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THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD SIX
211 EAST 43RD STREET, SUITE 1404
NEW YORK, NY 10017

**Manhattan Community Board Six
Land Use and Waterfront Committee
December 10, 2018 6:30 PM
433 1st Avenue (NYU Dental School), Room 220**

Meeting Minutes

Present Members:

Sandro Sherrod (Chair), Adam Hartke (Vice Chair), James Collins, Lawrence Scheyer, Ann Seligman, Lou Sepersky, Letty Simon, Elaine Tai, Kathy Thompson

Absent: Kathleen Kelly, Sandra McKee, Terrence O'Neal, David Tsin

Guests and Members of the Public: Asher Baumrin (Sen. Brad Hoyman), Stephanie Chan (Manhattan Borough President Gayle Brewer), Sarah Dougherty (Waterfront Alliance), Jay Goldstein, Esq. (Attorney for Applicant), Molly Hollister (Chair of Community Board 6), Jeff Leb (Representative of Applicant), Nabeela Malik (NYC Dept. of City Planning), Sara Newman (Keith Powers), Gary Vinbaytel (Representative of Applicant), Claude L. Winfield (Member of CB 6), Anton Mallner (Resident of CB 6), Monisha Nariani (Resident of CB 6)

Call to Order and Adoption of the Agenda/Previous Meeting's Minutes

The meeting was called to order at 6:35 PM by Chair Sandro Sherrod, and the agenda, as amended per request of Lou Sepersky to discuss the Heliport RFP resolution, was adopted. The minutes for the previous meeting on Thursday November 8, 2018 were adopted.

Committee Business

Agenda Item #1: Public Hearing on [ULURP Application C180481 ZMM](#), an application to rezone 245 East 53rd Street to allow for commercial uses on the ground floors in the rezoning area

A public hearing was held on a private application from 245 East 53rd Street Realty LLC (Block 1327, Lot 19), for a zoning map amendment to map a C2-5 commercial overlay on an existing R8B district along the interior block of East 53rd Street between Second and Third Avenues affecting its 6-story, mixed use building under construction at 245 E

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53rd Street. This affects the parts of Blocks 1326 and 1327 that face E. 53rd St. (between 2nd Ave. and 3rd Ave.).

Jay Goldstein, Esq. (Law Office of Jay Goldstein, 356 Fulton Street, Suite 101, Brooklyn, NY 11201) appeared on behalf of the applicant.

The property, 245 E. 53rd St., is a 25'-wide, 2,500 sq. ft. lot on which a 9,546 sq. ft. 6-story condominium building is now under construction. The approved use of the ground floor right now is for a community facility. However, the developer would like to broaden the range of possible uses for the building's commercial space to include small retail, as well as restaurants and bars – business activities in ground floor and basement spaces that occupy both sides of the block. According to the 1961 Zoning Resolution map, these are pre-existing non-conforming uses, and they have continued, as such, to this day. The proposed zoning map amendment would allow the subject parcel, which was not occupied by any building prior to construction, to enjoy similar uses to the older buildings on either side of E. 53rd St., and it will legalize the current, decades-long non-conforming uses at 19 out of 27 covered lots.

Per George M. Janes, AICP, CB6's land use consultant, this change does not constitute spot zoning. Also, it was noted, that this zoning change would not trigger a requirement for Mandatory Inclusionary Housing ("MIH").

No member of the public spoke in favor of or against the application.

Pursuant to a motion made by Lou Sepersky (who expressed frustration about the limited availability of alternative remedies), and seconded by Jim Collins, the Committee supported a Resolution of No Objection.

Vote: 8 For, 0 Against, 0 Abstaining, 0 Not Entitled to Vote

Agenda Item #2: Presentation from the Waterfront Alliance on Waterfront Edge Design Guidelines (WEDG)

Previously, on June 10, 2015, Community Board Six adopted the WEDG guidelines to assist with the planning and evaluation of all waterfront projects in the board area.

Sarah Dougherty, representing Waterfront Alliance, made a PowerPoint presentation and advised WEDG guidelines are becoming a nationally applicable standard (instead of just applying to NYC). She reminded the committee of the need for new waterfront

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development to be Resilient and Ecologically Sound, Provide Public Access, and Promote Maritime Activities. The siting of buildings needs to be responsible – to avoid the risk of flooding. She showed pictures of and lauded the example of Hunters Point South as waterfront construction that is resilient, and which had public input on the design.

Members of the committee urged the Waterfront Alliance to have its representatives attend and provide its input on the coastal protection designs being discussed at public meetings about the East Side Coastal Resiliency plan affecting this community, one of which is being held at Hunter-Brookdale Auditorium (across the street) on 12/11/18 at 6:30 PM.

Ms. Dougherty also circulated a suggested draft resolution addressed to Borough Boards that was intended to augment the previously-passed resolution. Ann Seligman made a motion, seconded by Kathy Thompson, to affirm the Committee's previous resolution, and augment it by encouraging waterfront developers to our district to reference and to follow WEDG guidance. Ann Seligman agreed to draft the new resolution.

Vote: 9 For, 0 Against, 0 Abstaining, 0 Not Entitled to Vote

Agenda Item #3: Heliport Resolution

Lou Sepersky sought to have four principal points clarified in the resolution he had been drafting for consideration at the Wednesday 12/12/18 Full Board meeting concerning the heliport and the Community Board's input with NYC Economic Development Corporation ("EDC"):

1. EDC staff turnover and lack of continuity results in unprepared/uninformed representatives attending meetings.
2. Create of a Community Advisory Board and/or community liaison with EDC to discuss common concerns.
3. Raise concerns about potential for expansion of heliport into river beyond existing bulkhead – which will present hazard to navigation for ferryboats using E. 34th St. Ferry Terminal.
4. Object to stealthy increase in number of flight operations from 28,000 to 28,000.

Lou agreed to draft the language, which will be circulated in advance, and approved at a committee caucus before a vote is taken at Full Board.

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OLD BUSINESS:

CB6 Chair Molly Hollister advised that EDC is close to selecting the heliport operator, and she is in contact with Morgan Jones and Radhy Miranda at EDC.

Committee Chair Sandro Sherrod urged committee members to participate in the Coastal Resiliency public meeting on 12/11/18 at Hunter-Brookdale.

NEW BUSINESS:

It was observed by several committee members that the southerly part of the district (which was never subject to a 197(a) plan) is undergoing lots of development. Several current development sites were mentioned. Of particular concern in the future, as pointed out by Claude L. Winfield, is the Beth Israel site along the north side of E. 17th St. that has been reapportioned into two lots between Gilman Hall and the parking lot. This issue will be on the committee's radar – for future discussion.

ADJOURNMENT: 7:55 PM

Minutes taken by Lawrence Scheyer