



JESSICA CHAIT
Chair

JESSE R. BODINE
District Manager

CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR

424 West 33 Street, Suite #580
New York, NY 10001
tel: 212-736-4536
www.nyc.gov/mcb4

April 12, 2024

Hon. Erik Bottcher
NYC Council Member
224 W. 30th Street, Suite 1206
New York, NY 10001

RE: Proposed Amendment to NYC Administrative Code to Require Verification of Zoning

Dear Council Member Bottcher,

At Manhattan Community Board 4's (MCB4) Clinton/Hell's Kitchen Land Use Committee meeting on March 13, 2024, members discussed Council Member Erik Bottcher's proposed amendment to the NYC Administrative Code¹ that would add a zoning verification requirement for demolition applications in special purpose districts.

More specifically, if enacted, this legislation would (a) require the Department of Buildings (DOB) to verify whether a building is located in any special purpose district prior to the issuance of any permit for full or partial demolition, (b) require the commissioner to establish a procedure for such verification, through an independent review by the department, and (c) require the commissioner to notify affected community boards about any permit application for work that includes full or partial demolition in a special purpose district.

The MCB4 Full Board, at its regularly scheduled meeting on April 3, 2024, voted 39 in favor, 0 opposed, 0 abstaining, and 0 present but not eligible to vote to **(1) support the adoption of this legislation and (2) request the addition of a comment period of 45 days to the community board notification process in the legislation.**

Background

Over the past years, MCB4 has dealt with the ongoing issue of illegal demolitions being conducted by DOB in the Manhattan Community District 4 (MCD4).

¹ N.Y.C. Admin. Code, Article 105 of Chapter 1 of Title 28. New Section 28-105.2.2.1.

MCB4 has written numerous letters to DOB each time a new illegal demolition filing is found in MCD4 whether as a result of the DOB not enforcing demolition prohibitions, demolishing protected buildings where applications had not been approved (due to errors in the DOB building information system), carrying out demolitions without undergoing the required city process, or otherwise not complying with the zoning resolution, as highlighted in those letters.

Furthermore, MCB4 has reiterated and sought to resolve the issue of DOB not informing or involving MCB4 in a review process with respect to such illegal demolitions, to no avail. We have requested numerous times that the DOB notify MCB4 about proposed demolitions well in advance so that we could adequately review and consider applications; however, the issue persists.

MCB4 Position & Recommendation

MCB4 recognizes that this legislation provides an opportunity to address the ongoing issue of DOB authorizing illegal demolitions and not notifying affected community boards in a timely manner. We appreciate the city council's dedication to protecting our special purpose districts and involving the community boards in the process. Therefore, MCB4 supports the proposed legislation.

While the legislation would require the commissioner to notify affected community boards of demolition applications in special purpose districts, MCB4 would recommend that a comment period of 45 days be added to this requirement in order to allow sufficient time for relevant community boards to review and respond to DOB's proposals for demolition. This would help address the aforementioned issue of DOB not providing timely and adequate notice to community boards about proposed demolitions that could potentially harm our special purpose districts.

Conclusion

For the above reasons, MCB4 (1) supports the adoption of the proposed legislation to better protect our special purpose districts and (2) requests that the requirement for the commissioner to notify affected community boards include a comment period of 45 days in order to ensure that affected community boards are included in the review process and are given the opportunity to respond to the DOB proposals for demolitions in special purpose districts.

Sincerely,



Jessica Chait
Chair
Manhattan Community Board 4



Jean Daniel Noland
Co-Chair
Clinton/Hell's Kitchen Land Use Committee



Paul Devlin
Co-Chair
Clinton/Hell's Kitchen Land Use Committee

cc: Hon. Rafael Salamanca Jr, Council Member (Chair, Committee on Land Use)
Hon. Kevin Riley, Council Member (Chair, Subcommittee on Zoning And Franchises)
Hon. Adrienne Adams, NYC Council Speaker
Hon. Eric Adams, NYC Mayor