



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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COREY JOHNSON
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

December 9, 2011

Hon. Amanda M. Burden, Chair
New York City Planning Commission
22 Reade Street
New York, NY 10007-1216

Re: Proposed (E) Designation Text Amendment

Dear Chair Burden:

At its December 7, 2011 meeting, Manhattan Community Board 4 voted to approve the following comments on the proposed (E) designations text amendment to the New York City Zoning Resolution Section 11-15 Environmental Requirements.

The (E) program was created to establish and enforce environmental requirements pertaining to specific tax lots that are part of a proposed rezoning. These environmental requirements, related to hazardous materials, air quality or noise, allow the City to undertake rezonings and meet the review mandates of the City Environmental Quality Review (CEQR) process, by ensuring that certain potential environmental conditions will be addressed at the time of development, on lots the City does not own or have access to. As a condition to the issuance of future building permits, an owner would need to perform testing or remediation to the satisfaction of the New York City Office of Environmental Remediation (OER).

The proposed (E) designation Text Amendment would modify Section 11-15 (Environmental Requirements) of the Zoning Resolution to streamline and clarify existing regulations, update the text to reflect current agency responsibilities, and add flexibility to the administration of the program that would benefit both owners and OER.

MCB4 supports the text amendment and its goal to result in a more efficient, effective and transparent (E) program. However for the new text amendment to be successful there needs to be coordination between all involved parties. The (E) program is coordinated among multiple city agencies; it is established by City Planning in ZR Section 11-15, administered by the Office of Environmental Remediation, and enforced by the Department of Buildings. MCB4 urges the various agencies to establish clear procedures for reporting and compiling data and ensure proper communication between the agencies.

Sincerely,



Corey Johnson, Chair
Manhattan Community Board 4



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

[signed 12/9/2011]

Gretchen Minneman, Co-Chair,
Clinton/Hell's Kitchen Land Use Committee

cc: NYC Council Speaker Christine Quinn
Manhattan Borough President Scott Stringer
NYC Council Member Gale Brewer
NYS Assembly Member Linda Rosenthal
NYS Senator Thomas Duane
Congressman Jerrold Nadler
Erika Sellke – Department of City Planning
Danielle DeCerbo – City Council Land Use Division