

BRONX COMMUNITY BOARD NO. 8

MINUTES OF THE LAND USE COMMITTEE MEETING HELD ON JUNE 9TH, 2014 AT THE RIVERDALE JEWISH CENTER 3700 INDEPENDENCE AVENUE

PRESENT CB8:

C. G. Moerdler - Committee Chair, R. Press – Committee Secretary, S. Alexander, B. Bender, B. Contant, L. Daub, M. Donato, P. Ellis, R. Fanuzzi, A. Feldmeier, R. Ginty, M. Heller, M. Khury, D. Kornbluh, D. Padernacht, L. Parker, K. Pesce, J. Pilsner, J. Rather, G. Santiago, G. Singleton, M. Zegarra-Soja, L. Spalter, M. Wolpoff, H. Young,

N. Stent – CB8 District Manager

GUESTS/COMMUNITY RESIDENTS:

R. Martos – rep. Assemblyman Dinowitz, Councilman Cohen, J. Horstman-City Planning, S. Shahngian-Riverdale Press, S. Chasley, G. Fox, M. Kelly, R. Bradyk, T. Farrell, B. Leonard, H. Malatzky, K. Rose, B. Papan, S. Gartner, R. Bretan, S. Byrns-BKSK Architechts, E. Sheng-BKSK Architechts, S. Betzer, P. Sommza, C. Chesney, R. Wachsmann, T. Courtade, S. Johnstone-Mosher, Z. Johnstone-Mosher, k J. Dougherty, E. Dougherty, D. Sullivan, D. Wolff, G. Stern, J. Grossman, I. Christher, M. Bush, D. Bush, R. Bowers. W. Shumulzede, D. Polisordooshahi, M. Gordon, P. Moerdler, E. Rosenberg, J. Rosenberg, T. Weinstein, J. Weeks, N. Gans, K. Knowles, I. Weiler, M. Patsiner, A. Sharavare, I. Rakovich, A. Yesir, L. Coyle Koppell, C. Hahley, S. Glaser, J. Whalen, R. Dornbush, D. Abbott, M. Seidel, R. Scavai, A. Diacou, A. Oliveras

Minutes of the Community Board 8 Land Use Committee Meeting June 9, 2014.

The meeting was held at the Riverdale Jewish Center 3700 Independence Avenue, and was called to order at 7:31 PM by Land Use Committee Chair Charles Moerdler (CM). A quorum was present.

The chair (CM) first spoke about the proposed Montefiore 11 story medical center (Item #2 on the agenda) that he does not know what is happening, that CB 8 will continue to monitor the situation, and that there are representatives of Montefiore to speak to the board and audience. Before calling up Ms. Kate Rose V.P. Public Relations for Montefiore he mentioned that the board does not meet over the summer, but that at its June meeting the full board passes a resolution to allow the Land Use Committee to meet in an emergency situation and act in the name of and on behalf of the full board. CM added that he would not like to call a special meeting over the summer, and then asked Ms. Rose to update where the medical center proposal is.

Ms. Rose read from a statement that community concerns are being listened to, that there are no current updates, and then mentioned a three story health facility with an entrance on Riverdale Avenue is being looked at plus parking. CM called on two people from the audience who had signed up to speak. The first speaker declared this is nothing new, and the second speaker decided not to speak. CM then asked that Montefiore sit down with several community residents who oppose the facility as proposed, using the Hebrew Home example of how the Hebrew Home architects met several times with residents who lived near their planned expansion to modify the plans to meet community concerns.

Ms. Rose replied that she has shared all the information that is available at this time. Ms. Rose was asked by an audience member if the hospital is buying more land next to or near the

proposed facility, and soliciting local real estate brokers. Ms. Rose answered by saying that the developer Simone Developers could answer that question since Simone owns the current property and not Montefiore. CM then recommended that Ms. Rose go back to Montefiore and Simone to think about community meetings, and get back to the board in a week or so. The regular agenda then continued.

Item # 1 – CPC Application N140384ZAX re: 4601 Fieldstone Road addition of a two car garage and connecting Mud room. CM said that he spoke to the FPOA which approved the plans, and he asked if some bushes or plantings could be placed to shield the new addition from street view, as he saw the site when passing in his car. CB 8 chair Fanuzzi asked if the neighbors were informed about the new garage, and the answer was that the FPOA has approved the plans.

The vote to approve was yes by all except J. Pilsner who abstained.

Item # 3 NYC HPD 421A - Application for Preliminary Certificate of Eligibility for Partial Tax Exemption 6155 Broadway, Block 5814, Lot 1191, in Bronx, NY. The owner Mr. Stagg was not present.

CM spoke of a meeting with CPC on the proposed new rezoning in CB 8, and thanked board member Phil Friedman for all his hard work leading this rezoning proposal that CM said was most professional according to CPC. CM then mentioned the Giles Place proposed high rise that BSA had agreed with the developer against the board, holding among other things that it need not consider the public health, safety, and welfare. After stating that the boards appeal of the Giles Place BSA ruling went against the board, CM then asked for a motion to allow his law firm represent the board in the appeal. A motion was made by R. Press to approve authorization of the law firm of 'Stroock & Stroock & Lavan' to represent the board in its appeal to the appellate court 'Pro Bono'. In the vote all approved with Dan Padernacht and CM abstaining for cause.

CM went back to Item # 3 with no representation from the applicant. CM explained that a 421A application was for real property tax relief to make the construction more profitable. CM then mentioned that he had been advised that in CB 12, which borders with CB 8, this developer had several buildings in which the 421A tax abatement was received for market rate housing, but that several of the buildings apparently went on to become non market rate housing, but, assertedly later became some form of housing for the homeless, without apparent revocation of the tax incentives. CM added that Mr. Stagg had been invited to attend and was pressed to attend by the board staff (or send a representative) to determine whether these assertions were correct and to determine the facts.

CM asked the board to oppose this 421A application since the developer had refused to come to the board to explain what appear to be serious allegations from board 12 involving the same developer. CM added that if the board turns down the application he will ask the commissioner of HPD to turn down this 421A application. A motion was made for disapproval of the 421A application for 6155 Broadway.

Discussion on the motion included the 'Community Benefits Agreement', that the developer was invited to tonight's meeting by the District Manager, the site is the old Riverdale Press building near an old gas station, and that the first meeting this developer came to CB 8 was for another site on a former gas station at Broadway and Manhattan College Parkway. The first site

application called for only 30 units whereas 40 units were to be built of which 20 percent would be low income with the rest at market rate.

Mr. Ted Weinstein of HPD said that the board can communicate to HPD, but that the 421A program is 'As of Right' and will not be denied by HPD. CM spoke of other 421A projects that were changed after the 421A application was processed. Mr. Weinstein replied that in CB 12 one project after it was finished was sublet to a community organization for other purposes. He added that CB 4, 5, 6, 7, 9, & 12 have had projects that were done by this developer. He added at a CB 7 meeting the developer said that he was doing only market rate housing. That project is almost finished and the developer has been unresponsive to CB 7 inquires as to just what is going to happen to the building. Mr. Weinstein suggested that the board ask what household income the developer is targeting, but if there is private funding the developer can build what he wants.

Councilman Andrew Cohen mentioned that he has a meeting with the developer for later in the week, and he will bring the boards concerns up. On the motion to deny the 421A application all voted in favor with B. Fanuzzi abstaining.

Item # 4 - Landmarks Preservation Commission Docket No. 15-7425 re: 5288 Sycamore Avenue. Application is to legalize the installation of a glass railing in non-compliance with Certificate of No Effect 13-8180. When the building was redone in 2012 the plans called for a metal railing, and now the owner wants to install a glass railing instead. After some discussion about the historical district the house is in, and several photos shown by the applicant a vote for approval was yes by all except M. Heller who abstained.

The meeting was adjourned at 8:56 PM.

Minutes submitted by R. Press
Land Use Committee Secretary