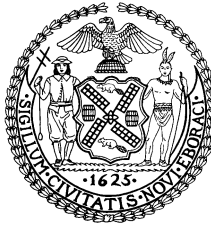


Alida Camp  
Chair

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**The City of New York**  
**Community Board 8 Manhattan**  
**Zoning and Development Committee Meeting**  
**Thursday, September 24, 2020 - 6:30PM**  
*This meeting was conducted remotely via Zoom*

*Please note: The resolutions contained in the committee minutes are recommendations submitted by the committee chair to the Community Board. At the monthly full board meeting, the resolutions are discussed and voted upon by all members of Community Board 8 Manhattan.*

**Minutes**

**Present:** Elaine Walsh, Elizabeth Ashby, Alida Camp, Adam Wald, Barry Schneider, Craig Lader, Gayle Baron, Lori Ann Boris, Rita Popper, Jane Parshall, Marco Tamayo, Michele Birnbaum, Barbara Chocky, Shari Weiner.

**Resolutions for Approval:**

**Item 3: Notice to Community Boards for Changes in Zoning Lot Designations**

This meeting was called to order at 6:35

**1. Advancing CB8'S Special Districts Proposal – and Stopping Too-Tall Buildings Before the Districts Are Achieved**

Elizabeth Ashby, co-chair introduced the issue and informed the Department of City Planning (DCP) representative that the Committee wants DCP to assist in facilitating the application and asked for an update on the process. CB8 is asking for a zoning change to facilitate the goal of 210' and special districts

Anthony Lechuga from DCP spoke about the Community Board's Pre-Application for two Special Districts that will create a height limit of 210 feet, save the tenements and low-rise buildings, and protect the local retail and service stores on First, Second, Third, and York Avenues. He stated that DCP still needs the Pre-Application Statement for the Application, which is the next step and needs to happen. He also stated that DCP staff does not support a 210-foot height limit but will work to facilitate the Application. He said that the department was awaiting a follow up to from Community Board 8's representative. (note the pre-application has been submitted)

It was reported that the Community Board did not yet have the funds to pay for consultants for the application but was working to acquire them.

Joshua Adams from the Department of Buildings (DOB) announced that his department cannot hold up permit applications before the enactment of the special districts. He said that a DOB plan examiner must review a proposal, including its compliance with the zoning resolution and stated that a proposal must comply with current zoning. It was made clear we are seeking change in zoning for the project.

Members of public spoke in support of the 210-foot height limit. A member requested a temporary moratorium on the destruction of smaller buildings within CB8 and stated that 67-70% of environmentally negative emissions emanate from these taller buildings and projects. A Committee Member spoke in support of the 210-foot height limit and stated that this restriction is a viable vehicle for supporting and increasing affordable housing and other items that CB8 needs. Another Committee Member inquired why DCP is treating CB8 akin to a private applicant and asserted that, as a public agency, CB8 should be afforded respect with regard to this issue.

## **2. Lenox Hill Hospital/Northwell Health – Update**

The NE corner of 76<sup>th</sup> and Park avenue and is no longer in play. Northwell will no longer sell to a developer for a residential tower.(residential tower). The Hospital plan still exceeds the zoning envelope – Lexington Ave zoned 175’ height limit Hospital plan calls for 500’+ . and no information on new design. Northwell was invited to provide a presentation but declined invitation and wants to wait till after the next task force meeting.

Regarding the Northwell plan for 3<sup>rd</sup> avenue—currently 14-story height. There is no restriction on height for this site. Gayle Baron (CB8): Attended Northwell pre-taskforce meetings, believes that “strength in numbers” impacted Northwell withdrawing (*how true!*); Alida Camp (CB8) Reiterates Gayle’s point: And hopes that Hospital will continue to take CB8 public input into design (and construction) processes.

## **3. Notice to Community Boards for Change in Zoning Lot Designations**

Anthony Lechuga from DCP reported that the department was in the early stages of a plan to notify Community Boards when zoning lots were merged. He stated that he cannot speak to the specific proposal, but added that DCP supports a local law that provides notice to Community Boards, the Borough President, etc., anytime that zoning lots are merged, increasing the transparency of zoning lot mergers.

Committee Members spoke enthusiastically about the proposal, welcoming greater transparency. They expressed the view that zoning lot mergers are impacting Upper East Side in a very negative way. Members also favored notification about all zoning lot changes, including divisions. The following resolution was passed unanimously:

**WHEREAS** the City Planning Commission proposes to inform Community Boards when zoning lot changes take place, and

**WHEREAS** Community Board 8 strongly supports transparency on these issues, and

**WHEREAS** CB8 wishes to ensure that all proposed zoning changes, including zoning lot divisions, be reported when an application is filed,

**BE IT THEREFORE RESOLVED** that Community Board 8 urges the City Planning Commission to proceed expeditiously with their proposal, and

**BE IT FURTHER RESOLVED** that Community Board 8 requests that all notification changes, including zoning lot divisions, be included in the proposal.

**Vote: 14-0-0**

**In favor:** Alida Camp, Adam Wald, Barry Schneider, Craig Lader, Gayle Baron, Lori Ann Boris, Rita Popper, Jane Parshall, Marco Tamayo, Michele Birnbaum, Barbara Chocky, Shari Weiner, Elizabeth Ashby, Elaine Walsh

**4. Privately Owned Public Spaces (POPS)**

CB8 has approximately 96 POPS. These spaces came about as a development bonus to developer's height for open space. There are approximately 96 POPS located in residential buildings. These spaces are to be open to the public. DCP and DOB are the city agencies that are responsible for POPS. A complaint was raised regarding Tony DiNapoli restaurant on Third Avenue and 64<sup>th</sup> St. It is currently being used for outside dining and is not open to the public. DOB responded to the complain and sent out inspectors. A violation was issued with a hearing date pending. There have been nine (9) complaints within CB8 and only three were issued a violation. DCP enforces regulations related to POPS.

There was limited support from the public and committee members for Tony Di Napoli to continue to operate using the POPS space, but the public still needs to use the space without purchase. If they are to continue to operate, they need to follow the process. This is a time limited position due to the pandemic and sunsets after the pandemic.

**5. Signage**

Signage in CB8 continues to be a problem. There are numerous violations and many have been referred to Department of Buildings. One site, the movie theatre between 3<sup>rd</sup> and 2<sup>nd</sup> Ave was identified, it was clarified that the marquee was allowed as it is anticipated that a new movie theatre is coming. If there is no movie theatre, then it will not be in compliance. DOB was asked to allocate resources to enforce signage regulations including the barriers on avenues and streets.

**6. Old Business – NONE**

**7. New Business**

The New York Blood Center is proposing to build a 16-story medical building on East 67-66<sup>th</sup> St. The location is zoned R8B residential building only. They plan to request rezoning and file for ULURP. NO other information known.

**Elaine Walsh & Elizabeth Ashby, Co-Chairs**