

## COMMUNITY BOARD 12 – MANHATTAN

### LAND USE COMMITTEE – MEETING MINUTES

Wednesday, December 2, 2020

#### Committee Members Present

Wayne Benjamin, Chair  
Christopher Ventura, Assistant Chair  
James Berlin  
Juan Guzman  
Omar Tejada  
Rosy Perez  
Steve Simon

#### Committee Members Absent

#### Board Members Present

#### Public Members Present

Vivian Ducat

#### Public Members Absent

Staff: Paola Garcia

Guests: Diego Robayo – Historic Districts Council, Annie White – DCP, Ryan Cote – DCP Lesley Doyal – Upper Riverside Residents Alliance, Peter Green- Upper Riverside Residents Alliance, Tim Anderson – MBPO, Assemblyman Al Taylor, Wendy Olivio – Office of Assemblyman Al Taylor, Pat Courtney, Maggie Clarke, [Other attendees - WebEx attendance report not available]

- 1) The meeting of the Land Use Committee (“Land Use” or the “Committee”) of Community Board 12 Manhattan (“CB12M”, or the “Board”), held via WebEx, was called to order at approximately 7:07 PM. Chair Benjamin greeted guests and welcomed Committee members. Committee members introduced themselves.
- 2) **Promoting Historic Preservation from a Cultural Perspective in Underserved Communities**  
Diego Robayo, Historic Districts Council (“HDC”) discussed HDC’s work in the Bronx with mostly Spanish-speaking communities to focus residents on the cultural heritage of the Bronx, places of cultural reference as well as HDC’s interest in expanding this work to communities of upper Manhattan. For the Bronx initiative, HDC partnered with a coalition of community residents, the Bronx Borough Landmarks Committee, to invite guest speakers from all Bronx communities who are passionate about their communities at HDC-sponsored community events. While the initial focus is on engaging the Spanish-speaking community in the heritage of the area in which they are currently living, the ultimate goal is to be inclusive and engage all communities that may not be familiar with or engaged in historic preservation and landmark designation. HDC has been working in the Bronx on this initiative for one year. HDC will host an event on December 16<sup>th</sup> focused on upper Manhattan and requested the assistance of CB12M in getting out the word. Chair Benjamin asked Diego to forward promotional flyers and/or other information about the event so they can be provided to CB12M staff who can help in circulating the materials. Assemblyman Al Taylor stated that his office will also help in promoting the December 16th event.

#### 3) **Zoning for Coastal Flood Resiliency Plan**

Annie White, Department of City Planning (“DCP”) presented the 2020 citywide zoning text amendment (the “Zoning Text Amendment”) that is intended to promote a more resilient coastal flood land use strategy for the City and represents a more considered response to the temporary regulations drafted after Hurricane Sandy. Annie stated that flooding from Hurricane Sandy caused damage to buildings located in 1% annual flood plains as well as in 2% annual flood plains, but it is expected that by the year 2050, 800,000 New York City residents will be living in flood zones. Annie further stated that the Zoning Text Amendment is only one aspect of the City’s efforts to address coastal flood resilience, which involves other agencies, such as the Department of Buildings as well as FEMA, and the focus will also include infrastructure, utilities, etc. The regulations put in place after Sandy was intended to be the first steps and mostly focused on low-density residential areas. Further study was required to address resiliency for medium and high-density areas as well as for commercial and retail areas. The Zoning Text Amendment seeks to incorporate lessons learned in community workshops that occurred after Sandy, to close certain loopholes in current regulations, and to advance four major planning goals: to encourage resiliency throughout current and future floodplains, to support the long-term resilient design of all building types, to allow for adaptation of existing buildings over time through incremental retrofits, and to facilitate future recovery by reducing regulatory obstacles. In 2019, CB12M passed a resolution commenting on the scoping for the environmental impact statement for the Zoning Text Amendment.

The Committee was advised at this December 2<sup>nd</sup> Land Use Committee Meeting that the Zoning Text Amendment was released for public comment on October 19, 2020, and that comments from community boards and Borough presidents are due by December 28, 2020. Chair Benjamin stated that he had only been contacted by DCP in November to schedule a presentation to

Land Use in December, that the December 28<sup>th</sup> deadline provides insufficient time for the Committee and the full Board to consider this matter, and that the best that can be done is for the Committee to pass a resolution at its January 2021 meeting which will be forwarded to the Executive Committee for consideration in mid-January. Annie stated that other community boards have also commented on the timeline associated with the Zoning Text Amendment and the Chair of City Planning will continue to accept comments after the December 28<sup>th</sup> deadline.

4) **Old Business: Update on 857 Riverside Drive**

Peter Green and Lesley Doyel of the Upper Riverside Residents Association (“URRA”) updated the Committee on the status of the proposed demolition of 857 Riverside Drive (“857 RSD”) and the construction of a 13-story residential condominium building containing 46 micro-units. The Committee was advised that the Landmarks Preservation Commission (“LPC”) quickly rejected the request for evaluation (the “RFE”) which URRA submitted to LPC on November 2<sup>nd</sup> asking it to designate 857 RSD as a New York City Landmark. Assemblyman Al Taylor stated that LPC appears to have rejected the RFE without serious consideration and that he has taken the initiative to refer this matter to City Hall. Green and Doyel also advised the Committee that the Department of Buildings recently posted two, year-old approvals for 857 RSD which state that the Sliver Law does not apply and that the inclined landscaped land between the upper and lower sections of RSD which is maintained by the NYC Parks Department (“NYC Parks”) and for which NYC Parks has implemented capital projects is not parkland in which case both the Lower and Upper drives including the inclined land make up one single wide street, allowing for the developer to build a taller building than he might have if only the Lower Drive were considered to be the street fronting the proposed condominium. The URRA will continue to pursue this matter.

5) **New Business:** Committee member Steve Simon inquired about the new commercial building proposed for the site on Broadway adjacent to the Inwood library and suggested that the developer be invited to present to Land Use. Chair Benjamin stated that he attended the December Business Development Committee meeting at which this project and the need for affordable commercial office space were discussed briefly; he suggested follow up with Business Development to determine if it intends to invite the developer to discuss the project.

The meeting adjourned at 8:46 PM.

Submitted by Wayne A. Benjamin