

**COMMUNITY BOARD NO. 8 BRONX  
MINUTES OF THE LAND USE COMMITTEE MEETING  
HELD JANUARY 14, 2010  
AT KINGSBRIDGE HEIGHTS REHABILITATION CENTER**

**BOARD MEMBERS:** Sylvia Alexander, Anthony P. Cassino, Andrew Cohen, Thomas Durham, Robert Fanuzzi, Rosemary Ginty, Sergio Marquez, Charles G. Moerdler, Daniel Padernacht, Laura Spalter, Martin Wolpoff

**STAFF:**

N. Stent, District Manager

**GENERAL PUBLIC/REPRESENTATIVES:** Attendance sheet is on file in the board office.

Meeting called to allow residents to express their opinions concerning Proposal by Urban Pathways to construct a 90-unit facility at 3469 Cannon Place.

Land Use Chair Mr. Moerdler called the meeting to order at 7:30 P.M. He explained the nature of the meeting as an attempt to hear from the community on the issue of the Urban Pathways proposal. However, Mr. Moerdler apologized since, Community Board 8 members and elected officials had received copies of the questions, the questions had not been emailed to Urban Pathways. The questions were read. Mr. Moerdler promised to have the questions emailed to Urban Pathways and posted on the Bronx Community Board 8 website.

1. **Identification of Parties:** Please identify (by name and address) the principals, officers, directors and those with any beneficial interest in excess of 5% of both Urban Pathways and its Developers.
2. **Interests:** Please identify the financial, contract or other beneficial interest (contingent or otherwise) that Urban Pathways, the Developer and the principals of them have in 3469 Cannon Place (the "Site"). If by Contract, please specify the nature of the contract (option to purchase or lease, ownership, etc.) and, unless subject to a written confidentiality clause, please forward one copy.
3. **Site Location Efforts:** Please set forth in detail the efforts made to locate another site – other than 3469 Cannon Place – prior to initiating these proceedings and identify each other site then receiving serious consideration.
4. **Cost Estimates:** Please state the estimated soft and hard costs for the proposed project and the amount of money that will be sought in public (Federal, State and Municipal) for soft costs and hard costs, including site acquisition and development.

5. **Submissions to Governmental Entities:** If any writing has been submitted to any public agency or authority respecting the project, please provide a copy.
6. **Authorizations:** If the Board of Directors, Trustees or other governing or Committee of Urban Pathways has been asked to grant any authorizations or approvals for the proposed construction that in any way describes the proposed project, its dimensions, occupancy, size, cost, funding or other matter relevant to proposed construction on the site, please provide a copy.
7. **Proposed Project:** Please attach the proposed plans (in a draft for comprising the essential details for a filing with either or both the NYC Department of Housing Preservation & Development and/or the NYC Department of Buildings. If no such plans currently exist, please set forth with specificity:
  - a. The dimensions of the proposed construction, including height, elevation, zoning calculations, number of units (stating their breakdown in numbers of bedrooms), room sizes, number of parking spaces and all other relevant details that would be included in preliminary plans and if any drawings have been prepared reflecting any of the foregoing please provide a copy;
  - b. Please set forth in the greatest possible detail the present estimate of the occupancy - population breakdown of the proposed project, (e.g., number of units devoted to supportive or for affordable housing, whether housing for the homeless is contemplated and to what degree; whether any segment of the occupancy is projected to have or have had mental or addiction concerns, etc) and whether any segment of such occupancy is contemplated to be transient (and, if so, please describe). Additionally, please state whether any security and/or medical capacities or facilities are intended to be included and whether the person or persons involved will be around the clock or on what shifts.
  - c. If it is proposed to construct the project on top of the existing rock, please state the resultant elevation from the highest point in the rock and any platform or other base to the top of uppermost point of the proposed building, stating as well how such elevation compares with the comparable elevation if measured from the bed of the street at (i) Ft. Independence Avenue and (ii) Cannon Place. If there exist any drawing reflecting such information, please provide a copy.
  - d. Please advise whether and, if so, where off-street parking and the number of spots to be provided (attended or unattended).
  - e. Whether consideration has been given to the construction of the project in a form that would include a lesser number than the 92 units stated to date and, if so, state what numbers have been considered and the consideration received. State the minimum number of units that will, in your current estimation, be required to make the project financially sustainable and whether any studies have been conducted in that regard (if so, please attach).
  - f. The proposed occupancy breakdown (number of units intended for affordable housing, supportive housing, transient housing for addicted, mentally challenged or otherwise challenged persons, homeless persons, etc); and All

details that in the view of Urban Pathways and/or the Developer that enter into considering the public purposes to be served by the project

Board member Thomas Durham wanted it clarified that we wanted the purchase price and estimated construction costs.

Mr. Moerdler asked if Urban Pathways wanted to be heard. Mr. Shack, Urban Pathways Executive Director, indicated that they came to hear from the community.

### **Speakers**

Karen Argenti – The CB needs to reject the plan based on its size and the impact on the community. Although the agency has a good record, the major principal is doing no harm.

Kristen Hart – (A Cannon Place resident) the proposal is too large, too tall and doesn't fit in based on esthetics. The area has historical value dating back to the Civil War. The name Cannon Place is derived from the presence of a fort on the site. Artifacts have been found at adjacent sites (NY Times 7/18/58). She felt that a development with apartments of 250-square feet was essentially an SRO.

Reginald Martin – In the absence of data shared by Urban Pathways, he sought out and reviewed their tax returns. Although a 501(c) corporation, has had returns filed with missing information. The agency has multiple liens and judgments against it.

Lynn Schwarz – Listed other facilities already in the community. Asserted the planned project was too big for the community. Indicated that Urban Pathways has no experience in running a “mixed-Housing” facility.

Steven Padernacht – Expressed opposition to the project.

Bob Baker –He pointed out that when Cannon Heights apartments were constructed, the original borings proved to be inaccurate and construction was more expensive and extensive than originally planned. Urban Pathways needs to understand the true nature of the problems associated on trying to build at the proposed site.

Howard Levenger – Developers need to fully understand impact of construction on neighbor's retaining wall. Felt the proposal was too big and the construction too dangerous.

City Councilman Koppell asked if Urban Pathways had made any presentations to the board. Mr. Moerdler indicated that they had on at least three occasions.

Buzz Roddy – Moved from Manhattan to the Bronx. Loves the neighborhood and believes this is an intrusion.

Christina Gaspar – Feels that in spite of community efforts, the project is inevitable. Why not develop affordable housing for the middle class?

Mr. Shack felt the fact sheet distributed at the last meeting explained about the residents. The size of the facility is still under review, as well as the percent of residents who will be veterans. In response to a question from Mr. Moerdler, Mr. Shack reported that of the three projects that Urban Pathways currently has in construction, the community board welcomed one and 2 were voted down.

Steve Zitrin –Complained that Urban Pathways has no verifiable information. He has worked for the V.A. and recognizes the need that many of the needs of the veterans, but this is not the right area.

Carolyn Smith – She is a former marine. She notes that the streets are very narrow and just getting oil deliveries can be problematic, as are the passage of school buses through the streets. This is not the right place for the proposed construction. She also resented the use of veterans by the developer as a cover for their project.

Neil Tannenbaum – The Urban Pathways project will decrease property values.

Steve Hockstein - There is a problem of underground water. There needs to be a first class geological study.

Lisa Taikowsky – Why did Urban Pathways select this site?

Mr. Shack – the land was vacant and the price was right.

Mr. Ayeit – If people require support, what kind of onsite support will be given?

City Councilman Koppell – noted that the city has great need to serve the targeted population. He noted that the questions posed by Mr. Moerdler are legitimate and deserve responses. Questions about the site are legitimate as are the questions about staffing and services. But, he warned the community board should not reject the project out of hand.

Assemblyman Dinowitz – Problem is the close proximity of the project to other housing in the area. This would be Urban Pathway's largest project, thus, no real track record to point to. Mr. Dinowitz looks at proposals and considers if he would want it on his block. For him the answer is "No."

Congressman Engel – This is not a case of NIMBY, the project is much too big. This project does not pass the "Smell Test."

Mr. Moerdler asked Ms. Hart to provide particulars on the historical relevance. He also asked that all others who alluded to documents to supply the board with copies of those documents.

Audience member – asked about the protocols for screening residents' criminal records.

Mr. Shack – Urban Pathways does not select felons as residents.

Dr. Jacob Weasley – Please explain process for community board

Mr. Moerdler – 1. Land use committee holds hearings before taking a position, which it recommends to the Community Board, 2. Community Board takes a position, 3. City agencies act – sometimes the agencies take into account the board's recommendation. Mr. Moerdler has used his law firm in a pro bono capacity, but they seek to find a solution, not confrontation. For this proposal,

Mr. Moerdler noted the following:

We will post on the Community Board 8 website the questions for which we are seeking answers. We will also post the responses from Urban Pathways when they are received. After the committee has the answers, we will conduct a Land Use meeting to review the responses and offer a recommendation to the board. This proposal is different since "of right:" the owners can build certain types of facilities. He noted that the agency has put itself on record as wanting to work with the community board.

Meeting adjourned at 9:15 pm.

Submitted by,

Martin Wolpoff  
Vice Chairman  
Land Use Committee