

**Alida Camp**  
Chair

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

March 22, 2019

Gail Benjamin  
Chair  
Charter Revision Commission 2019  
250 Broadway  
New York, NY 10007

Dear Chair Benjamin,

At the Full Board meeting of Community Board 8 Manhattan held on March 20, 2019, the board approved the following resolution by a vote of 38 in favor, 0 opposed, 0 abstentions, and 0 not voting for cause.

**WHEREAS** Community Board 8 Manhattan has a number of topics that it asks the Charter Commission of 2019 to consider in determining which Charter provisions merit revision;

**WHEREAS** the Charter Review Commission of 2019 asked Community Boards to comment on the City Charter;

**WHEREAS** CB8M is concerned about the balance of power in New York City and the land use process;

**WHEREAS** CB8M is concerned about the lack of deference given to Community Board decisions;

**WHEREAS** in December 2018, CB8M articulated its views on what topics the Charter Commission of 2019 should consider, and CB8M attaches and reiterates the letter it sent to the Charter Commission of 2019 here;

**THEREFORE BE IT RESOLVED** that Community Board 8 Manhattan asks that the Charter Commission consider the following recommendations for modifications of and revisions to the NYC Charter:

- Variances and Zoning
  - Require that developers must go before Community Boards prior to seeking construction variances from the Department of Buildings, and that where a variance is sought on an emergency basis, the developer must subsequently go before the Community Board; and
  - Prohibit the use of Mayoral Zoning Overrides.
- Board of Standards and Appeals:
  - Amend the composition of the Board of Standards and Appeals (BSA) to add representation from other elected officials, such that the BSA, which currently has five members, be expanded to 11 members, with each Borough President appointing one member, the Speaker of the City Council appointing one member, and the mayor appointing five members; and
  - That the appraiser used in BSA financial analyses must be made by a licensed appraiser, who will be assigned from a pool of licensed appraisers approved by the BSA;
- City Environmental Quality Review (CEQR):
  - Ensure that the CEQR includes displacement (from both rent-regulated and market-rate housing) and neighborhood demographic changes as impacts to address during CEQR;
  - Require that the Environmental Impact Statement (EIS) be prepared and reviewed by an impartial environmental agent, drawn from a pool approved by City Planning;
  - Require that an EIS be released to the public.
- Implement a process for comprehensive planning, including:
  - Create an independent, long-term planning office to develop a comprehensive citywide plan (the “Citywide Plan”), to be ratified by the City Council;

- Require the Citywide Plan to be updated every ten years; and
- Establish the position of Deputy Mayor for Infrastructure and require annual assessments of the City's infrastructure needs, including but not limited to schools, housing, parks, and transportation.
- Landmarks Preservation Commission:
  - Expand the Landmarks Preservation Commission (LPC) to thirteen members, and require that two of those members be preservationists; and
  - Require an impartial entity vet appointees to the LPC.
- Uniform Land Use Review Procedure (ULURP):
  - Establish a "pre-ULURP" mechanism to require review of the City's RFPs by communities, Community Boards, Borough Presidents, and other relevant stakeholders, prior to their issuance and prior to the beginning of the formal ULURP process;
  - Require that the ULURP process ensure the mitigation of the impacts of construction and development, including but not limited to sociological, environmental, and health impacts;
  - Expand and strengthen the ULURP process, including requirements that all sales of air rights and all City development, changes to the zoning text, and changes to deed restrictions must be subject to ULURP review; and
  - Permit Borough Presidents to include an alternative ULURP application to be considered alongside an application originating with the City or City-affiliated entities.
- As-of-right developments:
  - Require that Community Boards and elected officials be notified of, and provided with, plans for as-of-right developments upon filing of plans with the Department of Buildings, and again upon the issuance of building permits;
- Self-certification:
  - Audit all self-certifications.
- Agency communication and information-sharing:
  - Require that City agencies, upon receipt from a developer or property owner of documents regarding developments, share those documents with all other relevant City agencies; and
  - Establish a database to which all relevant City agencies have access, and to which all documents regarding developments are submitted.
- City Planning Commission:
  - That where any Community Board has disapproved an application, a supermajority of the City Planning Commission be required to approve an application.
- Franchising:
  - Creating a ULURP-like process for all City franchises.

**BE IT FURTHER RESOLVED** that Community Board 8 opposes proposals to (1) compensate members of the LPC, (2) transfer the LPC to the City Planning Commission, and (3) require that a planning analysis or approval consider economic factors.

Please advise us of any action taken on this matter.

Sincerely,

  
Aida Camp  
Chair

cc: Honorable Bill de Blasio, Mayor of the City of New York  
 Honorable Carolyn Maloney, 12<sup>th</sup> Congressional District Representative  
 Honorable Gale Brewer, Manhattan Borough President  
 Honorable Liz Krueger, NYS Senator, 28<sup>th</sup> Senatorial District  
 Honorable Dan Quart, NYS Assembly Member, 73<sup>rd</sup> Assembly District  
 Honorable Rebecca Seawright, NYS Assembly Member 76<sup>th</sup> Assembly District  
 Honorable Ben Kallos, NYC Council Member, 5<sup>th</sup> Council District  
 Honorable Keith Powers, NYC Council Member, 4<sup>th</sup> Council District