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The City of New York
Community Board 8 Manhattan
Zoning, Development, and Housing Committee
Tuesday, September 30, 2025 - 6:30 PM
Conducted remotely on Zoom

Minutes

Board Members Present: Michael Anderson, Elizabeth Ashby, Gayle Baron, Alida Camp, Anthony Cohn, DJ Falkson, Edward Harzog, Dylan Kennedy*, Valerie Mason, John McClement, Margaret Price, Elizabeth Rose, Sacha Sellam, Marco Tamayo, and Sharon Weiner.

**Public Member*

Approximate Number of Public Attendees: 30

1. Presentation by the Department of Buildings regarding After Hour Variance Permits.

The agenda topic was on the After Hours Variance permits for construction; what the rules are, and how they are implemented and enforced. Two representatives from the New York City Department of Buildings (DOB), Ophelia Phipps (Director of Intergovernmental Affairs) and Jamilah Belgrave Clyburn (Deputy Director of Intergovernmental Affairs), attended and made a presentation, followed by questions and comments from the Public and Community Board Committee Members.

The presentation, [DOB After Hour Variance Presentation](#), described the after-hours variance process, outlining extended hours and the permit process.

- a. After Hours Variance Permits can be obtained for work to be performed before 7 AM and/or after 6 PM weekdays and/or on Saturdays and/or Sundays. subject to the following conditions:
 - i. Permittee has developed an approved noise mitigation plan (authorized by the New York City Department of Environmental Protection [DEP]).
 - ii. Authorization from DOB may only be issued in the following circumstances:
 1. Emergency work inside or outside the property involves a threat to the public safety.
 2. Public safety, where the DOB determines that the work cannot be reasonably performed during normal hours (Monday-Friday 7:00 AM-6:00 PM) because of traffic congestion and our concern for workers'/public safety.
 3. City construction projects are necessary in the public interest.
 4. Construction activities with minimal noise impact.
 5. Undue hardship resulting from unique site characteristics, unforeseen conditions, scheduling, and/or financial considerations outside of the control of the permit holder.
- b. There is no theoretical limit to the number of After Hours Variance permits that a permit holder may apply for.
- c. The presentation concluded with a link to the Active After Hours Variances Map, reproduced here:
<https://www.nyc.gov/assets/buildings/html/active-after-hour-variance.html>

Questions from the public and Committee Members followed. General concerns included:

1. Approvals for after hours work that effectively extended throughout the project.
2. How to report noise violations or work without proper after hours authorization.
3. Who enforces noise regulations (not the DOB, but the DEP).
 - a. 311 complaints about construction noise go directly to the DEP.

- b. DEP charged to investigate – DOB does not have equipment to test for excessive noise.
- 4. Penalties for improper use of after hours variances.
- 5. General lack of enforcement of noise and construction hours violations.

****If a member of the public files a 311 complaint with respect to an ongoing project, they should also reach out to the local Community Board office and provide the 311 complaint number.**

The Committee moved on to Old Business at this point.

2. Old Business

No items of Old Business were discussed.

3. New Business

Alida Camp suggested that an effort be made to document the loss of affordable, rent-regulated, and “workforce housing” within Community Board 8 Manhattan so as to offset the Charter Revision Proposals that would unduly weight new “easing of regulations” rules.

There being no further Old or New Business, the meeting was adjourned at 8:26 PM.

Elizabeth Ashby, Anthony Cohn, and Ed Hartzog, Co-Chairs