

# COMMUNITY BOARD 12- MANHATTAN

## LAND USE COMMITTEE

### MEETING MINUTES

June 1, 2022

#### Committee Members Present

Wayne Benjamin, Chair  
Tanya Bonner, Asst. Chair  
Jim Berlin  
Steve Simon  
Daniel Bonilla

#### Committee Members Absent

Joel Abreu

#### Board Members Present

Sally Fisher  
Nobles Crawford  
Luana Ferreira  
Osi Kaminer

#### Public Member Present

Vivian Ducat

#### Public Member Absent

Staff: Paola Garcia

Guests: Shiloh Holley – MJM, Lisa Koenigsberg – MJM, John Krawchuk – HHT, Danielle Monopoli – HHT, Eric DiFronzo – PAC Architects, Amy Woodin – HHT, Nancy Rankin – JGWA Architects, Leigh Whitman – Taconic, George Tsapelas – Taconic, Katherine Kelman – Taconic, Meredith Horsford – NYC Parks, Donald Rice, Adele Bartlett – MBPO, Yodalys Moran and Dario Quinsac – Office of NYS Senator Robert Jackson, Loretta Henke, Gabriela Biel, Nick Lyndon, Timothy Frasca, Graham Ciraulo, Ted Freed, Cheramie Mondesire, Karla Fisk, Patricia McMaster, Ponchitta Pierce – MJM, Afua Preston, James Kerr – MJM, Evan Sachs, Megan Byrnes – MJM, Brian Green, Anne Weber – JGWA Architects, John Waite – JGWA Architects, Jim Hawkins, Steve Jones, Florie Charles, Bernadette Elkind, Grant McKeown, Dorca Reynoso, Dr. Christopher Hazeltine, Natalie Latta, Anthony Russo, Ken Lowenstein – Holland & Knight Law, Angela Fernandez, Brian Green – Terrain NYC Landscape Architecture, Anne Weber – JGWA Architects, Steve Jones, Andrew Pontecorvo, Peter Green, Allegra LeGrande, David Thom, Lorial Crowder- Partnerships for Parks

1. **Call to Order.** The meeting began absent a quorum at 7:07 PM. Land Use Committee (“Land Use” or the “Committee”) Chair Wayne Benjamin began the meeting by introducing Committee members and Board members and welcoming guests. He welcomed Daniel Bonilla as a new member of the Committee and Luana Ferreira as a new member of Community Board 12-Manhattan (“CB12M”).
2. **Land Use and Zoning Training Session.** Chair Benjamin stated that in follow-up to discussions at the May Land Use meeting arrangements have been made for CB12M to host a Land Use and Zoning Training Session on Wednesday, July 6, 2022 at 7:00 PM for CB12M Board members and residents of Washington Heights and Inwood. Annie White and Olivia Olmos of the Department of City Planning (“DCP”) are the anticipated presenters.
3. **Dyckman Farmhouse Addition, Restoration and Accessibility Improvements Project.** The Historic House Trust (HHT) presented the Dyckman Farmhouse Addition, Restoration and Accessibility Improvements project. Presenters included John Krawchuck, HHT’s Executive Director, Nancy Rankin, John G. Waite Associates, Architects PLLC, Meredith Sorin-Horsford, Executive Director, Dyckman Farmhouse Museum Alliance, and Amy Woodin, HHT Architectural Conservator, Historic House Trust. The Dyckman Farmhouse Museum (“Dyckman Farmhouse” or the “Farmhouse”), built circa 1785 and located in a half-acre New York City park (the “Park”) located at the corner of Broadway and West 204<sup>th</sup> Street, is the oldest remaining farmhouse in Manhattan. It was designated a New York City Landmark in 1967 and a National Historic Landmark in 1978.

The Dyckman Farmhouse is owned by the City of New York through its Department of Parks and Recreation (“NYC Parks”) and is a member of HHT. It is operated by the Dyckman Farmhouse Museum Alliance, a non-profit organization, as a historic house and museum.

The Dyckman Farmhouse requires extensive interior and exterior restoration and accessibility upgrades. The Park also requires accessibility upgrades, improvements to site utilities and rehabilitated paving and plantings.

HHT, working with NYC Parks, is planning a \$6.9 million capital improvement project consisting of an addition to the Dyckman Farmhouse, accessibility upgrades, and interior and exterior restoration. Funding for the project is provided by the City Council, the Borough President, and the Mayor. The design is expected to be complete in Winter 2022, and construction is expected to begin in 2023. The project must be reviewed and approved by the Landmarks Preservation Commission (“LPC”). HHT will present the project to LPC in July 2022.

The project scope includes the construction of a new two-story addition connected to the Dyckman Farmhouse, interior and exterior restoration of the Farmhouse, a new ADA-compliant ramp installed behind the addition to provide barrier-free access to the building’s west porch entrance (which will serve as the new main entrance after completion of the project), raising the deck of the west porch by three inches to provide barrier-free access to the main floor of the Farmhouse, and rebuilding the stairs to the east porch. The Broadway/east entrance will serve as the staff entrance.

The Dyckman Farmhouse previously had an addition, built in the early 19<sup>th</sup> century and demolished in the early 20<sup>th</sup> century, located approximately where the new addition is proposed to be built. The addition is required to provide space for an accessible public restroom, a larger caretaker residence, and enlarged and discrete space for administrative functions.

Improvements to the Park consist of a new public entrance to the park at West 204<sup>th</sup> Street, enlarged and functional outdoor program areas with upgraded support facilities, rehabilitated paving and plantings, and an accessible route to the entrance of the Farmhouse and all landscaped areas.

After discussion of the project, a motion was made (Berlin) and seconded (Ducat) to support the Dyckman Farmhouse Addition, Restoration and Accessibility Improvements project. The motion passed with the following votes. Committee member Simon did not vote due to conflict given his position with NYC Parks.

	<u>For</u>	<u>Against</u>	<u>Abstaining</u>	<u>Not Voting</u>
Committee Members	5	0	0	1
Board Members	3	0	0	0
Members of the Public	12	0	0	0

4. **Morris-Jumel Mansion Capital Improvement and Accessibility Project.** HHT presented the Morris-Jumel Mansion Exterior Restoration and Accessibility Upgrade project. Presenters included John Krawchuk, Executive Director - HHT, Page Ayres Cowley, Principal - Page Ayres Cowley Architects, Eric DiFronzo, Project Manager - Page Ayres Cowley Architects, Lisa Koenigsberg, President - MJM Board of Trustees, Shiloh Holley, Executive Director – MJM, and Danielle Monopoli, Architectural Conservator/Project Manager - NYC Parks/HHT. The Morris-Jumel Mansion (“MJM” or the “Mansion”) was built in 1765 and is the oldest house in Manhattan.

The Mansion was declared a National Historic Landmark in 1961. Its exterior was designated a New York City Landmark in 1967 and its interior was then designated in 1975. MJM is located in Roger Morris Park (the “Park”), a New York City park within the boundaries of the Jumel Terrace Historic District. MJM served as General George Washington’s headquarters during the Battle of Harlem Heights in the early part of the Revolutionary War. In 1790 President George Washington returned to MJM and dined with members of his Cabinet, including two future presidents of the United States - John Adams and Thomas Jefferson.

MJM is owned by the City of New York through NYC Parks, is a member of HHT and is operated as a historic house and museum. Extensive restoration is required to architectural elements of the Mansion’s exterior, such as deteriorated columns at the front porch and deteriorated or missing wood railings, as is restoration and repainting of the entire exterior. MJM’s entrance and main floor are not accessible; neither are the restrooms.

HHT, working with NYC Parks, is planning a \$2,850,000 exterior restoration and accessibility upgrade project. Project funding is provided by the City Council, the Borough President, and the Mayor. The design is expected to be complete in Winter 2022, and construction is expected to begin in 2023. The project must be reviewed and approved by the LPC. HHT will present the project to LPC in July 2022.

The project scope includes exterior building restoration work such as installing new roofing, repairing columns at the MJM’s front entrance, replacing missing or damaged railings at porches and at the rooftop railings, window restoration and replacement, repainting exterior wall surfaces, constructing a new ADA-compliant ramp at the east entrance to MJM, reconstructing and extending the porch at the east entrance, converting the women’s

restroom on the main floor to a unisex ADA-compliant restroom, and converting the basement-level men’s restroom to a unisex restroom. Existing pathways in the Park will be modified to ensure there is an accessible path from the entrance to the Park to the east entrance to MJM.

After discussion of the project, a motion was made (Berlin) and seconded (Ducat) to support the Morris-Jumel Mansion Exterior Restoration and Accessibility Upgrade project. The motion passed with the following votes. Chair Benjamin did not vote due to conflict given his position as Vice President of MJM’s Board of Trustees, and Committee member Simon did not vote due to conflict given his position with NYC Parks.

	<u>For</u>	<u>Against</u>	<u>Abstaining</u>	<u>Not Voting</u>
Committee Members	4	0	0	2
Board Members	3	0	0	0
Members of the Public	9	0	0	0

5. **405 and 407 West 206<sup>th</sup> Street Development Project.** LMXD (an affiliate of L&M Development), Taconic Partners and MSquared (collectively the “Developers”) presented the 405 and 407 West 206<sup>th</sup> Street Development project (the “Project”). The architect for the Project is Beyer Blinder Belle. The 79,933 square foot project site is located in Inwood at Ninth Avenue between 206<sup>th</sup> and 207<sup>th</sup> Streets (the site of a former Pathmark/later Associated supermarket), near the University Heights Bridge. The proposed project consists of two interconnected buildings, 405 West 206<sup>th</sup> Street and 407 West 207<sup>th</sup> Street, built on two adjacent zoning lots (Block 2203/ Lots 9 and 21).

The 17-story Project includes 698 residential units, 17,000 square feet of neighborhood-scale retail, a 21,000 square foot supermarket built under the Department of City Planning (“DCP”) FRESH program, parking for 117 vehicles, and a home for the People’s Theater Project. The Developers stated that the Project is as-of-right under the 2018 rezoning and that no height or setback relief is sought under the FRESH program, just the 1-to-1 residential square footage to supermarket footage zoning bonus (approximately 20 units). DCP has not yet forwarded the FRESH application to CB12M. The FRESH supermarket will have 16,000 square feet at street level and an additional 5,000 square feet in the basement. It will be smaller than the Pathmark/Associated supermarket that occupied the site but larger than required by FRESH program guidelines.

The Project is designed to LEED Silver standards. The building will be all electric except for domestic hot water systems fueled by natural gas.

The People’s Theater Project (“PTP”) will have a private entrance, a double-height space to accommodate theater functions, and exterior signage /marquee. PTP is working on the design of its space separately from the Developers and its architect.

The Project also includes Mandatory Inclusionary Housing (MIH) zoning and 421a tax benefits. The Project development will comply with MIH Option 1, which requires 25% of residential floor area to be affordable for residents with incomes averaging 60% of Area Median Income (“AMI”). The Developers also anticipates applying for a 35-year post-construction real property tax exemption under the “Affordable New York Housing Program,” Option A. Pursuant to Option A, at least 10% of the total number of dwelling units must be affordable at or below 40% of AMI, at least 10% of the dwelling units must be affordable at or below 60% of AMI, and at least 5% of the units must be affordable at or below 130% of AMI. The income mix is anticipated to be 74 units (~17%) at or below 40% of AMI, 63 units (~15%) at or below 60% of AMI and 54 units (~13%) at or below 80% of AMI. Fifty percent (50%) of the units will be market-rate rentals. The MIH units will be permanently affordable; other units are protected for 35 years.

The Committee noted that the regional AMI used for affordable housing programs does not reconcile with the lower household incomes of residents of Washington Heights and Inwood, that most of the proposed affordable units are not affordable to local residents, and that this is a recurring problem with “affordable housing” projects presented to CB12M.

The Committee and attendees raised questions about the Project’s affordability levels and unit allocation, traffic issues, site density and open space, the value of proposed 421a tax benefits and the feasibility of commencing construction before mid-June 2022 when the program is set to expire, the capacity of the local electric grid to support the all-electric building, the capacity and adequacy of water service to satisfy the Project’s demand, the

rational for a FRESH supermarket in proximity to other supermarkets, how traffic issues will be handled next to the often-congested bridge and the overall impact of three large developments that are being built across from one another on West 207<sup>th</sup> Street.

A representative of Senator Robert Jackson asked if the affordability levels / rents presented to the NYS elected officials in the context of the Developer's application for NYS bond financing are set or subject to change. The Developers advised the rents can increase based on the AMI data in use at the time leasing activity commences.

Chair Benjamin recommended the Developer present the Project to CB12M's Housing and Human Services Committee and to its Traffic and Transportation Committee. He also reiterated that Land Use is taking no action on the Project tonight since DCP has not yet forwarded the FRESH application, which would be the matter for the Committee's consideration, to CB12M.

6. **Old Business:** Peter Green provide an update on the status of the proposed development project at 857 Riverside Drive, noting that the former owner had a short timeframe to undo the sale, which the former owner claims is defective, to allow for options to be pursued for the potential purchase of the building by the State of New York or a non-profit as a historic site. He also stated that the developer has obtained approval of the zoning envelope for the proposed project, which is an unfortunate sign that progress continues to be made to advance its development. Mr. Green stated that Assemblyman Taylor requested a resolution from CB12M asking that he intercede with the Department of Buildings to try to stop the development. Chair Benjamin stated that CB12M has been in dialogue with Assemblyman Taylor and other elected officials concerning 857 RSD for at least one year and emphasized the need for CB12M to better understand what Assemblyman Taylor might be requesting now as well as for Mr. Green to coordinate closely with all the elected official who represent the area.
7. **New Business:** None
8. **Adjournment.** After further discussion, a motion was made (Bonilla) and seconded (Simon) to adjourn the meeting. The meeting adjourned at 10:38 PM.

Respectfully submitted by Wayne Benjamin