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**The City of New York
Community Board 8 Manhattan
Zoning and Development Committee
Tuesday, April 27, 2021 - 6:30 PM
*This meeting was conducted remotely via Zoom***

MINUTES:

Present: Elizabeth Ashby, Anthony Cohn, Gayle Baron, Michele Birnbaum, Alida Camp, Barbara Chocky, Rebecca Dangoor, Billy Freeland, Ed Hartzog, Craig Lader, May Malik, Valerie Mason, Peter Patch, Rita Popper, Elizabeth Rose, Marco Tamayo, Russell Squire, Adam Wald, Elaine Walsh

The meeting was called to order at 6:30.

1. New York Blood Center/Longfellow Tower

Co-chair Elizabeth Ashby announced that the representatives of the NYBC/Longfellow Partners team would not be joining the meeting as they had promised, citing a confusion over the purpose of this meeting in relation to the Committee of the Whole Land Use Meeting in May. Certification had come on April 19, as expected, and the ULURP “clock” began on April 29. The Community Board must make a recommendation as to approval or disapproval in 60 days (June 29).

Numerous comments from the public followed. Attendees (183 at the peak) were asked to voice approval or disapproval on each of the comments made by the public, which were limited to two minutes each, except for the first, by Marty Bell. The comments were almost universally against the proposal, with a partial exception for a representative of the Friends of St. Catherine’s Park. Notable were Mr. Bell, Council Member Ben Kallos, and representatives of the Julia Richman Education Complex, PS 183 and neighboring apartment buildings.

Mr. Bell made a slide presentation demonstrating the ways in which the NYBC/Longfellow presentations misrepresented the facts and underplayed the possible adverse effects of the proposed 340’ tall tower.

Council Member Kallos began by thanking the CB8 Zoning and Development Committee for beginning discussion of the proposal well in advance of the ULURP meetings in May. This afforded the public an opportunity to familiarize themselves with the proposal and its impact on the community. He eloquently reviewed the issues and ended his remarks with a request that the public make their voices and opinions heard at the deliberations of CB8, the Borough President, and the City Council.

Representatives of the educational facilities spoke of the noise, traffic, potential release of toxic pathogens and the constant shadows the project would generate.

Several apartment dwellers spoke to the light pollution the tower will generate, especially as it will be a 24/7/365 facility. One likened it to a torch in a dark forest. Others mentioned the loss of light to apartments along 2nd Avenue.

One member of the public asked whether there was a connection between Mayor De Blasio’s debt to Kramer Levin (the land use attorneys for the NYBC/Longfellow project) and his support for the project

and its rushed timeline. Two-thirds of the City Council are term-limited, as is the Mayor, he remarked, and so why not wait until a new Mayor and Council are elected?

One person commented, in connection with the noise and dirt during construction, that the Public Library, used by many neighborhood residents would be nearly uninhabitable through the four year construction period.

Board Members commented as well, focusing on the shadow, traffic, light pollution, and construction disruption the project will cause. Many spoke to the fact that the NYBC could build on their current site as of right and satisfy their entire building program. At least one Board Member described the rezoning scheme as “zoning for dollars”, noting that the zoning change would present a windfall in floor area for the NYBC without having to pay for the transfer of development rights, and requiring a variety of special permits in the “new” zone to build commercial laboratories.

2. State Senate Bill S2016 – Closing Zoning Loopholes

Co-chair Anthony Cohn introduced the next agenda item by describing the provisions of the proposed State law on mechanical spaces and voids in new buildings This law would amend the Multiple Dwelling Law to redefine floor area:

1. Currently
 - a. Mechanical Floors do not count as Floor Area
 - b. Floors can be of any height
 - c. Exterior spaces (without four enclosing walls), do not count as floor area
2. Proposed
 - a. No deduction for mechanical spaces exceeding 5% of building floor area
 - b. Floor height will be restricted:
 - i. Floors 12-24 feet in height (except for the ground floor) will be counted as two floors
 - ii. Floors 25-36 feet in height will be counted as three floors
 - iii. Floors 37-48 feet in height will be counted as four floors
 - iv. Floors 49 feet in height or greater will be counted as five floors
3. Spaces without walls that fall within the building footprint will count as floor area subject to the same height regulations as enclosed spaces.

After a brief discussion, a Board Member proposed writing a letter in support of the legislation. A motion was made and seconded to that effect, and all Board Members in attendance with the exception of Adam Wald voted in favor of the motion.

Much of the Old Business was very briefly discussed. The co-chairs announced the removal of the Governor’s zoning plan from the State Budget and the Task Force meeting scheduled to look at Speaker Cory Johnson’s “Planning Together” proposal.

A resolution was passed at the joint meeting of The Small Business and Zoning and Development Committees in opposition to the proposed zoning text change to simplify the process for the approval of Open Restaurants now that the City Council has voted to make that program permanent. The resolution was tabled at the April Full Board Meeting. As a result, the zoning text amendment was a topic for the Zoning and Development Meeting.

Alida Camp proposed a letter to the Department of City Planning expressing some of the concerns that the CB8 Community has relative to the possible effects of a permanent open restaurant program. A very lively debate ensued. Among the concerns voiced by Board Members were those of equity, preservation, and enforcement. The Department of City Planning had yet to make a presentation on this and other zoning text amendments, so there was very little to go on, but the majority seemed to agree that a letter outlining concerns in advance of a formal presentation might be helpful to the Department.

Others did not agree. Craig Lader proposed a motion for a letter to be written and submitted to the full board at the May meeting before distribution. That motion was moved and seconded, and a vote was held on the motion, which called for an unprecedented act on the part of the full board. The vote was:
IN FAVOR: (6) Malik, Squire, Lader, Dangoor Freeland, Rose
OPPOSED: (11) Cohn, Birnbaum, Camp, Walsh, Hartzog, Popper, Wald, Mason, Baron, Tamayo, Patch
ABSTAIN: (2) Chocky, Ashby

Alida Camp then proposed a motion for a “neutrally worded” letter of concern on zoning issues to be sent to the Department of City Planning. The motion was seconded and briefly discussed before the vote:

IN FAVOR: (16) Malik, Dangoor, Freeland, Rose, Cohn, Birnbaum, Camp, Walsh, Hartzog, Popper, Wald, Mason, Baron, Ashby, Tamayo, Patch
OPPOSED: (1) Lader
ABSTAIN: (2) Squire, Chocky.

The final agenda item related to the proposed special districts. DM Will Brightbill announced that the contract had been finally cleared by the City, and we could ask our consultant to sign and proceed.

The meeting was adjourned at 10:13 PM.

Elizabeth Ashby and Anthony Cohn, Co-Chairs