

COMMUNITY BOARD 12- MANHATTAN  
LAND USE COMMITTEE- MEETING MINUTES

Wednesday, October 6, 2021 (Virtual via Zoom)

Committee Members Present

Wayne Benjamin, Chair  
Tanya Bonner, Assistant Chair  
Joel Abreu  
James Berlin  
Steve Simon

Committee Members Absent

Omar Tejada (Excused)  
Curtis Young

Board Members Present

Sara Fisher

Public Members Present

Vivian Ducat

Public Members Absent

Staff: Shinelle Paniagua, Community Associate

Guests: David Bae; Jennifer Bristol; Chelsea Chaug (EDC); Bobby Chen (Silverstein Properties); Kati Chen (EDC); Martin Collins; Cassandre Collazo; Maureen Dennehy; Jocelyn Dupre (EDC); Elizabeth Ernish (NYC Parks); Natalie Espino (MBPO); Frank Fusaro (Handel Architects LLP); Jason Ivaliotis (Handel Architects LLP); Jeremy Kohomban (Children's Village); Vivian Krieger (Cozen O'Connor); Chris Marangoudakis (Mega Group); John Mattera (DOT); Cheryl Miller; Fernando Ortiz (EDC); Andrew Pontecorvo; Jay Rahhali (American Academy of Arts & Letters); Ellen Seidman (Children's Village); David Thom; Cody Upton (American Academy of Arts & Letters); Vinh Vo Vinh (Herrick Feinstein LLP); Stacy Weiss; Annie White (DCP)

1. The meeting of the Land Use Committee ("Land Use" or the "Committee") of Community Board 12 Manhattan ("CB12M" or the "Board") was called to order at 7:05 p.m. Committee Chair Wayne Benjamin opened the meeting with introductions of Committee members. He noted that Committee Member Omar Tejada was excused.
2. CLOTH Presentation – Update on the Eliza Mixed-Use Development Project  
Chris Marangoudakis, representing the Mega Group, general contractor for the Eliza project, explained they are seeking approval from the Community Board to conduct after-hours variance work at the project site. Marangoudakis explained that permitting construction work to start at 8 a.m. on Saturday and to go until 5 p.m. would allow the work to be expedited, and that the current permit does not allow for a full day's work on Saturdays.

Benjamin asked what outreach has been done with the neighbors on this proposal in advance of this evening's meeting, as the Board would want to know what residents think about it before acting on the proposal. Marangoudakis apologized for the lack of notice to the community. Benjamin suggested that Community League of the Heights (CLOTH) could host some outreach meetings in the community, possibly in conjunction with the Board and the Manhattan Borough President's Office. Committee Member James Berlin expressed concern that 8 a.m. is too early a start on Saturdays – especially for residents tired from the work week. Berlin suggested that the presenters come back for the November Committee meeting after that outreach is done. Marangoudakis said the team will come back for the November meeting and will also present on the affordable housing project at 37 Hillside Avenue at that time.

3. Presentation – American Academy of Arts and Letters Proposed Project to Establish Accessibility and Link Buildings

Benjamin said the proposal addresses the concerns the Committee has had for a decade or so regarding accessibility issues, and that this proposal would provide an accessible entrance to the Academy as well as link the Academy buildings on the north and south sides of the Audubon Terrace.

Cody Upton, Executive Director of the American Academy of Arts and Letters (the “Academy”) began the presentation by providing background on the Academy. He stated that the Academy is an honorary membership society founded in 1898 to foster and sustain interest in architecture, fine arts, literature, and music. The organization gives over \$1 million a year in awards to non-member artists in those four disciplines. The Academy occupies the three western-most buildings on Audubon Terrace. Since 2005, the Academy made two alterations to the Terrace, which the Community Board weighed in on. One was the addition of wheelchair ramps in 2014. But even with this, Upton said the Academy still has accessibility challenges that make it difficult for their operations and events. Since 2014, Academy architects have worked to devise a comprehensive master plan that includes making buildings accessible.

David Bae, an architect for the Academy, summarized in detail the scope of the project. Bae noted that the Academy will be presenting to the Landmarks Preservation Commission (LPC), as the Academy is located within the Audubon Terrace, which is a New York City historic district.

Bae described the difficulties with the current building configuration, showing images of the current layout via PowerPoint. Bae pointed out that most buildings at Audubon Terrace turn their back to the street and have their entrances at the terrace-level, apart from the Academy’s north and south buildings which also have street-level entrances, and that little has changed since 1940. When one arrives at the front door of the North Building, Bae noted one must walk up steps to reach the auditorium. If one arrives in a wheelchair, that person must be brought down to the small cellar, where there is an elevator. There is not a direct path to get from the auditorium to the gallery level of the building, one must go outside and around the block to reenter the building at the gallery level from the Terrace. Bae affirmed what Committee Member Steve Simon said about a roundabout path being available, but Bae emphasized that this is a back-stage path that is not optimal as it is not code compliant or accessible.

The proposed work will create an accessible entrance at West 155<sup>th</sup> Street that will connect to an existing corridor linking the Academy’s three buildings and will also install new ADA compliant elevators serving the north and south buildings and a new fire-stair on the north building. Bae emphasized that the project does not seek to create a new main entrance at West 155<sup>th</sup> Street to compete architecturally with the existing main entrance, just a new accessible one. Upton said while both entrances will be used during events, the current front door will remain the main entrance when having public events. The project also includes upgrades to the Academy’s mechanical systems.

Committee Public Member Vivian Ducat stated that there were no notices to the community from the Academy about previous construction work. She said the Academy needs to acknowledge that people live around it (including herself, who has an apartment that looks straight down on the Academy property). Upton acknowledged there has been some difficulties with building owners. Benjamin suggested that the Academy host a meeting for residents regarding the current proposal.

Committee Member Joel Abreu asked if the wall of the proposed connecting corridor between the North and South buildings will obstruct the view of some apartments in 780 and 788 Riverside Drive – and asked if the tenants of those buildings had been contacted and if they are okay with the proposed changes. Upton acknowledged the Academy had not talked to tenants yet. Abreu encouraged the Academy to open that dialogue with those potentially impacted. Berlin agreed, stating that if he were a resident of one of those buildings, it would concern him, as the back wall of the connector is not translucent and would make an apartment darker on that side. Bae said the connector wall height is 19 feet, and that the connector

impacts views from apartments on two floors of apartments in 780 and 788 Riverside Drive. A study showed that less than half the windows in those apartments face the wall, Bae said. Benjamin noted that based on the building floor plan, some of windows that would face the new 19-foot blank wall would be in primary rooms such as living rooms and dining rooms. Ducat stated some units in 780 and 788 Riverside Drive were sub-divided and therefore the original floor plan might not show all the primary rooms in apartments that would face the new wall. Upton said the Academy had considered the possibility of a translucent wall, but while letting more light in, it could create privacy issues for tenants in their apartments with people walking across the connector so close to their apartment windows.

Bae anticipates approval from LPC because the changes will not be visible from the outside of the building. Bae says he hopes to be on the LPC calendar in November 2021.

Benjamin summarized that the Committee is enthusiastic for the project, with recommendations to conduct outreach and have conversations with tenants about the connector wall impact on their apartment views. In lieu of a Committee vote on the proposal, Benjamin suggested that the Academy return to the Committee after they have had tenant conversation/outreach. Berlin said he was also not comfortable voting on the proposal before hearing from the neighbors.

4. 4650 Broadway FRESH Grocery Application

Benjamin said this is the first application for the community since the FRESH program was established and noted that the proposed site is 4650 Broadway at Sherman Avenue.

Vivian Krieger of Cozen O'Connor led the presentation on the proposal. Krieger also noted this was the first application for FRESH supermarket certification in the Community Board area, and the site will be built as-of-right. The project is in a R7-2 zoning district, which is a medium density zoning district. The supermarket is part of a proposed 19-story building at the location, with the 15,000-square-foot supermarket occupying the ground floor along with other retail space. The building will also contain two floors of community facility space. Krieger explained that the goal of the FRESH program, started in 2008, is to offer residents opportunities to purchase fresh, healthy groceries.

Benjamin asked if the developer planned to present to the Board's Housing and Human Services Committee on the overall development project, especially with respect to the residential component of the project and the associated 421a application. Krieger said she can only speak to the FRESH application portion of the project. Benjamin advised that they should present to that committee, as HPD looks for feedback. Simon inquired about what entities would occupy the community facility space. Krieger stated there will be an elementary charter school on one of the floors, with the other space being for medical use. Simon, disclosing that he works for the NYC Department of Parks and Recreation, expressed concern about the shadow impact of the 19-story building on Fort Tryon Park right across the street, and wondered if any studies had been done. Krieger stated that the application did not require any environmental review. Simon stated he still would like this concern investigated by the developer. Abreu asked whether the proposed supermarket will be privatized, stating that he wants the supermarket to reflect the needs of the neighborhood. Krieger said the supermarket operator, who is currently negotiating a lease with the developer, owns a half-dozen supermarkets in the city, that the space must be used as a FRESH supermarket, and that while she cannot speak for the supermarket owner, she has seen that it is in the best interest of supermarkets to carry products that the neighborhood wants. Abreu stated he is also concerned about the prices due to the necessity of fresh products. Bobby Chen of Silverstein Properties said the demolition will begin as soon as permits are issued in a few weeks, and he expects the project will be completed sometime in 2024. Assistant Chair Tanya Bonner inquired about the identity of the grocer, expressing concern of it being a large grocer and not a small business proprietor. Chen said though the name cannot be revealed as negotiations are still taking place, the grocer is a not a big box retailer and has other stores in Brooklyn and the outer boroughs.

Berlin also expressed concern about the potential impact of the overall 19-story project on the nearby park, particularly as the project is as-of-right. Benjamin requested to see the proposed design of the building. Krieger agreed this would be helpful and apologized for not having a rendering available. Frank Fusaro of Handel Architects described some components of the proposed building, noting there will be an entry for the charter school, an entry for the residential portion and an entrance off Broadway for the garage that will have space for 111 cars. Bonner asked if the parking will be for the community or just for building residents. Krieger stated the parking will be just for building residents. Benjamin reiterated that LU would like to get a closer look at the building proposal, and again suggested the developer present to the Housing and Human Services Committee. Abreu emphasized that he would like to know how the proposed grocer was chosen and his plan for the site.

5. EDC Presentation – Updated on Inwood Rezoning Commitments

Kati Chen of EDC led off the presentations by reminding those in attendance that the Points of Agreement (POA) are the commitments made by the City coming out of the Inwood NYC Planning Initiative. Those areas of commitment include \$200 million in new funding for parks, transportation, infrastructure, workforce training, education, and several other areas. Progress updates are also published in the City's Rezoning Commitments Tracker website. The various agencies that will be executing the various commitments would be presenting on their portions of the POA.

**NYC Department of Parks and Recreation**

Elizabeth Ernish of NYC Parks stated the rebuilding of the Monsignor Kett Playground is currently in procurement and that construction will start by end of 2021/early 2022 if the contract awarding is successful. Ernish also noted that the Highbridge Water Tower stabilization project is in its final stages, with construction expected to be completed by late 2021. Ernish also noted that upgrades to the Dyckman Rest (in the northern reach of Highbridge Park) will include two play areas (one for tots and one for 5-to-12-year-olds), seating areas, a spray fountain, and a dog run; the design work will be completed by February 2022. Anne Loftus Playground in Fort Tryon Park will feature a new spray shower plaza, children's play area and safety surfacing; it is in construction that started this past August. Inwood Hill Park Soccer Field #1 is being converted to synthetic turf to accommodate year-round use, and is currently in design, which is expected to be completed by Spring 2022.

**Waterfront Infrastructure**

Chen presented on Waterfront Infrastructure commitment updates on behalf of EDC. Chen noted that the design of the reconstruction/restoration projects of multiple waterfront structures south of Dyckman Street to West 155<sup>th</sup> Street restarted in Fall 2020, with final design expected to be completed in mid-2022, and construction anticipated to start in early 2023.

Ernish, on behalf of NYC Parks, noted that the design of the Dyckman Street Pier Improvements, which will include a fishing and canoe pier, a floating dock for larger vessels and improved community access at Dyckman Street, will begin in late 2021.

Chen, on behalf of EDC, noted that the designs of both the new two-acre waterfront park at Academy Street and the restoration of North Cove will begin this Fall. Chen said the City allocated \$723 million for the Manhattan Waterfront Greenway – with a significant portion of that going to Inwood. Benjamin inquired about the completion date of the parks, and Chen stated the agency does not have those dates yet.

**Affordable Housing Development**

Chen presented on behalf of HPD, which was unable to attend the meeting.

The Eliza (4790 Broadway/Inwood Library), a public site that is being developed by CLOTH, Ranger Properties, Housing Workshop, Alembic, and the Children's Village, will include 174 deeply affordable apartments and a new library, Universal Pre-K, approximately 11,800 SF of additional community facility

space, including a 9,700 SF Activities, Culture and Training Center (ACTS) and 2,135 SF of flexible classrooms dedicated to STEM, robotics and arts. A groundbreaking was held on September 26, 2021, and construction is expected to be completed by October 2023.

North Cove (207<sup>th</sup> Street and 9<sup>th</sup> Avenue) is a private site to be developed by Madd Equities that will create over 600 affordable apartments and a new esplanade. Currently, efforts are underway to finalize and approve the development's street and open space designs.

Charter (4095 Ninth Avenue) will create approximately 570 new affordable homes, a waterfront open space and an innovation hub. An RFP for this project is expected to be issued in 2022 at the earliest.

Benjamin noted that when the Eliza was first presented, HPD indicated they were seeking community input, but that when input was given, it was noted that it was too late to address community concerns about unit allocation and layout. Chen stated she will pass the feedback to HPD, and they will ensure input is received earlier in the process for the North Cove and Charter projects.

### **School Capital Projects**

Chen also presented on these commitments on behalf of SCA and DOE. She noted that design was underway for the STEM Center for Gregorio Luperon High School for Science and Mathematics and the George Washington Educational Campus pool repair, and that construction is 65% complete on the window replacement project at GWEC. Additionally, STEM education and after-school programming at GWEC is being discussed with principals to refine the project.

### **Arts & Culture**

A Request for Expressions of Interest (RFEI) process that had started in 2019 was restarted after a pause due to COVID for an operator for the Immigrant Research and Performing Arts Center (IRPAC), a space that will be a dedicated cultural and immigrant research space for Northern Manhattan. As currently in open procurement, limited information can be given, Chen said. Benjamin asked if there was a site for the center. Chen stated the RFEI allowed respondents to propose a site. She said EDC does not want to force an operator into a space that will not work for them. Benjamin said there is a desire for more performance arts spaces in Washington Heights and Inwood, and this needs to be considered. Chen said the intention is to locate the facility in Inwood. Abreu asked if the RFEI process was closed, and Chen said that it was at this time.

### **Infrastructure**

Chen presented on projects for this list of commitments, including bringing broadband improvements to Inwood. The project is currently in active procurement, with an RFP with a \$157 million capital investment released after a pause due to COVID. Additionally, a project to replace sanitary sewer and water mains in the northwestern portion of Inwood is expected to be completed in December 2021.

Benjamin inquired about how the water and sewer main projects have been informed by the experience with Hurricanes Ida and Henri. Chen said she will pass that question along and provide the answer once received.

Bonner wanted clarification on what type of broadband improvements will be done specifically. She also reminded Chen about a request to address concerns about Verizon being barred from certain buildings like Bonner's while building management cuts deals with Spectrum. Chen said the effort is to upgrade the infrastructure, and that because of limited infrastructure, Spectrum has had a monopoly. The hope is that improving the infrastructure will provide more options to customers. Jocelyn Dupre of EDC said she believes it would be difficult for the city to change that, as this is up to the building owners and is not sure the City could impact that. Benjamin said the question is what the City can do to incentivize property owners to allow others in there.

Natalie Espino of the Manhattan Borough President's Office (MBPO) asked are we rethinking how the IRPAC space will be imagined in a post-COVID world, given the impact of COVID on the creative arts sector. Are adjustments being made in terms of more money for operators so they can handle the additional expenses for mask mandates, vaccine checks, etc. and so the space can be adapted if needed? Dupre said the intention of going back to RFEI respondents was to receive updated proposals to see how organizations are adapting to a post-COVID world. It will be up to the operator to decide their plans, but we wanted to understand how they are adapting to COVID in their current spaces and how they plan to in the future, Dupre said. She also said the agency has not considered additional funding, but there are opportunities for operators to raise additional funds. Espino expressed concern that some organizations may not have access to additional funding to support COVID-related adjustments.

### **Transportation**

John Mattera of DOT presented on these commitments. He noted that the rehabilitation of the Broadway Bridge continues, with a forecast completion in Fall of 2027. Additionally, a project to improve bus service along the 207<sup>th</sup> Street corridor was completed on May 28, 2021, and that the BX12 SBS route from Inwood to Co-op City now has Transit Signal Prioritization (TSP) throughout. Also, two projects with a design process to begin in Fall 2022 will upgrade street infrastructure. This includes improving intersections along 10<sup>th</sup> Avenue to provide better pedestrian crossings and calm traffic, and the Harlem River Drive Gateway, where there will be reconstruction of the intersection of Dyckman Street, 10<sup>th</sup> Avenue and Harlem River Drive.

Benjamin said the Points of Agreement have been set for some time, but if someone wants to know why a certain project is not being advanced, how should they approach getting that project or site moving? Dupre said it would be the agency responsible, or the Council Member can also be your local advocate. Also, the forum at LU on the POA is a good place to also bring the concerns. Mattera noted that DOT has added scope since their POA capital projects were first envisioned.

Simon said there were several commitments related to health and environment that have not been covered in the presentation. He was particularly interested in #17, which discusses relocating the District 8 Sanitation garage from West 215<sup>th</sup> Street to East 25<sup>th</sup>/26<sup>th</sup> streets. Is that in progress? Dupre said project was paused several various times. She said it is also reliant upon other land use actions in another district to advance, and so has not advanced at this time. The garage District 8 is now using has been identified as a potential site for affordable housing..

Benjamin said as we go through the next round of updates, it would be great to hear about some of the other commitments and how are they advancing, other than the items we always hear about. He said this forum can be used to discuss how other initiatives can begin to advance. Dupre said EDC is happy to work with LU on the agenda in the future to include the initiatives the Committee wants to hear updates about.

6. Old Business

None

7. New Business

None

A motion to adjourn was made by Berlin, seconded by Ducat, and approved unanimously. The meeting was adjourned at 10:12 p.m.

Minutes prepared by: Tanya Bonner