

**Land Use Committee**  
Bronx Community Board No. 8  
Monday, February 3, 2020

*Draft Minutes Pending Committee Approval*

Location: Riverdale Y, Teen Lounge  
5625 Arlington Avenue, Bronx, NY 10471

**Present:**

Charles Moerdler, Chair  
Bob Bender  
Paul Ellis  
Robert Fanuzzi  
David Gellman  
Rosemary Ginty (Ex-Officio)  
Donnell Leverett  
Dan Padernacht (Vice-Chair)  
Tracy Pardo  
Karen Pesce  
Lara Spalter  
Martin Wolpoff (Vice-Chair)

**Absent:**

Sylvia Alexander  
Eric Bell  
Martin Gluck  
Marvin Goodman  
Julie Reyes  
Carlos Wilcox

The Chair began the meeting at 7:32pm

1. Department of City Planning (DCP) Application for Minor Modification of Large-Scale Residential Development at the Delafield Estates, 680 West 246th Street, Bronx, NY. The proposal includes the repositioning of the nineteen unbuilt house sites to allow for all new houses to be freestanding. No changes to the development's overall unit count, floor area, or lot coverage are proposed. Proposal includes two new curb cuts on Douglas Avenue and one on West 246th Street for driveways.

Michael Goldblum, architect for the developer, presented to the Committee. He stated that the issue before the Committee is minor modification of the development. While not a ULURP application, approvals are required by DCP.

By way of a background, in 1981, what was left of Delafield Estate, was broken into multiple lots and sold to a developer. A plan was approved in 1981 for the creation of 33 homes plus a custodian home on the site. The plan was subject to a DCP large scale residential development approval. It was referred to as the Buckley Architect Plan. In 1987, another plan was brought forward, known as the Bilkus Architect Plan. The 1987 plan is the one that is operative today. 15 houses have been built to date in two stages. 19 houses are remaining to be built.

In 2013, the current developer, Eli Telizan, bought the property for from a bank after the previous owner went bankrupt. Telizan followed up with DCP to do a restoration plan. Developer asked Goldblum, the current architect, to seek change in site plan.

According to Goldblum, there will be 34 houses. No change in floor area. No change in lot coverage. No change in natural feature impact. The developer would like to create 19 of the unbuilt homes as separate structures surrounded by land. There will be an addition of a swimming pool behind the gate house. The plan was submitted to Community Board 8 in September 2019. The developer then met with neighbors adjacent to development. They had concerns.

Developer asked to delay the plan until it could speak with neighbors to address their concerns.

Some concerns include:

1. Engineering concerns that would lead to water run-off to perimeter streets
2. Change in design decision to have 7 houses accessed from surrounding streets of West 246<sup>th</sup> Street and Douglas Avenue, with a new driveway on each of those streets.
3. Overwhelming the private sewer on Delafield Avenue. Sewer is shallow and below grade. Terra cotta sewer that services many homes on the hill above. Underground culvert that connects Delafield to Hudson River.
4. Curb cuts of newly proposed entrances. Neighbors questioned legality of DCP permission to create curb cuts if roads were privately owned.

Goldblum stated that Developer hired a civil engineer. Drawings received today and sent out today. Landscape plan to show how houses would be screened is still being prepared.

Goldblum stated that the project team has opined on the property ownership issue of roadway with respect to curb cuts. Developer states that if road is mapped, then DCP and DOB can give permit to create curb cut.

Their land use attorney prepared an opinion letter to have boundaries re-drawn. Neighbors are looking for a title report of properties. Plan is being redrawn to show surveyor's research. The new lines would change the lot lines and area of

the lot. Survey showed that lot size is actually 485,582. This us from 2016 survey that showed the square footage was 455,670. There is 29,912 difference. Goldblum states there will be no difference in development.

Chair Moerdler stated that the architect for the neighbors represented to him they are in an ongoing conversation. He stated that curb cuts were a critical issue decades ago as the community opposed exits onto local streets. Chair Moerdler also stated that Susan Morgenthau has remaining issues about the sewer system and has deferred filing issues so far to continue research and discussion.

DCP has extended application date through April, 2020. The matter was adjourned to the March Land Use Committee Meeting.

2. Chair Moerdler asked if a Department of Buildings representative was present. The Chair stated he asked for DOB representative to answer questions on several topics at the meeting. No representative was present.

3. 2797 Webb Avenue

Neighbors of 2797 Webb Avenue appeared at the meeting. The owner of the property did not appear at the meeting. Mandy Blake, neighbor, stated that the property was converted from a two family home to 12 studio apartments. Neighbors went to DOB who felt audit should be done on property. District Manager has spoken to DOB and stop work order in currently in effect. Chair Moerdler and Board have seen no authorization to convert property. If there is no permit, we will continue to press stop work order.

4. Update on Schervier Project

No representative of Schervier appeared at meeting. Two months ago the owner tore down trees. Owner blamed community for mistake of trees.

Chuck stated at a meeting two months ago that someone from the ownership entity of Schervier contacted him for legal representation. At that meeting, the representative from Schervier challenged Chair Moerdler to prove the statement. Chuck stated that, to be submitted for the record, he is placing a copy of a phone message receipt showing he received a call on February 7, 2019 at 9:38am from Jonathon Frankel who left a phone number. Chair Moerdler stated that he does not represent anyone with land use issues in the Community Board.

5. Update on Development of 2395 Palisade Avenue

The Community Board received a copy of specified challenges to the development of 2395 Palisade Avenue. DOB must respond to those challenges. We don't see that DOB responded to those challenges. We hear that DOB rejected challenges but we see nothing online that indicates the same. Chair Moerdler is asking for proof that DOB acted on those challenges. The Chair believes it should go to the Department of investigation if there was no action on the challenges. There may have been action but there should be something in writing.

According a community resident, DOB has ignored and not responded to the submitted challenges. One objection is that initial drawings were approved on 10/30/2019. On December 13, 2019 they submitted their challenge, which was timely submitted in 45 days. Nothing on website except that zoning approval is pending. However, there is a new zoning diagram and a new challenge period is March 13, 2020. Community is asking for response from DOB Commissioner Defoe about their challenges but has not received an answer.

Minutes for December unanimously approved

Meeting adjourned at 9:43pm.