and no external public entranceway to the cellar be provided since it will encourage the creation of an illegal residence in the cellar and the conversion of the premises to a multiple dwelling without compliance with the applicable provisions of law with respect thereto; and
- b. The 70 foot front yard facade fronting on Orloff Avenue be improved or reconfigured to be more in conformity with the existing single-family houses in the neighborhood possibly in terms of of diversity of material, dimensions, variegation or any other element that can vary, diminish or relieve the extensive, massive and undifferentiated facade on Orloff Avenue that appears to the community to impact adversely on nature, character and residential design of the immediate neighborhood.

VOTE:

Condition a: Majority Vote of Committee

Condition b: Marty Wolpoff, Dan Padernacht, Rosemary Ginty, Sylvia Alexander, David Gellman, Paul Ellis, Julie Reyes, Chuck Moerdler

Zoning Working Group

C. Moerdler explained that Governor Hochul proposed bills that would have a negative impact on single family homes which would severely affect Bronx CB 8. He assigned R. Ginty, J. Reyes and himself to the working group.

Stagg Project- 3745 Riverdale Ave Working Group

At a previous meeting Stagg agreed to working with neighbors and the Community Board with regards to this project. C. Moerdler assigned neighboring resident Mr. Mark Gothelf, M. Wolpoff and D. Gellman to this working group.

Public Design Commission: NYPD 50th Pct, 3450 Kingsbridge Ave in the Bronx

Request for a Letter of No Objection to be submitted to the Public Design Commission for exterior work to modify asphalt with ADA requirements and replace the existing door.

Kim Wood, of Spacesmith LLP., presented the proposed plans for the 50th Pct. She has been tasked by the NYPD to bring the 50th Pct up to code. The slope of the side door into the precinct does not meet the ADA compliancy. In addition, the side doors are not compliant. The proposal includes correcting the slope, adding an ADA grate and replacing the side doors.

Discussion of the application took place. The committee would like to see the main entrance become accessible via ramp and not the side door. C. Moerdler asked Ms. Wood to attend the April meeting with a representative of the 50th Pct so that they could answer some of the committee's questions. DM Gannon will contact the 50th Precinct as to why this item was laid over and to invite them to the next meeting.

Discussion of the February 7th Committee Minutes took place. C. Tepelus asked to be listed as an abstention in the vote at the last meeting because she was signing into the meeting when the vote took place. C. Moerdler accepted. DM Gannon will correct the minutes.

A resident raised concerns of an increase of development in Marble Hill. She asked the committee to keep tabs on the development. DM Gannon asked the resident to continue to send 311 complaints into the CB Office.

The meeting was adjourned at 8:15 pm

Minutes submitted by C. Gannon, District Manager
Reviewed by: C. Moerdler, Chair