

**Bronx Community Board 8 Land Use Committee Meeting**  
**Minutes of meeting held on July 26, 2018**  
**The Riverdale YM/YWHA, 5625 Arlington Ave, Multi- Purpose Room**

**Community Board No. 8 Land Use Committee Members:**

**Present:** S. Alexander, E. Bell, B. Bender, L. Daub, M. Della, E. Dinowitz, M. Donato, R. Fanuzzi, S. Froot, D. Fuchs, D. Gellman, R. Ginty, M. Gluck, E. Green, D. Leverett, C.G. Mejia, C.G. Moerdler, T. Moran, D. Padernacht, T. Pardo, K. Pesce, G. Santiago, L. Spalter, J. Townes, C. Wilcox, M. Wolpoff, M. Yamagata, H. Young,

**Absent:** P. Ellis, J. Gomez, R. Pochter-Lowe, O. Murray, L. Parker, S. Sarao, D. Escano, M. Frishman, M. Goodman, D.B. Jackson, M. Joyce, J.M. Reyes, I.W. Stone, S. Villaverde, R. Zavras

**Staff:** C. Gannon, District Manager

**Guests:** Complete list of attendees on file at the board office.

Chair of Land Use Committee, C. Moerdler called the meeting to order at 7:30pm.

C. Moerdler stated that the Land Use Committee will be acting in place of the Full Board because it is a committee of the whole and the full board is on recess.

C. Moerdler introduced Chairwoman Ginty.

Chairwoman Ginty addressed the Board regarding the rental of a facility for the Hebrew Home ULURP Public Hearing. Due to the fact that the original Hebrew Home Hearing was not conforming, a second hearing would have to be held between May 7th and June 11<sup>th</sup>. There was a lot of pressure as to where the meeting would be held so Chairwoman Ginty spoke with Board Members regarding locations large enough and with parking; there was no other choice but to go to the Riverdale Temple. The Riverdale Temple charges a lease fee. After speaking with Land Use Chair, Chuck Moerdler, they decided it was best to hold the meeting at the Hebrew Home. At this point, Chairwoman Ginty addressed the issue with the Officers.

Chairwoman Ginty reported that Community Associate, Lydia Hernandez resigned. District Manager, Ciara Gannon and Secretary, Lisa Daub will work together in the hiring process. District Manager Gannon stated that she and Lisa are working with BP office to finalize job description, once this is done ads will be placed in local newspapers. They will accept resumes until August 31, 2018 and then the interviews will commence.

Chairwoman Ginty reported that Treasurer, Amy Joy Robateau resigned from the Community Board. Chairwoman Ginty stated that the Board is sorry to lose a member and officer. According to the Board's by-laws, the vacancy created shall be filled by the board no later than second regular meeting following the creation of the vacancy. In September, this will be on the agenda and nominations will come from the floor. A memo will be sent out to the board with this information.

**Agenda Item:**

- 1) **360 West 253rd Street - CPC Application (N 190002 ZAX / N 190003 ZAX) and the related drawings submitted by Hanjun Huang pursuant to Sections 105-422 and 105-425 of the Zoning Resolution, for the grant of an authorization for a site alteration on a Tier II site or portion of a zoning lot having a steep slope or steep slope buffer, modification of botanic environment and tree preservation and planting requirements to allow for site alterations to an existing single- family residence located at 360 West 253rd Street (Block 5837, Lot 3710) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx. \* CB review period deadline of September 17, 2018.**

Ning Lu, of LU NING ARCHITECTURE PLLC, and the homeowner of 360 West 253 Street were in attendance and presented proposed plans for this location. This agenda item is an authorization sent by the Department of City Planning and the Community Board review period has a deadline of September 17, 2018. Proposed site alterations would include a parking area for guests located at the entrance of the property and a

pedestrian walk way. There will be a minimum cut and fill at this location on the property. It was reported that here will be no loss of trees.

C. Moerdler asked if the neighbors have been notified to this proposal. District Manager Gannon stated that the Community Board Office sent out notification ten days prior to the meeting. One neighbor was in attendance at the meeting.

C. Moerdler asked how much land would be paved and if it was permeable or semi permeable. Ms Lu. Stated that stone pavers would be installed and they would permeable.

B. Fanuzzi reported that West 263 Street is subject to flooding and there is a concern that the stone pavers will increase flooding and run off and asked what the applicant plans to do in order to make up for this impact. Ms. Lu stated that it is a minimal impact of eight percent and that shrubs would be planted so that water could be collected.

B. Bender asked about figure on application: 45% of trees on site are impacted. Ms. Lu stated that no trees are impacted because the roots and trees will be protected.

Harvey Kempton, a representative for the homeowner of 370 W. 253 Street was in attendance and reported that there was not enough time to review the plans. Mr. Kempton stated that this is an important issue because the two homes are very close together.

C. Moerdler asked if this can be tabled until the September Land Use Committee meeting to be held on September 4<sup>th</sup>. The full board meets on September 12 and will vote on this item at that meeting. C. Moerdler recommended that representatives from both properties speak before September 4<sup>th</sup> and come up with a resolution.

C. Moerdler called a vote to table this until the next Land Use Committee Meeting on September 4.

In Favor: 28

S. Alexander, E. Bell, B. Bender, L. Daub, M. Della, E. Dinowitz, M. Donato, R. Fanuzzi, S. Froot, D. Fuchs, D. Gellman, R. Ginty, M. Gluck, E. Green, D. Leverett, C.G. Mejia, C.G. Moerdler, T. Moran, D. Padernacht, T. Pardo, K. Pesce, G. Santiago, L. Spalter, J. Townes, C. Wilcox, M. Wolpoff, M. Yamagata, H. Young,

Opposed: 0

Abstention: 0

Vote Passes.

## **2) 5040 Independence Avenue- Status of Plans to change use of premises**

C. Moerdler introduced the proposed change of use at 5040 Independence Ave. No representatives were in attendance. The applicant is proposing changing use of this property from residential to commercial for use as an art facility. C. Moerdler and Chair Ginty visited this location to meet with the applicant, where they explained that this proposed change was inappropriate at this location.

C. Moerdler called for a vote to deny this application

In Favor: 28

S. Alexander, E. Bell, B. Bender, L. Daub, M. Della, E. Dinowitz, M. Donato, R. Fanuzzi, S. Froot, D. Fuchs, D. Gellman, R. Ginty, M. Gluck, E. Green, D. Leverett, C.G. Mejia, C.G. Moerdler, T. Moran, D. Padernacht, T. Pardo, K. Pesce, G. Santiago, L. Spalter, J. Townes, C. Wilcox, M. Wolpoff, M. Yamagata, H. Young,

Opposed: 0

Abstention: 0

Resolution Passes.

C. Moerdler called for a vote to approve the firm Stroock, Stroock, and Lavan to appear pro bono on behalf of Community Board 8 to litigate if that becomes necessary.

In Favor: 27

S. Alexander, E. Bell, B. Bender, L. Daub, M. Della, E. Dinowitz, M. Donato, R. Fanuzzi, S. Froot, D. Fuchs, D. Gellman, R. Ginty, M. Gluck, E. Green, D. Leverett, C.G. Mejia, T. Moran, D. Padernacht, T. Pardo, K. Pesce, G. Santiago, L. Spalter, J. Townes, C. Wilcox, M. Wolpoff, M. Yamagata, H. Young,

Opposed: 0

Abstention: 1

C.G. Moerdler

Resolution Passes.

Neighbors will submit testimony to the Board.

**3) SAR- 655 W. 254th Street- Discussion of SNAD Certification allowing development of five story addition**

C. Moerdler stated that the original masterplan filed by SAR indicated that the Early Learning Center building (Palisade Ave.) would be replaced and upgraded when funds became available. C. Moerdler reported that about a month or two ago, The Community Board learned that The City Planning Commission had approved authorization of issuance of permit of construction for a replacement building at this location. That application by SAR to the building department has been filed and SAR is going through the process now. C. Moerdler addressed traffic concerns and stated that he would put together a committee to deal with that.

R. Ginty stated that there is a SNAD working group which is currently awaiting on new SNAD regulations and in the meantime worked on 2 interim reports, one of which called for the community board review of all certifications.

B. Bender asked if there was a representative from SAR in attendance. Representatives could not attend, but will attend next month. B. Bender asked if they will discuss their master plan.

C. Moerdler proposes that starting in September meeting bringing in more than one master plan for the committee to review, and discuss upcoming projects. Changes to institutions have a major impact on the community.

B. Fanuzzi asked that SAR High School Master Plan be discussed at the September meeting. C. Moerdler does not have a problem with this.

Commissioner Sherida Paulsen stated that masterplans do not have any regularity force because they have not been formally filed with the city and asked C. Moerdler if the Board has thought of making this a requirement. C. Moerdler explained that it is currently a mandate and the board has been unable to get any cooperation from Department of City Planning on the issue.

L. Spalter stated that the State Department of Conservation requires Storm Water management plans from developers and for current plans to be updated and asked that this be addressed in any master plan discussion.

**4) Report from the 50th Police Precinct – DI O’Toole**

- 28 day comp stat report – 2018 vs. 2017, murders 1 vs 0, rape 2 vs.0, robbery 6 vs. 8, felony assaults – 9 vs. 14, burglary – 9 vs. 5, grand larceny 39 vs. 40 and grand larceny auto 7 vs. 10. Total of 73 crimes vs. 79 crimes.
- No hate crimes reported.
- National Night out is August 7th on West 234 Street between Broadway and Bailey Avenue.

**5) 3436 Kingsbridge Avenue – proposed plans for a new six (6) story thirty-nine (39) dwelling apartment building with community space.**

The applicant was not in attendance. The applicant was invited four times and was a no show each time.

**C. Moerdler called for a vote to deny this application.**

In Favor: 28

S. Alexander, E. Bell, B. Bender, L. Daub, M. Della, E. Dinowitz, M. Donato, R. Fanuzzi, S. Froot, D. Fuchs, D. Gellman, R. Ginty, M. Gluck, E. Green, D. Leverett, C.G. Mejia, C.G. Moerdler, T. Moran, D. Padernacht, T. Pardo, K. Pesce, G. Santiago, L. Spalter, J. Townes, C. Wilcox, M. Wolpoff, M. Yamagata, H. Young,

Opposed: 0

Abstention: 0

**Resolution Passes.**

**6) SAPO – St. Jemuel Back to School Rally on September 1, 2018. Full street closure on Webb Avenue between West 197 Street and Reservoir. This event has been held before.**

S. Alexander reported that the executive director of St. Jemuel, Dr. Eda Ramsay and Christina Perez addressed the Education Committee on June 26, but a quorum was not present for a vote.

Whereas, St. Jemuel's Group Family Daycare Center, 2836 Webb Ave., appeared before Education Committee on June 26 to apply for a first-time Back to School rally and Block Party permit; and whereas no adverse information was presented; be it resolved that Community Board 8 approves the application.

**C. Moerdler called for a vote on the above resolution.**

In Favor: 28

S. Alexander, E. Bell, B. Bender, L. Daub, M. Della, E. Dinowitz, M. Donato, R. Fanuzzi, S. Froot, D. Fuchs, D. Gellman, R. Ginty, M. Gluck, E. Green, D. Leverett, C.G. Mejia, C.G. Moerdler, T. Moran, D. Padernacht, T. Pardo, K. Pesce, G. Santiago, L. Spalter, J. Townes, C. Wilcox, M. Wolpoff, M. Yamagata, H. Young,

Opposed: 0

Abstention: 0

**Resolution Passes.**

C. Moerdler called Public Safety Chair, Margaret Donato to discuss resolutions. M. Donato stated that Mogools, Inc. or Spanglish agreed to sign an affidavit agreeing to close at 2 a.m. during their first year of operation. A representative from Spanglish attended meeting. The committee approved both Liquor License Applications unanimously.

1) **New application liquor license or Beer/Wine License for Mogools, Inc., 6697 Broadway.**

In Favor: 28

S. Alexander, E. Bell, B. Bender, L. Daub, M. Della, E. Dinowitz, M. Donato, R. Fanuzzi, S. Froot, D. Fuchs, D. Gellman, R. Ginty, M. Gluck, E. Green, D. Leverett, C.G. Mejia, C.G. Moerdler, T. Moran, D. Padernacht, T. Pardo, K. Pesce, G. Santiago, L. Spalter, J. Townes, C. Wilcox, M. Wolpoff, M. Yamagata, H. Young,

Opposed: 0

Abstention: 0

**Resolution Passes.**

2) **Renewal application liquor license, Restaurant of Riverdale, Inc. d/b/a Madison's, 5686 Riverdale Ave.**

In Favor: 28

S. Alexander, E. Bell, B. Bender, L. Daub, M. Della, E. Dinowitz, M. Donato, R. Fanuzzi, S. Froot, D. Fuchs, D. Gellman, R. Ginty, M. Gluck, E. Green, D. Leverett, C.G. Mejia, C.G. Moerdler, T. Moran, D. Padernacht, T. Pardo, K. Pesce, G. Santiago, L. Spalter, J. Townes, C. Wilcox, M. Wolpoff, M. Yamagata, H. Young,

Opposed: 0

Abstention: 0

**Resolution Passes.**

C. Moerdler adjourned the meeting at 9:30pm

Respectfully Submitted by Ciara Gannon, District Manager