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Land Use, Landmarks & Planning Committee
Wednesday, March 11, 2015 6:00 p.m.
Bonafacio Senior Housing
7 East 116th Street, New York, NY 10035

- Present:** Beverly Alston, Adem Brija, Diane Collier, La Shawn Henry, Marissa Mack, Keith Massey, Frances Mastrota, Vincent Torres, Jemar Ward, Matthew Washington (ex officio), Angel Mescain (staff)
- Excused:** Holley Drakeford, George Gallego, Alvin Johnson Theresa Richardson, Candy Vives-Vasquez
- Absent:** none
- Guests:** George Janes, GMJTA; Xiomara Pedraza, New School; Lucian Reynolds, MBPO; Cathleen Mc Cadden, AM Wright's office; Diana Ayala, Speaker Mark-Viverito's office; Gabriel Hernandez, AM Rodriguez' office; Robert Anzagasti, NERVE; Anne Kadamani, NERVE; Thehbia Walters, HPD, Kevin Parris, HPD; Raul Rodriguez, EHCCI; Thomas Brown, Acacia; Louis Kunda, Local 79

Meeting called to order at 6:00 p.m. by committee chair La Shawn Henry.

1. Call to Order – Adoption of the Agenda
2. Presentations/Discussions
 - a. Review of Land Use Application # C 150211 ZMM (see attached)

The NYC Department of Housing Preservation & Development seeks approval for the:

- designation of an Urban Development Action Area and approval of an Urban Development Action Area Project (UDAAP);
- disposition of City-owned property located at East 120th Street and First Avenue, Block 1808, p/o Lot 8; and
- a zoning map amendment to rezone a portion of the Development Site and approximately 5,198 additional square feet in the same tax lot from R72 to R7X/C1-5

to facilitate the construction of a 12-story mixed-use development project at the northeast corner of 120th Street & 1st Avenue adjacent to the existing East Harlem Multi-Service Center, 413 East 120th Street. The project would include 179 units of affordable housing, 5,450 sf of ground floor retail space, 3,970 sf of community facility space, 9,410 sf of

private outdoor recreation space and 27 ground level accessory parking spaces. Thirty-six (36) of the units will be affordable to households earning up to 40% of AMI, one hundred twenty-five (125) of the units will be affordable to households earning up to 60% of AMI and eighteen of the units will be affordable for households earning up to 90% of AMI.

The 60-day community board review period of this application must be completed by April 13, 2015. Please note: This ULURP application will be the subject of a public hearing at CB11's Full Board meeting on March 17, 2015

Raul Rodriguez, Executive Director of the East Harlem Council for Community Improvement and Thomas Brown of the Acacia Network presented on the above noted development. In developing this plan, they have taken into consideration community preference for housing, a marketing plan, and financial management workshops to assist with the application process. They have considered local hiring and local vendors, implementing these needs in the contracts and they are working to set up an apprentice program with Coop Tech, where young people would gain skills and be available to work with members of the community. They professed their commitment to helping the community and are taking all appropriate measures to make this pledge real and inclusionary of current East Harlem residents.

Vincent Torres wanted to know when the project is set to start. Representatives indicated in about a year.

Marissa Mack wanted to know the ramifications for the contractors if they do not adhere to the requirements set for in their contract for local hiring, etc. Representatives indicated contractors will be exposed to penalties if they do not adhere to the contract requirements but exact language has not yet been set forth.

Angel Mescaín wanted to know the breakdown of units. Representatives indicated 36 units would be affordable to households earning no more than 40% of AMI, 125 units at no more than 60% of AMI and 18 units at no more than 90% of AMI.

La Shawn Henry asked about the discrepancy with the initial application. Representatives explained the current application gives room for the wider range of applicants and includes the units at 90% of AMI.

Angel Mescaín wanted to know who will manage the properties. The Representatives indicated a decision has not been made as of yet.

Jemar Ward made a motion to approve Land Use Application #C150211ZMM, submitted by the NYC Department of Housing Preservation & Development for the designation of an Urban Development Action Area and approval of an Urban Development Action Area Project (UDAAP); disposition of City-owned property located at East 120th Street and First Avenue, Block 1808, p/o Lot 8; and a zoning map amendment to rezone a portion of the Development Site and approximately 5,198 additional square feet in the same tax lot from R72 to R7X/C1-5. The motion was seconded by Keith Massey and approved with one present not voting (Torres).

- b. Presentation on the "421-a" Property Tax Exemption Program and ANHD's policy reform proposal

Emily Goldstein of the Association for Housing and Neighborhood Development (ANHD) presented on the history of the 421-a program and its impact on the development of properties in NYC (presentation attached). The 421a program is up for renewal in June 2015 at which time, there will either be changes to the current program or it will end all together. Leaning towards the idea that most likely the plan will continue, ANHD is in support of the program with certain reforms. These changes include insuring affordable units are included throughout all boroughs and if affordable housing is not offered, a public benefit should be offered in its place. ANHD is also in favor of dropping the acceptable AMI levels to reach lower income households and preventing the practice of “double dipping” whereby developers get multiple tax breaks for the same residential units. ANHD is also in support of compliance and regulation reviews to ensure developers are in fact setting aside the affordable units.

La Shawn Henry wanted to know how many affordable units have been built as a result of the 421-a program. Ms. Goldstein indicated that only 7% of units created were affordable for fiscal year 2013.

Marissa Mack wanted to know how the city would track and enforce the affordable units offered in a plan. Emily noted ANHD would like the city to charge Developers a fee that would pay for tracking and enforcement carried out by HPD.

Diane Collier wanted to bring into the discussion the idea of small business, construction jobs, and monies for schools and culture in the stead of the 421-a plan and highlight the need for these areas. Emily indicated in the past, ANHD has really only focused on housing but economic development has been discussed recently and is tied into their program. The decisions they make will look over all development going forward.

Angel Mescaïn wanted to know what state representatives have been saying about the policy. Emily indicated the rent stabilization has been somewhat more of a focus with state representatives but 421-a plan will more than likely continue. The structure of the plan however, has not been finalized as of yet.

Matthew Washington wanted to know in the event the program ended, what kind of impact that would have on future development. Emily indicated the removal of the tax abatement would not take away the desirability of the developers in the area. They would continue to build and move forward, just with a smaller profit margin.

c. Report from CB11’s Land Use and Zoning Consultant

Prior to George’s presentation, CB11 Chairman Matthew Washington made note of the Mayors’ plans for rezoning in several neighborhoods around the city, including East Harlem. He emphasized the need for members of the board and the community to come together to get our voice heard and ensure our wants are known and taken into consideration.

George Janes, CB11’s Land Use Consultant presented on the rezoning efforts and the more in depth wants and needs of CB11. He indicated the Department of City Planning provided feedback to our 2013 rezoning recommendations and what they are specifically looking for from us. A more detailed neighborhood plan would include visions on infrastructure, transportation, education, etc., which will map out exactly what we want East Harlem to look like on all levels. Ideas to discuss include more open space to use

within the community, the 125th Park Ave Viaduct, East River Plaza Development, public housing etc.

Beverly Alston wanted clarity on the rezoning plan we worked on for some years and why the plan we laid out was not sufficient for the neighborhood development plan currently being requested. Mr. Washington explained that this neighborhood plan enhances the issue we previously discussed and looks at these wants/needs a little more in detail.

Marissa Mack suggested taking previous recommendations from various sources that have presented to the community board, to lay the ground work for a more in depth study using that information in the neighborhood plan. Mr. Janes explained that we can in fact use that information and build on it going forward.

Frances Mastrota wanted to ensure that the parks, open spaces, east river esplanade and the pier at 107th street, are issues that are addressed in this plan when it's time to present.

Diane Collier wanted clarification on what areas are included in neighborhood plan for East Harlem. Clarification was given that includes all of East Harlem excluding Randall's & Wards Islands.

La Shawn Henry indicated the plan needs to be more in depth, more holistic view and that the Board would, in the upcoming months, look at everything within the neighborhood as a whole.

Jemar Ward asked if there should be a separate brain storming meeting on the topic. Mr. Janes indicated that should be the next steps. Ms. Henry indicated there will be a plan for a task force but we should also discuss this topic together as a committee and board.

3. Old Business

none

4. Announcements

none

5. Adjournment

Vinny Torres made a motion to adjourn which was seconded by Beverly Alston and passed. The meeting was adjourned at 8:37pm.

Minutes prepared by: Marissa Mack