

LAND USE COMMITTEE – MEETING MINUTES
November 1, 2017

Committee Members Present

Wayne Benjamin, Chair
Andrea Kornbluth, Asst. Chair
Anita Barberis
James Berlin
Osi Kaminer
Angelina Ramirez
Jonathan Reyes
Christopher Ventura

Committee Members Absent

Isaiah Bing
Jay Mazur
Steve Simon (excused)

Board Members Present

Public Member Present

Vivian Ducat

Public Member Absent

Staff: Ebenezer Smith

Guests: Karla Fisk, Valinn Ranelli, Bennett Melzak.

1. The meeting of the Land Use Committee (“Land Use” or the “Committee”) was called to order with quorum present at 7:01 PM. Chair Benjamin welcomed guests and explained that the Committee had planned to attend an Advanced Land Use training at the office of the Manhattan Borough President (“MBPO”) instead of holding a regular meeting. The training was cancelled earlier this week, and Chair Benjamin has asked the organizers if it would be possible for them to present the material at Community Board 12 Manhattan (“CB12M” or the “Board”) in December. Otherwise, the training may be rescheduled at the MBPO sometime next spring.

An additional benefit of holding the training at CB12M would be that members of the public would be able to participate and learn the vocabulary and the various steps of the Uniform Land Use Review Procedure (“ULURP”), etc. This is particularly relevant in light of the proposed Inwood rezoning, which is currently in the technical analysis phase of the Environmental Impact Statement (“EIS”), following the conclusion of a public comment period on October 13.

2. **Further Discussion of Draft Resolution on Sunlight Protection.**

This issue was first raised by Committee Member James Berlin at the Committee’s September meeting, and was researched and written up as a draft resolution by Berlin and Committee Member Osi Kaminer.

- a. The basic premise is that aerial views of the district confirm that there are large areas in which all of the apartment buildings are the same height, with equal rooftop exposure to sunlight. As solar cell technology improves in efficiency and cost, these rooftops could eventually become a valuable resource that would be lost if new, taller buildings cast shadows on the existing roofs. A resolution protecting sunlight exposure could preserve this resource.
- b. Maps of U.S. solar energy potential show that New York City is in a zone that could potentially generate about 4 kilowatt hours (“kWh”)/m²/day, which could potentially translate to 26 million kWh/acre (city block)/year.
- c. It is often noted that the District’s power infrastructure is outdated and in poor condition. Although rooftop solar installations may not have the capacity to power an entire building, any such power generated in a building will reduce the burden on power distribution systems, which will in turn reduce the heat generated by distributed power moving through antiquated wiring systems.
- d. Solar technologies continue to improve in terms of efficiency and cost, while advances in battery technologies are making it possible to store solar electricity for use at night or in inclement weather.
- e. Con Edison is considering the use of micro-grids in New York City to increase resilience: with these discrete systems, a power outage could be limited to the area directly affected, rather than affecting larger areas or the whole city. In an emergency, Federal Emergency Management Agency (“FEMA”) resources would then be used more efficiently by concentrating on affected micro-grids. Rooftop solar installations could be a component of a comprehensive micro-grid strategy.

- f. A motion was made by James Berlin and seconded by Jonathan Reyes to support a resolution calling on the Mayor to enact and implement zoning protections for these valuable solar exposure resources, subject to various amendments, including among others the following:
 - i. A clause on the lack of plans to update the district’s electricity infrastructure should be replaced with a clause noting that any power produced on site would reduce load to the power distribution system; and
 - ii. A clause should be added noting that the protection of rooftop sunlight exposure is a logical extension of the “sky exposure plane” concept that has been part of New York City’s land use regulations for over 50 years.

The motion passed with the following votes:

Land Use Committee:	9 - 0 - 0
Other Board Members:	N/A
Members of the Public:	4 - 0 - 0

- g. Other comments:
 - i. The Committee will, in the future, consider an additional resolution covering the ways in which zoning affects, incentivizes or presents obstacles for other types of energy conservation and generation, including micro-grids, passive houses, etc.
 - ii. Even LEED-certified buildings are not always designed for actual use and maintenance, resulting in plug loads that can be higher than those of conventional buildings.
 - iii. As the population of the district grows, plug load demand is increasing. The infrastructure is insufficient for the current situation, let alone the major population increase that would be caused by the proposed rezoning. This point was noted in the Committee’s comments on the draft Environmental Impact Statement.
 - iv. Park Terrace Gardens is considering solar installations to power split-system air conditioning units to cool its elevator towers. Castle Village is considering installing an absorption system to cool waste heat from its cogeneration system to cool its lobbies. Solar thermal installations can be used as water heaters.
 - v. Dyckman Houses’ buildings have great solar potential because of their height and the spacing between buildings; power generated there would save the New York City Housing Authority money.

3. **New Business.**

- a. A community member raised the issue of training in Land Use issues for all CB12M members and for the public at large.
 - i. It is very important that all CB12M members understand Land Use concepts as they consider the upcoming proposed rezoning.
 - ii. It is also important for Committee and all Board members to understand the jurisdiction of the agencies involved with Land Use issues, so that resolutions can be properly framed for the best possible outcome. Extraneous conditions and requests that are not within the jurisdiction of the agency in question can lead to counterproductive results, for example a conditional approval being interpreted simply as an approval, etc.
 - iii. The Committee will confirm with the MBPO whether Land Use trainings are mandatory for all CB members. Community members can also contact the MBPO with requests and opinions on this issue.
- b. On November 19, 2017 at 1:00 PM, the street co-naming ceremony for Max Bond Way (J. Max Bond, Jr.) will take place at St. Nicholas Avenue and W. 162 Street. This co-naming was initially supported by CB12M in 2012.

The meeting was adjourned at 8:03 PM.

Submitted by Andrea Kornbluth.