

**BRONX COMMUNITY BOARD NO. 8**

**MINUTES OF THE LAND USE COMMITTEE MEETING  
HELD ON FEBRUARY 5, 2015, AT THE CONSERVATIVE SYNAGOGUE  
450 WEST 250<sup>TH</sup> STREET**

<b>PRESENT</b>	<b>AFFILIATION</b>
Charles G. Moerdler	CB8, Committee Chair
Sylvia Alexander	CB8
Bob Bender	CB8
Lisa Daub	CB8
Paul Ellis	CB8
Robert Fanuzzi	CB8
Beverly Fettman	CB8
Steven Froot	CB8
Rosemary Ginty	CB8
Marvin Goodman	CB8
Michael Heller	CB8
Amy L. Moore	CB8
Daniel Padernacht	CB8
Robert Press	CB8
Gary Singleton	CB8
Herbert Young	CB8

**REPRESENTATIVES / GUESTS:**

The full record of attendance is on file in the office of Bronx Community Board No. 8.

Chair Moerdler convened the meeting at 7:45 PM.

Chair Moerdler introduced Board Chair Daniel Padernacht, and Vice Chair Rosemary Ginty and welcomed Assemblyman Jeffrey Dinowitz, Councilman Andrew Cohen, Michael Blaustein representing State Senator Jeffrey Klein, Andrew Sandler, and Kate Theobald Office of Councilman Andrew Cohen.

1. Chair Moerdler explained that the Bloomfield Residence application had been before the Land Use Committee twice before.

The Bloomfield representatives presented on the following applications for City Planning Commission and Landmarks Preservation Commission:

City Planning Commission Application No. N 100337 ZAX re: Bloomfield Residence, Block 5819, Lots 2168, 2170, 2175, 2167, 4680 Fieldston Road, Special Natural Area District (NA-2), Bronx, for the grant of authorizations involving a development, enlargement, or site alteration on a Tier II site or portion of a zoning lot having a steep slope or steep slope buffer, alteration of rock outcrops, modification of botanic environment and tree preservation planting requirements, modification of lot coverage controls, modification of spacing between buildings on the same zoning lot, and modification of requirement for driveways on Tier II zoning lots to allow the development

of three single-family homes; and Landmarks Preservation Commission Application No. 096026 for proposed new construction of houses.

Bloomfield representatives Steve Byrns and Howard Weiss provided updates on the changes to the application and the meeting with FPOA. The number of tree removals has been reduced from 81 to 25, and those will be replaced in kind in areas throughout the property. There will be additional landscaping with rhododendrons planted. The area next to Indian Pond will not be touched with any tree removals. Chair Moerdler requested that a written statement detailing the additional landscaping plantings, tree replantings and care and maintenance be submitted to Community Board 8 prior to the Board meeting on February 10, 2015.

Drainage, storm water management and erosion control was discussed. It was stated that the new features offers significant improvements to the existing drainage at the site. The portion of the existing driveway that currently drains to Delafield Pond will be intercepted by proposed catch basins and conveyed to the proposed storage tanks via storm pipes. The reduction of pavement runoff to the Pond will reduce the amount of pollutants being introduced thereby improving the water quality of the Pond. Chair Moerdler inquired if any consideration had been given to FPOA's proposal that development be reduced from three houses to two, namely the property on Indian Road. Mr. Byrns advised that no consideration had been given to the proposal.

Chair Moerdler called upon Jeff Mueller, President, FPOA to address the Committee. Mr. Mueller voiced his disagreement with certain statements made by Bloomfield representatives. He also stated that the engineering drawings had not been presented to FPOA. Mr. Mueller discussed the natural features of the area of the proposed development and the importance of preserving such beauty for the next generations. He added that SNAD and Landmarks Preservation regulations deserves careful review in view of the proposed project that would eradicate rock outcroppings, and cause run-off into Indian Pond. He further stated that that over 70% of FPOA oppose the development. He therefore asked that the Land Use Committee oppose the proposal in its entirety.

Chair Moerdler opened the floor for questions and discussion from the members of the Land Use Committee. They engaged in discussion concerning preference of removal of the house from Indian Road over the house near Indian Pond, driveway paving and permeable paving.

Chair Moerdler called upon the following speakers:

-Andrea Luciano focused on disturbance of the original natural features of the area where one of the first historic homes was built in Fieldston. She stated that Landmarks should also look at how the property will change the look and feel of the historic area and how the development would change the natural features of Fieldston's SNAD. She asked that the Land Use Committee oppose the application.

-Travis Epes discussed the responsibility of the Landmarks Preservation Commission in its adherence to the standards of a Landmarked District.

-G. Oliver Koppell discussed Fieldston's Landmarking designation and its SNAD features. He referenced the section of SNAD regulations regarding modification of natural features and deemed that construction of the houses would alter the

topography as there are natural rock outcroppings and surrounding trees that would be disturbed. He asked that the Committee vote no.

-Ronald Odrich suggested that the Certificate of Appropriateness to request modification of SNAD should be rejected with the issuance of a Certificate of "Inappropriateness."

-Sherida Paulsen spoke on behalf of the Riverdale Nature Preservancy to oppose construction of the three Bloomfield houses. Reasons cited included the design and site plan as not being appropriate to the historic district, the buildings setbacks and distances between buildings as not conforming to the usual pattern in Fieldston, concern for Indian Pond, and loss of trees.

-Christopher Rizzo, attorney for FPOA advised about the letter he submitted to the Land Use Chair February 4, 2015 which expressed FPOA's opposition to Bloomfield development. He spoke about the proposal's impact on the natural features, and stated that there had not been any concession from Bloomfield to reduce the development.

David Steinberger responded that there is no impact on the natural features, rock outcroppings, except with the No. 2 house where there is minimum impact.

Chair Moerdler called for a motion. Motion was made to disapprove the application and seconded.

**Vote:** 11 in favor, 2 opposed, and 2 abstentions

**In Favor –**

R. Bender, L. Daub, P. Ellis, R. Fanuzzi, B. Fettman, S. Froot, R. Ginty, M. Goodman, C. G. Moerdler, G. Singleton, H. Young

**Opposed –**

M. Heller, R. Press

**Abstentions –**

S. Alexander, D. Padernacht

2. Representatives for Salanter Akiba Riverdale (SAR) Academy presented the following application:

City Planning Commission Application No. N 150210 ZAX and the related drawings submitted by Salanter Akiba Riverdale ("SAR") Academy pursuant to Sections 105-422 and 105-425 of the Zoning Resolution, for the grant of authorizations involving a development, enlargement, or site alteration on a portion of a zoning lot having a steep slope or steep slope buffer and modification of botanic environment and tree preservation planting requirements to expand the existing playground and to permit a 13,329 sf enlargement for a new gymnasium and classroom space on property located at 655 West 254th Street (Block 5947, Lot 1) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx.

J. Segal provided responses to the remainder of the questions that had been submitted following the January 12<sup>th</sup> Land Use meeting. SAR will submit the Master Plan by June 30<sup>th</sup>, 2015; SAR will provide replacement of 51 trees on site. This number is a correction to letter dated February 4, 2015, and will be sent in writing with definitive information on where trees will be planted; SAR will work with neighbors with regard to construction vehicles in keeping them off the street; Committed to install sidewalk in front of property if permitted by the Department of Transportation; The Civil Engineer presented on storm water management; Rabbi Krauss explained how security will be increased. There will be a safe room lockdown area.

Chair Moerdler called upon Jennifer Klein:

Jennifer Klein referenced SAR's letter of assurance from December 2010. She noted promises made by SAR that have not been met as with their failure to submit a Master Plan. She expressed her dissatisfaction with the process moving forward before pending issues are resolved.

R. Ginty discussed SNAD regulations failure in considering special area boundaries. She recommended that SNAD be revisited. Chair Moerdler informed that there are plans to address SNAD in a very definitive way with the Department of City Planning.

Councilman Cohen spoke in support of SAR and acknowledged their good effort to cooperate with his office, and be a good neighbor. He vouched for SAR's credibility on the matter with submission of the Master Plan.

Chair Moerdler called for a motion to approve. The motion was seconded.

Discussion ensued. S. Froot recommended tabling until Master Plan is received. R. Press spoke in support of SAR's improved credibility. Chair Moerdler spoke in support of the project and the immediate security needs. M. Goodman spoke in support of the project for the good of the children.

The question was called.

**Vote:** 9 in favor, 4 opposed, and 3 abstentions

**In Favor –**

L. Daub, P. Ellis, B. Fettman, M. Goodman, M. Heller, C. G. Moerdler, R. Press, G. Singleton, H. Young

**Opposed –**

R. Bender, R. Fanuzzi, S. Froot, R. Ginty

**Abstentions –**

S. Alexander, A. Moore, D. Padernacht

3. Representatives from Riverdale Country School presented on the following applications:

**Riverdale Country School River Campus Perkins Building –**

City Planning Commission Application No. N 150190 ZAX and the related drawings submitted by Riverdale Country School pursuant to Sections 105-421 of the Zoning Resolution, for the grant of an authorization to modify topographic features on a Tier I site to permit the construction of a 23,242 sf classroom building on the Riverdale Country School River Campus located at 1 Spaulding Lane (Block 5937, Lots 360 and 380) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx.

City Planning Commission Application No. N 150191 ZAX and the related drawings submitted by Riverdale Country School pursuant to Sections 105-422 of the Zoning Resolution, for the grant of an authorization for a site alteration on a portion of a zoning lot having a steep slope or steep slope buffer to permit the construction of a 23,242 sf classroom building on the Riverdale Country School River Campus located at 1 Spaulding Lane (Block 5937, Lots 360 and 380) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx.

City Planning Commission Application No. N 150192 ZAX and the related drawings submitted by Riverdale Country School pursuant to Sections 105-425 of the Zoning Resolution, for the grant of an authorization for a modification of botanic environment and tree preservation planting requirements to permit the construction of a 23,242 sf classroom building on the Riverdale Country School River Campus located at 1 Spaulding Lane (Block 5937, Lots 360 and 380) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx.

The presentation was thorough in detail. The questions which were submitted in advance of the meeting received response. Kim Matthews discussed replanting which will be done above the required credits. Robert Carpernella, Civil Engineer, discussed storm water treatment and drainage. Palisade Avenue will be the designated construction route. Construction equipment and trucks will be kept within property site. There will be no increase in enrollment. Space increase will be 44.65%. Completed Master Plan in 2009. Chair Moerdler asked that Plan be filed with the Board office.

Chair Moerdler called upon the following speakers:

-Jane Sokolow complimented RCS for being a good neighbor. She advised that storm water overflow is not from the school and that the school has maintained SNAD regulations.

RCS advised that classrooms will be relocated for one year once construction begins. Catch basin tubing will be installed during construction.

-Claudia Bonn, Wave Hill, extended support for RCS and informed that they are in close consultation.

Chair Moerdler called for motion to approve application. Motion was seconded.

**Vote:** 16 in favor, 0 opposed, and 0 abstentions

**In Favor -**

S. Alexander, R. Bender, L. Daub, P. Ellis, R. Fanuzzi, B. Fettman, S. Froot, R. Ginty, M. Goodman, M. Heller, C. G. Moerdler, A. Moore, D. Padernacht, R. Press, G. Singleton, H. Young

#### 4. **Riverdale Country School Hill Campus Natatorium Building**

City Planning Commission Application No. N 150193 ZAX and the related drawings submitted by Riverdale Country School pursuant to Sections 105-421 of the Zoning Resolution, for the grant of an authorization to modify topographic features on a Tier I site to permit the construction of a 13,097 sf natatorium building on the Riverdale Country School Hill Campus located at 5260 Fieldston Road (Block 5836, Lots 3101, 3127, 3262, 3266, and 3268) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx.

City Planning Application No. N 150194 ZAX and the related drawings submitted by Riverdale Country School pursuant to Sections 105-422 of the Zoning Resolution, for the grant of an authorization for a site alteration on a portion of a zoning lot having a steep slope or steep slope buffer to permit the construction of a 13,097 sf natatorium building on the Riverdale Country School Hill Campus located at 5260 Fieldston Road (Block 5836, Lots 3101, 3127, 3262, 3266, and 3268) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx.

City Planning Commission Application No. N 150195 ZAX and the related drawings submitted by Riverdale Country School pursuant to Sections 105-425 of the Zoning Resolution, for the grant of an authorization for a modification of botanic environment and tree preservation planting requirements to permit the construction of a 13,097 sf natatorium building on the Riverdale Country School Hill Campus located at 5260 Fieldston Road (Block 5836, Lots 3101, 3127, 3262, 3266, and 3268) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx.

16 trees will be removed. There will be tree replanting with other additional plantings.

Discussion ensued.

Chair Moerdler called upon the following speakers:

-Joy Alessi inquired about noise from pool operation. RCS responded that the noise will be absorbed. Chair Moerdler requested that submission be made by February 10<sup>th</sup>, 2015 to Community Board 8 regarding measures being taken to minimize noise from the pool.

-Spencer Salzberg, Board of Directors, 5235 Post Road, asked about storage of construction equipment and travel route, and distance of pool to building. RCS responded that trucks and equipment will be stored onsite. Broadway will be construction route. The geotechnical footage is 55' to building. Letter from acoustic engineer will be submitted to Community Board 8 by February 10, 2015.

-Yolanda Garcia, expressed concerns with retaining wall and noise and stability of rock in back of the building at 5235 Post Road. Chair Moerdler requested letter from applicant stating that no damage will be done and any damage will be handled. The applicant stated they will work with the coop.

-Mark Hugel discussed RCS drainage flooding problem that has been ongoing for 10 years along West 252<sup>nd</sup> Street. RCS responded that the storm water drainage will be improved. R. Fanuzzi, Chair of Environment & Sanitation Committee asked that RCS meet with Committee to discuss the drainage problem.

-Steve Nelson lives on Fieldston Road discussed the roof aesthetics and urged green roof construction. The applicant will consider different color treatment of roof.

Chair Moerdler called for a motion to approve. The motion was seconded.

**Vote:** 16 in favor, 0 opposed, and 0 abstentions

**In Favor -**

S. Alexander, R. Bender, L. Daub, P. Ellis, R. Fanuzzi, B. Fettman, S. Froot, R. Ginty, M. Goodman, M. Heller, C. G. Moerdler, A. Moore, D. Padernacht, R. Press, G. Singleton, H. Young

Meeting adjourned 11:20PM.

Respectfully submitted,

Patricia Manning  
Community Associate