

BRONX COMMUNITY BOARD NO. 8

**MINUTES OF THE LAND USE COMMITTEE PUBLIC HEARING AND
MEETING HELD ON FEBRUARY 4, 2016 AT HORACE MANN SCHOOL
231 WEST 246TH STREET**

PRESENT

Community Board No. 8:

C. G. Moerdler, Chair, Land Use Committee, A. Alexander, B. Bender, L. Croft,
M. Donato, A. G. Feldmeier, D. Gellman, R. Ginty, M. Goodman, M. Heller, D. Kornbluh,
O. Murray, J. O'Brien, D. Padernacht, K. Pesce, R. Press, A. J. Robateau, G. Santiago, M. Wolpoff,
H. Young

ABSENT

L. Baez, A. Creaney, L. Daub, P. Ellis, R. Fanuzzi, M. Felix, N. Friedman, P. Friedman, S. Froot,
D. Fuchs, M. Galvin, A. Guzman, I. Ladimer, R. Pochter Lowe, S. Marquez, D. McCord, A. Moore,
L. Parker, J. M. Pilsner, J. Rather, J. M. Reyes, S. Sarao, L. Spalter, I. W. Stone, D. Toledo,
S. Villaverde, M. Yamagata,

Staff

P. Manning – District Manager

Elected Officials / Representatives

J. Horstman – Bronx Department of City Planning, A. Castano, Office of Assemblyman Jeffrey
Dinowitz, J. Stephenson, K. Theobald, A. Sandler, J. Stephenson - Office of Councilman Andrew
Cohen

Community Residents

The full list of attendees is on file in Board Office

Chair Moerdler convened the meeting at 7:40 PM.

1. Horace Mann School Master Plan Presentation

Thomas Kelly, PhD, Horace Mann School presented five year Master Plan.

- The emphasis on the Master Plan is on science technology, health, wellness, athletics and student life. Purchased property adjacent to School Campus, corner of West 258th Street and Tibbett Avenue. Bought from City demapped street, purchased turn-around. Looking to develop property on north end of campus that is already developed. Looking to renovate and maintain the Prettyman Gym, one of the original buildings built in 1924.
- Looking on left side of building to add Campus Center and New Life Center on far right of Prettyman Gym. Will add Handicapped Access lobby. Also looking to add Maintenance shed. Will add Aquatics Center on back.
- Will put the Science and Campus Center on current parking and tennis courts.

- Prettyman Vestibule will be on Fisher Hall Plaza. Footprints will not change at all.
- Not looking to grow in terms of present student enrollment. Looking to build to address problematic growth that came out of a ten year study, a five year Master Plan specific to the campus and all its initiatives and five year review by accredited body.
- In the end, the School is hoping to come to CB8 to present construction plan. They are in discussion with Department of Buildings and the School's architects to determine if plan is viable both from fundraising point of view and construction point of view.
- Looking to build a three-story Science building for 9 - 12 grades, with 1st floor being a Campus Center operating 5 days a week from early morning to late night.
- Aquatic Center now has pool of four lanes; the plan is to change to eight lanes. The building will be pre-fabricated. Lower floor will be moveable to convert from 9' to 0'' to accommodate Nursery School students.
- The Aquatic Center will have its own locker room.
- Prettyman 2000 sq. ft. vestibule will have handicapped usage. Will do HVAC renovation. Will do cosmetic work inside.
- Pforzheimer Hall presently has 6 – 12 graders. It will be returned to middle division building with all new 6 – 8 grade science facility.

Committee Chair Moerdler disclosed for the record that his oldest son had attended Horace Mann School. He asked for basic construction plan when application is made. Will need plan for off-street storage of construction equipment, hours of work, and street route for construction trucks. Dr. Kelly agreed to submit.

Committee Chair Moerdler asked questions regarding diversity of student body and financial aid. Dr. Kelly responded that 18% of students receive financial aid. Will continue to grow aid and diversity. The School hosts Summer on the Hill annually, and there is a Holocaust program. Chair Moerdler asked about school bus routes. Dr. Kelly informed that the buses no longer travel on the private Fieldston streets. The buses have been moved to the perimeter to enter and exit off those streets.

L. Croft asked about percentage of students of color enrollment. Dr. Kelly will respond via email.

Committee Chair Moerdler asked about Horace Mann's interaction with children of NYCHA complexes. Dr. Kelly advised about their previous relationship with Marble Hill, however they have been defunded. Moerdler asked that program be revamped and include Fort Independence Houses. Horace Mann also had programs with Ampark Nursery School.

B. Press asked about removal of tennis courts. Two houses will be demolished with very little impact on green space. Alumni Field untouched. Adding parking spots.

M. Wolpoff asked about reducing student parking; and covering roof mechanicals: Bussing is available; and mechanicals will be screened.

R. Ginty asked about impact on part of property in the SNAD (Special Natural Area District). Dr. Kelly responded that the four acres athletic field in SNAD district will remain the same. A landscaper will be onboard with project.

D. Gellman asked about Broadway parking. Dr. Kelly advised that Horace Mann owns property on Broadway located between Jakes Steaks and Carrot Cake bakery property, and he informed that it was the School that put in the lights.

PUBLIC SPEAKERS:

Neighbor – Laport, resides across from School. Advised about problems in the past.

- Dr. Kelly informed that the School had already had two meetings with neighbors. They will not repeat past mistakes, will be available and responsive. Happy to sign agreement with neighbors.
- Neighbor- Ovi, disagreed with School using FPOA streets. Dr. Kelly advised they will meet February 10th with FPOA and will change for whatever FPOA recommends.

Committee Chair suggested contacting the Board Office with any complaints from February 10th meeting.

- Neighbor – Khury, asked about use of property on Cayuga Avenue. Dr. Kelly advised no plans for property.

2. 6469 Broadway (Selfhelp) response to Board of Standards and Appeals Notice of Comments: Revised Statement of Facts and Findings: and Revised Plans in connection with the application for a parking variance.

B. Stark reported that project has not changed. Selfhelp is proceeding with application for parking waiver. They cannot build 19 spaces. Committee Chair Moerdler discussed problems that previously occurred concerning Selfhelp's unwillingness to meet community halfway. Again, he suggested renting parking spaces. He urged Ms. Wolf, Selfhelp, to meet with the Board's Selfhelp's Working Group. Chair asked that contact be made with Housing Chair P. Ellis. B. Stark will direct client to reach out to Mr. Ellis. The building is already built. Mistake was mis-understanding regarding the stackers, and DOB not allowing superintendent's operation of stackers. Selfhelp cannot undertake cost---too high. B. Stark stated that DOB gave written directive that superintendent could operate the stackers and was then audited and determined that stacker would not be operated by superintendent.

M. Heller disputed claim that contended superintendent would be on call 24/7.

3. Department of City Planning Application No. N 160150ZAX / N 160151 ZAX:

Special Natura Area District (NA-2) 5264 Independence Avenue, Block 5942, Lot 285, Bronx, for the grant of authorizations for a modification of topographic features on Tier I sites and for modification of botanic environment and tree preservation and planting requirements to permit the construction of a single-family residence.

T. Winter presented. No topographical change. Proposing to remove 5 trees in back of property and replant with calipers 6" and largest 20."

Committee Chair Moerdler suggested providing more trees.

R. Ginty asked for explanation of trees being removed. T. Winter stated there are 7 existing trees, 2 will remain.

Member of Blackstone Properties Association –
Trees on property are "locust" trees and 1 oak.

Committee Chair Moerdler suggested stepping aside to take time to discussing with owner while meeting was in progress to try to reach an accord on the matter of the trees.

Mr. Winter conferred with client and will provide amendment to trees plan in writing with City Planning Commission. Trees will be 7" caliper instead of 3".

R. Ginty voiced displeasure with the threat of trees being removed and the threat posed to the Natural Area District. Further she asked that the new plans that will be provided to the Board be of a large size and readable. Mr. Winter was asked to provide at least 30 copies of the plan for the members of the Committee. He will get letter of amendment regarding the trees to the District Manager as requested. Applicant will re-present at March Land Use meeting.

Neighbor 1 – Advised of neighbor support of the tree plan stating that it rises above expectations.

S. Paulsen agreed with Committee's recommendation and neighbors are appreciative.

Neighbor at 4715 Independence Avenue stated that the property is now in disarray.

4. Status of development and complaints concerning maintenance of property and sidewalk/street conditions around the site at 3741 & 3755 Riverdale Avenue / 3644 Oxford Avenue

The developer has taken steps to put together a maintenance plan. Application for development being reviewed by the Department of Buildings. Visited property after blizzard. Will have property cleaned up as soon as weather permits.

Neighbor – Advised about water collecting and run-off from property.

Committee Chair Moerdler asked if the developer would come back to the March Land Use Committee meeting. The developer agreed to return.

I. Sugarman complained about the proposed height of the building, that it is out of scale.

J. Grossman advised that there was no snow removal after the blizzard.

5. Stagg Group - Request for Letter of No Objection for Department of Buildings Permit for early start time of 8:00 AM on Saturdays at the following construction project sites:
5731 Broadway – Excavation/Foundation Stage
5959 Broadway

No representative present.

6. **ZQA and MIH City Planning Commission Vote and Report February 3, 2016, New York City Council Hearings February 9th and 10th, 2016 –**

Re Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter – Zoning Text Amendment proposal for Quality and affordability proposing a set of targeted changes to zoning regulations to support the creation of new affordable housing under the Mayor’s ten-year, five-borough Housing New York plan; and create a Mandatory Inclusionary Housing program that would require, through zoning actions, a share of new housing to be permanently affordable.

Committee Chair Moerdler discussed the action City Planning Commission and City Council would be taking with respect to voting on the zoning text amendments for the ZQA and MIH.

R. Ginty explained that the document was very large well over 500 pages, and City Planning’s report has not been made available. Therefore there is no way to know what the changes are.

Committee Chair Moerdler reported that all Borough Presidents had voted against the both zoning text amendments, and that the Public Advocate had abstained.

Committee Chair Moerdler presented the following resolution:

WHEREAS, Community Board 8, Bronx County, by resolution adopted by unanimous vote, with two abstentions, and for the reasons stated in considerable detail (Attachment 1), determined to reject and disapprove the proposals advanced by the N.Y. City Planning Commission entitled or generally known as “Mandatory Inclusionary Housing” (“MIH”) and “Zoning for Quality and Affordability” (“ZQA”), while at the same time reiterating the Board’s approval of carefully calibrated opportunities to expand Affordable Housing Construction throughout New York City; and

WHEREAS, the overwhelming majority of the Community Boards in New York City as well as the Borough Boards in each of the five Counties comprising New York City likewise rejected and disapproved the MIH and ZQA proposals thus presented; and

WHEREAS, the City Planning Commission without any further discussion or consultation with, or outreach to Community Board 8, has on February 3, 2016, amended or restated portions of the text amendments comprising MIH and ZQA and has transmitted same to the New York City Council for approval and/or action (the representatives on the Commission appointed from the Bronx, Queens and Staten Island voting in the negative); and

WHEREAS, City Planning Commission has failed to demonstrate that the aforesaid amendments or restatement of portions of the MIH and ZQA proposals meet the objections or address and cure the concerns that led Community Board 8 to reject and disapprove the MIH and ZQA proposals; and

WHEREAS. The City Council has chosen to rush to public hearings without affording the Community Boards an opportunity to fully consider and deliberate on the voluminous text changes proposed by the City Planning Commission;

NOW THEREFORE, the Land Use Committee of Community Board 8, Bronx County, reiterates its rejection and disapproval requests further hearing dates by the City Council and strongly urges that the Members of the City Council vote to reject both MIH and ZQA and thereby reaffirm their support of grass roots democracy and local Community Boards.

Discussion ensued.

M. Goodman informed that the Historic District Council oppose the zoning texts amendments and strongly recommend attending the hearings and writing to City Council to express disapproval.

D. Kornbluh gave reasons why he cannot vote against or for the zoning texts amendments. He expressed that housing is needed in the City and he cannot support statement of what has not been seen.

M. Heller expressed objection to resolution. He wondered if calling Councilmember would be better tact.

R. Press expressed support for resolution.

Chair Padernacht discussed timeline, and lack of sufficient notice, 4 days. He stated his support for the resolution, and that City Planning had 50 days.

R. Ginty stated that the resolution is being forced on us.

S. Paulsen urged all to vote for resolution. She explained the Community Board resolution was not allowed to be read because unions in support of ZQA and MIH went first. She emphasized the importance of having physical person at City Council.

Mr. Borquen stated it is incumbent upon the Committee to support resolution. ZQA is not the way to go. He advised that he had testified with Riverdale Community Coalition regarding Hebrew Home.

The question was called.

The resolution was adopted by a vote of 18 in favor, 1 opposed and 1 abstention

In Favor: C. G. Moerdler, Chair, Land Use Committee, A. Alexander, B. Bender, L. Croft, M. Donato, A. G. Feldmeier, D. Gellman, R. Ginty, M. Goodman, M. Heller, D. Kornbluh, O. Murray, J. O'Brien, D. Padernacht, K. Pesce, R. Press, A. J. Robateau, G. Santiago, M. Wolpoff, H. Young

Opposed: M. Heller

Abstention: D. Kornbluh

Respectfully submitted,

Patricia Manning
District Manager