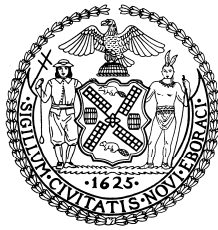


**Nicholas D. Viest**  
Chairman

**Latha Thompson**  
District Manager



**505 Park Avenue**  
**Suite 620**  
**New York, N.Y. 10022**  
(212) 758-4340  
(212) 758-4616 (Fax)  
**www.cb8m.com** Website  
**info@cb8m.com** - E-Mail

**The City of New York**  
**Manhattan Community Board 8**

**LAND USE MEETING**  
**WEDNESDAY, MAY 8, 2013**  
**Memorial Sloan Kettering**  
**430 East 67<sup>th</sup> Street**  
**Auditorium**  
**6:30PM**

**Community Board Members Present:** Elizabeth Ashby, Albert Barrueco, Lowell Barton, John Bartos, Michele Birnbaum, Molly Blayney, Matthew Bondy, Roy Carlin, Barbara Chocky, Sarah Chu, James Clynes, Christina Davis, Jeffrey Escobar, Cory Evans, Susan Evans, A. Scott Falk, Edward Hartzog, David Helpern, Lorance Hockert, Jonathan Horn, Sophia James, Lorraine Johnson, Dave Kleckner, David Liston, Jacqueline Ludorf, Domenico Minerva, Laurence Parnes, Jane Parshall, Ellen Polivy, Rita Lee Popper, Margaret Price, David Rosenstein, William Sanchez, Judith Schneider, M. Barry Schneider, Rebecca Seawright, Helene Simon, Teri Slater, Cos Spagnoletti, Marco Tamayo, Debra Teitelbaum, Nicholas Viest, Elaine Walsh, Charles Warren, Hedi White, Timothy Yeo

**Community Board Members (Excused):** Lori Ann Bores, Hattie Quarnstrom, Barbara Rudder

**Community Board Members (Unexcused):** Abraham Salcedo,

**Total Attendance: 46**

**Chair Nicholas D. Viest called the meeting to order at 6:30PM.**

**1. Public Hearing: MSK-Hunter ULURP Application-524-540 East 74<sup>th</sup> Street, (aka) 525-545 East 73<sup>rd</sup> Street- ULURP No. C130214 ZMM, C130216 ZSM, C130217 ZSM, C130218 ZSM, C130219 PPM, CEQR No. 13DME003M-**Applicaton submitted by Memorial Hospital for Cancer and Allied Diseases (MSK) and City University of New York (CUNY) propose a series of land use actions for the project area that consist of Tax Lot 15, Tax Lot 14 and Tax Lot 39 on Block 1485 in Manhattan. Block 1485 is bounded by East 73<sup>rd</sup> and East 74<sup>th</sup> Streets, York Avenue and the FDR Drive on Manhattan Upper East Side. The project area is within Community District 8 and it is currently zoned M3-2. The application seeks the following City Planning Commission actions:

- (1)** A zoning text amendment to create a new provision in the ZR Sec. 74-743 (Large-Scale General Development) special permit.
- (2)** Approval of the disposition of the development site, a city-owned property to the applicants.
- (3)** A zoning map amendment of map 9a of the Zoning Resolution of the City of New York to rezone the development site and a 6-inch wide portion of Lots 14 and 39 from M3-2 to C1-9 and to extend the M1-4 zoning district that exists west of the project area 5 ft. west.
- (4)** Special permits for use and bulk modifications and modifications to sign regulations pursuant to ZR Sec. 74-74 (Large-Scale General Development)
- (5)** A special permit pursuant to ZR Sec. 13-561 (Accessory off-street parking spaces) to increase the number of permitted accessory parking spaces.

The rezoning of the development site from M3-2 to C1-9 zoning district would facilitate MSK's development on the development site of a new ambulatory care center with an accessory parking facility and CUNY's development of the Hunter College Science and Health Professions Building (CUNY-Hunter Building and together with the MSK Building , the proposed project)

Presentation was made by the applicant for the Joint CUNY-MSK East 74<sup>th</sup>, CB8MStreet Planned Use Committee Project and included presenters IrisWeinfall, Vice Chancellor of Facilities, Planning, Construction and Management at City University of New York, Dr. Craig Thompson, President and CEO of Memorial Sloan-Kettering, Jennifer Raab, President of Hunter College, and faculty, staff and students from both institutions.

Presentation by opponents of the CUNY-MSK ULURP Project.

## 2. Public Session

- Member of the public, William Sullivan, representing Ronald McDonald House, spoke in favor of the ULURP application for CUNY-MSK.
- Member of the public, Charles Washington, representing MSKCC as an employee spoke.
- Member of the public, Vic Ribaud, representing MSKCC as an employee spoke.
- Member of the public, Lauren Chiavello, representing MSKCC as a patient spoke.
- Member of the public, Patrick Kennedy, representing MSKCC as a patient spoke.
- Member of the public, Cheryl Jacobs, representing MSKCC as a patient spoke.
- Member of the public, Patrick Dooley, representing Patient to Patient Volunteer, spoke in favor of clinical trials and his personal experience.
- Member of the public, Pilar Trusgwach, representing East Sixties Neighborhood Association (ESNA), spoke in favor of Andrew Haswell Green Park.
- Member of the public, Martin J. Resnick, representing Tenants, spoke in opposition to traffic congestion.
- Member of the public, Gail McCain, representing Hunter College, spoke in favor of MSKCC/Hunter College buildings at East 74<sup>th</sup> Street.
- Member of the public, Reva Ross, spoke in favor of Andrew Haswell Green Park Water/East River & East 60<sup>th</sup> – East 63<sup>rd</sup> Streets.
- Member of the public, Gil Rogoul, spoke in opposition due to danger to schools and children.
- Member of the public, Darren Panicali, representing Hunter Bellevue School of Nursing, spoke in favor of improved sense of community.
- Member of the public, Wendy Levey, representing Epiphany Community Nursery School, spoke in opposition due to safety/traffic/pollution.
- Member of the public, Pat Mulcahy, representing Residents for Reasonable Development, spoke in opposition to the MSK land use project.
- Member of the public, Stanley Wilson, representing Hunter-Bellevue School of Nursing, spoke in favor of the need for updated facilities.
- Member of the public, Mina Greenstein, spoke in opposition to the MSK/CUNY project.
- Member of the public, Hall Brill, spoke in favor of the park.
- Member of the public, Arlene Prince, spoke in favor of the park.
- Member of the public, Professor Felisa Vazquez-Abad, representing Hunter College, spoke in favor.
- Member of the public, Helene D. Goldfarb, representing CUNY-Hunter, spoke in favor.
- Members of the public, Ruth and Al Young, spoke in opposition to more building on York Avenue.
- Member of the public, Robert Moriarty, spoke against the MSK proposal.
- Member of the public, Joan Fabio, spoke in favor.
- Member of the public, Lauren O'Toole, representing CIVITAS, spoke in opposition to the MSK-CUNY project.
- Member of the public, Sandra Ripert, representing 515 East 72<sup>nd</sup> Street, spoke in opposition.
- Member of the public, Denise Cruz, spoke in opposition due to environmental impact.
- Member of the public, Maritza Auerbach, representing Hunter College, spoke in favor of the 74<sup>th</sup> Street building and park.
- Member of the public, Diane Klages, spoke in favor of the park.
- Member of the public, Joe Sullivan, spoke in favor of Haswell Park.
- Member of the public, Ravel Yufot, spoke in opposition to the construction of MSK building.
- Member of the public, Maerene Alexiades-Armenakas, MD-PhD, spoke in opposition to the MSK-CUNY project.

- Member of the public, Lorna Caro, spoke in opposition.
- Member of the public, Terry Grace, spoke in opposition of the MSK/CUNY project.
- Member of the public, Lo van der Valk, spoke in opposition to one part of the MSK-CUNY project.
- Member of the public, Liz Frucht, spoke in opposition to the pollution issue.
- Member of the public, Bradley Zam, spoke in opposition to the impact on the neighborhood.
- Member of the public, Joan Reisman-Brill, spoke in favor of the Andrew Haswell Green Park.
- Member of the public, Kaitlin Griffin, spoke on the park and MSK project.
- Member of the public, Jim Brown, spoke in opposition.
- Member of the public, Sarah Gallagher, spoke on the issue of pilings.
- Member of the public, Stephanie Strickland, spoke in favor of Haswell Park.
- Member of the public, Elizabeth McCormick, representing MSKCC as an employee spoke.
- Member of the public, Paul Biegel, representing East Sixties Neighborhood Association, spoke in favor of the park in the East 60's.
- Member of the public, Herndon, Werth, spoke in favor of the CUNY/MSK project.
- Member of the public, Deborah Marcos, spoke in opposition to the 48 story tower.
- Member of the public, Jason Lewis, representing MSKCC as an employee, spoke.
- Member of the public, Brian Elbaum, spoke in favor.
- Member of the public, David Alpern, spoke in favor of Haswell Green Park.
- Member of the public, Helen Altman Brown, spoke in opposition to the MSK building/CUNY building.
- Member of the public, Alan Branfman, spoke in opposition to the buildings to be built.
- Member of the public, Lynn Francesciani, representing Hunter College, spoke on the Hunter/MSKCC project.
- Member of the public, Jennifer Benichou, spoke in favor of the Andrew Haswell Green Park.
- Member of the public, Mehida Alexandre, representing Hunter College, spoke in favor of the importance of the new science building.
- Member of the public, Diane Volk, spoke in favor of Hunter College.
- Member of the public, Leslie Gotlieb, spoke.
- Member of the public, James A. Cincotta, Board President, representing the Regency East, 51 East 64<sup>th</sup> Street, spoke in favor of the park.

**Re: CUNY-MSK ULURP Application No. N130215ZRM-Zoning Text Amendment**

**WHEREAS**, the ULURP application of CUNY-Hunter College and Memorial Sloan-Kettering Cancer Center for development of the former Department of Sanitation Garage at East 73<sup>rd</sup>/74<sup>th</sup> Street and the FDR Drive is currently before CB 8; and,

**WHEREAS**, one of the actions in the ULURP application is a proposed text amendment that will provide through special permit up to an additional FAR 2 (for a maximum site development of FAR 12) and will include Incentive Zoning providing for a substantial monetary contribution to a public park improvement; and,

**WHEREAS**, another of the actions in the ULURP application is to approve, as provided in the proposed zoning text amendment, a special permit for a monetary contribution as stipulated in writing by the DPR that a public park improvement will provide an appropriate amenity for the surrounding area; and

**WHEREAS**, CB 8 has actively advocated for the opening of Andrew Haswell Green Park, which is only partially completed due to the lack of available funding for the unforeseen repair of the pilings beneath the surface of the Park; and

**WHEREAS**, CB 8 has long sought to expand public parkland within its boundaries and notes that the proposed zoning text amendment will provide a new opportunity for adding significant acreage by completing parkland that is currently unimproved and inaccessible to the public; and,

**WHEREAS**, in the summer of 2006, CB 8 strongly recommended the opening of Andrew Haswell Green Park in its 197-a Plan; and,

**WHEREAS**, in response to CB 8's long advocacy for the creation and opening of Andrew Haswell Green Park, and DPR submitted a plan for its design and completion to the Public Design Commission in 2010; and

**WHEREAS**, the Public Design Commission approved the DPR plans for the creation of Andrew Haswell Green Park as supported by CB 8; and,

**WHEREAS**, CB 8's elected officials have contributed over \$5 million of their own discretionary funds toward the opening of Andrew Haswell Green Park for the current Phase; and,

**WHEREAS**, work on Andrew Haswell Green Park Phase I was completed but the work on Phase 2B had to be indefinitely postponed once the extent of the poor conditions of the pilings beneath the Park were uncovered because there was no funding in the capital budget for their repair; and,

**WHEREAS**, DPR has confirmed to the City Planning Commission by letter that the original funding for the opening of Andrew Haswell Green Park is available except for the funds necessary to repair the pilings beneath the Park platform and it has further advised CPC that there are no plans to provide such funds in the foreseeable future; and,

**WHEREAS**, at a recent CB 8 Parks Committee Public Forum, parks advocates released a study that this community is "impoverished" in comparison to other communities in all of NYC regarding the amount of available public park space; and,

**WHEREAS**, alternate proposals to utilize the funding that would be generated by this application to improve other parks within CD 8 are exemplary but will not result in the increase of available public parkland, and this proposal will bring the amount of additional available public parkland to a total of 2 acres and provide a major area of passive recreation along the East River Waterfront on parkland which is presently unimproved and unavailable to the public; and,

**WHEREAS**, while Andrew Haswell Green Park is located in the East 60's neighborhood in which both Hunter College and MSK have resided for decades, is proximate to the new MSK ambulatory surgery building at 1133 York, which CB 8 criticized for not providing public open space, and is proximate to the other institutions in the medical corridor on York Avenue which currently do not provide the public or their populations any publicly accessible open space; and,

**WHEREAS**, CUNY-Hunter and MSK have designed their buildings to provide for private open space for the use of their expected populations with upper level terraces and interior spaces so as to minimize the impact on the adjoining community's existing open spaces and public sidewalks; and,

**WHEREAS**, the CUNY-Hunter/MSK proposal represents the only currently foreseeable opportunity to reduce CD 8's "impoverishment" and actually add to the amount public parkland within this community; and,

**WHEREAS**, recommending disapproval of this proposal to complete and open Phase 2B of Andrew Haswell Green Park to the public with funding offered by this application rather than through the City's capital budget may have significant adverse consequences to CB 8 in the future competitive pursuit of limited DPR funding for our parks,

**THEREFORE BE IT RESOLVED THAT** Manhattan Community Board 8 recommends approval of the proposed zoning text amendment, provided:

(1) it is modified to assure that the site of the proposed park improvement be limited to the boundaries of CD 8 and

(2) the bonus remains available only through a special permit, requiring Community Board review, a full environmental review and full ULURP public hearings; and,

**BE IT FURTHER RESOLVED THAT** Manhattan Community Board 8 recommends, consistent with its longstanding support for the creation of Andrew Haswell Green Park, approval of its selection as the location for a monetary contribution to a park improvement under the requested special permit, provided that CPC obtain prior to its vote a clear and unequivocal statement in writing from DPR that all necessary funding is in place for the repair of the pilings and completion of Phase 2B of Andrew Haswell Green Park and its opening to the public.

**Community Board 8M approved the following resolution by a vote of 23 in favor, 20 opposed 1abstention and 2 not voting for cause.**

**Re: CUNY-MSK ULURP Application Nos. C130214ZMM; C130217ZSM; C130218 ZSM; C130219PPM; C130216ZSM**

**ULURP Application with Conditions**

**BE IT RESOLVED THAT** Manhattan Community Board 8 approves the applications submitted by the Memorial Hospital for Cancer and Allied Diseases (MSK) and City University of New York (CUNY) for a zoning map change (C 130214 ZMM), a special permit to modify sign regulations (C 130217 ZSM), and a special permit for an accessory parking garage (C 130218 ZSM);, and be it further

**BE IT RESOLVED THAT** Manhattan Community Board 8 approves the application submitted by the Department of Citywide Administrative Services for disposition of city-owned property (C 130219 PPM) **SUBJECT TO THE CONDITION** that the application (C 130219 PPM) limit use of the subject property to hospital/medical and higher education purposes; and be it further

**BE IT RESOLVED THAT** Manhattan Community Board 8 approves the application submitted by Memorial Hospital for Cancer and Allied Diseases (MSK) and City University of New York (CUNY) for a special permit for bulk modifications (C 0130216 ZSM) is **SUBJECT TO THE CONDITION** that the designated recipient for improvement of a public park pursuant to the proposed Section 74-743(a) (11) of the Zoning Resolution shall be Andrew Haswell Green Park

**Community Board 8M approved the resolution by a vote of 24 in favor, 17 opposed, 2 abstentions and 2 not voting for cause.**

3. Executive Session

4. Old Business

5. New Business

The meeting was adjourned at 9:30PM.

**Nicholas D. Viest, Chair**