

## BRONX COMMUNITY BOARD NO. 8

### MINUTES OF THE LAND USE COMMITTEE MEETING HELD ON NOVEMBER 3, 2014 AT CONSERVATIVE SYNAGOGUE, 475 WEST 250<sup>TH</sup> STREET

#### **PRESENT CB8:**

S. Alexander, A. Cohen, T. Creaney, L. Daub, P. Ellis, R. Fanuzzi, D. Fuchs, R. Ginty, M. Goodman, M. Heller, M. Khury, D. Kornbluh, C. Moerdler, D. Padernacht, K. Pesce, R. Press, G. Santiago, J. Rather, J. Reyes, G. Singleton, L. Spalter, M. Wolpoff, H. Young

N. Stent – CB8 District Manager

#### **GUESTS/COMMUNITY RESIDENTS:**

J. Horstman – City Planning, G. Torres – Department of Buildings, N. Arnosti and J. Demko – rep. Assemblyman Dinowitz, A. Sandler – rep. Councilman Cohen J. E. Fitzgerald – Villanova Heights, J. Most – Sheldon Lobel, L. Richmond – Montefiore, M. Gotlieb, J. Grossman, S. Ramos Alamo, A. Meyers, S. Gartner, A. Noonan, D. Bell, Mr. Bernardo, A. Meyers, D. Wigder, E. Murphy, Z. Johnstone-Mosher, L. Hogan, L. Traub, D. McShane, C. McShane, A. Hasson, J. Waters, B. Torres, K. Knuckles, J. Young, S. Glaso, S. Hasson, C. Richard Prince, J. Levkou, S. Nelson, J. M. Dale, E. Oleen, M. McLaughlin, J. Dougherty, E. Bell, D. Bell, C. O'Brien, J. Young, N. Duan, J. Torkin - FPOA, M. Ely, N. Prakash, J. Weiss and B. Paun – Community Work, N. B. Gans, T. Kasiale, M. Fisctl, S. Ramos-Alamo, R. Spalter, G. Parker, M. Rajamani – Riverdale Press, B. Funival, R. Bretan, D. Dugal, M. Buffington, D. Burke, L. Parker, C. Parker, K. Phocas, T. McMaster, G. O'Hara, B. Newman, C. O'Hara, G. Fox, M. Kelly, M. Gothelf, A. Monaha, C. Ming Fan, A. Noonan, D. Brenner, G. Leisner, S. Benardo, J. Whalen, G. Parker

Chairman Moerdler called the meeting to order at 7:36 PM, a quorum was not present.

**Agenda Item 1:** Board of Standards and Appeals Common Law Vested Rights Application No. 250-14-A through 257-14-A, 5041, 5031, 5021, 5310, 5300 Grosvenor Avenue, 5030, 5040, 5041 Goodridge Avenue, Bronx, NY for Villanova Heights to continue with development of eight homes, and extend building permits for a period of four years to allow for completion of construction.

Vice Chair Wolpoff chaired the meeting and provided a general background of the project to the committee. Jordan Most, representing Villanova Heights, explained that 7 of the total 15 lots have been completed. He presented a map labelled Common Law Vested Rights (Villanova Heights) depicting the site and indicating development locations, houses completed and sites presently under construction.

Board members asked several questions related to whether the houses were rented or owned; why the project was taking so long; were permits up to date; were the Fieldston Property Owners Association (FPOA) and other neighbors contacted about the project; and how will the construction project impact the water run-off from the property to other houses in the area.

Councilman Cohen expressed great concern over the duration the project and its impact on the community.

Mr. Moss responded that all houses are currently rented. The project is taking a long time because it requires more than just construction of houses; it includes infrastructure work such as land grading, landscaping, sewers, roadways and drainage pipes. Dry wells are also being built and all permits are up to date. FPOA has been involved but not contacted on this request. The water run off issue had been discussed with FPOA.

Mr. Wolpoff asked if the applicant had contacted the community. Mr. Moss said they had not reached out on this particular issue. Mr. Steven Nelson, a neighbor expressed concern over the length of the project; construction taking so long; construction daily and weekend hours and its impact on the quality of life in the neighborhood. Mr. Wolpoff asked if Mr. Nelson had contacted the board office on these concerns, he replied he had not. Mr. Wolpoff recommended that he inform the board office in the future with any issues and asked Mr. Moss to reach out to the resident. Mr. Moss agreed to speak to Mr. Nelson.

Vice Chair Wolpoff asked about the runoff and how Villanova would handle it. Mr. Moss explained that dry wells were built.

Chair Moerdler joined the meeting. He explained past history on the run-off at the site and the efforts made by Villanova to take care of the issue with dry wells.

While there was no quorum, a motion was brought before the committee that will be brought before the board from the floor.

**RESOLVED**, Community Board No. 8 Bronx approves Board of Standards and Appeals Common Law Vested Rights Application No. 250-14-A through 257-14-A, 5041, 5031, 5021, 5310, 5300 Grosvenor Avenue, 5030, 5040, 5041 Goodridge Avenue, Bronx, NY for Villanova Heights to continue with development of eight homes, and extend building permits for a period of four years to allow for completion of construction.

**Vote:** 17 in favor, 2 opposed, and 3 abstentions

In Favor –

S. Alexander, A. P. Creaney, L. Daub, P. Ellis, D. Fuchs, R. Ginty, M. Goodman, M. Heller, M. Khury, D. Kornbluh, C. Moerdler, K. Pesce, J. Rather, G. Santiago, G. Singleton, M. Wolpoff, H. Young

Opposed –

R. Fanuzzi  
J. Reyes

Abstentions –

L. Spalter  
D. Padernacht  
R. Press

Chair Moerdler thanked State Senator Klein, Assemblymen Dinowitz and Councilman Cohen for their attention and involvement on this issue.

**Item 2:** Update on Montefiore Medical facility proposed construction at 3741 and 3735 Riverdale Avenue and 3644 Oxford Avenue.

Lynn Richmond, Senior Vice President, Montefiore presented updated information on the Montefiore plan. The medical facility footprint had been significantly reduced by 40% and total medical space by 60% after discussions with the community. In addition, in response to community concerns about the street parking, the project sought to preserve street parking on Riverdale Avenue. The architect, Mr. Newman, has worked on a proposed solution to street parking.

Mr. Newman addressed the board regarding the removal of parking spaces on Riverdale Avenue. With changes made to the drop off area within the site, there will be no removal of parking spaces on Riverdale Avenue. There are 100 spaces, 5 spaces for turnaround at grade level on Riverdale Avenue with 2 cars cuing in the drop off area with parking attendants, all will be inside, both drop off and entrance into the facility from the drop off site.

Chair Moerdler asked about parking available onsite for the community and recommended a traffic study for the site.

Mr. Newman responded that there will be a process of review with Metropolitan Transit Authority and NYC Department of Transportation for curb cut and on the builders pavement plan to accommodate the entrance and for traffic devices, information will be available after this review and will be relayed to the board.

Board members queried about the property line, parking for the community and the hours for public parking. Montefiore responded all work would occur within the property line, parking will be offered to the community after hours for a fee, staff parking will be offsite, parking hours would be 7:00 am to 9:00 pm and on weekends 9:00 am to 5:00 pm.

Community members had an opportunity to speak at the meeting. The community was concerned about the impact of the construction and parking in the neighborhood, and asked for Montefiore to reconsider the location.

Questions included whether there would be drilling and blasting on the site and the noise impact. Mr. Newman stated that there would be no blasting on the site, only drilling for no more than 6 months and the noise level would be within the allowed limits of the law.

A community member asked for the removal of a construction shed that does not appear to be in use which impacts pedestrians, with its return when the site construction actually commences.

Chair Moerdler asked that the construction shed be removed with a confirmation by the next board meeting and Mr. Newman stated it would be reviewed.

Community speakers opposed the project, its impact on the traffic and quality of life, and asked that Montefiore consider another location.

Chair Moerdler closed the discussion acknowledging the community and community boards concerns about the project and awaited the filing of the plans by Montefiore for further scrutiny.

**Item 3:** Selfhelp Project Working Group Report on proposed construction at 6469 Broadway.

Paul Ellis, Chair of the Selfhelp Working Group presented a report from of the October 9<sup>th</sup> meeting of the working group, minutes are available on the board website. In addition, Chair

Ellis had sent letters regarding the project and its status to both Departments of City Planning (DCP) and Buildings (DOB). DCP responded that everything is in order. DOB has the project on hold pending a review regarding a discrepancy in the zoning use group.

George Torres, the Bronx DOB Director stated that there is a meeting scheduled later in the week with Selfhelp to clarify various issues including applicable zoning use group and community facility zoning bonuses.

Board members raised concerns about the zoning compliance, building size, community facility use, on-site and off-site parking, limited number of parking for the number of lift parking, lack of communication and information on the project steps and permits with the community board and with the community, and the effect of a large building on the Broadway corridor.

Selfhelp stated that the building height will not change as financing is already allocated.

There were several community speakers that are opposed to the site and raised concerns about the building size, lack of communication with the residents, parking, zoning compliance, noise of the lift parking, and why work was continuing even though DOB had a hold on the project.

Mr. Torres explained use groups and floor area ratio (FAR) allocations for the site and added that DOB is auditing the project and reviewing the use groups, FAR and community facility use. He also stated that Selfhelp can continue preliminary work on the site because the hold on the project is regarding use groups and not the current work.

Chair Moerdler asked Selfhelp to work with the community and try to accommodate the concerns raised by board members and the community. Mr. Moss explained that the parking will operate from 11:30am to 7:00pm with limited access to the lifts (stackers) during this time which should eliminate some of the noise concerns.

A community member asked about state issued bonds and borough president funding to support the project and asked the board to consider recommending legislation to have funding of such projects in communities have a requirement of public input in advance of approval or funding.

Meeting ended at 10:15pm.

Respectfully submitted,

Nicole Stent  
District Manager