



**THE CITY OF NEW YORK
COMMUNITY BOARD 9
MANHATTAN**

Morningside Heights
Manhattanville
Hamilton Heights
Sugar Hill

Housing, Land Use, and Zoning Committee Meeting

Hon. Signe Mortensen, Hon. Liz Watkus, Co-Chairs

Hon. Juan Colmenares, Hon. Ilana Mercado, Hon. Annette Robinson, Hon. Barry Weinberg, Hon. Patricia Ramos, Hon. Eddy Antoine, Committee Members

DATE: Tuesday, September 12, 2023

TIME: 6:30 pm

MINUTES

Attendees

Committee members present: Signe Mortensen, Liz Waytkus, Annette Robinson, Ilana Mercado (virtual), Joan Colmenares (virtual), Patricia Ramos (virtual), Barry (late)

Committee members absent: Eddy Antoine

Public member attendees: Anita Cheng (virtual), Olga Salcedo

Other community board attendees: Clayton Sanford, Heather Jason

Other attendees: Tiffany Khan (virtual), Audrey Watts (virtual, Department of City Planning (DCP)), Xia Jiang (virtual), Sean Grennan (virtual), Cheryl Kyler, Carla Gorniak (virtual), Donna Young (virtual), Yuien Chi (virtual), Joseph Onorato, Andres Orejuela

I. Call to Order

The meeting commenced at 6:40 PM with Co-Chairs Signe Mortensen (SM) and Liz Waytkus presiding. Despite the presence of three committee members in person and two joining via Zoom, a quorum was not achieved. SM opened the floor for friendly amendments, but there were none proposed.

II. Adopt Agenda

Due to the lack of quorum, no official action was taken.

In the meeting, Xia Jiang, a community member, inquired about the ongoing trash containerization pilot. Responding to this, SM initiated a brief discussion on the pilot, focusing on its potential implications for homeowners, and included it under the new business agenda. LW then took the opportunity to encourage him to attend the full board community meeting for a more detailed discussion on the matter.



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III. Adopt Minutes

The minutes from the June meeting were recorded but have not been distributed yet. No action was taken regarding this matter.

IV. Introductions/Presentations/Announcements

Committee and public members, including Signe Mortensen (SM), Liz Waytkus (LW), Annette Robinson (AR), Ilana Mercado (IM), Patricia Ramos (PR), and Olga Salcedo (OS), introduced themselves briefly at the beginning of the meeting. SM took the opportunity to encourage those interested to apply for positions as public members.

In other news, SM announced the "Team Up To Clean Up" event, a community cleaning initiative that originated in CB9 and has expanded throughout West Harlem. The event is scheduled for October 7th, from 10 am to 1 pm. Participants can sign up to receive cleaning supplies, which can be picked up from designated hubs, encouraging residents to clean their respective blocks. More information and sign-up details can be found at www.tinyurl.com/tu2cuwh

For further clarification on the terminology used during the meetings, attendees were advised to visit the [FAQ page](#) of the HLUZ committee where various acronyms are defined.

V. New Business Discussions

a. 2025 FY budget requests

The upcoming fiscal year 2025 will commence in July 2024. The primary agenda for the next meeting is to scrutinize and potentially amend the budget requests made for the fiscal year 2024. SM encouraged members to subscribe to the mailing list in order to stay informed about the latest updates concerning the budget. Additionally, SM requested that committee members review the budget requests from the previous year and come prepared to propose any necessary modifications. It was also announced that an official public hearing regarding the budget request is scheduled for the end of October.

b. Mayor's agency plan

Skipped initially due to Barry's initial absence.

c. City of Yes Text Amendments

The "[City of Yes](#)" initiative, spearheaded by the Adams mayoral administration, proposes several changes to the city's code. The first phase, focusing on [carbon neutrality](#), has already made its way through community boards and secured approval from CB9. This process necessitated undergoing the ULURP procedure and obtaining the green light from the community board. The next items on the agenda are fostering [economic opportunity](#) and [housing opportunity](#).

Audrey Watts (AW), representing the Department of City Planning (DCP), informed that community boards should gear up for the review process concerning economic opportunities, set to



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begin on October 11th. The boards will have a 60-day window to offer their insights. SM suggested that the DCP could present the plan to the CB9 HLUZ committee either in October or possibly November, to discuss the proposed amendments in detail. AW pointed out that the latest updates are available on the official website and encouraged everyone to check out the [public information session](#) recorded on September 12th, coinciding with the HLUZ meeting, for more comprehensive information.

VI. Old Business; Subcommittee/taskforce reports

a. Impact of trash containerization on homeowners.

The Uniformed Services & Transportation committee is primarily responsible for overseeing the trash containerization program, but SM urged community members to voice their opinions from their perspectives as homeowners at the HLUZ meeting as well.

Community member and homeowner Sean Grennan expressed that the program's rollout, which involved placing large metal bins in front of residences, adversely affected many homeowners. Committee members shared that the Department of Sanitation (DSNY) had presented the plan at the June full board meeting but failed to communicate explicitly about the program's rollout. SM acknowledged the lack of transparency in the rollout and emphasized the importance of noting the concerns of homeowners.

Patricia Ramos (PR) highlighted the issue of the bins occupying parking spaces, a sentiment echoed by homeowner Xia Jiang (XJ). XJ also criticized the inadequate communication surrounding the program and expressed concerns about the insufficient number of bins provided for each block, fearing a potential buildup of trash outside his home. SM mentioned observing flyers about the program in her neighborhood, while Jiang worried about the potential liabilities associated with trash accumulation in front of his property. Carla Gorniak informed that the bins have been positioned on 152nd Street and mentioned an information session that indicated plans to place metal bins on 153rd and plastic bins in other areas. Liz Waytkus (LW) noted that the community board had not been informed about these sessions, which were advertised through flyers on buildings in the affected blocks.

Annette Robinson (AR) suggested contacting Councilmember Abreu, a significant supporter of the pilot program, to address these concerns. Cheryl Kyler brought up the issue of reduced parking spaces on the 152nd Street block due to the program, adding that other spots were being used by Zipcars. Tiffany Khan pointed out that, except for the NYPD, all agencies had faced budget cuts from the mayor. She urged those affected by the program to hold their elected representatives accountable for such issues. Lastly, Donna Young remarked on the scarcity of parking spaces and mentioned that 142nd Street was excluded from the pilot owing to its designation as a historic district.

b. Legislation we are watching



Liz Waytkus (LW) mentioned that the summer recess is nearing its conclusion and as of now, she is not aware of any pertinent legislation that is underway.

Anita Cheng (AC) brought up an event discussed during a city council meeting concerning affordable housing, details of which can be found in Appendix A. LW urged individuals to attend the subcommittee meetings to gain insights into the legislative developments regarding the transfer of government property for affordable housing purposes.

c. Developments we are watching

633-641 West 142nd St

LW discussed a proposed development at the intersection of Riverside Drive and 142nd Street, which began its ULURP process in 2020. The current site is zoned as R7A, allowing for structures up to 70 feet or 7 stories high, but presently houses a 4-story building. The developer had proposed a rezoning to R8A to facilitate the construction of a 17-story building. This proposal was rejected by the community board and then-Council Member Mark Levine, primarily due to concerns about the potential loss of the historic fabric of the proposed historic district on 144th Street. The buildings at the site have remained vacant since the initiation of the ULURP process, with scaffolding erected in front of them. The developer had aimed to acquire 7 buildings to combine into a larger structure, but faced resistance from one owner who recently passed away. Despite this, the developer is seeking to purchase an additional lot and has submitted a demolition permit for 635, 637, and 639.

SM communicated and shared documentation with Council Member Shaun Abreu regarding the project, asserting that they intend to reject a subsequent ULURP application. Despite hopes to the contrary, LW anticipates no intervention from the Landmarks and Preservation Commission (LPC) and foresees a potential ULURP return next year. This raises the question of the community's demands and expectations for this project. SM questioned the rationale behind the Department of Buildings (DOB) issuing demolition permits for a project that hasn't been fully planned. Yuien Chin advised against notifying the developer of the community's contemplation of alternatives, advocating instead for opposition to the project, as it doesn't present an equitable trade-off to accept affordable housing in exchange for a large building. Tiffany Khan (TK) referenced a 2015 inquiry that uncovered bribery within the DOB, calling for federal oversight of government agencies to prevent such occurrences. LW mentioned that a resolution was passed in February, promoting the establishment of the new historic district. Clayton Sanford (CS) emphasized the necessity of prioritizing the development of affordable housing in any negotiations or engagements concerning the project.

1727 Amsterdam Ave

SM brought up the matter of the recently issued demolition permits for the property at 1727 Amsterdam. She noted that a resolution from CB9 in June 2023 stipulates that the process should have ULURP approval, a requirement that seems to contradict the city's interpretation. The discrepancy stems from a disagreement over whether the property is owned by the city or the Health



& Hospitals department. SM proposed the possibility of drafting a resolution concerning the demolition. In response, Liz Waytkus (LW) clarified that as of now, the 1727 Amsterdam address does not have an approved demolition permit.

620 West 153rd St

SM updated the committee on the developments at 153rd Street, noting that the building construction is nearing completion. She announced that the affordable housing lottery for the property would be opening soon. SM also mentioned that CB9 was not involved in the process as the construction was carried out as-of-right, meaning it complied with the current zoning regulations and therefore did not require any special permits or approvals.

Child's Memorial (1763 Amsterdam)

SM provided an update on the developments at 1763 Amsterdam, the site formerly known as Child's Memorial. She mentioned that Barry Weinberg (BW) has been in touch with the developers regarding the project. The negotiation process with the developers has spanned several years, primarily due to AG James's office nullifying the initial deal. The new development plan includes the establishment of a shelter, featuring units that comprise two-bedroom apartments and larger studio spaces. Additionally, a building in the vicinity, which is owned by the developer, is set to be converted into permanent affordable housing. The project is currently in a holding pattern, awaiting the Mayor's Office of Contract Services and the Comptroller's office to finalize the contract for the Community Benefits Agreement (CBA). On a related note, Victor Edwards (CB9 chair) confirmed that the green fence surrounding the site has been mended and is in good condition.

LW brought attention to a building situated between 3571-3579 Broadway (spanning the area between 146th and 147th streets), where tenants have recently vacated. She highlighted a notice displayed on the building indicating that the tenants are under the Tenant Protection Program (TPP). This notation suggests that the city might have concerns regarding the landlord's management practices, potentially involving violations or disputes that necessitated protective measures for the tenants.

d. RKO Theater site

Dan Cohen, a member of Community Board 9 (CB9), has actively participated in discussions concerning the future plans for the site in question. SM emphasized the importance of the HLUZ committee collaborating productively with other committees to facilitate the best outcomes. LW mentioned that she is exploring potential funding opportunities from Bank of America to support the theater project at the site. The West Harlem Development Corporation (WHDC) has also expressed interest in participating in the project. SM advocated for collaboration with various groups to guarantee the inclusion of affordable housing in the development plans for the site.

Joseph Onorato, a community member, inquired about the continued interest of the Classical Theater of Harlem in the project, remarking on the slow progress thus far. Ilana Mercado, who is



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also a member of the Arts & Culture committee, referenced a discussion spearheaded by Dan Cohen in the Arts & Culture Committee, where concerns about the delayed process were raised and discussed.

e. 640, 644 Riverside

Olga Salceda (OS) brought up ongoing maintenance issues encountered at the buildings located at 640 and 644 Riverside Drive, indicating a need for attention and resolution.

f. Public members updates

SM initiated a discussion with public members, inquiring about the projects they were interested in participating in.

Anita Cheng (AC) expressed her interest in persisting with the efforts concerning the RKO Theater site, aiming to contribute further to the project.

In anticipation of upcoming meetings, SM and LW are seeking individuals to monitor developments at various sites and to keep an eye on the Zoning Application Portal (ZAP). Clayton Sanford (CS) volunteered for this role.

To facilitate a deeper understanding of project histories, SM suggested that volunteers create one-sheets summarizing key details and developments. Responding to this, Andres Orejuela (AO) volunteered to compile such a document for the 1727 Amsterdam project. Building on this idea, TK proposed the creation of YouTube videos to document and share project histories, a concept that interested AO, TK, and AC, who are considering involvement in this initiative.

g. HDFC updates

Anita Cheng (AC) presented a list of priorities concerning HDFCs (Housing Development Fund Companies) for the committee's consideration. These priorities included:

- The removal of HDFCs from the Alternative Enforcement Program (AEP), a move supported by Council Members Abreu and Brewer.
- Advocacy and support from local council members for the implementation of Article XI provisions.
- Securing financing for essential capital repairs and other necessities.

The discussion shifted to the role of the HDFC Resource Center as a potential monitor. Barry Weinberg (BW) pointed out a potential conflict, noting that the HDFC Resource Center was originally established as a neutral entity, and assigning it a monitoring role might compromise this neutrality. SM argued that the role of the Resource Center is supervisory, overseeing other monitors and filing reports in cases where monitors fail to fulfill their responsibilities adequately. Andres Orejuela (AO) highlighted the existing monopoly concerning the selection and appointment of monitors.



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h. TIL updates

i. Manhattanville Houses updates

As of the current update, there hasn't been any official news regarding the developments at Manhattanville Houses. However, there are circulating rumors that the PACT (Permanent Affordability Commitment Together) office has dismantled both the office space and the model room.

j. Film and TV Taskforce updates

Ilana Mercado (IM), who previously spearheaded the Film and TV Taskforce, shared updates during the meeting. She mentioned that, due to her involvement in numerous other commitments, she would appreciate if other individuals could take the lead in this taskforce. IM highlighted that the taskforce was initially established to address quality of life concerns arising from the extensive filming activities taking place within the district. It also aimed to foster better communication with production companies to ensure smoother operations and less disruption to the community.

SM inquired about the involvement of the Arts & Culture committee with the taskforce, wondering if there was any collaboration or engagement between the two entities. IM clarified that, to the best of her knowledge, the Arts & Culture committee has not been actively involved with the taskforce. This update seems to indicate a potential opportunity for increased collaboration between the HLUZ and the Arts & Culture Committee on this taskforce.

k. Morningside Rezoning

Barry Weinberg (BW) provided context on the ongoing efforts concerning the rezoning in the Morningside area. He mentioned that the city council collaborated with CB9 to formulate a rezoning proposal before presenting it to the Department of City Planning (DCP), which is highly unusual. This initiative encountered resistance from DCP, particularly regarding the downzoning of certain sites and feedback on structures that were brought into non-compliance due to the proposed changes.

A question arose during the discussion: Why is CB9 pushing a zoning proposal? BW explained that the current zoning lacks height restrictions and limitations on air rights transfers. The proposed rezoning aims to implement Mandatory Inclusionary Housing (MIH) provisions on upzoned lots, while simultaneously establishing height caps to preserve the neighborhood's character. Additionally, the rezoning plan includes transit benefits like the installation of an elevator at the 125th Street station.

VII. Action Items



The committee was unable to proceed with action items due to the lack of a quorum, with only 4 of the 8 members present in-person (after BW arrived). However, it was mentioned that the Executive Committee retains the authority to present resolutions before the general board, despite the inability to vote on action items during this meeting.

BW brought forward two resolutions concerning a pair of impending demolitions in the area. He suggested creating a third resolution addressing the demolition procedures of the Department of Buildings (DOB) to be presented in October. BW notes the possibility of existing laws that govern the demolition of buildings housing rent-regulated units, indicating that this aspect should be explored further in crafting the resolution.

a. Resolution about 142nd St demolition

BW proposed a resolution concerning the demolition at 142nd Street and the associated ULURP processes. The resolution would acknowledge previous decisions regarding demolition and ULURP, highlight the discovery of demolition permits, and advocate for the revocation of these permits. Additionally, it would announce an intention to oppose an upzoning of the site in the ULURP process, emphasizing that the R7A zoning was deliberately chosen for that area to prevent the development of high-rise buildings, thereby preserving the existing character of the neighborhood.

A poll was conducted to determine the level of support for urging the executive committee to pass the proposed resolution. The results were as follows:

HLUZ Members: SM: Yes, LW: Yes, JC: Yes, PR: Yes, IM: Yes, AR: Yes, BW: Yes

Public Members: AO: Yes, OS: Yes

Other Community Board Members: CS: No

Public: TK: Yes, AO: Yes

The majority of the members and public attendees voiced their support for the resolution.

b. Resolution about 1727 Amsterdam demolition

BW proposed another resolution concerning the demolition at 1727 Amsterdam. The resolution would reiterate previous opposition to the plans at 1727 Amsterdam and criticize the potential issuance demolition of demolition permits.

A poll was conducted to gauge the support for urging the executive committee to pass this resolution. The results were as follows:

HLUZ Members: SM: Yes, LW: Yes, JC: Yes, PR: Yes, IM: Yes, AR: Yes, BW: Yes

Public Members: AO: Yes, OS: Yes

Other Community Board Members: CS: Abstain

Public: TK: Yes, AO: Yes



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The majority of the members and public attendees expressed their support for the resolution.

VIII. Adjourn

At the conclusion of the meeting, Annette Robinson made a motion to adjourn, which was seconded by Barry Weinberg. The motion was carried, and the meeting was officially adjourned at 9:08 PM.

The minutes were respectfully submitted by Clayton Sanford.



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Appendix A: Event shared by Anita Cheng

Committee on Housing and Buildings

Pierina Ana Sanchez, Chair

Members: Shaun Abreu, Alexa Avilés, Charles Barron,

Tiffany Cabán, David M. Carr, Eric Dinowitz, Oswald Feliz, Crystal Hudson

City Hall

New York, NY 10007

Tuesday, September 26, 2023 10:00 AM Committee Room - City Hall

T2023-3821 Int 0362-2022

Int 1031-2023

Oversight – Affordable Housing Development Pipeline.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of housing preservation and development to report on the disposition of city property for affordable housing development

A Local Law to amend the New York city charter, in relation to a fair housing plan, and to repeal local law number 133 for the year 2018, in relation to affordable housing plans

Jointly with the Committee on Land Use