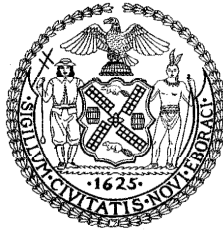


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The City of New York Manhattan Community Board 8

ZONING & DEVELOPMENT COMMITTEE MINUTES

June 7, 2012

Lenox Hill Hospital, 131 East 76 St, Einhorn Auditorium

The meeting started at 6:35 pm, ended at 8:00 pm

Present: Elizabeth Ashby, John Bartos, Barbara Chocky, Scott Falk, Larry Parnes, Barry Schneider, Judy Schneider, Marco Tamayo, Teri Slater (Co-Chair), Elaine Walsh (Co-Chair)

1. Discussion of Public Plazas (POPS) research and work plan as presented by the Municipal Art Society

As a follow up to our previous presentation by Melissa Cerezo (2/29/12), the Municipal Art Society (MAS) staff Raju Mann and Alexis Taylor presented the work they are doing as Advocates for Privately Owned Public Spaces in the city. This informational presentation included background on POPS, zoning incentives that developers received, findings by Jerold S. Kayden, author of Privately Owned /Public Spaces, and the project that they are engaged in with Department of City Planning.

POPS are part of the NYC's zoning law. Developers were offered incentives –bonus FAR in exchange for providing open space for the public. Public Plaza types were first created in 1961. Currently for the UES only community facilities can obtain a POP in exchange for the zoning bonus.

MAS is currently updating the data base of POPS with Department of City Planning. This data base was created and is owned by Kayden, DCP and MAS. Plans are for a digital public space about “physical” public space, including and interactive website, mobile apps and other digital approaches that allow APOPS+ MAS and members of the public to post comments, photographs, maps, designs, and other ideas.(MAS presentation 6/7/12, pg. 9 slide)

The updating will provide us with an accurate picture of the state of the POPS since the findings by Kayden in 2000. His major findings as reported by MAS

- 41% of all public spaces were of marginal value
- 51% of the spaces are out of compliance
- 22% of the spaces have major compliance violations
- Poorly designed and managed
- Indifferent enforcement

- Lack of Public Awareness
- Ambiguous regulations
- Only open space in very dense neighborhoods

Their plan is to:

- Work with owners to redesign the POP spaces
- Convene experts for rules proposals

During the discussion time, members of the public and CB8 identified some POPS that seem to be out of compliance and issues in reporting to DOB. The committee welcomed the work of MAS and strongly volunteered to be one of the communities that would work with them. When their data has been up dated they will engage with the committee to discuss next steps. As stated in our previous minutes – POPS - 93 are located in the Upper East Side; 26 are residential and 67 are other types.

MAS is currently seeking funding to move forward with the project. They emphasized that the property is privately owned and that any plans will need to include the property owners. Challenges to the project include the developers received the bonus , the coops or other current owners are then left with the responsibility, many communities and property owners are not fully aware of their obligations, POPS in a residential area have issues different from those in commercial areas—particularly the issues of being open 24/7. It was acknowledged that steps going forward will take time; the options available have pros and cons and must weigh what the developers received as incentives with a guarantee that they would be responsible for compliance and maintenance. The community was urged to call in issues with public plazas they are familiar with—It was also noted that developers were given bonuses and then for the increased FAR they calculated driveways as part of open space. The initial policy and change to the zoning laws have ended in unanticipated consequences for communities. Community planning will need to occur with all stakeholders participating.

2. Illegal Signage

This continues to be a major issue and there is minimum enforcement by DOB. DOB has a list of illegal signs but does not seem to be able to respond to the complaints by CB8 and other community groups. It was noted that the recent Dunkin Donuts illegal signage was handled very quickly. The signs were removed after community pressure and media coverage. It is hoped that the media coverage obtained by the East 86th Street Association for illegal signage in the 86th street corridor and blocks north and south will see some change. It was requested that the community take responsibility for reporting illegal sign. There was a request that the East 86 Street Association share the brochure that has the rules regarding signage. It was shared that the association will be putting this on their website. A number of signs were identified that are already on the list.

3. New Business: none

4. Old Business: none

Meeting adjourned

Teri Slater and Elaine Walsh Co-Chairs