

Alida Camp
Chair

Will Brightbill
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
Community Board 8 Manhattan
Land Use Meeting
Wednesday, July 8, 2020 – 6:30PM
Online via Zoom

Community Board Members Present:

Vanessa Aronson, Elizabeth Ashby, P. Gayle Baron, Lowell Barton, Michele Birnbaum, Lori Ann Bores, Taina Borrero, Loraine Brown, Alida Camp, Barbara Chocky, Sarah Chu, Anthony Cohn, Saundrea Coleman, Brian Correia, Rebecca Dangoor, Felice Farber, Billy Freeland, Edward Hartzog, Paul Higgins, Wilma Johnson, Craig Lader, Rebecca Lamorte, May Malik, Valerie Mason, Gregory Morris, Peter Patch, Sharon Pope-Marshall, Rita Popper, Margaret Price, Elizabeth Rose, Barbara Rudder, William Sanchez, M. Barry Schneider, Tricia Shimamura, Cos Spagnoletti, Russell Squire, Marco Tamayo, Adam Wald, Elaine Walsh, Charles Warren, Jack Zimmerman

Community Board Members Absent: David P. Helpen, Takako Kono, Dorothea Newman, Jane Parshall, Harrison Pierson-Panes, Abraham Salcedo, Lynne Strong-Shinozaki, Carolina Tejo, Sharon Weiner

Total Attendance: 41

1. Public Hearing: Barry’s Bootcamp at 237 East 86th Street, Block 1532, Lot 16 – Application to the Board of Standards and Appeals for a special permit to establish a Physical Culture Establishment on the cellar and first floor of the existing 18-story mixed-use building at the Subject Site located in a C2-8A zoning district.

Frank St. Jacques of Akerman LLP presented this application on behalf of Barry’s Bootcamp LLC, seeking a special permit from the Board of Standards and Appeals (BSA) to allow for the use of a physical culture establishment—aka a gym. The establishment would be 7,273 feet and located on portions of the first and cellar floors of 237-241 East 86th Street, between Second and Third Avenues. It is located at the former Laytner’s Linen space.

The site is located in a C2-8A commercial zoning district. The site is an 18-story mixed residential and commercial building on a 9,440 square foot lot. The surrounding area has compatible commercial, office, and multifamily residential uses.

The Barry’s Bootcamp (“Barry’s”) is proposed to operate from 5:30AM to 8:00PM on Monday through Friday, and from 7:00AM to 5:00PM on Saturdays and Sundays. The gym would contain a fitness studio, reception, first-floor lockers, and a “fuel bar” for snacks, water, and the like. There will be no cooking on-site, but they will sell pre-packaged foods such as granola bars and protein bars.

The applicant explained that Barry's Bootcamp is not a traditional gym where members work out on equipment. Rather, it runs classes throughout the day, led by instructors. Members attend a class for roughly an hour or so, workout, and use the changing rooms, then leave. The gym is not yet open, and "it will be some time" until the gym opens. The applicant anticipates six months of construction, and an opening in the first quarter of 2021, and therefore expects to have more guidance on COVID-19-related precautions before opening.

The cellar floor would have a "flex lab" for stretching classes and pre-and-post-class stretching. It would also have changing rooms with showers and lockers.

The applicant also described wall detail plans and sound attenuation that would be built into the gym walls.

Members of the public asked questions concerning noise and loitering. The applicant responded that Barry's had put a lot of attention into sound attenuation and that they do not expect noise to emanate from within the gym, either within the building or the exterior of the building. The applicant also responded that Barry's discourages loitering outside of their studios. The applicant shared that there is "ample space" in the studio and two floors inside the site, and noted that the "stretch lab" provides space for patrons who arrive early to congregate so that there would not be loitering or assembly outside the building.

A member of the public also asked whether the Barry's sign will be illuminated. The applicant responded that it would be a 11.8 square foot illuminated sign, compliant with commercial signage regulations for the zoning district.

A Community Board member asked about the nature of the classes offered by Barry's. The applicant responded that Barry's will have gym equipment such as treadmills and small benches for free weights. The classes are a combination of work on the equipment and work with the free weights on the benches. Classes focus on different body parts (upper, lower, etc.). The applicant said that Barry's fosters an inclusive environment for all.

Another Board member asked about the length of Barry's lease. The applicant replied that the lease is long-term: a ten-year lease with two five-year options, meaning they are typically in spaces like this for up to twenty years. The applicant also stated that the special permit is unique in that it allows certain uses if they meet the findings set forth in the zoning resolution, and that this special permit would allow Barry's to operate this specific gym if approved. Only Barry's would be permitted to operate this gym, and any changes would need to go back before the BSA (and the Community Board) for an amendment. Furthermore, special permits for gyms are limited to a maximum term of ten years. At the conclusion of the ten-year term, Barry's would need to return to the BSA and apply for an extension.

The applicant also noted that the building's second floor has a commercial use, and residential use begins on the third floor.

A Board member asked about wheelchair and stretcher accessibility. The applicant responded that there is an elevator providing access between the cellar and first floors, and that the space will be fully ADA-compliant and compliant with fire egress requirements. The applicant was not sure how to answer the question about what EMTs would do in the event that someone needs to leave the establishment via a stretcher.

WHEREAS, this is an application for a special permit from the Board of Standards and Appeals to allow for the use of a physical culture establishment; and

WHEREAS, the proposed special permit would allow for the operation of a physical culture establishment, or gym, on the northern side of East 86th Street at 237-241 East 86th Street;

THEREFORE, BE IT RESOLVED THAT Community Board 8 **approves** the application for a special permit to establish a physical culture establishment as presented.

Community Board 8 Manhattan approved this resolution by a vote of 39 in favor, 0 opposed, 0 abstaining, and 1 not voting for cause.

2. Discussion of Virtual Meetings After Open Meetings Law Reinstated.

The Community Board discussed whether, in the event the Open Meetings Law is reinstated, to resume in-person meetings as a hybrid model with virtual meetings or continue virtual meetings in light of COVID-19. Some members expressed an interest in not resuming in-person meetings until there is a vaccine for COVID-19. Others expressed a similar desire to not meet in-person again until 2021 at the earliest. Those who were in favor of continuing virtual meetings for the near future felt that the virtual model still allowed for adequate public participation.

Some members felt strongly that in-person meetings have a unique quality that should be resumed as soon as the law permits given health concerns and therefore encouraged exploration of a “hybrid” model in which both in-person and digital access to meetings were provided. Some members expressed difficulty with executing this hybrid approach from a technological perspective. Many members were skeptical that the technological capacity existed. However, others felt it was too early to prejudge the possibility of hybrid meetings, particularly in light of how difficult it was to predict the viability of Zoom meetings several months ago, and given that no one has ever attempted a hybrid meeting.

A few Board members felt the Community Board, perhaps through a committee/task force and perhaps in conjunction with the Manhattan Borough President’s office, should attempt to identify what a hybrid model would look like.

The Community Board decided not to pass a resolution at this time, and instead voted to table the discussion.

Community Board 8 Manhattan voted to table this discussion by a vote of 41 in favor, 0 opposed, 0 abstaining, and 0 not voting for cause.

3. Community Discussion: How Community Board 8 can better support Black residents and business owners in our community.

The Community Board had a wide-ranging discussion on the state of Black-owned business in our community, and a broader discussion of racial justice. Several board members shared personal experiences of facing racism and racial injustice. Others shared their personal effort to acknowledge their privilege and determine how we as individuals and as a Board can most effectively address systemic racism.

The Board discussed gathering and publishing resources on increasing awareness of racial injustice. The Board also touched on specific areas, such as housing, where there may be opportunities to increase our focus on intersections with racial justice. The Board also discussed education, criminal justice, and the environment.

The Community Board also discussed establishing a committee or task force to address racial injustice. While the Board generally was supportive, there was discussion over how to do this while also recognizing the work of existing committees. The Board agreed that a racial justice task force would be established, and it would be determined how such a task force could work in conjunction with the Community Board's committees. It was also suggested that the task force should endeavor to be made up of members of the various committees to ensure that a wide range of expertise and viewpoints are included. Another suggestion was that the task force, or Community Board, produce a report on racial justice in Community District 8, comparable to a District Needs Statement. The discussion ended with the Chair asking members to reach out if they want to join the task force, and asking the committees to come up with a plan to tackle how racial inequalities and injustice relate to the issues in the committees' jurisdiction.

Alida Camp, Chair