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Land Use, Landmarks & Planning Committee January 13, 2016 - 6:00 p.m. Bonifacio Senior Center 7 East 116th Street, NY NY 10035

- Present:** Beverly Alston, Adem Brija, Holley Drakeford, Alvin Johnson, Alex Kohen, Keith Massey, Frances Mastrotta, Xiomara Pedraza, Theresa Richardson, Vincent Torres, Steven Villanueva, Candy Vives-Vasquez, Jemar Ward, Marie Winfield, Jonathan Winstone, Angel Mescain (staff)
- Excused:** La Shawn Henry, Marissa Mack
- Absent:** Andre Vital, Jesse Yang
- Guests:** Pearl Benton; Sondra Youdelman, CVH; Ghanniyya Green, Manna House; Frances Mastrotta, CB11; Maria Welles, PTH; Jenny Arkins, PTH; Chris Cirillo, Lott; Courtney Libon, Legal Aid; Ernado Villanueva, PWF; Kaliya Garcia, Micayla Garcia and Angela Mureel, Chenchita Garden; Cheryl Forsyth; Dennis Osorio, CVH; Edward Carra, CVH; Jules Feinman, 97-98 Lex-Park; John Valldares, BFC; Ray Figueroa, NYC Community Garden Coalition; Pearl Barkley, CVH; Lydia Guerrero, CVH; Winnie Mou; Cirio Dolon; Rosa Ibarra; Georgina Laki; Rosa Custodio, CLT; Kamala Redd, Chenchita's Garden; George Sarkissian, City Council; George Janes, CB11 consultant; Daisy Gonzalez, CVH; Adam Lubinsky, WXY; Ray Tirado, CVH; Ahmed Tigani, MBPO; Diane Collier, CB11; Shawn McLearn, Placeful; Brodie Enoch, CB11

1. Call to Order – Adoption of the Agenda

The meeting was called to order at 6:03pm.

Vincent Torres made a motion to adopt the agenda, which was seconded by Candy Vives-Vasquez and passed unanimously.

2. Informational Updates

None.

3. Presentations/Discussions

- a. Informational presentation and request for feedback on Affordable Housing Development, Zoning & Land Use subgroup recommendations of the East Harlem Neighborhood Plan

Sandra Youdelman from Community Voices Heard began presenting the Affordable Housing Development Zoning and Land Use Plan of the East Harlem Steering Committee. She began with a Facebook video detailing the process. She provided a review of the East Neighborhood Plan process, including the ways in which feedback could be transmitted or any questions/comments be submitted. She further described the feedback received at the Visioning Workshops and the introduction to the Objectives and Recommendations.

Adam Lubinsky, a facilitator from WXY Studio who has been assisting in the Planning process, presented on the geography of East Harlem and areas in which some of the recommendations may affect.

Chris Cirillo, Executive Director of Lott Community Development Corporation, presented on the Affordable Housing Development / Zoning & Land Use Recommendations. He reminded the audience that this presentation was in addition to other groups that may have overlapping interests. He proceeded to discuss Objectives 1 to 3 and the associated recommendations.

Adam Lubinsky continued the presentation and provided the overview of the Zoning & Land Use Subgroup. He proceeded to explain and introduce the three objectives and the related recommendations. The goal was to evaluate potential zoning changes that could support increased zoning for the purpose of increased use and affordable housing (and related objectives presented).

Ms. Youdelman noted that Recommendation 2.10 was skipped because it was included in the zoning maps portion of the presentation per the heading on the appropriate slide.

Following the presentations, the presenters received questions from members of the Committee and members of the public.

Steven Villaneuva asked about Slide 13 in terms of overall needs and whether it accounts for 15 year expected loss. The presenters clarified that this did not include the units lost. Me. Villanueva also asked if on Slide 24 it was considering issues with mid-construction enforcement. The presenters clarified that the plan is just a plan and requires actually working with interested parties. There is also additional discussion to consider the impact of labor in the EIS process and that other tools may be available. It was also noted that the next step is the implementation portion of these recommendations. In addition, the Economic Development and Workforce group is also looking into labor issues. Ahmed Tigani from the Manhattan BP's office also noted that this is less of a developer's plan and more of a community plan. Current development is occurring without any planning or visioning or community input so this plan is a step towards improving that.

Alvin Johnson noted that, at the workshops, others preferred the AMI to be based on the zip codes rather than just the AMI and that the language should be considered in that fashion. Mr. Johnson also noted that there is a need to consider how to use the urban renewal action plans throughout the neighborhood.

Xiomara Pedraza raised a question on community preference and the difficulty that developers may have regarding meeting the community preference guidelines. Ms. Youdelman noted that Housing Preservation spoke to those issues.

Holley Drakeford expressed concerns on how monetary issues are considered and whether the government (including the federal government) would be involved. Ms. Youdelman noted that the plan needs to consider how to lobby the federal government to that effect. In addition, she noted that having the city invest additional funding and what to do with it. Mr. Tigani noted that there are discussions about what tools can be given to developers to assist in making sure this happens effectively.

Marie Winfield expressed concerns on the transparency of the process and the speed with which the plans were raised. Ms. Winfield noted that the Public Advocate's look to review "Worst Developer's List" and potential legislation to support this could be appended to the Plan and that such developers should not be permitted to submit RFPs. Ms. Winfield also noted that the community agreements need to be strengthened and enforced but also historical agreements need to be reviewed to ensure that they are being abided by. Ms. Winfield also recommended that warehoused units should not be entitled to up zoning benefits. Ms. Winfield further recommended greater transparency of the surveys conducted by the Plan be stated as actually polled participants (and not just indicative of the overall population). Ms. Youdelman noted that the data is based on the participants at the Visioning workshop and that other surveys include a broader group but noted that there are or should be clear total polled numbers. Mr. Tigani noted that contractors are subject to an enhanced watch list at HPD. Council members have observed this and noted that it is not strong enough and that there may be legislation to strengthen this.

Vincent Torres highlighted the issue of wages for construction work in a number of settings where prevailing wage laws apply. Mr. Torres also noted that the ability of contractors to change entity names frequently makes tracking bad contractors difficult. Mr. Torres noted that the possibility of non-Union work and non-prevailing wage work may be insufficient to accomplish the goals. Mr. Torres concluded that there should be a prevailing wage requirement and how to secure that.

Frances Mastrota discussed Page 35 and Recommendation 3.5 and noted the issues affecting the Pleasant Village Gardens and the possibility of a particular location being used for specific green projects.

Jemar Ward raised a question on plans other than the Viaduct north of 125th Street and the reasoning behind the absence of attention north of 125th. Similarly, what is the reason for the lack of attention west of 3rd Avenue. The presenters noted that there were some public sites and pipeline sites that may be potential development sites. Mr. Ward noted the possibility of certain abandoned building developments or potential re-use projects. Mr. Tigani noted that the Garden District or the other districts.

Alex Kohen noted that Recommendation 1.2 and 2.1 seemed to present different goals. Presenters noted that the AMI bands listed were informational only. Jonathan Winstone noted that the Recommendation didn't detail achieving certain bands. Mr. Tigani noted that AMI bands are not captured by most HPD programs. Mr. Winstone suggested that the bands presented could be used in similar fashion to meet the affordable housing goals. The presenters acknowledged that this was briefly discussed. The at or below 30% was a specific goal but the remainder was avoided to preserve flexibility on the overall targets going forward and the difficulty of setting one overall target for all potential developments with the uncertainty of MIH.

Theresa Richardson reiterated the need to separate the AMIs by zip code. Candy Vives-Vasquez noted that at the Visioning Workshop the goal of 50-30-20 was discussed and that even in this plan families living off of SSI are being largely ignored so those families need to be considered more fully in setting the AMI bands. Ms. Vives-Vasquez noted that a nearby development had an income band restriction relevant to the discussion. Mr. Tigani noted that these individuals are being considered and that the up to 30% of AMI language does capture these individuals and that there is hope for other projects or subsidies to support this as well. Mr. Vital suggested considering percentage of income.

Members of the public asked questions as well.

Nancy Perkins raised a question about whether tall, high buildings are truly necessary or if lower buildings are possible to make sure quality of life can be met. The presenters noted that some of the zoning rules are intended to cover height restrictions while permitting greater density.

Ray Figueroa wanted to commend the inclusion of Recommendation 3.5 but noted that some community gardens are missed and the concept should be expanded. Mr. Figueroa further noted the competing legislation being considered as well as issues related to tracking vacant land. Mr. Figueroa further noted issues regarding oversight and accountability and suggested similar proposals to the participatory budgeting process. Finally, Mr. Figueroa noted the success of community garden collectives and promotion of such efforts.

A member of the public wanted to discuss vacant buildings and blighted buildings and whether or not eminent domain was considered. Similarly, are speculative apartment purchases being evaluated? Mr. Tigani noted that members of the Council have been considering and that he would follow up on specific plans. Mr. Tigani noted that there are limitations that prevent fully addressing these concerns. With regards to investment apartments, there are legislative efforts in the Council and in the State Legislature to address this.

Brodie Enoch noted the failures of use of AMI for affordable housing. Mr. Enoch further echoed some of the comments made by members of the Committee. In particular, Mr. Enoch noted that Community Land Trusts may be the solution to addressing issues with developers/contractors.

Gustavo Solis raised a question about if the affordability was permanent and if the affordability recommendations were in competition with the MIH plan. Mr. Solis also raised a question on public land disposition prior to any affordability restrictions being implemented. The presenters noted the goal is for affordability to be permanent. The recommendations are for HPD sites that are not yet disposed of and HPD is aware of the recommendations and the community's interests so RFPs will hopefully consider the community's interests.

Edward Carria expressed concerns with warehoused units/buildings and the potential harms of zoning changes for such warehoused apartments. What rezoning can take place for such warehoused units? The presenters noted that warehoused units were discussed in the context of rewarding with more residential upcoming but have not looked at potentially converting into commercial uses.

A member of the public raised a question regarding the community land trust recommendations and whether or not the city subsidies are covered. CLT has been being discussed and is being considered further. LINC programs and other

Adem Brija raised a comment on warehousing units. Mr. Brija noted that non-warehoused units that are rented at high rents are just as problematic as warehoused units.

4. Old Business

None.

5. New Business

- a. Alvin Johnson wanted to discuss the 111th Street and 112th Street potential site disposition and RFP process. Mr. Johnson noted that the Committee should form a task force to consider that site and the possibility of increased affordable units.
- b. Frances Mastrota noted that there was an HPD meeting at City Hall to discuss community garden relocations. Alvin Johnson had noted similar concerns. George Sarkissian noted that HPD is planning an engagement process.

6. Announcements

- a. The Final Community Forum of the East Harlem Neighborhood Plan will be held on Wednesday, January 27, 2016, from 6:00pm-9:00pm at El Museo del Barrio, 1230 5th Avenue.
- b. Candy Vives-Vasquez noted that the building adjacent to the Bonifacio Center had an application process for seven affordable units.
- c. Angel Mescain noted that the New York City Council Committee on Public Housing would hold a public hearing on the NextGeneration NYCHA Development Plan on Tuesday, January 26, 2016 at 6:00pm at Holmes Community Center (1792 First Avenue)

7. Adjournment

Beverly Alston made a motion to adjourn, which was seconded by Jemar Ward and passed unanimously. The meeting was adjourned at 8:20pm.