

**Bronx Community Board 8 Land Use Committee Meeting
Draft Minutes - Pending Committee Approval
October 26, 2017 at
Christ Church Riverdale, 5030 Henry Hudson Parkway East**

Community Board No. 8 Land Use Committee Members:

Present: S. Alexander, E. Bell, B. Bender, L. Daub, M. Donato, P. Ellis, D. Escano, D. Gellman, R. Ginty, M. Goodman, D.B. Jackson, M. Joyce, C.G. Moerdler, D. Padernacht, K. Pesce, A. J. Robateau, G. Santiago, J. Townes, M. Wolpoff, H. Young

Absent: E. Dinowitz, R. Fanuzzi, S. Froot, D. Fuchs, M. Gluck, J. Gomez, I. Ladimer, R. Pochter-Lowe, D. McCord, T. Moran, O. Murray, L. Parker, J.M. Reyes, D. Santiago, J. Santiago, L. Spalter, I. W. Stone, S. Villaverde, M. Yamagata, R. Zavras

Guests:

Elyse Foladare, Representative for 6161 Broadway
Claude Pappas, Representative for 4637 Grosvenor Avenue
Ros Saunders, Representative for 3120 Albany Crescent
Anupam Shrivastava, Representative for 290 West 246 Street
Sony Patnaik, Representative for 290 West 246 Street
Robert Press, Press
Patrica Heer, Resident

Chair, C. Moerdler called the meeting to order at 7:45PM.

C. Moerdler reported that the Special Natural Area District (SNAD), in December of 2016, had contact with City Planning regarding what they proposed as reforms of SNAD. The Department of City Planning has failed and has refused to meet with the community board. At the last Land Use Committee meeting, the committee unanimously adopted a resolution re-endorsing SNAD, saying that it is something that this community wants and needs. The community board is open to having a discussion with City Planning regarding SNAD. C. Moerdler stated that SNAD will be added to the next Land Use Committee meeting agenda.

C. Moerdler discussed the work done at 3061 Scenic Place without the proper applications and permits. The Department of Buildings (DOB) was advised of this work. Although, DOB visited the site and investigated the site, DOB did not act on the SNAD requirements and the application has been sitting at City Planning for over a year. There is also some THERE IS ALSO SOME indication INDICATION that a staff member of DCP THAT A STAFF MEMBER OF DCP visited the site while the work was ongoing and also did nothing VISITED THE SITE WHILE THE WORK WAS ONGOING AND ALSO DID NOTHING to report or correct a plain violation of SNAD TO REPORT OR CORRECT A PLAIN VIOLATION OF SNAD. The matter has been called to the attention of HE MATTER HAS BEEN CALLED TO THE ATTENTION OF The HE DDepartment of EPARTMENT OF Investigations. NVESTIGATIONS. The chair is requesting that the owners of the property attend the next Land Use Committee meeting.

Ms. Ginty, Chair of Community Board No. 8, reported that she attended a Bronx Borough Board meeting on October 26 and one of the items discussed was:

M-1 Hotel Zoning Text Amendment. City Planning is developing a text amendment to say that hotels wanting to relocate to an M-1 district, which is an-as-right district, would need a special permit to do so. This means that hotels will need to file a ULURP application. There is a lot of competition for M-1 locations. City Planning is just starting the environmental review for the text amendment. There is one exception: rules for transient hotels that are used for temporary housing for the homeless will not change and will be allowed in the M-1 districts.

C. Moerdler announced that although there was no quorum, the items on the agenda would be heard and actions taken will be presented to the full board at the next board meeting:

On the matter of BSA Application No. 2017-258BZ, 6161 Broadway:

6161 Broadway – BSA Application No. 2017-258BZ for the use of an automotive service station with lubritorium with minor auto repairs, storage and sales of accessories, office, utility room, toilets, and parking of more than 5 motor vehicles previously granted by the Board under BSA Cal. No. 790-53-BZ on a 13,975 sq. ft. lot located within a C2-2 commercial overlay in an R6 zoning district.

Elyse Foladare, representative for 6161 Broadway, presented the history of the location and explained the plans for the property. The plans are to open the property as a gas station, which is what the property was previously.

D. Gellman asked why DOB had previously denied the application and it was explained that the zoning calls for DOB to deny the application in order for the application to go to the Board of Standard and Appeals (BSA). The last BSA approval for the property expired in 1993.

The new owner acquired the property in January of 2017 and has since filed all the necessary applications for the property in order to re-open the gas station.

D.B. Jackson asked if the gas station will be a Mobil and if it the franchise company has approved the opening at the location. The owner responded that Mobil has approved the location.

R. Ginty asked how long is the request for the variance, Ms. Foladare responded that the variance request is for 10 years.

C. Moerdler moved that the application be granted,~~asked whether any of the members present had an objection to the application~~-19 of the 20 members present voted in favor of the motion; 1 dissent.~~did not~~.

On the matter for 4637 Grosvenor Avenue LPC Application Docket LPC-18-5037; LPC-19-4624:

4637 Grosvenor Avenue – LPC Application to add an attic story to an existing one story wing and alter an existing opening on the front facade.

Claude Pappas, owner of 4637 Grosvenor Avenue, presented that the original blueprints for the property dating back to 1924 include the changes which the owner is trying to make to the property. C. Moerdler asked if the plans have been presented to the Fieldston Home Association, the owner responded that the plans have been presented to Jeffrey Mueller. The owner also explained that he is just trying to create a livable space for him and his family. C. Moerdler asked if all damaged areas present in the pictures of the application have been addressed and the owner responded that they have been addressed.

C. Moerdler moved that the application be granted. All 20 members present voted in favor of the motion.

~~The chair asked whether any of the members present had an objection to the application all of the 20 members present did not.~~

On the matter of LPC Docket LPC-19-11687; LPC-19-11363, 290 West 246 Street:

LPC DOCKET NO. WL 17-0428 DATE: DECEMBER 8, 2016, 290 West 246th Street – Fieldston. Pathway to home construction work.

Sony Patnaik, owner of 290 West 246 Street reported that when they purchased the home, they decided to fix the walkway because of the damage without any permits. The owner received a letter from City Planning after the construction of the walkway. The letter explained that they did such work without the required permits. The owner explained that they were unaware that they needed to get any special permits to make any changes to the property. C. Moerdler asked if the plans have been presented to the Fieldston Home Association, the owner responded that they have not yet presented to the FPOA, but that they did forward FPOA the letter from City Planning and immediately filed that proper applications for the work that had been done.

The chair asked whether any of the members present had an objection to the application all of the 20 members present did not.

On the matter of BSA Application #617-56-BZII, 3120 Albany Crescent:

3120 Albany Crescent – 617-56BZ – Extension of Term of Variance, pursuant to Sections 11-41 §11-411 of the New York City Zoning Resolution, to permit the extension of term of variance on the premises.

Ros Saunders, owner of 3120 Albany Crescent, presented that they are requesting an extension of variance for 10 years for an existing parking lot of 18,000 sq. ft. The previous application expired in September of 2017. The parking lot is primarily for monthly parking. The primary customers are the storeowners in the area. The zoning for the location is a C-1.

C. Moerdler moved that the application be granted. All 20 members present voted in favor of the motion.

~~The chair asked whether any of the members present had an objection to the application all of the 20 members present did not.~~

In the absence of a quorum, the applications will be reported at the next board meeting scheduled for Tuesday, November 14.

D. Padernacht, reported that there was an article in the Riverdale Press regarding the construction going on at 3482 Ft. Independence Street. The developers for the location is the Stagg Group, same developers as the property on Broadway which has been converted to homeless shelter. The Fort Independence Park Neighborhood Association (FIPNA) wrote a letter to the elected officials and the board office regarding complaints from residents about the location. Residents are complaining that the contractors are going on to other peoples' properties without authorization to do so in the process of doing construction. Residents are also complaining about the noise level during the excavation of the rock(s) at the location. Mr. Padernacht stated that the Department of Buildings and the Department of Environmental Protection have been informed of the complaints are and have been asked to investigate the matter. Mr. Padernacht stated that this is a very important issue for the residents in the Ft. Independence community and that the committee should look into it futher. Mr. Moerdler asked that Stagg Group be invited to the next Land Use Committee meeting.

C. Moerdler adjourned the meeting at 8:30pm.

Respectfully submitted by,

Lydia Hernandez
Community Associate