

Appendix 9:
Comments Received on the
Draft Environmental Impact Statement

Government Agencies



NICOLE MALLIOTAKIS
Member of Assembly 64th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

Office of the Chairperson

JUN 11 2019

Malliotakis

MINORITY WHIP

RANKING MINORITY MEMBER
Committee on Governmental Employees

COMMITTEES

Aging
Corporations, Authorities & Commissions
Education
Rules
Ways and Means

June 3rd, 2019

Marisa Lago
Chairperson
City Planning Commission
120 Broadway, 31st floor
New York, NY 10271

Dear Chairperson Lago,

I find the recent land use proposal that would require homeowners in Staten Island's Special Districts to essentially relinquish the autonomy they hold over a significant portion of their property to be total government overreach and a non-starter for homeowners in the borough. I stand with my local City Councilmembers and Community Boards in my vehement opposition to this plan, the most obvious reasons for which I will outline in this letter.

Most glaringly is the fact that this proposal fundamentally tramples over the property rights of anyone who purchases a home in the Special Districts by barring the construction of any non-permeable fixture or surface on twenty five percent – or, in some cases, even more – of the land. Barring homeowners from installing a pool or extending their home within their own property lines not only inhibits them and their families from enjoying and making use of their land, but also devalues their investments by discouraging any potential buyers looking to make these additions should the homeowner decide to sell. I 1

Despite having limited use of their land and being subjected to stringent requirements to plant enough trees of sufficient diameter to accrue enough “tree credit” to make changes to their property, land owners will still be required to pay property taxes on the entire lot, including the portion they are restricted from building on. In a Council District that already pays the highest property tax rate in all of New York City, we should be less considered with tree credits and more concerned with offering property tax credits to homeowners getting even more raw of a deal than they had before.

Additionally, I am troubled by the lack of engagement the commission has had with local civic associations, residents and elected officials. It is clear by the unanimous vote against your proposal by Community Board 3 earlier this week that there is little to no support for these measures and this should not be forced upon residents against their wills. It seems that this disregard for community input is foreshadowing the City's plans to streamline the approval process for developments on tracts of lands within the Special Districts by removing Community Boards from the decision making process. I for one would rather leave decisions regarding development of my land in the hands of my neighborhood Community Board as opposed to a city-wide bureaucratic agency like the City Planning Commission. I 2

Lastly, this plan's proposal to combine all three Special Districts on Staten Island into one blanket district is a misguided attempt to centralize the needs of our communities and does not take into account the unique ecological qualities of each area that warranted their individual distinctions in the first place. There is no way to meet the requirements of all three Special Districts without either needlessly imposing certain restrictions on some properties that will not stand to benefit from them, or alternatively failing to implement regulations that would preserve the wellbeing of certain neighborhoods.

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I urge you to please reconsider this proposal and take into consideration how it will inevitably impact the many Staten Island residents living in these areas currently.

Sincerely,



Nicole Malliotakis
Member of Assembly, 64th District

CC:

City Council Speaker Corey Johnson

City Council Minority Leader Steven Matteo

City Council Minority Whip Joseph Borelli

City Councilmember Debi Rose

Community Board 3 Chairperson Frank Morano

No # 31866

cc

Christopher Hadwin

Danielle J. DeCerbo

Beth Lebowitz

Olga Abinader

Stephanie Shellooe

Christopher Holme

Aleena Farishta

Laurance Fauconnet

Alana Murphy Intern)

NYC Parks

Statement in support of the proposed zoning text amendment for the Special Districts in Staten Island and the Bronx

Forestry, Horticulture, and Natural Resources, NYC Parks

New York City is home to over 22,000 acres of natural areas, almost 12% of the city's land area. NYC Parks manages over half of these grasslands, wetlands, and forests. These habitats are critical infrastructure for the city – where people can enjoy a respite from city life, and from which many benefits flow, including flood protection and thermal regulation.

New York City's natural areas are also critical for migratory and resident wildlife, including diamondback terrapins, ospreys, leopard frogs, monarch butterflies, snowy egrets, wood thrush, and more. The parks in the Special District in the Bronx – Riverdale, Raoul Wallenberg Forest, and Seton Park – are the backbone of this leafy neighborhood. These parks include some of the only riparian hardwood forests in the city, with large basswood trees.

The natural habitats that are found beyond Parks borders face real threats from development. For example, in the five-year period from 2004-2009, impervious surfaces (like parking lots) in New York City increased by 2,600 acres, often at the expense of natural habitats¹. The proposed zoning amendment will help to better protect these habitats.

We at NYC Parks are proud of the work we are doing to safeguard natural resources on Parks property. The proposed updates for the Special Districts will enhance these benefits and better secure their provision into the future by better preserving and enhancing natural resources on private property while at the same time preserving neighborhood character.

We would like to express our support for the proposed amendment in general. For example, the amendment codifies best practices and specifies standards for minimum tree cover and percent cover hard surfaces. In addition, we would like to call attention to three features of the proposed update that are particularly important for the protection and enhancement of benefits from natural resources.

The first feature is the dual requirements to protect a portion of existing habitat on sites that are larger than one acre and to maintain a biodiversity garden. The patches of habitat that remain following development will be critical stepping stones for wildlife like native pollinators while also serving to absorb stormwater. Research has shown that small patches of a quarter-acre in size can significantly improve connectivity across a landscape and bolster wildlife populations². Biodiversity gardens will further enhance the ecological value of these remnant patches of habitat.

The second part of the proposed amendment for which we would like to highlight our support is the requirement of establishing buffers on properties adjacent to natural areas. These buffers help to enhance the quality of publicly held habitat. They also serve to enhance the parklike neighborhood

¹ Nowak, D.J., Eric J. Greenfield. 2012. Tree and impervious cover change in U.S. cities. *Urban Forestry & Urban Greening* 11:21-30.

² Rudd, H., Vala, J., & Schaefer, V. (2002). Importance of Backyard Habitat in a Comprehensive Biodiversity Conservation Strategy: A Connectivity Analysis of Urban Green Spaces. *Restoration Ecology*, 10(2), 368–375.

character. Finally, they can moderate negative impacts from private properties that adjoin publicly held natural areas. For homeowners, these buffers can help to decrease flooding risk.

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Third, we wish to express our support for the promotion of native plantings in the zoning text. Native plants provide many benefits to the environment and the landowner. They aid in waters savings over conventional gardens, lower maintenance costs and reduced noise pollution from traditional mowing. Also they provide connectivity for nature's services such as pollination, water retention, and wildlife habitat.

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The proposed update to the zoning text will ensure that future generations of New Yorkers will be able to enjoy the myriad benefits of a healthy environment – clean water, clean air, flood mitigation, and nature recreation – while also sustaining the many wild species of plants and animals that can be found today in the Bronx and across the city.

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Community Organizations

Bronx Chapter of the American Institute of
Architects



The Bronx Chapter American Institute of Architects

Antonio Freda, AIA
2480 Hoffman Street, Bronx, New York 10458-6015
Tel: (718) 364-8200

President

Email: fredadesign@hotmail.com

June 26, 2019

Marisa Lago, Chair
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Re: Proposed SNAD Applications #C1904032MX & N190430ZRY

Dear Chairperson Lago:

The Bronx Chapter of the AIA hereby commends the Bronx Office of City Planning for its vision and effort in updating and modernizing SNAD regulations for the Riverdale-Fieldston-Spuyten areas. Recently, the proposed City Planning Commission (CPC), for a "Special Natural Area District" in Staten Island, has been officially withdrawn by CPC. Unfortunately, the proposal for the Riverdale area continues to move through the Land use review process. This proposal has not been updated; is vague, missing text, and includes incorrect wording related to Staten Island. There is significant Community and Community Board (CB) 8 pressure against continuing the public review process. Therefore, the Bronx Chapter AIA recommends that CPC withdraw this flawed application.

However, it is our hope that if the proposal illogically continues and arrives at the City Council, Councilperson Andrew Cohen will respect the wishes of CB8 and its community to request that CPC reconsider moving forward until the proposal is rewritten with the appropriate corrections/updates and in dialogue with CB8.

Sincerely yours,

Anthony Freda, RA/AIA
President Bronx Chapter AIA

cc: CB8 Chairperson, Rosemary Ginty
Councilperson, Andrew Cohen
Bronx Borough President, Ruben Diaz

Bronx Council for Environmental Quality

From: [Bronx Council for Environmental Quality](#)
To: [Carol Samol \(DCP\)](#)
Subject: [BULK] Demand NO ACTION option on Bronx SNAD
Date: Tuesday, August 27, 2019 12:33:03 AM



[Click to view this email in a browser](#)

spring1_top.jpg



Demand the NO ACTION option on the Bronx

Dear Environmental Friend,

The Special Natural Areas District (SNAD) in the Bronx is being changed by City Planning.

The proposed change would allow construction of impervious surfaces and lawns within buffers can impair buffer function by clearing trees, altering existing wetland hydrology, and increasing thermal impacts. As you know, grass lawns and landscaped areas can hamper infiltration, increase storm water runoff velocity and, due to residential and/or commercial fertilizer use, dramatically increase nutrient loading to wetlands and waters.

The proposal would relax restrictions and allow widespread development in areas previously determined ecologically sensitive, such as Alder Brook, Harlem and Hudson Rivers, Riverdale and Raoul Wallenberg Parks.

It would allow development on properties of less than one acre in affected areas to avoid City Planning review and the public participation which it entails, in favor of Buildings Department approval.

Finally, it would allow community facilities to build more and preserve less than what is required of homeowners, and eliminate environmental review for certain institutional projects.

If you have any questions, contact karen@bceq.org

What you can do to help. Send an email now, (cut, copy and paste)

To: snad@bceq.org

(the email will go to: City Planning, 19DCP083Y, Council Member Cohen, Assemblyman Dinowitz, and Bronx Community Board 8)

Subject: [I demand the NO ACTION option on 19DCP083Y](#)

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I demand the NO ACTION option on 19DCP083Y and oppose your proposal.

Thank you,
Name
Address

Add more info if you want. You can forward this email to others and get them to send the email. The more letters that City Planning receives, the better our chances of beating this. That is what they did in Staten Island, and the City withdrew their changes.

City Planning Commission Hearing Wed., Aug. 28, 10 am

Join us at the

Public Hearing on
Wednesday, August 28 at
120 Broadway, Concourse Level
New York, NY
10 am to

You only have 2.5 minutes to speak so it's easy!

Thank you

We want to thank you for helping to preserve and restore our environment. The City of New York is already 72% impervious! The Bronx side of the Harlem River Watershed is 66% which is better but more can be done. We estimate that the SNAD is about 50% but that is not mentioned in the DEIS. **(CEQR 19DCP083Y)**

We can classify stream quality levels by percent imperiousness. Streams in an area of ranging from 1 to 10% impervious cover are "stressed streams." In 11 to 25% impervious cover areas, streams are impacted. And in areas of 26 to 100% impervious cover, streams are degraded. In fact, research indicates that watersheds are demonstrably and irreversibly degraded when as little as 10% of their surface area is covered by impervious surfaces.

[Link to my website](#) We will post more information on our site.

Other interesting events

BCEQ Board Meeting is Wednesday, September 11 from 6 to 8 pm, Van Cortlandt Park Alliance Garden near the Horse Stables. Bring your own sandwich/salad and drink. Dessert will be served. rsvp@bceq.org



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Bronx Council for Environmental Quality
80 Van Cortlandt Park South
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BRONX, New York 10463
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[Read](#) the VerticalResponse marketing policy.

Robert Fanuzzi, Ph. D., Bronx Council for Environmental Quality

Testimony to the City Planning Commission

August 28, 2019

ULURP Application C 190403 ZMX

The application before you today asks you to abolish the zoning text's section 105-942, the Special Natural Area District of Riverdale. That lists the natural features of the special area. It says that the purpose of the zoning district is to "preserve and protect the aforementioned natural features." Nothing could be more straightforward.

The new section 143 in the A-Text does more than abolish this district. It defines zoning terms for natural resources that are in turn overlaid on the "aforementioned natural features." It was written that way because SNRD was never supposed to be about a locality: it was a city-wide text and map change. Staten Island districts may have been excised in the text, but their inclusion in a citywide SNRD still governs the application's approach to Riverdale. Worse yet, so does the Environmental Impact Statement for this application. Its findings of "no-impact" are classified as city-wide and based on the inclusive SNRD: a clear mismatch. On those grounds alone, this application should be withdrawn. Can the CPC approve an application that is limited to a locality with a citywide EIS?

I do not know the administrative precedent or consequences for such an action But it is clear to me from the hours I have spent on the zoning A-text, the May 3 notice of DEIS completion, the July 30 Post-DEIS Technical Memorandum, the 26 chapters of the EIS and its 8 appendixes that the Bronx is lost in this zoning text and EIS, its environment not mapped and its environmental impacts not assessed. You learn next to nothing about the Bronx environment and its natural features from the appendices to the zoning text and this citywide EIS. Instead, you learn about the zoning changes that will in turn redefine what a natural resource is. This is the biggest change to the text revision and the fatal flaw of the EIS: it tells you about the zoning but not the natural resources that it is supposed to preserve.

Now that might have made sense when this was a citywide SNRD, inclusive of Staten Island. Now that it's just Riverdale, can you proceed without a quantified inventory of natural area acreage, an inventory of natural features, of the Special Natural Resource District you intend to establish? This EIS is qualitative—it presents conceptual or prototypical development scenarios in the abstract. I found just one map, 9-35,

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identifying “significant natural communities,” a grouping of trees. I am frankly shocked that this is the extent of the asset mapping. Can you really reach a conclusion of no impact if you haven’t actually measured what could be lost? Can you measure success or failure without a baseline? The SNRD is not set up for this purpose. It is designed to give applicants a say in shaping the natural environment through incentives and guidelines and options and exemptions. So by definition, environmental preservation is a moving target.

As a member of Bronx Community Board 8 Working Group, I saw the DCP reaching for environmental goals. But as member and President of the Bronx Council for Environmental Quality, I must conclude that I do not find the environmental measurements and methodology in these documents sufficient to assure that the zoning change will meet these goals. If you accept this EIS, we are flying blind.

In my time remaining, I’m going to make three arguments that I hope move you to take “no action” and ask DCP to refile.

First, consider that 1.9 percent of the properties considered in the original SNRD district remains. If you’re going to undergo a citywide zoning text and map change for 1003 properties, you’d better have a pressing reason. With the withdrawal of Staten Island, this application **has lost its reason for being**. Past SNAD applications in 1975, 1981, 1985, and 2005 were driven by community input and needs. Despite outreach and feedback, this one bears the evidence of top-down planning. Instead of working with the community to change or improve SNAD, the applicant, DCP proposes to abolish it. No community member or group has advocated for the end of SNAD. No one has measured what it saved, and what it surrendered. We have no measure of its effectiveness, or lack thereof.

Second, without a compelling community demand for it, **SNRD is a solution in search of a problem**. Consider the environmental resources and problems faced by Bronx Community Board 8. The proposed SNRD lies on Riverdale Ridge, a steep slope. It is adjacent to two rivers, the Harlem and the Hudson. Runoff, flooding, and resiliency are the problems that need solutions. The city is under US EPA consent decree. But amazingly, the EIS does not list the Harlem River or the Hudson as natural resources. It uses databases, such as DEC’s, that are designed for wetlands and wetland permitting. Fine. But if you borrow your research from other agencies, you don’t get the primary source data you need to make informed, local decisions. The EIS even says that the “Proposed Actions could decrease the amount of private open space on commercial and institutional development sites.” Can anyone with experience with the Hebrew Home application, and the subsequent finding by DEP that the local pumping stations do not have the

capacity to accommodate additional wastewater flow, that increased development on large sites will not have an environmental impact? I direct you to the zoning text section 143-42, and the trade-offs and exemptions given to large plan review sites, to section 143-46, and its provisions for the modification of bulk requirements for community facility uses; and finally, section 143-414, and its eye-blinking exemptions for Open Area and lot coverage for treatment health care, non-profit hospitals, and proprietary hospitals. Hello CCRC! These are the very institutional challenges that bring conflict and crisis to every Bronx Community Board 8 large site ULURP applications. There are just too many loopholes in the zoning text for a credible no-impact EIS finding.

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Lastly, let me be blunt: **“balance” is just not an environmental goal.** It’s not a development goal. It’s just a word. It doesn’t meet the criterion for a purpose as defined by CEQR law. If you want development, just say so. And measure the consequences in your EIS. If you want preservation, say so. And establish your baseline in the EIS. Don’t use the EIS to restate your policy or your zoning definitions. Use your EIS to talk about the environment and determine whether what you’re going to do will increase or decrease quantitatively measured natural resources. I’ll say this. Even this fatally flawed EIS already concluded that the “proposed changes will likely decrease the amount of open space private open space on commercial and institutional development sites.” These are the sites that the community knows will determine the fate of Riverdale’s natural resources. Do you want to embark upon an unsolicited zoning text and map change that opens the door to commercial and institutional development and self-serving definitions of natural resources? I sincerely hope not, and complete the process begun by my friends on Staten Island District 1, 2, and 3 by taking no action on this ULURP and sending it back to DCP for a CEQR compliant definition of environmental purpose and a community-based application.

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Bronx Council for Environmental Quality
comments to the generic
Draft Environmental Impact Statement
Special Natural Area District - SNAD NA-2



Alderbrook (stream) overflow during and after heavy rain, September 29, 2011

Water flowing down
West 247 Street and
Alderbrook Road



Date September 9, 2019

In response to:
BRONX SPECIAL NATURAL AREA DISTRICT UPDATE
(FORMERLY STATEN ISLAND AND BRONX SPECIAL DISTRICT UPDATE)
CEQR No. 19DCP083Y
ULURP Nos.: C190403 ZMX, N190430 ZRY
and N190430 (A) ZRY

Introduction

Right here in the North Bronx, we have an amazing piece of nature – 900 acres in the big City -- where people have discovered a way to live in and protect their watershed by limiting landscape development to only 30% cover. This is quite a feat! Congratulations to the SNAD protectors in creating the urban rain forest. There are probably only a few other areas of the city that would fill this prescription -- Jamaica Bay comes to mind, as does our own Van Cortlandt Park with even less than a 7.5% impervious cover. Savor these areas – the lungs and the kidneys of the City, as they are just as important as our highways, subways, and stock market in keeping the heart of the City beating.

In the City of 9 million people, the development cover is at 72%. The Harlem River Watershed Plan in the Bronx, which covers CB 4, 5, 7 and most of 8, is 66% impervious. In understanding how unique and significant this is, we turn to science. Tom Schueler of *The Center for Watershed Protection*, classifies stream quality levels by percent impervious:

- 1% to 10% are stressed,
- 11% to 25% are impacted, and
- 26% to 100% are degraded.

In fact, research indicates that watersheds are demonstrably and irreversibly degraded when as little as 10% of their surface area is covered by imperviousness. This impacts runoff volume quite dramatically that 1-inch of rain over 1 acre of

- open space will typically generate 218 cubic feet of runoff.
- a paved parking lot will produce 3,450 cubic feet of runoff -- nearly 16 times more

The SNAD NA2 of Riverdale – Spuyten Duyvil – Fieldston is already delineated and protected. While the city reaches 72% build-out, the SNAD managed to survive with only 30% impervious cover -- in spite of DCP's policy to allow applications 50% hard cover.¹ Let's look at the area as an urban Natural Area Watershed – an oasis, if you will, and begin a stakeholder managed watershed group with subgroups reflecting the landownership distinctions. Separate working groups of homeowners, multi-family residential, community facility institutions, and municipal agencies.

Instead of complicated zoning amendments, choose indicators of living creatures. Easily found in this fragile ecosystem is a large array of bugs, caterpillars, birds, trees, native plantings and rain gardens, natural integrated pest management processes, large rain gardens strategically placed to promote infiltration. All these indicators will be evident and can be demonstrated by examining the flow levels in local catch basins. A good plan will show lower flow levels as the land becomes more sponge-like and runoff is absorbed, temperatures are lowered, storms are not as severe than other parts of the City. It will also cost less to provide these ordinary city services because of the protections voluntarily accepted in this area. Of course, there will be a goal to this big experiment. Let's lower the 30% impervious cover by 1% each year for a 5-year study period.

This is an opportunity of a lifetime, a cutting edge for an urban environment. Time to take a stand and pull the EIS. Create a SNAD NA -2 Watershed Plan. Thank you.

¹ FSCOW, page 25: “.....DCP has established a guideline that lots should generally have no more than 50 percent coverage by impervious hard surface areas surfaces.”

SUMMARY

The Bronx Council for Environmental Quality (BCEQ) is a 48-year old 501c3 dedicated to a sound environmental policy for the Bronx. BCEQ is recognized as a vital environmental policy and research resource for advocates reviewing many city policies that impact water management, watershed protection, waterfront development, parkland, and the optimization of non-permeable space. We advocate for nature-based solutions to urban environmental problems, and evaluate both SNAD NA2 and the proposed SNRD for their contribution to these solutions.

Based on this evaluation, BCEQ finds that the Draft Environmental Impact Statement (DEIS) prepared in accordance with CEQR is fatally flawed and does not. BCEQ takes the position that CPC should adopt the NO ACTION alternative under this CEQR application. Abolishing Special Natural Areas District (SNAD) in the Bronx without a constructive environmental policy based on the measurement and function of natural resources is unacceptable. The DEIS contains no evidence that SNRD serves environmental goals. We urge CPC to call for a new DEIS or a supplement for the following reasons.

There is no scientific, quantitative calculation in the SNRD DEIS on the impact--past, present, or future--of the spread of impervious surfaces in the area. The Department of City Planning's (DCP) proposed change would allow property owners to increase impervious surfaces and lawns and other hard surfaces within sensitive buffers which will impair aquatic resources, alter existing wetland hydrology, and increasing thermal impacts. These actions were not examined in the proposed DEIS. If left unresolved, this mistake will hamper infiltration, increase storm water runoff velocity and, due to residential and/or commercial fertilizer use, dramatically increase nutrient loading to wetlands and waters. Because DCP did not recognize the scientific changes from the past decades, the critical nature of stormwater runoff's impact on the landscape, impervious surfaces were not examined, impacts were not identified, and no mitigation was proposed. This is a critical and fatal flaw. But it does not end there.

The DEIS fails to identify an environmental purpose for SNRD and does not document the need to change the current 1975 SNAD purpose, to "protect, maintain, and enhance their natural features" to the proposed SNRD goal, to "balance development and ecological goals;" No evidence has been provided for a change in SNAD; no reasonable and lower impact alternatives beyond the required No Action alternative are proposed. The DEIS restates policy instead of documenting the impact of SNAD through its many incarnations.

The DEIS reaches its no impact conclusion based on critical environmental policy mistakes and research gaps. It does not adopt the 30 % impervious surfaces in the Bronx SNAD, of such buildings and landscape areas, to ascertain the impact on the ecosystem; it does not define impervious surfaces, or its mitigation - green infrastructure; understand the engineering benefits of Green Roofs, which need deeper roots and therefore the minimum of 3 inches should be changed to a range of 8 to 12 inches; it does not establish a baseline of existing conditions, making it impossible to tell if the change from SNAD to SNRD will have an impact; it does not accurately list the community facilities and institutions in the SNAD, which effects the calculation of non-permeable surfaces, the number of lots and acres of the different categories of 10,000 sf, less than one acre, greater than one acre; it omits natural resources such as the Harlem and Hudson Rivers,

and Alderbrook stream from its Natural Resource map; it reverses the DCP's own 197a's recommended 2005 Zoning change for all SNADs from the 46,000 sf to 10,000 sf; it does not even mention the Long-Term Control Plans for Combined Sewer Overflows and MS4 or include letters from interested agencies as is customary, such as from the Departments of Environmental Protection, and Parks and Recreation, etc.; it does not explain why these changes are needed in SNAD NA-2 but no longer in Queens and Staten Island; and lastly, it remains categorized as a citywide DEIS for a citywide SNRD, contradicting the purpose of the updated ULURP and imposing policies designed for citywide natural resource management on a single district without adequately or accurately cataloging its own natural resources.

This document begins with a list of "fatal flaws" in the DEIS that will make SNRD unable to serve as a natural resource management instrument. The document then evaluates the SNRD DEIS process meeting environmental policy (such as generic, impact assessment, comparative alternatives, etc.), and proposes the missing alternatives that are consistent with local community efforts and environmental research, that will improve the function of the natural resources in SNAD NA-2.

In the end, we support lowering impervious surfaces, and starting watershed protection with green infrastructure low impact development guidelines in support of natural preservation and restoration against sprawl.

We urge DCP to reconsider this flawed study of environmental impacts and to recognize SNRD as an equally flawed environmental policy. The purpose of the SNRD must be more rigorously defined, and a new or Supplemental DEIS must accompany it.] 19

LIST OF COMMENTS OR FLAWS AND FAILURES OF THE SNRD DEIS

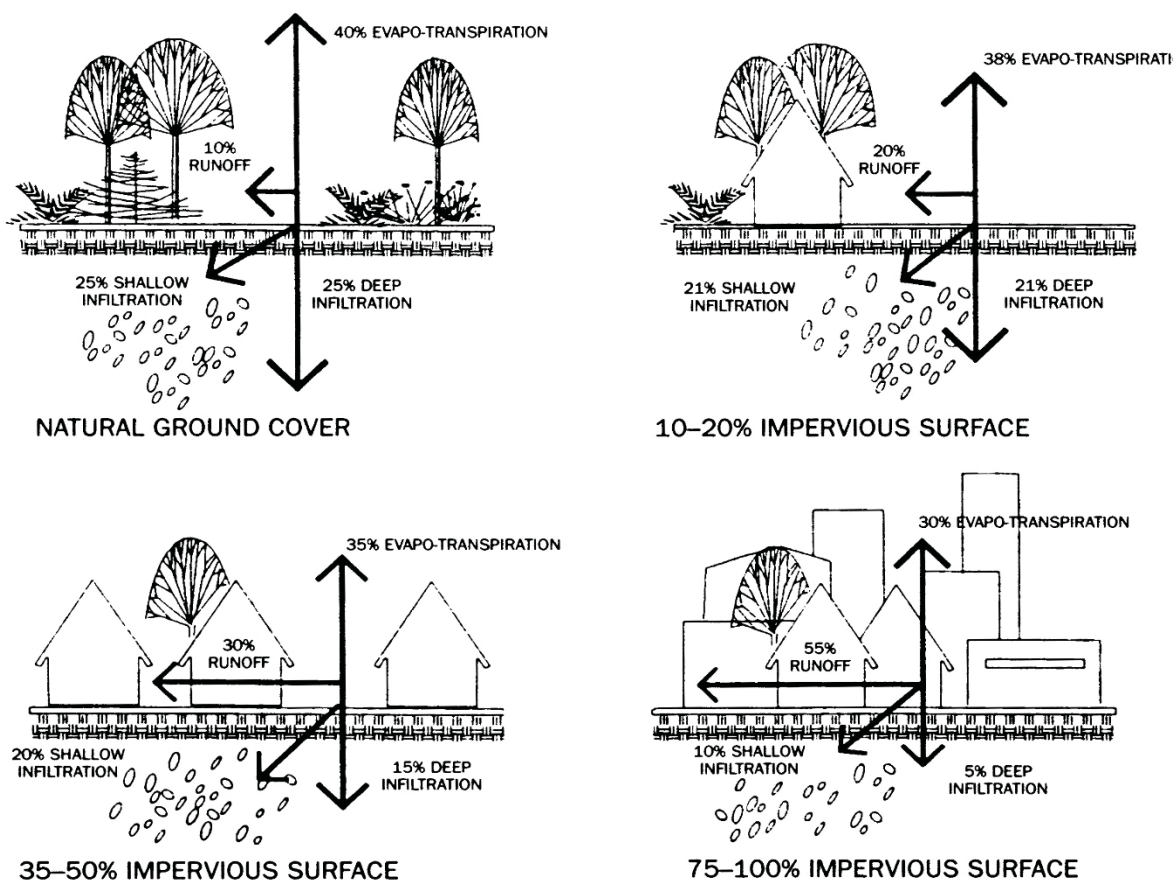
1. The DEIS neglects to explain the reason for a generic DEIS. It was commissioned as “citywide” but the SNRD is only for CD 8 in Bronx County. The DEIS draws conclusions from an application that no longer exists.
2. The DEIS fails to identify the reason for and explain the change from the 1975 SNAD purpose to “protect, maintain, and enhance their natural features” to the current one to “balance development and ecological goals.” It claims the failure of SNAD, but fails to identify impacts and baseline characteristics to prove the reason for the change. 20
3. The DEIS fails to present a reasonable purpose and need. It states the purpose is to “provide a clear and consistent framework for natural resource preservation that balances neighborhood development and ecological goals.” By all accounts, the previous framework was consistent absence an identified need. Reportedly, the workload will result in a 66% DCP reduction of applications, which the 5 applications in the Bronx last year, would reduce to 2. (see the difference in the *Zoning for Coastal Flood Resiliency Draft Scope of Work for an Environmental Impact Statement* in the Purpose and Need: “The city’s flood risk will continue to increase with climate change, since sea level rise will increase the potential height of storm surges. For that reason, current building code standards that are tide to today’s storm surge projections may not be sufficient to protect buildings from being damaged by future storms.”) 21
4. The DEIS fails to consider reasonable and lower impact alternatives beyond the required No Action alternative. It fails to incorporate the universal request from the community to separate the Bronx SNAD from the other areas of the city which are more then four times the land acres, and involve many different zoning lots, uses, and sizes, into its “no impact” conclusion. It fails to consider the removal of the reversal of DCP’s own 2005 zoning change to lower the threshold from 46,000 sf to 10,000 sf. It fails to consider any of the other recommendations that were presented in 2003 by the community board and community activists. 22
5. The DEIS fails to identify the 30 % impervious surfaces in the Bronx SNAD, of such buildings and landscape areas, to ascertain the impact on the ecosystem. It does not even define impervious surfaces, or its mitigating it with green infrastructure.
6. The DEIS fails to list community facilities in the SNAD, which caused us to create a quick list. (see Appendix for list of community facilities.) Without a complete list of community facilities, documentation of impervious surfaces is impossible. 23
7. The DEIS fails to establish baseline of existing conditions, making it difficult to tell if there is an impact under the present SNAD or under a future SNRD.
8. The DEIS fails to understand the engineering benefits of Green Roofs, which need deeper roots and therefore the minimum of 3 inches should be changed to a range of 8 to 12 inches. 24
9. The DEIS fails to present the New Zoning Resolution in a manner that the general public could understand, making it difficult to compare what was changed and what was inserted, as is customary. It does not reflect the updated SNRD A-Text; a “technical memorandum” is not sufficient to determine environmental impacts for a new zoning text. (see Appendix for examples of customary) 25

10. It fails to The DEIS neglected to identify the number of lots and acres of the different categories of 10,000 sf, less than one acre, greater than one acre, and community facility. It allows development on properties of less than one acre in affected areas to avoid City Planning review and the public participation which it entails, in favor of Buildings Department approval.
11. The DEIS omits natural resources such as the Harlem and Hudson Rivers, and Alderbrook. It was impossible to consider the extent to which their proposal would permit widespread development in areas previously determined ecologically sensitive and/or buffers alongside Alderbrook stream, the Harlem and Hudson Rivers.
12. The DEIS fails to examine the impact of reversing the DCP's own 197a's recommended 2005 Zoning change for all SNADs from the 46,000 sf to 10,000 sf.
13. The DEIS neglects to examine the impact or even mention the Long-Term Control Plans for Combined Sewer Overflows and MS4, or the indicators of those impacts – flooding problems which cause the increase use of salt during winter storms, thereby leading to the pollution of the parkland and adjacent waterbodies. Flooding, identified as a problem in Bronx CB8's 197a Plan, has never been solved.
14. The DEIS fails to include letters from interested agencies as is customary, such as from the Departments of Environmental Protection, and Parks and Recreation, etc. These letters will identify information that DCP may not be aware of.
15. The DEIS fails to explain why these changes are needed in the Bronx SNAD but the Queens and Staten Island SNADs are unchanged. It makes no mention of the environmental successes or failures in this locality and instead offers fact-free assertions of the need for SNRD. 26
16. The DEIS fails to explain why the one size fits all and relief from a burdensome cost of concern is needed for the Bronx SNAD or for Bronx residents. 27

MITIGATING THE IMPACT OF IMPERVIOUS SURFACES

BCEQ stands with environmental science in identifying the importance of infiltration and water balance to urban ecosystems. *The most critical threat facing urban watersheds is the increase of impervious surfaces.* The DEIS for SNRD must identify the extent and impact of impervious surfaces in the NA-2.

Water Cycle Changes Associated with Urbanization



Source: Environmental Protection Agency, *Guidance Specifying Management Measures for Sources of Nonpoint Source Pollution in Coastal Waters*, #840-B-92-002, 1993.

THE RUNOFF PROBLEM IN SNAD-NA2

The chart on the previous page illustrates the extent of the threat to the air, the soil, and the land -- flooding. Enforcement of unpermitted building practices remains the most serious problem. As the footprint of new buildings grow, runoff increases. In sections where development has flourished, flooding is more and more common from upland development causing flooding is on lowlands and by the waterbodies. This flooding increases pollutants going over the land and down drains leading to the Hudson River or the Harlem River. Stormwater flows across the roadway into a drain. When the rainfall is greater than the infrastructure can hold, rainwater collects.

Yet the SNRD DEIS fails to identify the fact that the SNAD has a 30 % impervious surface, lower than nearly any non-park district in the city. The SNRD in turn allows fifty percent impervious cover: too much for a natural area.



Alderbrook, 247th Street, Flooding Condition

Like other forms of pollution, good neighbors do not throw garbage on anothers' property. This is the basis for our long-standing legal system.



Comment from local homeowner in the Alderbrook area of the SNAD:

"When there is a heavy rain storm, local streets flood now because of run-off from Henry Hudson Parkway service roads and everything else that is paved and uphill from us."

Photo of flooded Alderbrook Road, south of 247th Street.

As stated in **Comment 5** at the end of this statement, the measurement of impervious surfaces through the history of the SNAD is missing from the DEIS. The impact of the increase of these surfaces, as measured by flooding and runoff, is also missing. Instead of using the environmental vocabulary, impervious, the DEIS refers to hard surfaces. This enables DCP to ignore the impact of runoff and impervious surface on the ecosystem. The document does not even define impervious surfaces, or the well-known policy of mitigating it with green infrastructure. While the city reaches 72% build-out, the SNAD managed to survive with only 30% impervious cover -- in spite of DCP's policy to allow applications 50% hard cover.² Fifty percent impervious cover is too much for a natural area.

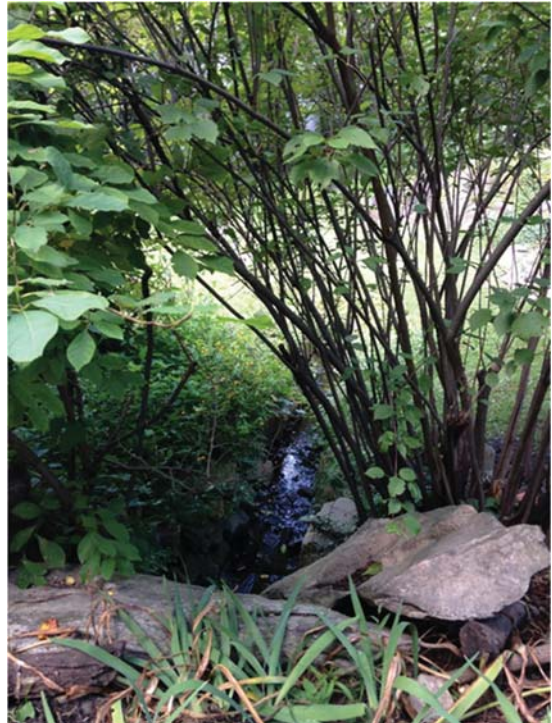
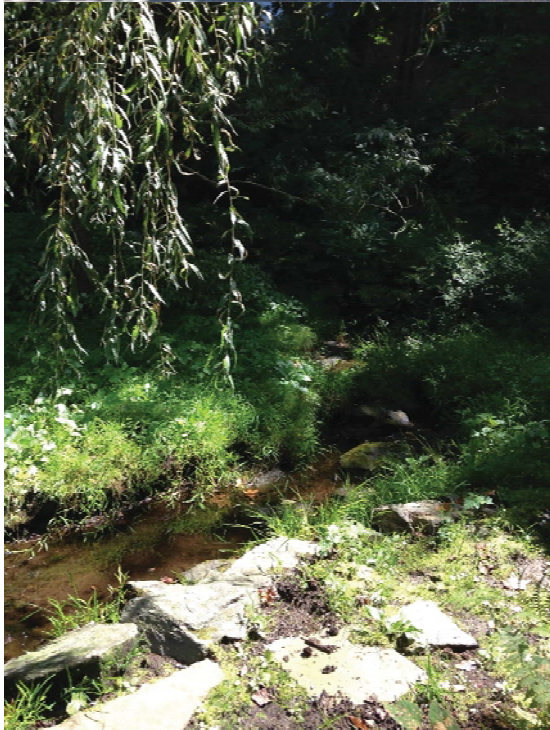
An email to BCEQ on 9/5/19 DCP, included in the Appendix, stated that “discretionary rules proposed for large sites to preserve and protect natural features are significantly stronger than today’s rules. the proposal will require preservation of up to 25-35% of large sites (1 acre or more) of habitat areas in perpetuity. Institutions will be required to preserve up to 50% of the site – up to 35% for existing habitat area and an additional 15% as open space. There is no such requirement under the current regulations. The proposal sets strict limits on hard surfaces on every site regardless of lot size or residential or institutional use (143-22). These limits do not exist under the current regulations.” This is the opposite of what the agency stated in the Final Scope of Work.

By omitting the Harlem and Hudson Rivers as Natural Resources, the DEIS does not reach or attempt conclusions about the impact of impervious surfaces and runoff on streets and waterways.

As stated in Comment 10 at the end of this report, the DEIS does not consider the Harlem and Hudson Rivers as potential natural resources impacted by SNRD, and omits the Alderbrook Stream. Because of this, it is impossible to consider the extent to which their proposal would permit widespread development in areas previously determined ecologically sensitive and/or buffers alongside Alderbrook stream, the Harlem and Hudson Rivers.

² FSCOW, page 25: “.....DCP has established a guideline that lots should generally have no more than 50 percent coverage by impervious hard surface areas surfaces.”

Photos from the area around the Alderbrook Stream. Homeowners limit grass areas and opt for natural porous edges along local streets and the stream's buffer. They use native plants and natural material for paths like slate which allows water to continue to percolate into the soil.



Without a measurement or record of the local runoff problems of SNAD NA-2, the DEIS cannot accurately propose or measure impacts of mitigation, such as green roofs.

As stated in **Comment 6**, the DEIS fails to understand the engineering benefits of Green Roofs, which need deeper roots and therefore the minimum of 3 inches should be changed to a range of 8 to 12 inches. The idea of a green roof is to capture rainfall. Plants have roots deeper than 3 inches.



Green Roof built in 2004 on top of St. Simon Stock School.



Children planting vegetables and flowers.

ENVIRONMENTAL SOLUTIONS FOR SNAD NA-2:

WATERSHED PROTECTION AND ECOLOGICAL SERVICES

Until the DEIS identifies the challenges created by past, present, and future development in SNAD NA-2 and the impact of impervious surfaces, *the SNRD is a solution in search of a problem*. BCEQ urges the DCP to adopt a problem-solving approach for SNRD and the DEIS that is consistent with the local challenges facing SNAD NA-2. If the SNRD is to incorporate environmental science, it must first recognize the area as a watershed.

Indeed, the “Watershed Approach” gives us metrics and methods for measuring the impact of development on natural areas. It allows us to describe the stressors and geography, involve all stakeholders, and use adoptive measures to protect different Watershed Management Methods for the land, the landscape and the route water travels along the way. Low impact development and use of ecosystem services to keep the water *in situ* (where it falls) are two of the ways to do this. Ecosystem services are nature-based processes that mitigate imperviousness and stormwater by using Low Impact Development and Green Infrastructures.

The US EPA prepared a document³ that what is nonpoint source pollution.

“Many researchers have linked urbanization to degradation of urban waterways (e.g., Klein, 1985, Livingston and McCarron, 1992, Schueler, 1987). The major pollutants found in runoff from urban areas include sediment, nutrients, oxygen-demanding substances, road salts, heavy metals, petroleum hydrocarbons, pathogenic bacteria, and viruses. Livingston and McCarron (1992) concluded that urban runoff was the major source of pollutants in pollutant loadings to Florida’s lakes and streams. Table 4-1 illustrates examples of pollutant loadings from urban areas. Table 4-2 describes potential sources of urban runoff pollutants.”

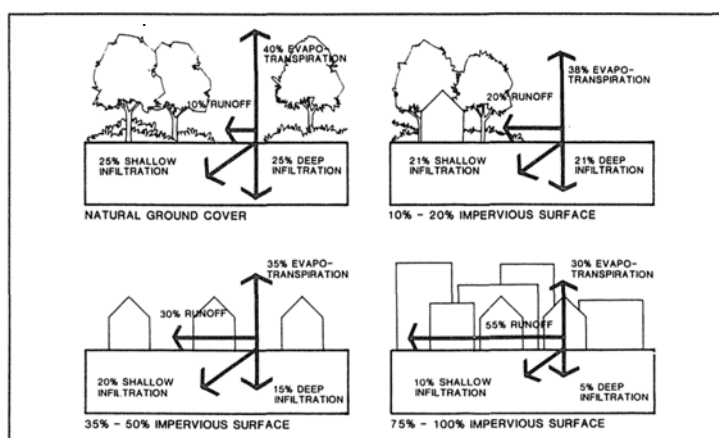


Figure 4-1. Changes in runoff flow resulting from increased impervious area (NC Dept. of Nat. Res. and Community Dev., in Livingston and McCarron, 1992).

³ Guidance Specifying Management Measures for Sources of Nonpoint Pollution in Coastal Waters EPA 840-B-92-002 January 1993, chapter 4 in Appendix, page 4-6

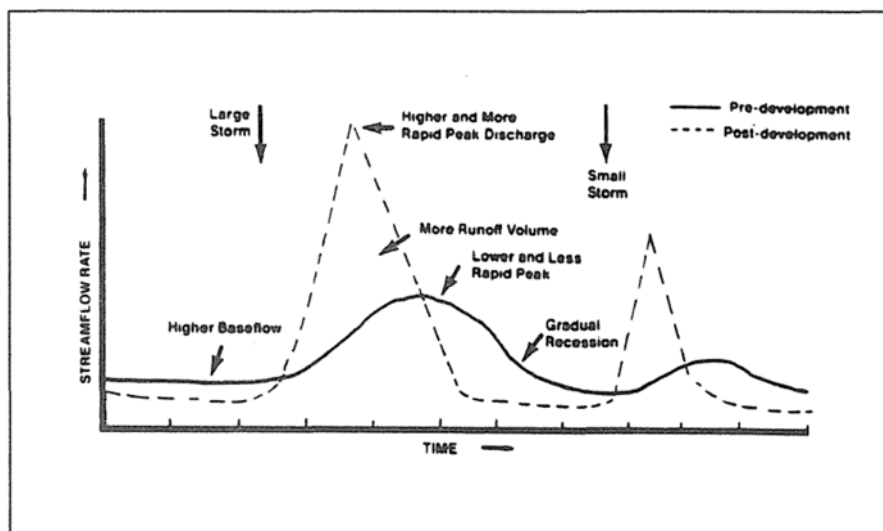


Figure 4-2. Changes in stream hydrology as a result of urbanization (Schueler, 1992).

Recently, there was an article describing The “Hidden Urbanization”: Trends of Impervious Surface in Low-Density Housing Developments and Resulting Impacts on the Water Balance⁴ in Front. Environ. Sci., 15 March 2019. It seems that impervious surfaces increase between planning and implementation.

“Impervious surface is an important factor for the ecological performance of the built environment, in particular for the water balance. Therefore, the rainwater drainage infrastructure of new housing developments is planned according to the expected amount of impervious surface and the resulting surface runoff. Drainage infrastructure could be overwhelmed, however, due to small, dispersed, and often overlooked increases in impervious surface cover, a process we refer to as “hidden urbanization.” There is some evidence that impervious surface cover in housing areas has increased significantly over decades, but is there also a gap between planning and implementation? In order to find out, we compared eight development plans (i.e., the legally binding documents that steer building in Germany) of low-density (single-family) housing with the actual status-quo extracted from 2016 orthophotos. All sites are located in Lower Saxony, Germany; four are close to major urban centers and four are in small municipalities. We then modeled the local water balance for the plans and status-quo and compared results. All sites but one showed a relative increase between 8 and 56% of impervious surface, comparing plans with status-quo. For all sites with an increase of impervious cover, infiltration rates decreased by 4–19%, evaporation rates increased by 0.2–1% and surface runoff increased by 4–18%. In general, the more impervious surface, the stronger the effect. Our results point to a gap between planning and implementation and they underline the environmental consequences, illustrated by effects on the water balance. In order to prevent “hidden urbanization,” we suggest that more emphasis should be put on integrated design of housing areas and monitoring of impervious surface cover.”

⁴ <https://www.frontiersin.org/articles/10.3389/fenvs.2019.00029/full> (copy in Appendix)

In 2007, the EPA issued a memo entitled: “Using Green Infrastructure to Protect Water Quality in Stormwater, CSO, Nonpoint Source and other Water Programs” based on the NRDC report, *Rooftops to Rivers*.⁵ The memo describes Green Infrastructure (GI) as listed below:

“Green infrastructure approaches essentially infiltrate, evapotranspire or reuse stormwater, with significant utilization of soils and vegetation rather than traditional hardscape collection, conveyance and storage structures. Common green infrastructure approaches include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, vegetated median strips, reforestation, and protection and enhancement of riparian buffers and floodplains. Green infrastructure can be used where soil and vegetation can be worked into the landscape. It is most effective when supplemented with other decentralized storage and infiltration approaches, such as the use of permeable pavement, and rain barrels and cisterns to capture and re-use rainfall for watering plants or flushing toilets. These approaches can be used to keep rainwater out of the sewer system to reduce sewer overflows and to reduce the amount of untreated stormwater discharging to surface waters. Green infrastructure facilitates or mimics natural processes that also recharge groundwater, preserve baseflows, moderate temperature impacts, and protect hydrologic and hydraulic stability.”

In addition to the green roofs and those SNAD rain gardens, other GI solutions include porous asphalt. There is a permeable pavement parking lot Demonstration Site at the EPA Edison NJ Offices. Information on this and other GI solutions are in the Appendix. Rainbarrels are good to water your plants and control runoff and erosion. They can be connected to the down sprout, or just collect water.



⁵ *Rooftops to Rivers: Green strategies for controlling stormwater and combined sewer overflows* (NRDC, June 2006) is available at: <https://www.nrdc.org/sites/default/files/rooftops.pdf>

PROMOTE ECOSYSTEM SERVICES

One way to address these threats is to take the Watershed Approach to describe the stressors and geography, involve all stakeholders, and use adoptive measures to protect different Watershed Management Methods for the land, the landscape and the route water travels along the way. Low impact development and use of ecosystem services to keep the water *in situ* (where it falls) are two of the ways to do this. Ecosystem services are nature-based processes that mitigate imperviousness and stormwater by using Low Impact Development and Green Infrastructures.

Dr. Paul Mankiewicz of the Gaia Institute described these ecosystem services in an article in the journal, Whole Earth:

“Soil is the key to clean water. Soil works as a physical strainer, a biochemical renovator, and a biological recycler of all wastewater passing through it. The story is as complex as a single cell or the biosphere itself. Besides a mix of grains of sand, silt, clay, and organic matter (humus), each teaspoon of rich soil contains a million to a billion bacteria, hundreds of thousands of protozoa, up to a hundred thousand or more algae, and up to millions of fungal strands.... The soil community eliminates pathogens, turbidity, and most color and taste problems in six ways: (1) it harbors creatures who out-compete the pathogens for food, as well as protozoa that prey on pathogens; (2) the soil, bacteria, and fungi produce antibiotics that poison pathogens (penicillin is produced by a soil mold); (3) the clay in the soil adsorbs viruses and other potential pollutants and the hydrophobic (water- repelling) surfaces adsorb uncharged particles that could degrade drinking water supplies; (4) the soil's texture and structure act as a physical strainer; (5) the soil environment is so different from the host which excreted the pathogen that the pathogens simply die from different moisture, temperature, acidity, and nutrient conditions; (6) the pathogens get trapped in the humus (the organic component of soil) where they eventually die from the extremes of wetness and dryness. Keep water in close contact with living soils as it flows from hill slopes to streams, and it is purified.”⁶

The National Oceanic and Atmospheric Administration (NOAA) described the impact of the stormwater pollutants:

“Salt marshes are one type of estuarine habitat that acts like an enormous filter, removing pollutants such as herbicides, pesticides, and heavy metals out of the water flowing through it (USEPA, 1993). In addition to pollutants, the same water often brings with it all of the nutrients from the surrounding watershed. A watershed, or drainage basin, is the entire land area that drains into a particular body of water, like a lake, river or estuary. The nutrients flowing into an estuarine habitat often provide for lush plant growth. For this reason, estuaries are some of the most fertile ecosystems on Earth. Yet, due to the pollutants they extract from waters running through them, they may also be some of the most polluted as well.”⁷

⁶ “Can We Drink the Water We Live With?”, Paul S. Mankiewicz, PhD., Whole Earth, Summer 1998
<http://www.wholeearth.com/issue/2093/article/36/can.we.drink.the.water.we.live.with> (see Appendix)

⁷ NOAA report http://oceanservice.noaa.gov/education/kits/estuaries/media/supp_estuar03a_marsh.html (see appendix for photo)



In United Nations Secretary-General Kofi Annan's 2000 report to the UN General Assembly, *We the Peoples: The Role of the United Nations in the 21st Century* he urged for the Millennium Ecosystem Assessment. The objective was to assess the consequences of ecosystem change for human well-being and to establish the scientific basis for actions needed to enhance the conservation and sustainable use of ecosystems and their contributions to human well-being.

*"The report presents a synthesis and integration of the findings ... organized around the core questions originally posed to the assessment: How have ecosystems and their services changed? What has caused these changes? How have these changes affected human well-being? How might ecosystems change in the future and what are the implications for human well-being? And what options exist to enhance the conservation of ecosystems and their contribution to human well-being?"*⁸

The National Wildlife Federation web page has a section on Understanding Conservation and Ecosystem Services.⁹ *"The value of nature to people has long been recognized, but in recent years, the concept of ecosystem services has been developed to describe these various benefits. An ecosystem service is any positive benefit that wildlife or ecosystems provide to people. The benefits can be direct or indirect—small or large."* Then they described the Types of Ecosystem Services from the Millennium Ecosystem Assessment (MA).

⁸ (Ecosystems and Human Well-being Synthesis A Report of the Millennium Ecosystem Assessment, Forward, page ii; <https://www.millenniumassessment.org/documents/document.356.aspx.pdf>)

⁹ (The National Wildlife Federation, <https://www.nwf.org/Educational-Resources/Wildlife-Guide/Understanding-Conservation/Ecosystem-Services>)

“Provisioning Services: Along with food, other types of provisioning services include drinking water, timber, wood fuel, natural gas, oils, plants that can be made into clothes and other materials, and medicinal benefits.

Regulating Services: Ecosystems provide many of the basic services that make life possible for people. Plants clean air and filter water, bacteria decompose wastes, bees pollinate flowers, and tree roots hold soil in place to prevent erosion. A regulating service is the benefit provided by ecosystem processes that moderate natural phenomena. Regulating services include pollination, decomposition, water purification, erosion and flood control, and carbon storage and climate regulation.

Cultural Services: As we interact and alter nature, the natural world has in turn altered us. It has guided our cultural, intellectual, and social development by being a constant force present in our lives. The importance of ecosystems to the human mind can be traced back to the beginning of mankind with ancient civilizations drawing pictures of animals, plants, and weather patterns on cave walls.

Supporting Services: The natural world provides so many services, sometimes we overlook the most fundamental. Ecosystems themselves couldn't be sustained without the consistency of underlying natural processes, such as photosynthesis, nutrient cycling, the creation of soils, and the water cycle. These processes allow the Earth to sustain basic life forms, let alone whole ecosystems and people. Without supporting services, provisional, regulating, and cultural services wouldn't exist.

In Focus: Wetlands

Wetlands are one of the most threatened ecosystems in the United States. We have lost more than 50 percent of wetlands in the contiguous United States. Just a quick overview of some of the services provided by wetlands shows how important they are to people and why we should work to protect and restore them.

Many of the fish we rely on for food spend at least part of their life cycle in wetland habitats. Wetlands retain and control flood waters. Wetland plants absorb nutrients and chemicals from the water, and they act as a natural filtration system. Wetland plants and soils store large amounts of carbon that, if released, would contribute to [climate change](#). Wetlands are also a vital habitat for migratory [birds](#), [fish](#), and [mammals](#), and their loss impacts recreation and [biodiversity](#).”

ADOPT A LOW IMPACT DEVELOPMENT GOAL AND METRIC FOR SNRD

28

This is the natural areas update to the **2006 BCEQ Doctrine of Low Impact Development**.¹⁰

- A. Every development project surrounding area should make at least one environmental condition better and make none worse. In addition, new or re-development should prove:
1. Required and/or allowable parking incorporates the using the least number of spaces needed, not just as much as allowable.
 2. No parking should be free, except for deliveries.
 3. For redevelopment projects, no new parking spaces are allowed, unless developer meets the “Mitigation Trading Criteria.”
 4. Parking should be in a structure that is multi-level, enclosed with a natural green growth cover to capture rainfall, with scrubbers inside that will clean the air from the car exhaust.
 5. Parking should not be sprawled over blacktop, or in an area that allows fumes to concentrate and impact the public.
 6. Where there are large crowds, mass transit should be encouraged and, as an incentive, should be provided FREE to any and all who use the facility.
- B. Brownfields should not be capped. Due to the Bronx soils, any hazardous clean up should be cleaned to the highest use, nothing less. Exception to this includes proposals with natural attenuation and scientifically documented biogeochemical processes with a proven record for cleaning and/or neutralizing the pollutant of concern.
- C. Choose Stormwater Management practices at the highest success level but the lowest impact on nature. This means zero discharge of runoff from any property neighboring. This is also a simple good neighbor policy. It is not appropriate to just determine whether the sewer or drain has an adequate capacity, but if the storm drain should be an overflow, not a collector. The policy must be to capture and treat all rainfall prior to discharge onto another public or private property as it travels toward a waterbody in order to meet all Stormwater Regulations.
1. Stormwater Criteria should include methods to attenuate, convey, pre-treat, treat & polish stormwater runoff, paid for by the developer.
 2. No untreated discharges to a waterbody outside the limits of the project site.
 3. Multi-barrier watershed approach reduces pollutant loads from existing conditions.
 4. Practices are arranged in “series” providing a “treatment train” prior to discharge from the project site.
 5. Design provides oil spill/containment treatment.
 6. Design includes both structural and nonstructural components compatible with the natural and constructed features of project site.
 7. No net increase of impervious surfaces from the project within the watershed sub catchment basin.
 8. Natural water capture through vegetated landscape; street cleaning is part of the treatment train.

¹⁰ <https://bceq.org/2006/06/10/bceq-doctrine-of-low-impact-development/>

9. The Soil Erosion & Sediment Control Plan (SESCP) is limiting and confining the extent of disturbance to protect natural vegetation.
10. Annual stormwater facilities maintenance contract will be used to maintain the stormwater facilities, including green infrastructure.

D. Mitigated wetlands must be in the same sub-watershed basin. Mitigated wetland impacts will be monitored for 10 years.

E. Tree Mitigation Trading Criteria should be strictly enforced. Notice should be provided to town and the public. It should include:

1. Replacement should be by Tree Diameter – inch for inch. It does not matter if the tree is currently diseased or dead or even invasive, as long as the diameter is measured and included in the analysis.
2. It is not equivalent to replace older and larger trees with multiples of smaller ones. So, if the exact size is not available then the exchange should be “wood for wood” – that is the area of the new tree would be equal to the area of the old tree, or πR^2 times the height.
3. Exception to the inch for inch tree replacement scenario would be an upgrade to a higher level of tree, that is, one that is: more efficient to clean air, drought and pollutant resistant, long living, or a multiple of five to one - using trees $\frac{3}{4}$ of the replacement diameter.

F. New housing development projects should be required to include street tree plantings as part of the builder’s paving plan. If turf must be used (and particularly in sports areas), it should be replaced by credits toward green open space or roof top gardens within a 500-foot radius.

G. Establish rules to credit to businesses and homeowners who have rain barrels, rain gardens, and roof gardens, as they have to maintain the facility throughout the year.

H. ADOPT A WATERSHED FOR SNRD

It is hard to tell without establishing a baseline if any action is working. Therefore, we suggest the following baseline characteristics be developed - Imperviousness by lot, and total. Span information over time, Soil Type and combinations thereof, Population by Census tract in the SNAD, numbers of Small and Large Lots, and Institutions. A Community Advisory Committee should be established, which includes the community board, member of the SNAD community, local interested persons, community facilities stakeholders, elected officials, etc. Agency officials should be advisory and called in as needed. If the DCP recognized the importance of the Watershed Approach to protect and restore nature, they would have conducted the DEIS and its Scope better.

BCEQ COMMENTS ON THE DEIS FOR THE FEIS

COMMENT 1: The DEIS neglects to explain the reason for a generic DEIS. It was commissioned as “citywide” but the SNRD is only for Bronx County. The DEIS draws conclusions from an application that no longer exists.

COMMENT 2: The DEIS fails to identify the reason for and explain the change from the 1975 SNAD purpose to “protect, maintain, and enhance their natural features” to the current one to “balance development and ecological goals.” It claims the failure of SNAD, but fails to identify impacts and baseline characteristics to prove the reason for the change.

COMMENT 3: The DEIS fails to present a reasonable purpose and need. It states the purpose is to “provide a clear and consistent framework for natural resource preservation that balances neighborhood development and ecological goals.” By all accounts, the previous framework was consistent absence an identified need. Reportedly, the workload will result in a 66% DCP reduction of applications, which the 5 applications in the Bronx last year, would reduce to 2. (see the difference in the *Zoning for Coastal Flood Resiliency Draft Scope of Work for an Environmental Impact Statement* in the Purpose and Need: “The city’s flood risk will continue to increase with climate change, since sea level rise will increase the potential height of storm surges. For that reason, current building code standards that are tide to today’s storm surge projections may not be sufficient to protect buildings from being damaged by future storms.”)

COMMENT 4: The DEIS fails to consider reasonable and lower impact alternatives beyond the required No Action alternative. It fails to incorporate the universal request from the community to separate the Bronx SNAD from the other areas of the city which are more than four times the land acres, and involve many different zoning lots, uses, and sizes, into its “no impact” conclusion. It fails to consider the removal of the reversal of DCP’s own 2005 zoning change to lower the threshold from 46,000 sf to 10,000 sf. It fails to consider any of the other recommendations that were presented in 2003 by the community board and community activists.

COMMENT 5: The DEIS fails to identify the 30 % impervious surfaces in the Bronx SNAD, of such buildings and landscape areas, to ascertain the impact on the ecosystem. It does not even define impervious surfaces, or its mitigating it with green infrastructure. Instead of using the wording, impervious, it is referred to as hard surfaces. This enables DCP to ignore the impact of runoff and impervious surface on the ecosystem. The document does not even define impervious surfaces, or the well-known policy of mitigating it with green infrastructure. While the city reaches 72% build-out, the SNAD managed to survive with only 30% impervious cover -- in spite of DCP’s policy to allow applications 50% hard cover.¹¹ Fifty percent impervious cover is too much for a natural area.

In an email to BCEQ on 9/5/19 DCP (see Appendix) stated that “discretionary rules proposed for large sites to preserve and protect natural features are significantly stronger than today’s rules. the proposal will require preservation of up to 25-35% of large sites (1 acre or more) of habitat

¹¹ FSCOW, page 25: “.....DCP has established a guideline that lots should generally have no more than 50 percent coverage by ~~impervious~~ hard surface areas surfaces.”

areas in perpetuity. Institutions will be required to preserve up to 50% of the site – up to 35% for existing habitat area and an additional 15% as open space. There is no such requirement under the current regulations. The proposal sets strict limits on hard surfaces on every site regardless of lot size or residential or institutional use (143-22). These limits do not exist under the current regulations.” This is the opposite of what the agency stated in the Final Scope of Work.

COMMENT 6: The DEIS fails to list the community facilities in the SNAD, which caused us to create a quick list. (see Appendix for list of community facilities.) Without a complete list of community facilities, documentation of impervious surfaces is impossible.

COMMENT 7: The DEIS fails to establish baseline of existing conditions, making it difficult to tell if there is an impact under the present SNAD or under a future SNRD.

COMMENT 8: The DEIS fails to understand the engineering benefits of Green Roofs, which need deeper roots and therefore the minimum of 3 inches should be changed to a range of 8 to 12 inches.

COMMENT 9: The DEIS fails to present the New Zoning Resolution in a manner that the general public could understand, making it difficult to compare what was changed and what was inserted, as is customary. It does not reflect the updated SNRD A-Text; a “technical memorandum” is not sufficient to determine environmental impacts for a new zoning text. (see Appendix for examples of customary)

COMMENT 10: The DEIS neglected to identify the number of lots and acres of the different categories of 10,000 sf, less than one acre, greater than one acre, and community facility. It allows development on properties of less than one acre in affected areas to avoid City Planning review and the public participation which it entails, in favor of Buildings Department approval.

COMMENT 11: The DEIS omits natural resources such as the Harlem and Hudson Rivers, and Alderbrook. It was impossible to consider the extent to which their proposal would permit widespread development in areas previously determined ecologically sensitive and/or buffers alongside Alderbrook stream, the Harlem and Hudson Rivers.

COMMENT 12: The DEIS fails to examine the impact of reversing the DCP’s own 197a’s recommended 2005 Zoning change for all SNADs from the 46,000 sf to 10,000 sf.

COMMENT 13: The DEIS neglects to examine the impact or even mention the Long-Term Control Plans for Combined Sewer Overflows and MS4, or the indicators of those impacts – flooding problems which cause the increase use of salt during winter storms, thereby leading to the pollution of the parkland and adjacent waterbodies. Flooding, identified as a problem in Bronx CB8’s 197a Plan, has never been solved.

COMMENT 14: The DEIS fails to include letters from interested agencies as is customary, such as from the Departments of Environmental Protection, and Parks and Recreation, etc. These letters will identify information that DCP may not be aware of.

COMMENT 15: The DEIS fails to explain why these changes are needed in the Bronx SNAD but the Queens and Staten Island SNADs are unchanged. It makes no mention of the environmental successes or failures in this locality and instead offers fact-free assertions of the need for SNRD.

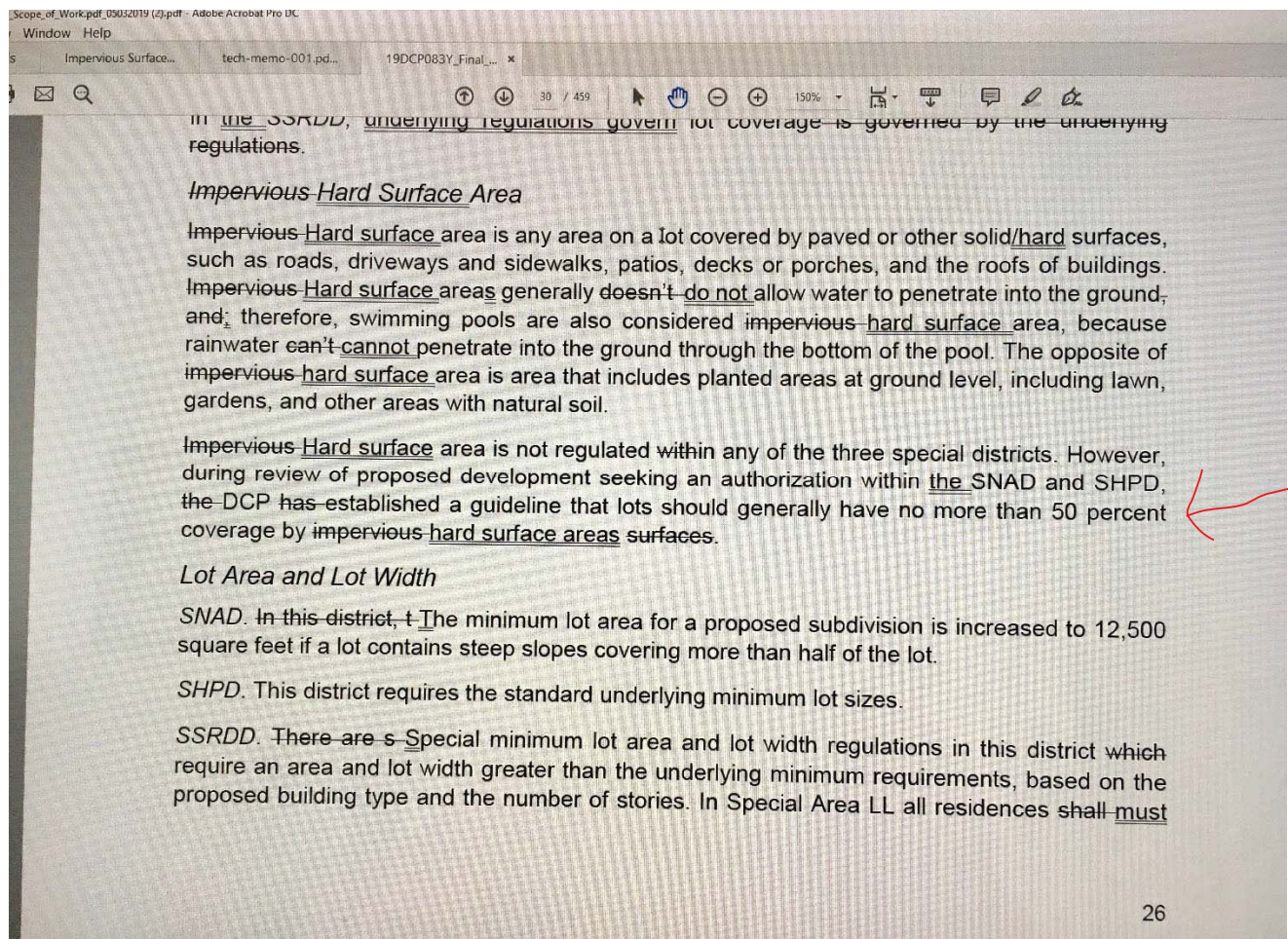
COMMENT 16 The DEIS fails to explain why the one size fits all and relief from a burdensome cost of concern is needed for the Bronx SNAD or for Bronx residents.

CONCLUSION

The City proposed to change the rules about impervious surfaces, by changing the wording in the zoning text, then choosing a guideline (of no more than 50 %) in an arbitrary and capricious manner without any scientific basis or municipal approval, and finally stating that they are not increasing development, when the opposite is true.

The Proposed Action crossed off the wording *impervious surfaces* to hard area surfaces, and that they have established a guideline of no more than 50% without any study or public comment period. The following is excerpted from the text of the Final Scope of Work, page 25:

DCP established a guideline that lots should generally have no more than 50 percent coverage by hard surface areas.



The July 30, 2019 Technical Memo stated that there is a maximum percentage that now permits the applicant to increase BEYOND the unjustified 50% maximum to from 60% to 70 %.

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143-22

Hard Surface Area

The maximum permitted #hard surface area# for a #zoning lot# is set forth in this Section. For the purposes of applying the provisions of this Section, a #zoning lot# with 75 percent or more of its #floor area# allocated to #residential use# shall be defined as a #zoning lot# containing predominantly #residential use#.

R1 R2

- (a) In the districts indicated, for #zoning lots# containing predominantly #residential use#, the maximum permitted #lot coverage# set forth in paragraphs (a) or (b) of Section 143-21 (Lot Coverage) shall determine the maximum permitted #hard surface area# in accordance with Table I of this Section. The maximum permitted #hard surface area# on a #zoning lot# shall not exceed the percent of #lot area# set forth in Table I.

TABLE I

PERMITTED PERCENTAGE OF HARD SURFACE AREA FOR ZONING LOTS
CONTAINING PREDOMINANTLY RESIDENTIAL USE IN R1 THROUGH R2 DISTRICTS

<u>Maximum permitted #lot coverage# (in percent)</u>	<u>Maximum permitted #hard surface area# (in percent)</u>
12.5	40
15	45
17.5	45
20	50
22.5	50
25	50
30	65

R1 R2 R4 R6

- (b) In the districts indicated, the maximum permitted #hard surface area# for all #zoning lots# not subject to paragraph (a) of this Section, shall be as set forth in Table II for the applicable zoning district.

TABLE II

45

PERMITTED PERCENTAGE OF HARD SURFACE AREA FOR ALL OTHER ZONING
LOTS

<u>Zoning district</u>	<u>Maximum permitted #hard surface area# (in percent)</u>
R1 R2 R4 R6	75

Then on September 5, CPC responded to comments from BCEQ and Friends and stated:

The discretionary rules proposed for large sites to preserve and protect natural features are significantly stronger than today's rules. For example, the proposal will require preservation of up to 25-35% of large sites (1 acre or more) of habitat areas in perpetuity. Institutions will be required to preserve up to 50% of the site – up to 35% for existing habitat area and an additional 15% as open space. There is no such requirement under the current regulations.¹²

BCEQ Arugment

Given what we now know about impervious surfaces, watershed protection and green infrastructure low impact development guidelines, we can state that the purpose of the Proposed Action is to promote urban sprawl at the expense of natural preservation and restoration.

30

We found this interesting definition from the Encyclopaedia Britannica:

Urban sprawl, also called **sprawl** or **suburban sprawl**, the rapid expansion of the geographic extent of [cities](#) and towns, often characterized by low-density residential housing, single-use [zoning](#), and increased reliance on the private [automobile](#) for transportation. Urban sprawl is caused in part by the need to accommodate a rising urban [population](#); however, in many metropolitan areas it results from a desire for increased living space and other residential amenities. Urban sprawl has been correlated with increased [energy](#) use, [pollution](#), and traffic congestion and a decline in [community](#) distinctiveness and cohesiveness. In addition, by increasing the physical and environmental “footprints” of metropolitan areas, the phenomenon leads to the destruction of wildlife [habitat](#) and to the fragmentation of remaining natural areas.¹³

Add to that the impact of impervious surfaces as a result of such urban sprawl, is noted in the “Impervious Surfaces in the New York City Watershed” article by Marc Yaggi, Esq.:

....At the same time, sprawl degrades water quality, reduces biodiversity, reduces open space, and deteriorates existing hamlets and village centers. Sprawl also raises taxes by increasing the costs of roads, housing, schools, utilities, and transportation. Sprawl lowers the quality of life by decimating agricultural lands, natural areas and open spaces; concentrating poverty and accelerating socio-economic decline in cities, towns, and older suburbs; and increasing pollution and stress.' Furthermore, sprawl deteriorates civic life and the social fabric in the United States. Sprawl's greatest threat to water quality is the resulting increase in impervious surfaces.¹⁴

¹² See Appendix for copy of the email.

¹³ Urban sprawl, by [John P. Rafferty](#) at <https://www.britannica.com/topic/urban-sprawl>

¹⁴ Impervious Surfaces In The New York City Watershed, by [Marc A. Yaggi](#) at Fordham Environmental Law Review, Volume 12, Number 3 2000 Article 12. (Footnotes not included for ease of reading. Full document is in Appendix)

Let's review the Proposed Action's wording. If natural areas begin to degrade at 10%, and are stressed at 20-35%, then increasing the guidelines to 50%, 65% or 70% hard surfaces is the real definition of hard-core sprawl. Promoting the Proposed Action negates the whole idea of preserving and or restoring restoration.

The City should not be surprised by this science argument – it is not new. Moreover, the City itself promoted these concepts on the upstate Drinking Water Watershed communities. They said they could not protect the water supply from development Westchester and Putnam County in the Croton Watershed. That area was the size of the City of New York itself, and had 180,000 people who lived on properties that were two to four acres!

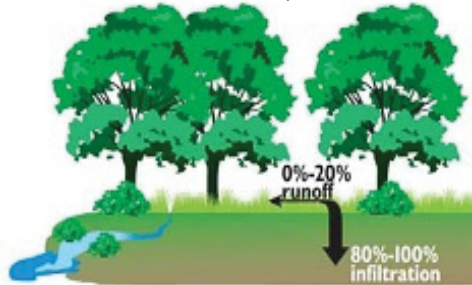
The problem in the Croton Water Supply was so severe, that the City fought our community to build a plant to filter that water, spent over \$4 Billion to do it, and took away 43 acres of land from the public in Van Cortlandt Park.

Development begets Development.

*The most critical threat facing urban watersheds
is the increase of impervious surface.*

INCREASE IN STORMWATER RUNOFF WITH URBANIZATION

NATURAL GROUND COVER
0% IMPERVIOUS SURFACE



LOW DENSITY RESIDENTIAL
10%-20% IMPERVIOUS SURFACE



URBAN RESIDENTIAL
35%-50% IMPERVIOUS SURFACE



COMMERCIAL/INDUSTRIAL
75%-100% IMPERVIOUS SURFACE



Thank you for this opportunity to comment.

The Bronx Council for Environmental Quality seeks to establish — as an Inherent Human Right — a sound, forward-looking environmental policy regarding an aesthetic, unpolluted, environment protecting a natural and historic heritage. Founded in 1971, BCEQ is a non-profit 501(c)3 membership organization located in NYC's only mainland borough — The Bronx. We are a diverse collection of individuals all seeking to leave our great grandchildren better air, land, and water quality than we have at present. We are an all-volunteer group with no staff. www.bceq.org

Kindly respond to our comments to rsvp@bceq.org

Fieldston Property Owners' Association

From: BX08@cb.nyc.gov (CB)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#)
Subject: FW: FPOA position on SNAD changes
Date: Wednesday, August 28, 2019 1:06:04 PM

Bronx Community Board No. 8
5676 Riverdale Avenue, Suite 100
Bronx, NY 10471-2194
Tel: 718-884-3959 Fax: 718-796-2763
Email: bx08@cb.nyc.gov
Visit us on the web: www.nyc.gov/bronxcb8

Serving the neighborhoods of Fieldston, Kingsbridge, Kingsbridge Heights, Marble Hill, Riverdale, Spuyten Duyvil, and Van Cortlandt Village

From: Moerdler, Charles G. <cmoerdler@stroock.com>
Sent: Wednesday, August 28, 2019 1:04 PM
To: LauraSpalter <lsrca1@aol.com>; RosemaryGinty <rosemary.ginty@gmail.com>; Gannon, Ciara <cgannon@cb.nyc.gov>; BX08@cb.nyc.gov (CB) <BX08@cb.nyc.gov>; MartinWolpoff <martin.wolpoff@verizon.net>; bender bobbender <bobbender@optonline.net>; LouiseScribner <sfroot@bsfllp.com>; fanuzzi Robertfanuzzi <fanuzzir@stjohns.edu>
Cc: Cohen AndrewCohen <andyjcohen@optonline.net>; jeffrey dinowitz dinowitz <jeffreyd81@aol.com>
Subject: Fwd: FPOA position on SNAD changes

Please forgive the typos. They are compliments of the spellchecker.

Charles Moerdler
Partner

STROOCK
180 Maiden Lane, New York, NY 10038
D: 212.806.5648

cmoerdler@stroock.com | [vCard](#) | www.stroock.com

Begin forwarded message:

From: John Rusk <JRusk@ruskinc.com>
Date: August 28, 2019 at 12:58:34 PM EDT
To: "BX08@cb.nyc.gov (CB)" <BX08@cb.nyc.gov>, "Moerdler, Charles G." <cmoerdler@stroock.com>
Subject: <EXTERNAL> FPOA position on SNAD changes

The Fieldston Property Owners' Association appreciates the efforts by City Planning to revise the SNAD regulations and we believe many of the changes merit consideration.

However, the board doesn't favor losing Community Board 8 Review of the applications and so don't favor the "as of right" approach. We understand that this is an effort to streamline the process, but learning at the last SNAD presentation that City Planning reviews fewer than 10 applications for the Bronx per year, suggests that the review process can be streamlined internally, while still giving Community Board 8 and the FPOA the opportunity to review the applications and weigh in. For its part, the FPOA has been proactively asking members to send us their plans earlier so we can review them and give feedback in time for their earliest appearance before CB8.

1

The board and community are also concerned that the proposed rules changes seem to require more trees per lot and restrictions on planting beyond the current regulations. We believe the current regulations strike a reasonable balance between homeowner choice and governance. Up to this point, the process of working through issues with Bronx City Planning has been acceptable and we appreciate their efforts with our community and for the vital greenspaces of the Bronx. Changing to DOB oversight and then forcing residents into a zoning variance process is also concerning.

2

Our landscape in the Bronx is one of our most important assets and the careful and reasonable stewardship of it is essential to us all.

Sincerely,

John Rusk
President, Fieldston Property Owners' Association.

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

From: **spuytenduyvilny** <spuytenduyvilny@aol.com>
Date: Thu, Jun 27, 2019, 10:08 AM
Subject: Please publicly withdraw your support for SNAD proposal
To: <district11@council.nyc.gov>
Cc: <jstephenson@council.nyc.gov>, <acollado@council.nyc.gov>

Dear Council Member Cohen-

We read in the Riverdale Press that you were giving City Planning a chance to do the right thing with regard to the SNAD proposal.

Now that it is clear that they haven't, and are expecting Community Board 8 to vote tonight, sight unseen on a ULURP proposal that has dramatically changed, what will you do?

We hope the answer is that you will stand with the community at tonight's meeting by publicly withdrawing your support for the SNAD proposal BEFORE the Community Board votes.

You would not vote on a marked up item if the mark ups were intentionally withheld from you. Yet, City Planning is requiring the Community Board to do exactly that. That is unacceptable.

If this remains a ULURP action, City Planning must reset the clock and provide the ammended text to the public and the Community Board for review and comment.

Only you can send City Planning back to the drawing board. Council members in Staten Island did exactly that. We hope you seize this opportunity to be as bold and effective as they were.

Friends of Spuyten Duyvil
SpuytenDuyvilNY@aol.com
SpuytenDuyvilNY@gmail.com

Co-founders,

Jodie Colón
2465 Palisade Ave, 5J
Spuyten Duyvil, NY 10463
917.774.9029

Tony Thoman
2575 Palisade Ave, Apt 6F
Spuyten Duyvil, NY 10463
212.810.0723

I'm Jodie Colon, and I'm speaking on behalf of the Friends of Spuyten Duyvil.

Thank you for extending the hearing on this. It allowed me to take vacation time this week so I could be here to testify.

I've been reading through a thousand pages of the DEIS, proposed zoning text, and other related documents. And I'm not liking what I'm seeing.

It's clearly written for Staten Island. It's doesn't address the specific needs, concerns, or characteristics of our Bronx community.

For example, in the Bronx, community facilities, institutions, are 50% of the SNAD land area.

Yet, many sections of the new text apply only to residential uses, not community facilities.

And since around 96% of the institutional lots are in Base Protection Areas, they're allowed to build more and preserve less than homeowners.

They get 1/3 the tree credits, half the biodiversity credits, 5,000 sf enlargements as-of-right, 35% lot coverage instead of 25%.

This isn't right for the Bronx SNAD. In fact, I don't think it's right for City Planning, either.

It allows more projects to skip community review, when we are your best and most vested resource.

Many neighbors like myself volunteer huge chunks of time to review and comment on pages and pages of documents.

Speaking of, I'm wondering why you needed 87 pages of zoning text for what averages out to about 7 Bronx SNAD applications a year?

Couldn't you just apply the most current science when determining whether projects meet the required findings or not?

You'd always be cutting edge. You wouldn't have to rewrite this when climate change forces us to be more vigilant in protecting every patch of our soil and the plants that grow in it.

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I know that's what the original goal was, to protect our natural resources with a more clear, consistent, and holistic approach.

This just didn't get us there.

It's muddled with waivers and exceptions, contradictory and confusing text, and no enforcement measures or penalties.

That's why we oppose this zoning proposal as it stands. The devil is in the details.

If you withdraw it as a ULURP map change and resubmit, we'll help you customize text just for the Bronx that saves our SNAD for now and in the future.

Some of you my age might remember Joni Mitchell, who once sang, "You don't always know what you've got 'til it's gone."

We need to do what we can to protect whatever bits of paradise are left, wherever they are. Even if on institutional property.



Hebrew Home for the Aged

Hebrew Home at Riverdale

5901 Palisade Avenue

Riverdale, NY 10471

1-800-56-SENIOR

August 16, 2019

The Honorable Marissa Lago
Chairperson
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

**Re: Bronx Special Natural Area District Update
190403 ZMX and 190430 (A) ZRY**

Dear Chairperson Lago:

I am writing on behalf of the Hebrew Home for the Aged at Riverdale Foundation, Inc. to ask you, and the other members of the City Planning Commission, to vote in favor of the zoning map amendment (190403 ZMX) and zoning text amendment (190430 (A) ZRY) in connection with the Bronx Special Natural Area District Update. 1

Hebrew Home for the Aged at Riverdale Foundation, Inc. is a New York not-for-profit corporation and owner of the Hebrew Home at Riverdale located at 5701-5961 Palisade Avenue in the Riverdale section of the Bronx. The Hebrew Home is one of the nation's most comprehensive, innovative and compassionate organizations dedicated to the healthcare and independence of older adults. As a non-profit, the Hebrew Home has remained true to its mission of care for a century, combining the latest innovations with pioneering policies and compassionate care to enhance quality of life with age. The CPC recently approved our application for a special permit and Special Natural Area District authorizations under the existing discretionary approval process in order to facilitate the development of a Continuing Care Retirement Community (CCRC) at the Hebrew Home, which will be the first CCRC in New York City.

The proposed Bronx Special Natural Area District Update will strengthen and enhance natural resource preservation and protect neighborhood character through a more holistic, comprehensive, and predictable framework. The public review proposed for large sites such as ours, which have more choices for preserving natural resources, is appropriately structured to both balance preservation and development and provide community input at an earlier stage in the long-term campus planning process. The clearer standards it provides for reviewing large sites will allow for a consistent ecological strategy across the entire area. 2

Based on the foregoing, the Hebrew Home supports the zoning map amendment (190403 ZMX) and zoning text amendment (190430 (A) ZRY) in connection with the Bronx Special Natural Area District Update.

Sincerely,


Daniel Reingold
President & CEO

Statement in support of the proposed zoning text amendment for the Special Districts in Staten Island and the Bronx

Natural Areas Conservancy; Helen Forgione – Senior Ecologist

Despite being the most densely populated city in the nation, New York has robust pockets of nature across every borough where people can lose themselves among the great trees and birdsong. Spending time in nature reduces stress, improves fitness, and refreshes the spirit. Our natural areas also provide clean air and water, cooler summer temperatures, and protection against storms and flooding. The Natural Areas Conservancy works to ensure they continue to benefit future generations of New Yorkers.

The Natural Areas Conservancy is a non-profit organization based in New York City that is a champion of NYC's 20,000 acres of forests and wetlands for the benefit and enjoyment of all. Our team of experts promote nature's diversity and resilience across the five boroughs working in close partnership with the City of New York. The results of our work make the city a healthier and more vibrant place to live and thrive.

The Natural Areas Conservancy would like to voice our support for the proposed amendment to the Special Natural Area District regulations for the Bronx.

The NAC was formed in 2012 to build on the successes of NYC Parks' natural areas management and to envision and advocate for their future. For seven years the NAC has conducted scientific research and produced valuable data on the health and condition of our public natural areas. One product of our research was the creation of a cutting-edge citywide landcover map using current satellite imagery, LiDAR data, and geographic information system (GIS) data. This map shows the location and extent of different forest, grassland, shrubland and wetland types citywide and how they connect to, and support, parkland. These data, along with data from other scientific organizations, were used by the Department of City Planning to create amendments to SNAD regulations that focus on the sites that have the greatest impact on preserving natural resources and public lands.

As a participant in the DCP-convened working group, NAC advised on the ecology of natural areas to shape and streamline the data-driven proposal over the last three years. The ecological assessment data helped inform the DCP's streamlined, science-based approach to natural resource preservation. We support the clear rules outlined in this proposal that balance preservation and development on private properties, and align with the larger goals of the City to protect and strengthen habitats and ecosystem services.

NAC convened a group of 80 local experts in government, non-profit organizations, academic institutions, and the private sector, called Nature Goals 2050. This coalition defined five overarching nature goals for New York City's future: Biodiversity & Habitat, Air & Water Quality, Coastal Protection & Resilience, Connectivity, and Inspiration, all of which are addressed by the DCP's proposed text amendments to SNAD regulations.

In particular, the Natural Areas Conservancy supports the proposed requirement of establishing buffers on properties adjacent to natural areas. These buffers help to enhance the quality of habitat on public land along with enhancing parklike neighborhood character in the Bronx. Buffers also moderate negative impacts from private properties that adjoin publicly held natural areas and enhance biodiversity. Biological diversity is also supported through the proposal, by preserving natural areas on 25% of large residential sites and 35% of community facility developments, which will maintain habitat for diverse plants, insects, and animals.

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NAC also wishes to express our support for clear planting requirements that will enhance the biodiversity and ecological health of the community. In particular, we support planting native species and trees in the zoning text. Native plants provide shelter, resources and opportunities for reproduction for wildlife and maintain the ecological value of habitats. Native plants used in the proper place also require fewer resources of energy, water, and chemicals as they control erosion, and preserve neighborhood character.

4

The DCP has created targeted updates to the zoning text that are stronger, clearer, and predictable as they enhance the protection of natural habitat features and support neighborhood character and biodiversity for the Bronx. It is for that reason that we support the proposed amendment to the Special Natural Area District regulations for the Bronx.



RIVERDALE NATURE PRESERVANCY

Directors and Officers

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Honorary Chairman

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BARRY WILLNER

MARY BANDZIUKAS, AICP
Program Director

GILBERT KERLIN
Founding Chairman

27 June 2019

Community Board 8
Bronx, NY

RE: SNAD ULURP PROPOSAL
CD 8 C 190403 ZMX
Post-Hearing Developments

Dear Board Chair Ginty, Committee Chair Moerdler, Members of the Working Group and members of the board:

My name is Sherida Paulsen, and I am a licensed architect and practicing planner and preservationist, and former chair of the NYC Landmarks Preservation Commission. I also chair the Riverdale Nature Preservancy (RNP), and speak tonight on behalf of our board.

Our board participated in the Department of City Planning's Working Group discussions beginning in mid-2015, and appreciated the department's efforts to provide sound environmental guidelines into their proposed changes, and endorsed those guidelines at the Land Use hearing on June 3 of this year.

I requested an opportunity to speak this evening, as the situation regarding the proposed zoning text and map modification has changed since the public hearing. I understand that you are being asked to vote on a certified proposal that has now changed dramatically to eliminate the Staten Island districts, and include ONLY the Bronx SNAD along with the creation of a Fort Totten Special District, and that the proposed text will be revised. That revision has not been released to anyone here tonight.

The certified proposal text includes 216 pages of modifications to the zoning resolution, plus related map changes. Of that 216 total, 22 pages are devoted to removing Fort Totten from SNAD regulations and the creation of a new Fort Totten Special District. There are 141 pages dedicated to the Staten Island District and its sub-districts, which include zoning districts that do NOT exist in Riverdale-Fieldston-Spuyten Duyvil. That leaves 53 pages of zoning text that might apply to our area, and those pages include multiple provisions that need modification to respond to community comment. I repeat, 53 pages out of 216 total!

I urge the community board to vote to oppose this zoning proposal as there is no clear certified material before the board to act upon, and ask board, Borough President Diaz and Council Member Cohen to formally request that City Planning withdraw the current proposal and come back with a proposal that is specific to Riverdale-Fieldston-Spuyten Duyvil.



RIVERDALE NATURE PRESERVANCY

Directors and Officers

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MERYL NADEL
FRANZ PAASCHE
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DART WESTPHAL
BARRY WILLNER

MARY BANDZIUKAS, AICP
Program Director

GILBERT KERLIN
Founding Chairman

The new proposal should, at a minimum, include the following modifications:

- DOB review limited to zoning lots less than 10,000 SF;
- City Planning and Community Review for ALL sites over 10,000 SF to bring this proposal into conformance with our 197-A plan approved by the City Council in 2003;
- Applications for "Plan Review Sites" larger than 10,000 SF after approval of a "campus plan" to be referred to the Community Board for authorizations of modifications or changes to the Special Permit;
- A clear and enforceable plan for implementation that includes the Department of Buildings' Inspection Requirements and Sign-offs.

This final point is essential to creating an enforcement protocol that can be implemented to protect our community's natural features. We ask that any proposed zoning changes include concrete requirements for the Department of Buildings to provide filing requirements that are enforceable. This is crucial as DOB will begin a new process for reviews on this coming Monday, July 1.

I will also note that the Department of Buildings has a number of referrals to other city agencies with special expertise beyond the City Planning Commission: Landmarks Preservation Commission, Department of Parks and Recreation, Department of Transportation, Department of Environmental Protection, etc.; that require those agencies to sign off on applications prior to DOB approval and the ability to pull construction permits.

Thank you for the opportunity to comment on this important matter that will affect our cherished neighborhood character, and I applaud our Community Board for engaging in a long and thoughtful consideration of these modifications, and ask that the City Planning Commission withdraw this proposal for changes in the SNAD and come back with a proposal that is specific to our neighborhood and district.

Sincerely,

Sherida E. Paulsen
Chairman

Peter S. Kohlmann
President



January 14, 2019

Via electronic mail to 19DCP083Y_DL@planning.nyc.gov

Olga Abinader
Acting Director
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Hilary Semel
Director
Mayor's Office of Environmental Coordination
253 Broadway, 14th Floor
New York, New York 10007

**Re: Comments on proposed textual amendments
of the Staten Island and Bronx Special
Districts Zoning: Draft Scope of Work for
an Environmental Impact Statement;
CEQR No. 19DCP083Y**

Dear Ms. Abinader and Ms. Semel:

Riverkeeper, Inc. ("Riverkeeper") respectfully submits the following comments on the draft scoping documents that, when finalized, will guide the preparation of a Draft Environmental Impact Statement ("DEIS") on the Department of City Planning's ("DCP") proposed textual amendment of the Staten Island and Bronx Special Districts Zoning maps, CEQR No. 19DCP083Y ("Special Districts Rezoning").¹ To the extent updates to the zoning maps could serve to further protect the ecological resources of the affected areas, Riverkeeper would support such changes. However, Riverkeeper is concerned that some elements of the Special Districts Rezoning could relax restrictions and allow widespread development in areas previously determined ecologically sensitive. We seek to prevent urban sprawl from further impacting these already-jeopardized resources.

1

¹ N.Y. City Dep't of City Planning, Scoping Documents, Public Scoping Meeting on the Staten Island & Bronx Special Districts Update, <https://www1.nyc.gov/site/planning/applicants/scoping-documents.page#snad> (last accessed Jan. 14, 2019).

If implemented as proposed, the Special Districts Rezoning would modify the protected status of Special Natural Area District (Article X, Chapter 5), Special South Richmond District (Article X, Chapter 7), and Special Hillside Preservation District (Article XI, Chapter 9) by combining the regions into one special district with a consistent zoning scheme. The Special Districts Rezoning would also modify provisions in the Lower Density Growth Management Area. In most circumstances, the Special Districts Rezoning would allow development on properties of less than one acre in affected areas to avoid City Planning Commission (“CPC”) review and the public participation which it entails. Instead, only Department of Buildings approval—and no public input—would be required.

By DCP’s own summation, the current special districts regulations have left a legacy of smart development as they “helped to guide thousands of developments and have resulted in the tree-lined streets, preserved rock outcrops, old growth trees, wetlands, and forested parks that today exemplify these communities.”² The existing districts were established “to balance development with environmental protections in areas with significant natural features, such as aquatic, botanic, biologic, geologic and topographic features, having ecological and conservation values.”³ One of the key protections of the regulations is simply exposing development projects to public scrutiny, which alone deters bad practices.

Riverkeeper objects to the DCP’s proposal to forego City Planning Commission (“CPC”) review for development on properties of less than one acre.⁴ This would thwart the public’s ability to participate in the site plan approval process for these properties. It also may create an incentive for developers to subdivide properties and develop them in a piecemeal fashion, so as to avoid CPC review, undermining the holistic planning approach that DCP seeks to achieve.

As part of the City Environmental Quality Review (“CEQR”) process for the Special Districts Rezoning, we urge DCP to consider a number of feasible alternatives with respect to CPC review requirements. *See* N.Y. E.C.L. §§ 8-0109(2)(d), (4); 6 N.Y.C.R.R. § 617.9(b)(5). First, DCP should consider retaining CPC review requirements as is for all developments, while implementing the other proposed modifications. Second, DCP should consider a minimum site disturbance trigger for CPC review at 2,500 and/or 5,000 square feet. The review should apply for any new or modified development, including multiple developments on adjacent properties or those on properties under common ownership or control. This latter alternative would allow most homeowners to develop their properties without CPC review, while largescale and subdivided developments would be subject to CPC—and public—scrutiny.

Riverkeeper also opposes the proposed allowance of construction of impervious surfaces within 100 feet of aquatic resources.⁵ Wetland buffers separate the wetland from human activity

² Environmental Assessment Statement, Special Districts and Lower Density Growth Management Update, at part II, page 2 (Nov. 9, 2018) [hereinafter EAS]

³ N.Y. City Dep’t of City Planning, Staten Island & Bronx Special Districts Update: Scope of Work for an Environmental Impact Statement at 5 (Nov. 9, 2018) [hereinafter Scope of Work]

⁴ EAS at part II, Page 2.

⁵ Scope of Work at 40.

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and other encroachment associated with development. Siting impervious surfaces and lawns within buffers can impair buffer function by clearing trees, altering existing wetland hydrology, and increasing thermal impacts.⁶ Grass lawns and landscaped areas can hamper infiltration, increase stormwater runoff velocity and, due to residential and/or commercial fertilizer use, dramatically increase nutrient loading to wetlands and waters. For these reasons, the disturbance of 100-foot buffers must be avoided. Moreover, development should be similarly set back from steep slopes, rock outcroppings, and other sensitive natural features. DCP should likewise consider these setbacks as alternatives to the existing proposal for the sake of CEQR.

Finally, we request that New York City Departments of Parks and Environmental Protection continue to undergo CPC review for developments in these special districts. DCP proposes to remove CPC review for "Bluebelt properties managed by NYC Department of Environmental Protection (DEP) and NYC Parks properties."⁷ The disturbance created by these developments is no less impactful even though the agencies are sensitive to the potential harms. That said, given the strong planning and design talent held by agency staff, these developments should pass through CPC review without much opposition.

* * *

Thank you for your consideration of our comments. We look forward to continuing to work with DCP and New York City community members to protect the important aquatic and ecological resources in our City. If you would like to discuss any of the issues discussed above, please contact me 914.422.4133 or email me at mdulong@riverkeeper.org.

Respectfully yours,



Michael P. Dulong
Senior Attorney

⁶ R. FISCHER, AND J. FISCHENICH, DESIGN RECOMMENDATIONS FOR RIPARIAN CORRIDORS AND VEGETATED BUFFER STRIPS, US ARMY ENGINEER RESEARCH AND DEVELOPMENT CENTER 6 (2000).

⁷ Scope of Work at 6.



Interested Public

From: dds2th@gmail.com
To: [Special Districts \(DCP\)](#)
Subject: Snad
Date: Thursday, July 18, 2019 8:11:29 PM

Adler

Please abolish the snad as it is a terrible burden on the citizens. I did a small bit of construction the surveys required by the snad cost me in the area of \$25,000. The whole construction cost less than \$50,000. The snad costs are prohibitive and adds nothing to any quality of life but burdens the citizen with enormous costs for no reason. Please abolish the snad.

Mitchell Adler DDS

I¹

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Monday, August 5, 2019 10:08:55 AM

Arnoldi

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Katherine Arnoldi**
Zip: **10463**

I represent:

- **A local community group or organization**

Details for "I Represent": **Winston Churchill Book and Film Club**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

Yes

Additional Comments:

While we do not know the situation in Staten Island concerning this issue, in Riverdale we have few natural areas. The two areas under SNAD are important community quality of life issues. Allowing development will destroy the quality of the neighborhood.

I₁

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Tuesday, August 6, 2019 3:50:07 AM

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Patricia Bagwell**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

Please do not pass this measure which will radically affect the Bronx. Our Community Boards know the issues that affect their constituents and their environmental concerns. We should have the right to have input on any building done in our neighborhood. If this did not pass in Staten Island, there is no reason to subject the Bronx to it. We are over built already and need greater oversight, not less.

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From: bagwell280@aol.com
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#); BX08@cb.nyc.gov (CB); District11@council.nyc.gov; dinowij@nyassembly.gov; spuytenduyvilny@gmail.com
Subject: Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 9:36:16 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners: allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

2

Please withdraw the proposed action.

Sincerely,

Patricia Bagwell
75 W 238 St
Bronx, NY 10463

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Wednesday, August 14, 2019 9:38:52 AM

Barbanel

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Emelia Barbanel**
Zip: **10471**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:

believe that we need to maintain the position presented at the community board 8 full board meeting: this proposal is not ready for approval. The lot size (1 acre vs 10,000 SF) and triggers for compliance are not yet ready for approval. The proposed text does not address how existing sites will deal with any of this if they do not comply with the new guidelines.

I₁

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Monday, August 12, 2019 2:47:52 PM

Bautista

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Carlos Bautista**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I do not support changing the vibrant ecological uniqueness of Riverdale.

I₁

From: [Carlos Bautista](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 6:57:38 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

2

Please withdraw this proposed action.

Sincerely,

Carlos Bautista
735 Kappock Street

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Thursday, August 8, 2019 1:16:54 PM

Beatty

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **VANDER BEATTY**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

Re: BOROUGH OF THE BRONX Nos. 1, 2 & 3 Bronx Special District Text As a resident of the community of Riverdale, I would like to voice my opposition to the proposal put forth by the Department of City Planning to amend and alter the zoning regulations governing the SNAD ("Special Natural Area District"), transforming it into SNRD ("Special Natural Resource District"). The process by which City Planning required Community Board #8 to vote on an incomplete proposal was insulting to both this institution and to the community of Riverdale and suggests uncomfortable questions as to why this process is allowed to continue. Given our documented experiences (i.e. 2395 Palisade Avenue), I feel that transformation to SNRD is a Trojan horse designed to further a pro-development agenda of the current

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administration. DOB's rubber-stamped approach to oversight is insufficient for the type of oversight required by this proposal. I request that you ask the Board of the New York City Planning Commission vote NO to this proposal. Thank you.

From: [Vander Beatty](#)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [District11@council.nyc.gov](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 3:08:15 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners: allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw the proposed action.

3

Sincerely,

Vander Beatty
2390 Palisade Ave, 4g
Bronx, NY 10463

From: [John Benfatti](#)
To: [Special Districts \(DCP\)](#)
Cc: [Sura Ieselsohn](#)
Subject: Change from SNAD to SNRD
Date: Tuesday, July 16, 2019 6:23:25 PM

Benfatti

To Whom It May Concern,

I strongly urge that the Department of City Planning withdraw the proposed Special Natural Resource Area which would allow developers and property owners to circumvent community review and get approval directly from to Department of Buildings.

John Benfatti

5700 Arlington Avenue, 17B
Bronx, New York 10471

Sent from my iPad

I₁

From: [John Benfatti](#)
To: [19DCP083Y_DL](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 1:20:02 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

My concerns:

- The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- Allows projects to skip community review and the public hearing process.
- Favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- Undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- Lacks substantial enforcement measures and penalties for violations.

2

Please withdraw this proposed action.

Sincerely,

John Benfatti
5700 Arlington Avenue
Bronx, NY 10471

From: [Barbara Blumenthal](#)
To: [Special Districts \(DCP\)](#)
Subject: Save our SNAD
Date: Thursday, July 18, 2019 6:10:11 PM

Blumenthal

Please withdraw this proposal!!
Save our SNAD

Sent from my iPhone

I₁

From: [Ronald Bochar](#)
To: [19DCP083Y_DL](#); [District11@council.nyc.gov](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 1:27:46 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Ron Bochar
2390 Palisade Avenue
Apt 6E
Bronx, NY 10463

From: [Lynne Brunswick](#)
To: [Special Districts \(DCP\)](#)
Subject: Snad
Date: Friday, July 19, 2019 10:21:52 AM

Brunswick

Save our snad withdraw proposal.
Lynne Brunswick
Sent from my iPhone

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From: [VITTORIO BUGATTI](#)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [District11@council.nyc.gov](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 4:46:18 PM

Dear City Planning,

I am a long-time resident of Riverdale. One of the great things about our neighborhood is its natural beauty, and everything possible should be done to preserve it.

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners: allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

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Please withdraw the proposed action.

Sincerely,

Vittorio Bugatti
Riverdale, NY

From: [Deirdre Burke](#)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [District11@council.nyc.gov](#); [dinowij@nyassembly.gov](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 9:14:05 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update. The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community. Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

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Sincerely,

Deirdre Burke

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Saturday, August 17, 2019 11:58:14 AM

Re. Project: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Paula Luria Caplan**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **other**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

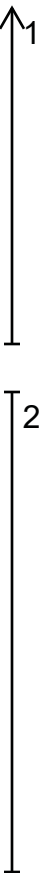
I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I am writing to communicate my views and concerns about the proposed SNAD revisions. While the new rules seem to better serve Riverdale's botanical, topographical and ecological context, two major concerns remain to be addressed: FIRST, there is significant, serious, valid opposition to changing the review threshold from 10,000 sq. ft. to one acre (43,560 sq. ft.). Background: New York City created its first Special Natural Area District in 1974 for Staten Island, and SNAD 2 for Riverdale in 1975. These overlay districts were intended to protect natural features like rock outcroppings, trees and steep slopes. In 1997, Community Board 8 commenced a long range planning effort pursuant to Section 197-a of the City Charter that produced CD 8 2000, A River to Reservoir Preservation Strategy. In 2003, the 197-a plan

became official City policy, adopted by the Planning Commission and City Council. Among many other elements, the plan called for measures to strengthen SNAD protections. The initial SNAD grandfathered zoning lots smaller than 40,000 square feet containing a residential building to allow as-of-right site alteration and building enlargement. On grandfathered lots, only the development of new buildings required Planning Commission review. CD8's 197-a Plan urged eliminating or lowering that size threshold to further protect old growth and large trees. The City Planning Department and Commission agreed, and in 2006 the City amended SNAD rules to exempt lots up to just 10,000 sq. ft. (less than ¼ acre), regardless of whether the lot contains a residence. Reverting to the old rules, especially given strong local opposition, would represent a reversal of established City policy as well as an insult to the community. SECOND, there persists in Riverdale deep, pervasive distrust of the Department of Building's ability to understand and/or enforce the new regulations. This distrust stems largely from past experience with SNAD implementation. Furthermore, in view of the general understanding that Staten Island issues initially motivated the proposed SNAD revisions, Riverdale overall may be less receptive to loosening its enforcement. Community leaders would feel more comfortable with a greater level of scrutiny, to involve CB 8 and the Department of City Planning, rather than as-of-right Buildings Department approvals. Possible Solution With regard to the enforcement issue, perhaps introducing an authorization or certification process, including review of applications by Department of City Planning staff and Community Board 8, could satisfy some local concerns. If referral to CB 8 were institutionalized in the zoning text, with adequate time to review before a decision by the Chair or Commission, this compromise might satisfy some community concerns. The process could apply under either the 10,000 sq. ft. or acre threshold, although I strongly urge you to support the existing limit.



From: [M. Cassidy-Geiger](#)
To: [Special Districts \(DCP\)](#)
Subject: SAVE OUR SNAD
Date: Wednesday, July 17, 2019 11:49:19 AM

Cassidy-Geiger

As a resident of the Bronx, I ask you withdraw the proposal to alter our SNAD to a SNRD.
Thank you.

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Maureen Cassidy-Geiger
2500 Johnson Avenue
Bronx, NY 10463

From: [John Catala](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 8:56:09 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely, John Catala

From: [Amelia](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 10:00:36 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners: allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

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Please withdraw the proposed action.

Sincerely,

Amelia Chaves
5418 Post Road
Bronx NY 10471

[Sent from Yahoo Mail for iPhone](#)

Coggins and Jeselsohn

2550 Independence Avenue, Apt. 7E
Bronx, NY 10463
646-737-3011

August 8, 2019

Council Member Andrew Cohen

NYC District 11
277 West 231st Street
Bronx, NY 10463

Dear Council Member Cohen-

It's been more than a month since we last heard from you in regards to the City Planning Department's proposal to amend the Special Natural Area District zoning regulations, at the June 28, 2019 Community Board meeting, at which the Board rejected their opportunity to vote on a proposal they consider illegitimate.

At this meeting you publicly acknowledged:

- You have received many emails from the community regarding SNAD.
- You stated that you will continue to be transparent and keep the board updated on how the SNAD text changes proceeds.
- You stated that you believed that everyone agrees that SNAD needs changes, such as enforcement and preservation and that
- you believe that Department of City Planning has treated Community Board 8 very poorly.

You were missed at the public hearing at the office of the Borough President on July 11, attended by members of the Community Board, representatives from local organizations and residents who took time off from the work or from their daily lives to attend a meeting that they felt committed enough to carve out time to attend. The representatives from Borough President were extremely impressed by the public attendance, in spite of the inconvenience of the date and time. In addition, the BP's office received approximately a hundred submissions of written testimony by those attending and those unable to attend. Was yours among these submissions?

We do not see any recent references to SNAD on your Facebook page, or any statements of substance on twitter, and the last time you made any statements as to SNAD in the Riverdale Press was on June 2. We wonder why SNAD seems to be such a low priority for you, since it seems to be such a high priority for the community, including those living outside of the SNAD district. We wonder why you fail to call out the lack of procedural fairness by the department of City Planning in the firmer and more definitive language that seems be the consensus of the community.

The Bronx Borough President has rejected the proposal, saying that the Community Board was “not afforded sufficient chance to review the document...how am I able to take into consideration all viewpoints that may advise my recommendation?”

Our elected official Borough President Ruben Diaz, Jr. has done his part for Riverdale by voting no on this proposal. Likewise, we hope you seize this opportunity to show the community where you truly stand as to SNAD, and that place is the same place as the constituents that you represent, before the Board of the City Planning Commission meets on August 14, 2019.

Once again, we request that you publicly withdraw your support for the SNAD proposal, and ask City Planning to begin the process of SNAD review again, so that this time the community is afforded their democratically guaranteed opportunity for informed input and review.

I₁

Thank you for your representation of the community of Riverdale.

Regards,

Stephanie Coggins

Sura Jesselsohn

CC: Bronx Community Board 8

Rosemary Ginty, President CB8

Charles Moerdler, Chairman Land Use Committee CB8

Jeffrey Dinowitz, NYS Assemblyman

Ruben Diaz, Jr., Bronx Borough President (c/o S. Goodman)

Board of the NYC Planning Commission

Friends of Spuyten Duyvil NY

From: [Stephanie Coggins](#)
To: [Special Districts \(DCP\)](#)
Subject: Bronx SNAD
Date: Tuesday, July 16, 2019 2:35:00 PM

Coggins

As a resident of Riverdale, I am writing to voice my opposition to the City Planning proposal to revise the Bronx SNAD to SNRD. The process and substance of this amendment is not in the best interests of my community. Riverdale is uniformly opposed to the removal of properties of any size from the oversight of Community Board 8.

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Please withdraw this proposal immediately.

Thank you.

Stephanie Coggins
2550 Independence Avenue 7E
Bronx, NY 10463

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Monday, August 5, 2019 2:26:02 PM

Coggins

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Stephanie Coggins**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent": **I am a local independent activist and resident of Riverdale.**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Yes

Additional Comments:

As a resident of the community of Riverdale, I would like to voice my opposition to the proposal put forth by the Department of City Planning to amend and alter the zoning regulations governing the SNAD ("Special Natural Area District"), transforming it into SNRD ("Special Natural Resource District"). I consider the process by which City Planning required Community Board 8 to vote on an incomplete proposal to be an insult to both this institution and to the community of Riverdale. The removal of CB8 from the review process of properties up to 1 acre represents a miscarriage of the participatory democratic process. I reject this effort to remove CB8, and am confident in their ability and intention to balance the SNAD regulations with fairness to individual homeowners. Given our documented experiences (2395

I **2**
I **3**

Palisade Avenue as a shining example), I feel that transformation of the SNAD to SNRD is a trojan horse designed to further a pro-development agenda of the current administration at the expense of the rights, safety and well-being of our community as whole. DOB's approach to oversight appears to be focused on the rubber-stamped approval of submitted paperwork rather than on regulatory compliance backed up with agency verification, and we cannot depend on them to provide the oversight required by this proposal. The Riverdale community is fiercely protective of our green space, and consider SNAD to be an issue of concern to all: whether you live in it, adjacent to it, or near it. We also consider the preservation of SNAD to be an issue of grave importance to the environmental health of Riverdale, New York City, and the Planet. Public hearings on the SNAD issue have been attended by large numbers of community members living both inside and outside of the SNAD borders, in no small part to protest this attempt to circumvent the review process. For all the reasons detailed herein, I request that you ask the New York City Planning Commission to withdraw their request for this amendment, and we request that the Board of the Commission to vote NO to this proposal. Thank you. Stephanie Coggins 2550 Independence Avenue 7E Bronx, NY 10463

2550 Independence Avenue, Apt. 7E
Bronx, NY 10463
646-737-3011

August 25, 2019

New York City Planning Commission
c/o Marisa Lago, Director
120 Broadway
New York, NY 10271

Dear Commissioners:

As a community activist and resident of the Spuyten Duyvil section of Riverdale, I would like to submit my written testimony **In the Matter of an CD #8 Application No. C190403 ZMX-Bronx Special District Update by the New York City Department of Planning** (hereinafter “**DCP**”) for an amendment of the Zoning Map transforming the Special Natural Area District (hereinafter “**SNAD**”) to a Special Natural Resource District, as a follow-up to my oral testimony at the public hearing on August 14, 2019.

The prevailing sentiment in Riverdale is that the many of proposed changes to the existing SNAD are designed to advance the pro development sentiment held by the current administration. **DCP**’s lack of transparency in this matter, accelerated summer calendar (when our community board is at recess), and the plan to replace our community board’s oversight role with that an agency known for their “as-of-right” default, are seen by many as red flags.

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In response, town hall meetings have been attended by large numbers of community members living both inside and outside of the SNAD borders, and many community members have expressed their opinions to our Elected Officials, Bronx Borough President Ruben Diaz, and the **DCP**.

The removal of Bronx Community Board 8 (hereinafter “**BCB8**”) oversight of properties less than 1 acre represents a miscarriage of the participatory democratic process. Riverdale is confident in **CB8**’s ability to balance the universe of SNAD regulations with measured fairness to individual homeowners. Our overall confidence in the ability of the Department of Buildings (“**DOB**”) to undertake this oversight role is less than resounding, as detailed in the following paragraphs.

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One of our proudest landmarks, the Villa Rosa Bonheur sat grandly on a crest over our Shorefront Park, over the Spuyten Duyvil Creek. The Villa Rosa Bonheur was built in 1924 and considered to be one of the most perfect examples of the famous “City Beautiful” architectural movement. It is located at 2395 Palisade Avenue.

In October 2017, the property was sold to an individual, who established two LLCs for development. The house and property remained largely dormant until July of 2018, when construction crews arrived. Permits on the Department of Building’s (hereinafter “**DOB**”) BIS

↓

website declared that the development of the house would be limited to an internal expansion of units from 7 to 11, leaving the external façade intact. In light of this, when residents and commuters inquired of on-site construction manager why this roof was being ripped to pieces, they were assured the roof was “full of bugs” and being repaired.

The roof was being intentionally demolished in violation of the existing permits. It has been theorized that this stealth demolition was intended to outrun preservationists who wished to petition the Landmarks Commission to preserve this historic structure. In spite of timely notification in the form of multiple civilian and community board complaints to 311 and directly to the DOB, **the DOB allowed the roof demolition to progress to a point of almost complete destruction, but to a without the possibility of remediation.**

After 11 weeks, the DOB was finally compelled to review their own paperwork, and it was discovered that the DOB had extended permits to the developer for roof work, but they had done so in the absence of prior asbestos abatement, without any protections to their own workers and to the hundreds of daily commuters who descend the adjacent staircase to the Metro North station below.

After tremendous outcry from the Riverdale community, the **DOB** finally issued a Full Stop Work Order for the Entire Site for Removal of the Roof with No Permits. The property received eight major violations from the **DOB** alone, four of class 1 severity (Immediately Hazardous) and 3 of class 2 (Major Hazard).

A meeting between the **DOB**, **BCB8**, and the offices of Assemblyman Dinowitz and Councilman Cohen was held in December 2018. When asked for an explanation for the permitting of roof work in absence of legal asbestos abatement, the **DOB**’s answer was that it was a “clerical error”. Apparently, no other explanation or apology was offered.

I have attached a timeline of events detailing this demolition, and the **DOB** response. Each entry is backed up by documentation. I would be happy to provide this documentation to the **Commission** upon your request.

DOB’s approach to oversight appears to be focused on the rubber-stamped approval of submitted paperwork rather than on regulatory compliance backed up with agency verification. This oversight, lacking in a full project review of submitted file documents and verification, appears to have given the developer and his agents “license” to demolish a roof in the absence of asbestos abatement and legally-mandated safety precautions, thus exposing non-union workers and the community to potentially grave public safety and health risks.

The appearance of Commissioner deFoe at the hearing on August 14 was his first public appearance or statement regarding **SNAD**. (to my knowledge) His performance at the hearing was remarkably sub-par: it seemed as if someone had asked him to attend at the last minute. He seemed to have little grasp of the mechanics of the **SNAD** proposal, and no vision as to how **DOB** could earn its role as an effective partner in its oversight role. While his appearance was surprising, his lack of engagement in the process of **SNAD** is not. Given the **11 weeks** of disinterest in the demolition of 2395 Palisade by the **DOB**, it actually quite expected.

Equally disappointing has been the behavior of the **DCP** over the past months. The **DCP** has stated that they are proud of their community outreach and education. In contrast to this claim, when the proposal was delivered to the **BCB8** in advance of the mandatory vote, it was missing many pages of substantial information. The Community Board and to the residents of Riverdale as a whole were insulted and frustrated. This treatment has been criticized by both Council Member Andrew Cohen and Bronx Borough President Ruben Diaz, Jr.

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Perhaps the most tragic part of this situation is the alienation of the community of Riverdale from the **DCP**. The perception of our community is that **DCP** did not act in good will. We have not witnessed any acknowledgment or explanation of their actions in terms of the process of this **SNAD** amendment. Regardless of the personal relationships at play here, it is simply wrong for the **DCP** to **weaponize** the process of this **SNAD** proposal. If the **DCP** had a defensible reason for this process, they should have no problem sharing it with the public they serve.

For the reasons detailed herein, I request that the **NYC Planning Commission** ask the **DCP** to withdraw their request for this amendment, and in the absence of that action on the part of **DCP**, I ask the **NYC Planning Commission** to vote a firm NO on the **DCP** proposal.

In addition, I ask the **NYC Planning Commission** (as the governing body of the **DCP**) to mediate in the repair of the relationship between the **DCP** and **BCB8**, as the continued alienation of these parties from each other wrongfully punishes the citizens of Riverdale, in terms of present and future projects.

Thank you so much for your review of my testimony and your consideration of it in your judgment of this amendment to the existing **SNAD** regulations.

Best regards,

Stephanie Coggins

Attachment

cc: Bronx Community Board 8

Bronx Borough President Ruben Diaz

NYC Councilman Andrew Cohen

NYS Assemblyman Jeffrey Dinowitz

NYS Senator Alessandra Biaggi

Friends of Spuyten Duyvil

2395 PALISADE AVENUE (Villa Rosa Bonheur) TIMELINE

- **October 5, 2017 (Developer** submitted the first PW1 Plan Work Application to the **DOB** with a job description of “Demolition of Existing 7 Dwelling Units including all interior partitions, flooring, ceiling. Proposed 11 new dwelling units.”)
- **October 9, 2017 (Developer** submitted an ACP5 report to the **DEP**, indicating the presence of asbestos within the structure)
- **November 11, 2017 (Developer** submitted the first application for permits to the **DOB**:
Detail: Job Description: Demolition of 7 dwelling units. Proposed 11 new dwelling units;
Alteration Type 1; Change of occupancy/use: NO;
Change in current certificate of occupancy: NO;
Change in number of stories: NO
- **November 15, 2017 (Sale of VRB to Joseph Seidenfeld)**
- **January 31, 2018 (Developer** submitted ACP5 report to the **DEP**)
Detail: “Asbestos is present and will not be disturbed during construction activity” (sprinkler plans filed); 3000 SF of exterior stucco, BAS 001 to 003.
- **July 31, 2018 (DOB issues permits to Developer for interior demolition of VRB, proposing construction of eleven interior units from original seven);**
Detail: Work Permit Data 6.5: Removing one or more stories: NO;
Demolishing 50% or more of the area of the bldg.: NO;
Other than hand held devices to be used for interior demolition: NO;
Altering 10% or more of floor surface of the building: NO
- **August 1, 2018 (Developer** Submitted ACP7 Form with the **DEP**)
Detail: Total 3,755 sq. ft. of ACM in multiple locations, including window caulking; roofing membrane and stucco
- **August 9, 2018 (Developer** Submitted Application for Amendment of Partial Demo Plan: PA5 and DS1 to the **DOB**)
- **August 19, 2018 (Attachment 9: DOB** site inspector, in response to 311 complaints and calls from
Community Board 8, finds no violation of existing permits)
- **August 23, 2018 (DOB** First Full Stop Work Order to **Developer** for Work Not Conforming to Permits)
- **September 18, 2018 (Developer** Submits ACP5 Form detailing presence of asbestos in roofing materials to **DEP**)
- **September 20, 2018 (DOB** Stop Work Order for No Workers Compensation and No Overhead Protection to **Developer**)

- **October 10, 2018 (Developer Submitted Work Plan for Permit for Full Demolition to DOB.)** The Work description details the demolition of existing 7 units and the proposed 11 units) The scope of this work requires asbestos abatement.
- **October 30, 2018** (Partial Stop Work Order regarding unsafe scaffolding)
- **November 1, 2018 (DEP First Stop Work Order regarding “asbestos project”)**
- **November 8, 2018 (DOB Stop Work Order for the Entire Site for Removal of the Roof with No Permits to Developer) Complaints over 11 weeks finally prompted inspectors to show up and compare plans to the work actually done.**
- **November 9, 2018** (Planned emergency asbestos cleanup of site)
Piping insulation will be removed from the basement and the roof flashing, window caulking and roofing membrane will be removed from the ground surrounding the building.
- **ECB Violations (Eight Total)**
Class 1 Immediately Hazardous: 4 Violations
Class 2 Major: 3 Violations
Class 3 Lesser: 1 Violations



From: [Stephanie Coggins](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyviiny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 4:04:20 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

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Please withdraw this proposed action.

Sincerely,

Stephanie Coggins
2550 Independence Ave 7E
Bronx, NY 10463

From: [Henriet Cohen](#)
To: [19DCP083Y_DL](#); [District11@council.nyc.gov](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 1:22:02 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
Henriet and Dr. Martin V Cohen
2727 Palisade Ave
Bronx, ny 10463

Sent from my iPhone

From: [Beth Connor](#)
To: [Special Districts \(DCP\)](#)
Subject: PROTECT SNAD
Date: Thursday, July 18, 2019 7:02:13 PM

Connor

I am writing to ask that you withdraw your proposal to change the SNAD ruling. I stand with CB8 on this issue.

Respectfully,

Beth Connor

5800 Arlington Avenue #15T

Riverdale, NY 10471

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From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Wednesday, August 14, 2019 10:40:46 AM

Connor

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Beth Connor**
Zip: **10471-1416**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I agree with CB 8 - this proposal is not ready for approval. The City Planning Commission should listen to our local CB 8, i.e- community-based planning is the first rung of City government, and a critical venue for public participation, consensus building and positive local change.

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From: [Judith Cooper](#)
To: [Special Districts \(DCP\)](#)
Subject: no to eliminating community board oversight, no to SNAD!
Date: Wednesday, July 17, 2019 11:33:50 AM

Cooper
I 1

j cooper
5234 netherland ave
bronx, ny 10471

From: [Judith Cooper](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 7:51:49 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
judith and steven cooper
5234 netherland ave
bronx ny 10471

From: [Olga Abinader \(DCP\)](#)
To: [Stephanie Shellooe \(DCP\)](#)
Subject: Fwd: I demand NO ACTION option on 19DCP083Y
Date: Tuesday, August 27, 2019 9:30:08 AM

Best,
Olga

Begin forwarded message:

From: Suzanne Corber <scorber@optonline.net>
Date: August 27, 2019 at 7:28:21 AM EDT
To: <snad@bceq.org>
Subject: I demand NO ACTION option on 19DCP083Y

I demand the NO ACTION option on 19DCP083Y and oppose your
proposal.

Thank you,

Suzanne Corber
3225 Johnson Avenue, #6J
Bronx, NY 10463

From: [loidian cordero](#)
To: [19DCP083Y_DL](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Saturday, August 31, 2019 6:45:27 PM

Dear City Planning,

I support the **NO ACTION** option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

My concerns:

- The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- Allows projects to skip community review and the public hearing process.
- **Favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.**
- Undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- Lacks substantial enforcement measures and penalties for violations.

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Please withdraw this proposed action.

Sincerely,

Loidian Cordero

5800 Arlington Ave. Riverdale, NY 10471

From: [Sue Dodell](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 5:06:41 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
Sue Ellen Dodell

From: [Caitlin Dover](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Sunday, September 8, 2019 7:27:16 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

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Please withdraw this proposed action.

Sincerely,

Caitlin
Kappock St., Spuyten Duyvil

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Tuesday, August 6, 2019 7:32:29 PM

Dwyer

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Frank Dwyer**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

Dear Board of the City Planning Commission: Re: BOROUGH OF THE BRONX Nos. 1, 2 & 3 Bronx Special District Text As a resident of the community of Riverdale, I would like to voice my opposition to the proposal put forth by the Department of City Planning to amend and alter the zoning regulations governing the SNAD ("Special Natural Area District"), transforming it into SNRD ("Special Natural Resource District"). The process by which City Planning required Community Board #8 to vote on an incomplete proposal was insulting to both this institution and to the community of Riverdale and suggests uncomfortable questions as to why this process is allowed to continue. Given our documented experiences (i.e. 2395 Palisade Avenue), I feel that transformation to SNRD is a Trojan horse designed to further a

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pro-development agenda of the current administration. DOB's rubber-stamped approach to oversight is insufficient for the type of oversight required by this proposal. I request that you ask the Board of the New York City Planning Commission vote NO to this proposal. Thank you. Frank Dwyer 2390 Palisade Ave, Bronx

I²

From: [Frank Dwyer](#)
To: [19DCP083Y_DL](#)
Cc: District11@cityofnewyork.org; [Juton Horstman \(DCP\)](#); Dinowij@nyassembly.gov
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 7:38:46 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
Frank Dwyer, 2390 Palisade Avenue
Bronx resident

Sent from my iPhone

From: [Karen Entwistle](#)
To: [Special Districts \(DCP\)](#)
Subject: HELP SAVE OUR SNAD by voting NO!
Date: Tuesday, July 23, 2019 8:57:12 PM

Entwistle

Please prevent the rezoning of the Riverdale SNAD. I don't say this selfishly, I won't be around to enjoy the beauty of our neighborhood forever. I live on less than an acre and I do not want a tower built in my neighborhood. Is nothing sacred? Must everything be paved over? Please have a heart and protect the wildlife and the trees.

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Karen Entwistle
917-892-2734

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Thursday, August 15, 2019 12:13:44 PM

Farrell

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Kevin Farrell**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent": **Lived in Riverdale for close to 35 years and has seen the character of the neighborhood change greatly over that time**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

Riverdale is a unique community along the Hudson River in the Bronx. The green spaces and natural feel to the neighborhood, being so close to the river ecosystem needs to be preserved. The neighborhood has become overcrowded in terms of public services, roads/traffic. The community board has been integral in limiting over-development and maintaining the character of the neighborhood. Their role should be preserved and we should not sell out to developers.

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From: [Robert Fass](#)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [District11@council.nyc.gov](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Thursday, August 29, 2019 12:47:12 PM

Dear City Planning,

While I was unable to attend the planning meeting in lower Manhattan yesterday, as a member of the Riverdale community I am writing to state that I support the NO ACTION option on CEQR#19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to, how it:

- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- favors institutions over homeowners: allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

As all of these issues threaten to diminish not only the quality of life in and around the SNAD but also the future health of our local environment, I herein add my voice to those who ask that you withdraw the proposed action.

Sincerely,
Robert Fass
Riverdale resident since 2011

Robert Fass & Linda Hirlehey
3755 Henry Hudson Parkway 14F
Bronx, NY 10463

lindarobert@robertfass.com

From: [Judy Fletcher](#)
To: [Special Districts \(DCP\)](#)
Subject: SNAD
Date: Thursday, July 18, 2019 5:13:26 PM

Fletcher

To the City Planning Commission:

Please withdraw the proposal to change SNAD to SNRD. The process was outrageous and undemocratic.

I¹

Sincerely,
Judy Fletcher

525 W. 238th St. Apt. A1
Bronx, NY 10463
[\(718\)796-8223](tel:(718)796-8223)
jfletcher@riverdale.edu

From: [Judy Fletcher](#)
To: [19DCP083Y_DL](#); [District11](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [Jeffrey Dinowitz](#)
Subject: Comments on CEQR 19DCP083Y and Bronx SNAD Update
Date: Wednesday, August 28, 2019 9:36:52 AM

To the City Planning Commission:

I am writing in support of the NO ACTION option on CEQR# 19DCP083Y and to oppose the proposed Bronx Special Natural Area District Update.

In my opinion, the proposed update fails to address the concerns, needs, and neighborhood character specific to our Bronx community, and it fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources.

Some of my specific concerns about the proposed update:

- 1) It does not consider the negative impact it would have on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- 2) It allows projects to skip community review and the public hearing process.
- 3) It favors institutions over homeowners, allowing institutions, which cover 50% of the SNAD, to build more and preserve less than is required of homeowners.
- 4) It undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- 5) It lacks substantial enforcement measures and penalties for violations.

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I am alarmed about the negative effects this action would have on the neighborhood where I have worked, raised children, and made my home for decades. Please withdraw this proposed action.

Sincerely,
Judith E. Fletcher
525 W. 238th St. Apt. A1
Bronx, NY 10463
[\(718\)796-8223](tel:(718)796-8223)
jfletcher@riverdale.edu

From: mitchrf@aol.com
To: [19DCP083Y_DL](#); District11@council.nyc.gov; [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](mailto:BX08@cb.nyc.gov); dinowij@nyassembly.gov; spuytenduyvilny@gmail.com
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 8:38:26 AM

Dear City Planning, I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update. The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community. Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action. Sincerely, Mitchell Friedman
80 Knolls Crescent, apt 10E, Bronx, NY 10463

From: [Bridget Gaffney](#)
To: [Special Districts \(DCP\)](#)
Subject: Save the Riverdale SNAD !
Date: Wednesday, July 17, 2019 8:05:43 PM

Gaffney

Dear City Planning Commission,

As a lifelong Bronx resident, and a Riverdale/Spuyten Duyvil resident for the past 21 years, the parks and special nature areas of the neighborhood are an important resource. Destruction of that environment, and of unique old buildings is just awful.

Please **SAVE OUR RIVERDALE SNAD** and stop secret Zoning Changes by withdrawing on the NYC Planning proposal to change our SNAD (Special Natural Area District) to SNRD (Special Natural Resource District).

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Thanks for your attention.

Bridget Gaffney

2550 Independence Ave. Apt 6R

Bronx, NY 10463

Sent from my iPad

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Wednesday, August 7, 2019 1:31:32 PM

Geiger

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Maureen Geiger**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I am against the proposal, which is illegitimate, and its impact on my borough.

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From: [Linda Gelerter](#)
To: [19DCP083Y_DL](#)
Subject: SNAD Update Vote
Date: Wednesday, August 28, 2019 1:45:05 PM

Dear City Planning,

I support the **NO ACTION** option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

My concerns:

- The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- Allows projects to skip community review and the public hearing process.
- **Favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.**
- Undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- Lacks substantial enforcement measures and penalties for violations.

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Please withdraw this proposed action.

Sincerely,

Linda Gelerter

5700 Arlington Ave, Apt 11A, Riverdale, NY 10471

From: [Steve Gelfand](#)
To: [19DCP083Y_DL](#); [District11@council.nyc.gov](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 3:42:30 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Steve Gelfand, Orchestra Contractor
917-690-6716
steve.gelfand@icloud.com
Sent from my iPhone

From: [LYNN GOLDNER](#)
To: [Special Districts \(DCP\)](#)
Subject: HELP SAVE OUR SNAD
Date: Friday, July 19, 2019 9:13:49 AM

Goldner

Dear City Planning Commission,

I urge you to withdraw the proposal to change SNAD (Special Natural Area District) to SNRD (Special Natural Resource District):

We oppose these efforts to:

- Change the SNAD Greenbelt regulations
- Create more "as of right" development (more, bigger & taller buildings)
- Allow removal of currently protected trees, rocks, slopes, and other elements of the natural environment
- The proposal skips the public review process & instead gives the NYC Dept. of Buildings oversight to approve projects on properties of less than an acre, with no opportunity for the CB8 to speak up for, or against, a proposed project.

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I am a Riverdale resident as well as a constituent and voter,

Lynn Goldner
718-543-2439

From: [Wendy Goldstein](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 8:50:14 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
Wendy and Richard Goldstein
Riverdale, NY

Sent from my iPhone

From: [Miriam Gomez](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 6:19:50 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
Miriam Gomez

Sent from my iPhone

From: [Bat-Sheva Guez](#)
To: [Special Districts \(DCP\)](#)
Subject: please withdraw your proposal to dismantle SNAD
Date: Friday, July 26, 2019 5:53:56 PM

Guez

To the City Planning Commission,
I was very distressed to learn of the proposal to dismantle SNAD. Our trees and slopes of natural environment are critical to the health and well-being of our community. Studies have shown that people have better physical and mental health when they have easy and regular access to trees and nature. Our natural spaces are also imperative to curbing the devastating affects of global warming. **I urge you to withdraw your proposal.**

The NY City Planning Commission changed their original SNAD proposal and asked our Bronx Community Board 8 to vote on it sight unseen. In protest, the CB8 declined and declared in a resolution that the process was illegal.

The City Planning proposal changes SNAD (Special Natural Area District) to SNRD (Special Natural Resource District) which will:

- Change the SNAD Greenbelt regulations
- Create more "as of right" development (more, bigger & taller buildings)
- Allow removal of currently protected trees, rocks, slopes, and other elements of the natural environment
- The proposal skips the public review process & instead gives the NYC Dept. of Buildings* oversight to approve projects on properties of less than an acre, with no opportunity for the CB8 to speak up for, or against, a proposed project.

*This is the same DOB which placed the health and safety of the community at risk by approving demolition of 2395 Palisade Avenue before verifying that asbestos was properly removed.

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WE SAY NO! to Secret Zoning Changes. Please help SAVE OUR SNAD!

Sincerely,
Bat-Sheva Guez
Spuyten Duyvil Resident

www.adventurepants.tv

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Wednesday, August 14, 2019 3:32:11 PM

Guez

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Bat-Sheva Guez**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

As a resident of the community of Riverdale, I would like to voice my opposition to the proposal put forth by the Department of City Planning to amend and alter the zoning regulations governing the SNAD ("Special Natural Area District"), transforming it into SNRD ("Special Natural Resource District"). The process by which City Planning required Community Board #8 to vote on an incomplete proposal was insulting to both this institution and to the community of Riverdale and suggests uncomfortable questions as to why this process is allowed to continue. Given our documented experiences (i.e. 2395 Palisade Avenue), I feel that transformation to SNRD is a Trojan horse designed to further a pro-

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development agenda of the current administration. DOB's rubber-stamped approach to oversight is insufficient for the type of oversight required by this proposal. I request that you ask the Board of the New York City Planning Commission vote NO to this proposal.

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From: [Bat-Sheva Guez](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, September 3, 2019 10:04:50 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

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Please withdraw this proposed action.

Sincerely,
Bat-Sheva Guez

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Friday, August 9, 2019 9:53:26 PM

Guzik

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Jerry Guzik**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

Please vote against this SNAD proposal. It will unfairly impact our community.

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From: [S HAIMAN](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 5:51:19 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Sent from my iPhone

From: [Lewis Haimowitz](#)
To: [19DCP083Y_DL](#); [District11@council.nyc.gov](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 5:07:08 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
Lewis Haimowitz

From: [Julianne Farbman](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 3:55:25 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
J Hainey-Farbman

Sent from my iPhone

From: [Plumber1](#)
To: [19DCP083Y_DL](#); [District11@council.nyc.gov](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 11:25:27 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Teresa C. Hannon
2400 Johnson Ave

Sent from my Samsung Galaxy smartphone.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Saturday, August 10, 2019 12:42:33 PM

Hartley

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Linda Hartley**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent": **Resident**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

We in Riverdale want SNAD to be protected, and this secret, illegitimate proposal to be withdrawn! ~Linda Hartley

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From: [Shelley Haven](#)
To: [19DCP083Y_DL](#); [District11@council.nyc.gov](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [dinowij@nyassembly.gov](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 11:44:07 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

My concerns:

- The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- Allows projects to skip community review and the public hearing process.
- Favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- Undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- Lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
Shelley Haven
3801 Hudson Manor Terrace
Bronx 10463

From: [Renee Havens](#)
To: [19DCP083Y_DL](#)
Cc: [BX08@cb.nyc.gov \(CB\)](#); [Juton Horstman \(DCP\)](#); [dinowij@nyassembly.gov](#); [District11](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 2:04:01 AM

Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

As a residential homeowner adjacent to Wave Hill this is particularly distressing to us. We live on an acre plus property. Though we support the new and more stringent rules concerning homeowner properties over an acre, we feel these rules are superfluous if properties under an acre don't have the same rules and oversight of development. From our experience, the Department of Buildings is not equipped to handle applications of new projects without the additional review by DCP and, particularly, the continued oversight of the Community Board. The Community Board has a more personal understanding of the character and concerns of our community and its development and a stake in maintaining its integrity. Furthermore, there doesn't seem to be any real financial or punitive repercussions if properties under an acre cut down trees or ignore other regulations. We need the review of the Community Board to keep rogue developers at bay. We believe it is imperative for such projects to go through the process of the community board review and the public hearing process. In early meetings, the DCP stated there are only a few applications under an acre that go under review each year. It doesn't seem to impose a significant workload on the DCP and the Community Board to continue to maintain such oversight. The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

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The mere possibility of this change to regulations makes us and many others seriously consider if we should sell and move out of the area. We chose this neighborhood for its bucolic character and this proposal poses a serious threat to that character. We are tired of worrying about further rogue development in our neighborhood.

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Moreover, The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park. It favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners. It undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology. It lacks substantial enforcement measures and penalties for violations.

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Please withdraw this proposed action.

Sincerely,

Renee and Mark Havens

5020 Independence Avenue

Bronx, New York, 10471

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From: [Aviyh](#)
To: [Special Districts \(DCP\)](#)
Subject: SAVE OUR SNAD
Date: Wednesday, July 17, 2019 10:24:54 PM

Henoch

I was very upset when I heard that the City Planning proposal changes **SNAD** (Special Natural Area District) to

SNRD (Special Natural Resource District) which will:

- **Change the SNAD Greenbelt regulations** **I1**
- **Create more "as of right" development** (more, bigger & taller buildings) **I2**
- **Allow removal of currently protected trees, rocks, slopes, and other elements of the natural environment** **I3**
- **The proposal skips the public review process & instead gives the NYC Dept. of Buildings* oversight to approve projects on properties of less than an acre, with no opportunity for the CB8 to speak up for, or against, a proposed project.** **I4**

My neighbors and I strongly oppose this proposal-that fails to protect my neighborhood and our precious green spaces.

Avi Henoch

3035 Palisade Ave.

Avraham Henoch MD PC

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From: [Avraham Henoch](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Monday, September 2, 2019 11:36:10 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
A. Henoch

From: [Abbe Herbst](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 8:55:40 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Abbe Herbst
2500 Johnson Ave., Apt. 11K
Bronx, NY 10463

From: [Sura Jeselsohn](#)
To: [Special Districts \(DCP\)](#)
Subject: Forwarding for the Hymans
Date: Sunday, July 21, 2019 10:08:13 AM

Hyman

The e-mail address that you sent for the Planning Commission keeps kicking back, so it's obviously wrong. If you can get the right one, feel free to send this e-mail along to the Commission. And good luck!

Avrum

The responsibility of a Planning Commission is two-fold: 1) To properly review and adapt new growth potentials, and 2) In carrying out responsibility number 1) to judiciously preserve beneficial existing plans. The SNAD plan that has been in effect for many years has effectively preserved the natural character of Bronx Community Board #8, The proposed SNRD plan placed before the Planning Commission without ANY input from or consultation with Community Board #8 would have an adverse effect on the board's jurisdiction. We urge you to withdraw this proposal.

I₁

Helen & Avrum Hyman
Riverdale

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Monday, August 5, 2019 10:37:44 AM

Hyman

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Avrum Hyman**
Zip: **10471**

I represent:

- **Myself**

Details for "I Represent": **Helen Hyman**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

Community Board 8 never asked for comments or its position on SNAD application in its jurisdiction

I²

From: [Avrum Hyman](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 8:39:23 PM

Dear City Planning Commission Members,

We support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

3

Please withdraw this proposed action.

Sincerely,

Helen & Avrum Hyman
5201 Fieldston Road
Bronx, NY 10471

From: [Raphael Inzlicht](#)
To: [Raphael Inzlicht](#)
Subject: Re: Natural Area District Update
Date: Tuesday, August 6, 2019 11:49:10 AM

Inzlicht

Dear concerned official,

I hope this email finds you well.

We have been living in Riverdale for a long time and purchased a house 2.5 years ago. We spent the past year working with CPC, LPC and DOB on the plans for our house. Rest assured, we are not planning a new skyscraper. We live in the Fieldston section in Riverdale. We obviously love the neighborhood for all the obvious reasons.

We would have loved for the CPC/SNAD/ CB8 process to have been shorter and more efficient. I have experience working with the above city agencies and Juton Horstman has been great working with and helping expedite the process. We are grateful the project has been approved (still waiting for DOB...). Without knowing the details of the proposed CPC/SNAD changes. And assuming CPC/SNAD is not suggesting removing all the trees and flattening all of our properties ...I would advocate for a more efficient and streamlined process.

The process, not known to most and even respected NYC architects, is very complex and tedious. It required several iterations to our survey, topographic survey, many many rounds of plans, drawings, letters, documents, fees, applications, and review sessions and changes. Time is money. Additionally, one approval is needed in order for the other city agency(s) to proceed to the next phase. It adds months to the process which delays the entire project and adds fees and unnecessary aggravation.

1

Finally and frankly, it gives Riverdale and Fieldston a bad rep. It tells every prospective purchaser that it will be a nightmare should they choose to buy a house in the neighborhood and decide to do some work. I wish that some of the people involved (on both sides of the isle) would go through the process themselves and see what is involved.

I only advocate for a more conscious, efficient and smarter process. The Bronx, Riverdale and Fieldston are unique neighborhoods and we all want to preserve the character of the neighborhood. If we want to stay relevant and attract new and young families. We need to find a compromise. Many city agencies have already (DOB, NYPD, DMV, etc...) or are in the process of revamping their systems to be more automated, efficient and user friendly. We, and you I assume, want city and government resources better spent.

Thank you for your efforts to keep our neighborhoods safe, beautiful and relevant in the 21st century.

Best,
Raphael Inzlicht

From: [Alexander Ivanov](#)
To: [Special Districts \(DCP\)](#)
Subject: Please protect our SNAD and community's natural features
Date: Tuesday, June 25, 2019 3:08:50 PM

Ivanov

To **City Planning:**

Please protect our SNAD and community's natural features by:

- following the [ULURP process](#) by presenting all proposed SNAD zoning changes for public review OR withdrawing the ULURP application.
- reducing the number of properties that can build "as of right."
- restoring Community Board and public review of projects.

I¹
I²
I³

Alexander and Yulia Ivanov,
2500 JOHNSON AVE, BRONX

From: [Personal](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 11:37:21 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Sent from my iPhone

From: [Janie](#)
To: [Special Districts \(DCP\)](#)
Subject: SNAD
Date: Friday, July 19, 2019 11:51:52 AM

Janie

Withdraw the proposal! SAVE OUR SNAD

I 1

Please enjoy my articles about health, ethics (or lack thereof) within the pet industry - including conventional veterinary care and more at www.essentiallydogs.com

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Tuesday, August 6, 2019 4:40:28 PM

Jeselson

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Sura Jeselson**
Zip: **10463**

I represent:

- **Myself**
- **A local community group or organization**

Details for "I Represent": **Ms.**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:
Yes

Additional Comments:

Riverdale is being dragged along on a proposal that largely was designed for Staten Island (which has been dropped out of the matter). We are the tail of a very large dog that has disappeared. The Department of City Planning has been very high-handed in forcing us to go through a process that is time-consuming and thoroughly opposed by Riverdale.

I
1

From: [Sura Jeselsohn](#)
To: [19DCP083Y_DL](#); [Andy Cohen](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [DinowiJ@nyassembly.gov](#); [biaggi@nysenate.gov](#)
Subject: SNAD Objections
Date: Wednesday, August 28, 2019 12:06:39 PM

This process of rewriting the SNAD rules has treated the residents of Riverdale who take their community very seriously in an arrogant manner. Certainly with the benefit of forty years of experience with environmental protection, reasonable and useful changes could be implemented but government is not treating our citizens as thoughtful and concerned people who will bear the brunt of serious errors. This is not how a democracy is supposed to work!

Sometimes, the only intelligent thing to do is invalidate a clear mistake and start over!

Sura Jeselsohn

From: [Aidar Karabalaev](#)
To: [19DCP083Y_DL](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Saturday, August 31, 2019 5:18:57 PM

Dear City Planning,

I support the **NO ACTION** option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

My concerns:

- The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- Allows projects to skip community review and the public hearing process.
- **Favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.**
- Undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- Lacks substantial enforcement measures and penalties for violations.

1

Please withdraw this proposed action.

Sincerely,

Aidar Karabalaev

5800 Arlington Ave, Apt.17T, Bronx NY 10571

From: [Christine Keaveney](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Sunday, September 1, 2019 1:50:36 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

1

Please withdraw this proposed action.

Sincerely,
CHRISTINE KEAVENEY
2465 Palisade Ave
Bx NY

From: [Gilbert Kepecs](#)
To: [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#); [19DCP083Y_DL](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 9:25:49 PM

Dear City Planning,

I understand that communist China makes progress by ramming things down a community's throat. Check out their environmental record (coal; the air quality and water quality in their largest cities). Our regulations were designed generations ago to prevent the rest of NYC from becoming a concrete jungle like midtown. SNAD regulations were specifically designed to prevent destruction of old growth trees and the special natural features that make the Riverdale area different than much of NYC. SNAD regulations likely LOWER my own property values, as they limit my theoretical ability to build on my property, but I am happy to give up theoretical value for natural value. And no, the virtues of building for our senior citizens doesn't outweigh the advantage of these regulations.

Note what is happening in central Riverdale, around Henry Hudson Pkwy. What is happening to the old houses lining the thoroughfare? I see a new building going up every year.

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update. The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community. Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Gilbert Kepecs, MD

Palisade Ave. Near 231st

From: [Elizabeth Kinetz](#)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [District11@council.nyc.gov](#); [Dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 12:59:12 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to, how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park
- removes local participation and public input by allowing more projects to skip community review and the public hearing process
- favors institutions over homeowners and allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties
- lacks substantial enforcement measures and penalties for violations

1

Please withdraw the proposed action.

Best,
Elizabeth Kinetz

BX08@cb.nyc.gov (CB)

From: Elizabeth Kinetz <lkinetz@gmail.com>
Sent: Thursday, June 27, 2019 5:08 PM
To: BX08@cb.nyc.gov (CB)
Subject: Protect SNAD

Dear Community Board Members,

As a resident of Riverdale, I ask that you do NOT SUPPORT proposed changes to SNAD at tonight's meeting.

2

Best,

Elizabeth Kinetz

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Wednesday, August 7, 2019 9:33:01 PM

A-Kline

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Amy Kline**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

Please vote no on changes to the existing Special Natural Area District zoning regulations.
Please protect the natural beauty of our neighborhood.

I₁

From: [Amy Kline](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Urgent Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 8:50:15 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

2

Please withdraw this proposed action.

Sincerely,
Amy Kline, #2E

From: [Patrick Kline](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyviiny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 10:05:53 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

1

Please withdraw this proposed action.

Sincerely,

Patrick Kline
2390 Palisade ave. apt 2E
Bronx, NY

From: [Olivia Koppell](#)
To: [Special Districts \(DCP\)](#)
Subject: Save SNAD.....
Date: Friday, July 19, 2019 8:49:59 AM

Koppell

Making changes without proper review and input never ends well. This proposal should be rejected - to change the existing designation will make changes that can't be reversed. Motivation - greed. Not good. Don't go along with this secretive manipulation. Respectfully, Olivia Koppell

I¹

Sent from my iPhone

From: [Patricia Kranz](#)
To: [Special Districts \(DCP\)](#)
Subject: Withdraw the proposal to change the SNAD greenbelt regulations
Date: Tuesday, August 6, 2019 12:29:34 PM

Kranz

I live in Riverdale in the Bronx. It is a beautiful area and a jewel in New York City, largely due to the SNAD designation. Please see the email below for reasons I oppose any change. I sent it to Andrew Cohen, our city councilman. The elimination of public review will encourage overbuilding and secret deals between developers and public officials and destroy our beautiful community. If Staten Island was able to get the proposed changes eliminated, the Bronx should too.

I₁

I live in Skyview. I adamantly oppose the proposal to change the SNAD regulations and all more "as of right" development in Riverdale. Most importantly, I oppose eliminating the public review process. That is the only thing that helped us prevent the Hebrew Home from building a huge new complex that would ruin our views, our neighborhood and our environment. I have lived in Riverdale 16 years and came because I love the green space and the river views and the sense of community. We all know that eliminating public review will open the door to payoffs and corruption and allow too much new building in our community, making it as crowded as Manhattan. If you vote for this proposal, I will vote against you in the next election.
Patricia Kranz

I₂

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Sunday, August 25, 2019 12:45:57 AM

Re. Project: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Debbie Lambert**
Zip: **10462**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

The heartland of the boroughs should be a forum for positive activities: schools, businesses, parks, stores, and all the normal functions of society. Jails should be in remote locations for purposes of remediation, not to create needless threats and dangers in the vicinity of people who want to advance themselves and avoid exposure of themselves and their children to facilities that house people who are a threat to society. Kindly reconsider this agenda. Thank you.

BX08@cb.nyc.gov (CB)

From: Debbie Peters <dp2@earthlink.net>
Sent: Wednesday, August 28, 2019 4:10 PM
To: BX08@cb.nyc.gov (CB)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update

Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update

We support the **NO ACTION** option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Our concerns:

- The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- Allows projects to skip community review and the public hearing process.
- **Favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.**
- Undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- Lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Dr. Gerson Lesser
Debbie Peters
5800 Arlington Ave
Bronx, NY 10471

1

Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update

Renato & Ada Letelier <renatoada@yahoo.com>

Tue 9/3/2019 8:33 AM

To: DL@planning.nyc.gov <DL@planning.nyc.gov>; Juton Horstman (DCP) <JHORSTMAN@planning.nyc.gov>; BX08@cb.nyc.gov (CB) <BX08@cb.nyc.gov>; District11@council.nyc.gov <District11@council.nyc.gov>; dinowij@nyassembly.gov <dinowij@nyassembly.gov>; spuytenduyvilny@gmail.com <spuytenduyvilny@gmail.com>

Dear City Planning,

I support the NO ACTION option on CEQR#19DCP083Y and oppose the proposed Bronx Special Natural Ara District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- 1) neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- 2) removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- 3) favors institutions over homeowners, allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- 4) subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- 5) lacks substantial enforcement measures and penalties for violations.

1

Please withdraw the proposed action.

Yours Truly,

Ada N. Letelier
3875 Waldo Avenue. Apt IIJ
Bronx, New York 10463

From: [I.C. Levenberg-Engel](#)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#)
Cc: [dinowij@nyassembly.gov](#); [District11@council.nyc.gov](#); [Dr.Robert Fanuzzi - BCEQ Pres"019](#)
Subject: Comments CEQR 19DCP083Y
Date: Wednesday, August 28, 2019 4:03:10 PM

Subj: Comments CEQR 19DCP083Y

TO: NYC Planning Commissioners,

I support ***NO ACTION option***

I oppose the proposed Bx SNAD Update.

Please withdraw this proposed action.

Sincerely,

Mr. & Mrs. Levenberg-Engel

2711 H H Pkwy 3G The Bronx, 10463

1

Support Bronx Environmental Education!!

mricle

From: [Olga Abinader \(DCP\)](#)
To: [Stephanie Shellooe \(DCP\)](#)
Subject: Fwd: I Demand NO ACTION option on Bronx SNAD, 19DCP083Y
Date: Tuesday, August 27, 2019 9:28:45 AM

Best,
Olga

Begin forwarded message:

From: John Low-Beer <jlowbeer@yahoo.com>
Date: August 27, 2019 at 8:57:19 AM EDT
To: "snad@bceq.org" <snad@bceq.org>
Subject: I Demand NO ACTION option on Bronx SNAD, 19DCP083Y

I am the attorney who, as an Assistant Corporation Counsel, represented the City in a very long-running fight and ultimately successful effort to enforce a restrictive declaration that the City had imposed as a condition of development of Delafield Estates in the Riverdale SNAD. Now that I'm retired, I represent civic organizations including the City Club of NY in land use litigation to preserve our urban environment. At this time of climate crisis, it is unthinkable that our City Administration is considering weakening restrictions on precious natural areas within the City. I strongly oppose any relaxation of SNAD protections.

1

John Low-Beer
415 8th Street
Brooklyn, NY 11215

Tel. 718 744 5245

----- Forwarded Message -----

From: Bruce Rosen <bxqny@mac.com>
To: Cooper Union Institute for Sustainable Design <isd@cooper.edu>; Progressive City <info@progressivecity.net>; Tishman Environment and Design Center <tedc@newschool.edu>; Urban Law Center <urbanlaw@fordham.edu>
Sent: Tuesday, August 27, 2019, 02:05:38 AM EDT
Subject: Fwd: Demand NO ACTION option on Bronx SNAD

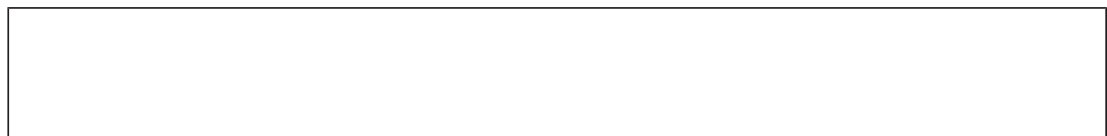
On the chance you may not have seen this....

Begin forwarded message:

From: Bronx Council for Environmental Quality
<Bronx_Council_for_Environmental@mail.vresp.com>
Subject: Demand NO ACTION option on Bronx SNAD
Date: August 27, 2019 at 12:32:51 AM EDT
To:
Reply-To: Bronx Council for Environmental Quality <reply-2c19dab5c8-46bc38e78f-d2ba@u.cts.vresp.com>



[Click to view this email in a browser](#)



spring1_top.jpg



Demand the NO ACTION option on the Bronx

Dear Environmental Friend,

The Special Natural Areas District (SNAD) in the Bronx is being changed by City Planning.

The proposed change would allow construction of impervious surfaces and lawns within buffers can impair buffer function by clearing trees, altering existing wetland hydrology, and increasing thermal impacts. As you know, grass lawns and landscaped areas can hamper infiltration, increase storm water runoff velocity and, due to residential and/or commercial fertilizer use, dramatically increase nutrient loading to wetlands and waters.

The proposal would relax restrictions and allow widespread development in areas previously determined ecologically sensitive, such as Alder Brook [<https://tinyurl.com/y49m7ckr>], Harlem and Hudson Rivers, Riverdale and Raoul Wallenberg Parks [[Raoul Wallenberg Forest Preserve](#)].

It would allow development on properties of less than one acre in affected areas to avoid City Planning review and the public participation which it entails, in favor of Buildings Department approval.

Finally, it would allow community facilities to build more and preserve less than what is required of homeowners, and eliminate environmental review for certain institutional projects.

If you have any questions, contact karen@bceq.org

What you can do to help. Send an email now, (cut, copy and paste)

To: snad@bceq.org

(the email will go to: City Planning, 19DCP083Y, Council Member Cohen, Assemblyman Dinowitz, and Bronx Community Board 8)

Subject: I demand the NO ACTION option on 19DCP083Y

I demand the NO ACTION option on 19DCP083Y and oppose your proposal.

Thank you,

Name

Address

Add more info if you want. You can forward this email to others and get them to send the email. The more letters that City Planning receives, the better our chances of beating this. That is what they did in Staten Island, and the City withdrew their changes.

City Planning Commission Hearing Wed., Aug. 28, 10 am

Join us at the

Public Hearing on
Wednesday, August 28 at
120 Broadway, Concourse Level
New York, NY
10 am to

You only have 2.5 minutes to speak so it's easy!

Thank you

We want to thank you for helping to preserve and restore our environment. The City of New York is already 72% impervious! The Bronx side of the Harlem River Watershed is 66% which is better but more can be done. We estimate that the SNAD is about 50% but that is not mentioned in the DEIS. **(CEQR 19DCP083Y)**

We can classify stream quality levels by percent imperviousness. Streams in an area of ranging from 1 to 10% impervious cover are "stressed streams." In 11 to 25% impervious cover areas, streams are impacted. And in areas of 26 to 100% impervious cover, streams are degraded. In fact, research indicates that watersheds are demonstrably and irreversibly degraded when as little as 10% of their surface area is covered by impervious surfaces.

[Link to my website](#) We will post more information on our site.

Other interesting events

BCEQ Board Meeting is Wednesday, September 11 from 6 to 8 pm, Van Cortlandt Park Alliance Garden near the Horse Stables. Bring your own sandwich/salad and drink. Dessert will be served. rsvp@bceq.org

spring1_bottom.gif



[Click here](#) to forward this email to a friend

Bronx Council for Environmental Quality
80 Van Cortlandt Park South
Ste. E1
BRONX, New York 10463
US



[Read](#) the VerticalResponse marketing policy.

From: [Charles Manley](#)
To: [19DCP083Y_DL](#); [District11@council.nyc.gov](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 2:42:51 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

1

Please withdraw this proposed action.

Sincerely,

Charles Manley
[Charlesemanley@gmail.com](#)
[2465 Palisade Avenue](#), 5C
Bronx, NY 10463

From: [JOAN McKiernan](#)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 5:29:46 PM

McKiernan

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community. This area is already losing too many trees, and too many are able to get planning permission for larger buildings adding to the density of the area and crowding out parking spaces. There should be a more rigid application of the rules to protect our natural resources, not a relaxation of them, which the proposed update would do.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners: allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

1

Please withdraw the proposed action.

Sincerely,

Joan McKiernan
6034 Liebig Avenue
Riverdale 10471

Joan McKiernan

From: [Tara](#)
To: Shad@bceq.org
Subject: I demand the NO ACTION option on 19DCP083Y
Date: Tuesday, August 27, 2019 10:31:20 AM

I demand the NO ACTION option on 19DCP083Y and oppose your proposal.

I¹

Thank you,
Tara McMaster
5660 Sylvan Ave
Bronx NY 10471

From: [Tara](#)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [District11@council.nyc.gov](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 4:36:05 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

2

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners: allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw the proposed action.

Sincerely,
Tara McMaster
5660 Sylvan Ave
Bronx NY 10471
Sent from my iPhone

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Wednesday, August 7, 2019 10:48:23 AM

Meister

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Matthew Meister**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I say **NO** to secret zoning changes and **No** to making changes to SNAD!

I₁

From: [Lee Michel](#)
To: [19DCP083Y_DL](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 11:52:38 AM

Dear City Planning,

I support the **NO ACTION** option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

My concerns:

- The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- Allows projects to skip community review and the public hearing process.
- **Favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.**
- Undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- Lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Lee Michel
4731 Fieldston Road
Bronx, NY 10471

From: [JUDITH MINKOFF-GREY](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 4:57:21 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Sent from my iPhone

From: [shadi mir](#)
To: [19DCP083Y_DL](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 11:11:54 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

My concerns:

- The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- Allows projects to skip community review and the public hearing process.
- Favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- Undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- Lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Shadi Mirfendereski
640 W 231st Street, 7E
Bronx, NY 10463

From: [Aaron Mittman](#)
To: [Special Districts \(DCP\)](#)
Subject: Oppose Changes to Riverdale's SNAD
Date: Tuesday, July 23, 2019 8:53:30 PM

Mittman

City Planning Commission please immediately and fully withdraw the proposal for egregious, community destroying changes to the SNAD by removing the essential protections that our community and elected officials spent decades putting in place precisely to protect the irreplaceable and unique characteristics of the area.

I¹

thank you
aaron mittman
750 Ladd rd
bronx, NY 10471.

From: aaronmittman@optonline.net
To: [19DCP083Y_DL](#); ["District11"](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](mailto:BX08@cb.nyc.gov); dinowij@nyassembly.gov; spuytenduyvilny@gmail.com
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 10:08:56 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

From: [Carol Moretti](#)
To: [19DCP083Y_DL](#); [District11@council.nyc.gov](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 2:20:07 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
C.Moretti
2400 Johnson Avenue, 1e
Bronx, NY 10463

Sent from my iPhone

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Monday, August 12, 2019 3:49:20 PM

Mustelier

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Enrique Mustelier**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **other**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

The process by which City Planning required Community Board #8 to vote on an incomplete proposal was insulting to both this institution and to the community of Riverdale and suggests uncomfortable questions as to why this process is allowed to continue. DOB's rubber-stamped approach to oversight is insufficient for the type of oversight required by this proposal. I request that you ask the Board of the New York City Planning Commission vote NO to this proposal.

I₁
I₂

From: [Alex](#)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [District11@council.nyc.gov](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 1:27:55 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community. Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
Enrique Mustelier
2575 Palisade Avenue
Bronx, NY 10463

From: [Nadel, Meryl](#)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#)
Cc: [District11@council.nyc.gov](#); [BX08@cb.nyc.gov \(CB\)](#); [dinowij@nyassembly.gov](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, September 3, 2019 12:10:04 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

My concerns:

- The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- Allows projects to skip community review and the public hearing process.
- Favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- Undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- Lacks substantial enforcement measures and penalties for violations.

1

Finally, despite your considerable efforts on behalf of our neighborhood, more work needs to be done to protect our natural resources.

Please withdraw this proposed action.

Sincerely,

Meryl Nadel
4655 Douglas Ave.
Bronx, NY 10471

From: [gonzalez](#)
To: [19DCP083Y_DL](#)
Subject: PROTECT SNAD
Date: Thursday, August 29, 2019 6:10:10 AM

I support the **NO ACTION** option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

My concerns:

- The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- Allows projects to skip community review and the public hearing process.
- **Favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.**
- Undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- Lacks substantial enforcement measures and penalties for violations.

1

Please withdraw this proposed action.

Please help protect the beautiful natural resources this section of NYC has!!

Nancy Niles,

Skyview on the Hudson shareholder

From: [Olga Abinader \(DCP\)](#)
To: [Stephanie Shellooe \(DCP\)](#)
Subject: Fwd: [SUSPECTED SPAM] SNAD
Date: Tuesday, August 27, 2019 9:29:20 AM

Best,
Olga

Begin forwarded message:

From: Nature Group <thenaturegroupvcp@gmail.com>
Date: August 27, 2019 at 8:01:47 AM EDT
To: <snad@bceq.org>
Subject: [SUSPECTED SPAM] SNAD

Hasn't our area already taken enough hits?!
Please no, no and no to SNAD changes.

Catherine O'Brien
CB 8

1

From: [Calder Orr](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyviiny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 8:19:01 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

*And, size threshold is inconsistent with actual development sizes and the impacts of these developments. Purpose using a size threshold similiar to NYC DEPs lot size threshold for stormwater in MS4 areas. 20,000 sqft.

Please withdraw this proposed action.

Sincerely,

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Friday, August 9, 2019 1:43:58 PM

Padurano

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Dominique Padurano**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

Dear Board of the City Planning Commission: Re: BOROUGH OF THE BRONX Nos. 1, 2 & 3 Bronx Special District Text As a resident of the community of Riverdale, I would like to voice my opposition to the proposal put forth by the Department of City Planning to amend and alter the zoning regulations governing the SNAD ("Special Natural Area District"), transforming it into SNRD ("Special Natural Resource District"). The process by which City Planning required Community Board #8 to vote on an incomplete proposal was insulting to both this institution and to the community of Riverdale, depriving it of its democratic right to review and for input. Given our documented experiences with the Department of Buildings (i.e. 2395 Palisade Avenue), I feel that transformation to SNRD is a Trojan horse designed to

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further a pro-development agenda of the current administration. DOB's rubber-stamped approach to oversight is insufficient for the type of oversight required by this proposal. I request that you ask for the withdrawal of this proposal, or in the absence of this action, vote NO on this proposal. Thank you. Dominique Padurano 2550 Independence Ave, Apt 4F Bronx 10463

I₂

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Monday, August 26, 2019 12:09:57 PM

Re. Project: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Claude Pappas**
Zip: **10471**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:

I would like to express my support for the CPC's proposal. As a homeowner in Fieldston, I believe that it would be beneficial to streamline the approval process for small changes or expansions to existing homes. The existing review processes carried out through the LPC and DOB already takes significant time and effort and a parallel review to include SNAD would ensure changes are consistent with all existing requirements while providing economic and scheduling relief to the homeowner. The existing process is arduous and costly, and places undue burden on the homeowner. I further believe that the proposal would also allow CB8 to save time and resources to allow additional focus on the bigger issues that impact the wider community.

From: [Debbie Peters](#)
To: [19DCP083Y_DL](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 4:08:22 PM

Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update

We support the **NO ACTION** option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Our concerns:

- The proposed update does not consider its negative impact on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- Allows projects to skip community review and the public hearing process.
- **Favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.**
- Undermines important SNAD protections by allowing institutions to seek waivers to following regulations that protect SNAD ecology.
- Lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Dr. Gerson Lesser
Debbie Peters
5800 Arlington Ave
Bronx, NY 10471

From: [Kathy Riecks](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 3:13:03 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- **neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.**
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners: allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- **subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.**
- lacks substantial enforcement measures and penalties for violations.

Please withdraw the proposed action.

Sincerely,

Kathryn Riecks
5425 Valles Avenue,
Bronx, NY 10471

From: [Katie Ringel](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 11:01:34 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

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Please withdraw this proposed action.

Sincerely,
Katie Ringel
Bronx, NY 10463

JUN 11 2019

CARTER LEDYARD & MILBURN LLP
*Counselors at Law***Christopher Rizzo**
PartnerDirect Dial: 212-238-8677
E-mail: rizzo@clm.com2 Wall Street
New York, NY 10005-2072Tel (212) 732-3200
Fax (212) 732-3232570 Lexington Avenue
New York, NY 10022-6856
(212) 371-2720

June 4, 2019

Marisa Lago, Chair
City Planning Commission, 120 Broadway, 31st Fl.
New York, NY 10271Re: Staten Island/Bronx Special Districts Zoning Text Amendment

Dear Commissioner Lago:

I am writing in support of the Department of City Planning's proposed modifications to the SNAD zoning regulations. I have served since 2015 on the Department's "SNAD Working Group" that advised on issues in the Riverdale SNAD and my comments do not relate to the application to Staten Island. The amendments have four elements that help win my support.

- (1) Greater focus on open space preservation (e.g., more stringent lot coverage limits, hardscape coverage limits, habitat protection on larger lots). Preserving the remaining large tracts of open space (through development limits, clustering, permanent habitat protection and outright public acquisition) is the most important issue in the SNAD. I 1
- (2) Control of zoning lot subdivisions. I 2
- (3) Pressure on large institutions to engage in long-term planning and preserve more significant amounts of open space on their property, including through clustering of development. I 3
- (4) Clearer as-of-right options for owners of smaller lots that simply want to follow the rules without a costly and time-consuming public review process. I 4

I retain concerns about tax lot subdivisions, which are distinct from zoning lot subdivisions and equally problematic. I also have concerns about enforcement by the Department of Buildings, particularly with regard to the expertise of plan examiners and lack of qualified inspectors. With this letter I ask the Department to address both issues in its responses to comments. I want to thank the Department for taking the SNAD amendment process so seriously and the thoughtful work product. I 5 I 6

Sincerely,

Christopher Rizzo

Christopher Rizzo

cc: Councilman Andrew Cohen
Bronx Borough President Ruben Diaz, Jr.
Juton Horstman, Department of City Planning
Rosemary Ginty, Chairperson, Community Board No. 8 Bronx
Charles G. Moerdler, Committee Chair Land Use, Community Board No. 8 Bronx
Carol Samol, Borough Director, Department of City Planning

No # 31865

cc

Carol Samol ,Shawn Brede

Christopher Hadwin, Danielle J. DeCerbo

Olga Abinader ,Stephanie Shellooe

Christopher Holme, Juton Horstman

Aleena Farishta, Beth Lebowitz

Laurance Fauconnet, Alana Murphy

From: [Gail Schorsch](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Thursday, August 29, 2019 6:39:03 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

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Please withdraw this proposed action.

Sincerely,
Gail Schorsch

From: [myra_segui](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 4:40:51 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
Myra Segui

Sent from my iPhone

From: [Alan Septoff](#)
To: [Special Districts \(DCP\)](#)
Subject: Bronx SNAD
Date: Saturday, July 20, 2019 1:32:14 PM

Septoff

In no uncertain terms please withdraw the SNAD proposal

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Alan Septoff
T-212 665 2848

From: [Dovelet Shashou](#)
To: [19DCP083Y_DL](#); [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 6:36:10 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to, how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,
Dovelet Shashou
3064 Independence Av
Bronx, NY 10463

From: [BN Silberstein](#)
To: [Special Districts \(DCP\)](#)
Subject: Riverdale Zoning
Date: Friday, July 19, 2019 1:02:51 PM

Silberstein

To Whom It May Concern,

I have been renting in Riverdale for the last 11 years and value the amount of work Community Board 8, the Riverdale Nature Preservancy, RCC and a whole host of individuals spend making sure the urban planning reflects Riverdale's needs. CB8 has been willing to negotiate and work with City Planning but instead City Planning has taken an illegal action by violating the process in place and cutting the community out. PLEASE WITHDRAW YOUR PROPOSAL.

I¹

Thank you,
Beth Silberstein
Whitehall, Riverdale

From: maryanne.silverman@gmail.com
To: [19DCP083Y_DL](#); District11@council.nyc.gov; [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](mailto:BX08@cb.nyc.gov); dinowij@nyassembly.gov; spuytenduyvilny@gmail.com
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 4:57:44 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Sent from my iPad

From: [Greg Solomon](#)
To: [Special Districts \(DCP\)](#)
Subject: Bronx SNAD
Date: Thursday, June 27, 2019 8:47:37 AM

Solomon

We must keep our community board and the Public's input intact when it comes to zoning changes. It is outrageous that City Planning expects us to vote on the SNAD zoning proposal without making public all the changes intended.

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Please don't let this happen.

Thank you
Greg Solomon
2550 Independence, 1S

From: [Gregory Solomon](#)
To: [Special Districts \(DCP\)](#)
Cc: [Sura Ieselsohn](#)
Subject: Bronx SNAD
Date: Tuesday, August 20, 2019 11:56:19 AM

To whom it may concern:

I live at 2550 Independence Avenue and have lived in Riverdale since 1995. The natural landscape makes Riverdale one of the most beautiful neighborhoods in the city. Please do not let any changes occur to the Bronx SNAD. It would be a travesty.

Thank you,
Greg Solomon

2

From: [PROPLAST](#)
To: [19DCP083Y_DL](#); [District11@council.nyc.gov](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 8:42:21 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Rob Spalter

From: [Anthony Thoman](#)
To: [19DCP083Y_DL](#); [District11@council.nyc.gov](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 8:37:39 AM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Anthony Thoman

Sent from my iPhone

From: jtrambert@gmail.com
To: [19DCP083Y_DL](#); +District11@council.nyc.gov; +JHORSTMAN@planning.nyc.gov; +bx08@cb.nyc.gov; +dinowij@nyassembly.gov; +spuytenduyvilny@gmail.com
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 7:29:21 PM

Dear City Planning,

I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update.

The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community.

Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action.

Sincerely,

Jonathan Trambert, MD

From: [Deb Dolan Matt Turov](#)
To: snad@bceq.org
Subject: I demand the NO ACTION option on 19DCP083Y
Date: Tuesday, August 27, 2019 1:47:20 PM

To: snad@bceq.org
City Planning, 19DCP083Y, Council Member Cohen, Assemblyman Dinowitz, and Bronx Community Board 8

Subject: I demand the NO ACTION option on 19DCP083Y

I demand the NO ACTION option on 19DCP083Y and oppose your proposal.

I¹

Additional development will destroy more nature as well as contribute to the worsening CSO problem.

I²

Thank you,
Matthew Turov
5909 Tyndall Ave.
Bronx, NY 10471

Unknown

From: dds2th@gmail.com
To: [Special Districts \(DCP\)](#)
Subject: Abolish the SNAD
Date: Friday, July 19, 2019 6:57:43 AM

I 1

Sent from my iPhone

|

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Wednesday, August 7, 2019 11:09:30 AM

J-Wacker

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Jim Wacker**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent": **I'm a member of the Coalition to Save Brust Park, but am not speaking for them. <https://www.facebook.com/saveBrustPark/>**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

SNeRD isn't a good idea? It means less community oversight, and none on a piece of land less than an entire acre. We have little now. Why would we want less oversight? And what's to stop a 4-acre lot from being sold in 5 pieces and then developed As-of-Right? This is just more De Blasio real estate shenanigans. We at the Coalition to Save Brust Park are already suffering from the city's As-of-Right zoning being used to destroy the park. We don't need more of it in Riverdale. And BTW this meeting should have been held during evening hours so working residents could attend, IMHO.

I₁
I₂

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephanie Shellooe \(DCP\)](#); [Monika Jain \(DCP\)](#); [bronxcomments_dl@planning.nyc](#)
Subject: Comments re: C 190403 ZMX - Staten Island and Bronx Special Districts Text Update
Date: Wednesday, August 7, 2019 2:29:26 PM

M-Wacker

Re. Project: **C 190403 ZMX - Staten Island and Bronx Special Districts Text Update**

- Application Number: **C 190403 ZMX**
- Project: **Staten Island and Bronx Special Districts Text Update**
- Public Hearing Date: **08/14/2019**
- Borough: **Bronx**
- Community District: **8**

Comments on the Draft Environmental Impact Statement received by the 10th calendar day following the close of the public hearing will be considered by the lead agency.

Submitted by:

Name: **Melanie Wacker**
Zip: **10463**

I represent:

- **Myself**

Details for "I Represent": **I am a member of the Coalition to Save Brust Park, but the opinions voiced here my own,**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

This process should go back to the drawing board. Staten Island has backed out, CB8 did not have a chance to review the changed text in an adequate manner. The Bronx Borough President has voted "no". The community is largely against it. Now there is a "public hearing" during the morning of a work day. Is that what we call a democratic process? Besides this dubious way of trying to force unwanted changes through, the proposal itself has many questionable features, such as the 1-acre proposal as the cutoff. This is far too large. 1-acre is not a small property.

I¹

I²

From: [Connie Walsh](#)
To: [+District11@council.nyc.gov](#); [+JHORSTMAN@planning.nyc.gov](#); [+bx08@cb.nyc.gov](#); [+dinowij@nyassembly.gov](#); [+spuytenduyvilny@gmail.com](#); [19DCP083Y_DL](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Wednesday, August 28, 2019 8:09:19 AM

Dear City Planning, I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update. The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community. Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action. Sincerely,
Connie Walsh
2465 Palisade Avenue
Bronx, NY 10463

1

From: [Susan Wolfe](#)
To: [Special Districts \(DCP\)](#)
Subject: Do not change snad to snrd
Date: Saturday, July 27, 2019 10:25:19 PM

Wolfe

I would never have left Manhattan and moved to Riverdale - and I am proud to say THE BRONX -- if it were not for the green spaces. I live in an enclave, in Spuyten Duyvil, where there are big ugly buildings. There are no stores or restaurants -- most of the Knolls is boarded up. Without the green spaces this place would be a deadzone, with no appeal for anyone, except maybe for the bottom dollar that people would have to sell their apartments for. The lack of any vitality in the neighborhood already keeps the prices low.

You can possibly be thinking of sacrificing green public spaces?

Susan Wolfe
2400 Johnson Avenue 1G
Bronx, NY 10463
917-209-0441

I 1

From: [Richard Zablauskas](#)
To: [19DCP083Y_DL](#); [Juton Horstman \(DCP\)](#); [BX08@cb.nyc.gov \(CB\)](#); [District11@council.nyc.gov](#); [dinowij@nyassembly.gov](#); [spuytenduyvilny@gmail.com](#)
Subject: Comments on CEQR 19DCP083Y and Bronx Special Natural Area District Update
Date: Tuesday, August 27, 2019 9:15:24 PM

Dear City Planning, I support the NO ACTION option on CEQR# 19DCP083Y and oppose the proposed Bronx Special Natural Area District Update. The proposed update fails to achieve City Planning's goals of providing a more clear, consistent and holistic approach to protecting our natural resources. It also fails to address the specific needs, concerns, and neighborhood character of our Bronx community. Issues with the update include, but are not limited to how it:

- neglects to identify and reduce negative impacts on significant Bronx natural resources, including the Hudson River, Alder Brook, and Riverdale Park.
- removes local participation and public input by allowing more projects to skip community review and the public hearing process.
- favors institutions over homeowners. It allows institutions, which cover 50% of the SNAD, to build more and preserve less than what is required of homeowners.
- subverts protections by providing numerous waivers and exceptions to preserving trees, habitat, and other ecological resources on institutional properties.
- lacks substantial enforcement measures and penalties for violations.

Please withdraw this proposed action. Sincerely,

From: [David Zahm](#)
To: [Special Districts \(DCP\)](#)
Subject: SNAD
Date: Friday, July 19, 2019 6:52:48 AM

Zahm

PLEASE WITHDRAW THE PROPOSED CHANGES TO SNAD!

I1

David Zahm

David L. Zahm, Ph.D
8 West 65th St. Ste. 1BB
NYC, NY 10023
212.875.1180
917.449.1347(c)

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Public Hearing Transcripts

NYC - Department of City Planning
August 14, 2019

City Planning Commission

CITY WIDE

NOS. 67,68, 69

STATEN ISLAND AND BRONX
SPECIAL DISTRICTS TEXT UPDATE

120 Broadway
New York, New York

Wednesday, 14, 2019

3:18 p.m.

Reported By:

Shechinah Jackson

APPEARANCE

Marisa Lago, Chair

Kenneth J. Knuckles, ESQ., Vice Chairman

David Burney

Allen P. Cappelli, ESQ

Alfred C. Cerullo, III

Michelle R. De La Cruz

Joseph I. Douek

Richard W. Eaddy

Hope Knight

Anna Hayes Levin

Orlando Marin

Raj Rampershad, Commissioners

Yvette V. Gruel, Calendar Officer- Sec

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2 MS. GRUEL: City Wide Calendar
3 Number 67, 68 & 69. Calendar Number 67:
4 C190403 ZMX. Calendar Number 68:
5 N190430 ZRY. Calendar Number 69: N
6 190430(A) ZRY.

7 A public hearing in the matter of
8 applications for zoning map and zoning
9 text amendments concerning the Staten
10 Island and Bronx Special Districts Text
11 Updates.

12 MS. LAGO: I'll note that there will
13 not be a presentation on this, as it was
14 discussed at Monday's review session,
15 and I will note that we will as is our
16 practice begin with speakers in
17 oppositions and then turn to speakers in
18 support toggling back and forth, in
19 groups of five. Speakers are limited to
20 three minutes with one exception, we
21 extend to our elected officials the
22 ability first to speak when they arrive,
23 and then to speak for whatever length
24 they think will be helpful.

25 And so I'm very pleased to now call

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on council member Andrew Cohen.

MR. COHEN: Thank you, chair.

Good afternoon commissioners, I am Councilman Andrew Cohen, and I do represent all of the Bronx portion of the Special Natural Area District.

My position has been, I think, misreported in the press, so I just want to be clear to the commission I currently, I do not support the current text changes. I never said that I support the current text changes. I believe that we have some real work to do.

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I will say that a couple of years ago already the Bronx Office of City Planning, as well as separately Community Board 8 did come to see me and talk about the need to update the text that there was a need for changes.

I think this came out of -- this came out of a frustration particularly on the Community Board's part in the community of results that were not

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2 anticipated or what we thought was
3 possible under SNAD.

4 There's a number of examples, some
5 of them are the lower campus of the SAR
6 school, the Cardinal O'Connor Residence
7 and application at the scenic place.
8 Just a number of times where I think
9 that there was a feeling that this was
10 not working the way we thought it would
11 work.

12 I will say that I think in the
13 proposed text there are a number of
14 really positive changes that I think
15 could go a long way to making the SNAD
16 better than what we currently have.

17 I appreciate the sort of holistic
18 approach versus sort of looking at each
19 site in isolation. I think fighting
20 invasive species and giving preference
21 old growth trees is helpful.

22 I think that the large site plans, I
23 think it will promote a better planning
24 and more predictable planning, so I
25 appreciate that.

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2 I will say though that there are a
3 number of items that I think are
4 really a -- which is just not, I don't
5 want to say a poison pill, but there
6 really very difficult for me to get
7 around, and I just don't feel
8 comfortable and I think the community
9 will not be able to get comfortable with
10 the idea of the Department of Buildings
11 ultimately being the arbiter on the
12 smaller lots, whether or not there's
13 compliance.

14 I have, you know, whatever
15 disagreements I might have with the
16 Bronx office, I have great confidence in
17 their ability to understand the regs,
18 explaining the regs and applying the
19 regs.

20 So the idea of those eyes coming off
21 of plans, I don't think that is a viable
22 path for us. I will say also, that the
23 community just profoundly cares and
24 wants to be informed and have a forum
25 for which these applications can be

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discussed.

This has been the role of the community board in particular, and I think that they have played a meaningful role in mediating disputes between neighbors between the applicant and people who feel that they're going to impacted by it.

And it may never come to the attention of the Bronx office, it may just be -- but it's that public opportunity, that opportunity where people can get in the same room and be told the Community Board will not approve this project unless we can get to some kind of consensus, or at least try to build a consensus. And I think that that role needs to be somehow incorporated into whatever ultimate changes we make.

I am concerned about the burden on homeowners. There are homeowners in the special natural area district that are also in the historic district.

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2 So in order to make a modest
3 renovation to a home you could have to
4 have your plans approved by the City
5 Planning Commission, as well as the
6 Landmarks Preservation Commission. And
7 I am concerned about the burden that
8 places on homeowners, that it should
9 give some room this where we could
10 improve that process.

11 An ongoing problem has been
12 enforcement. That there's not great
13 confidence in the community. When
14 violations are taking place, I've
15 explain the scenario often where I will
16 get a call in my office where someone is
17 doing, cutting down a tree, making some
18 kind of alteration on their property.

19 There does not seem to be a clear
20 recourse as to what to do, how to try to
21 prevent that from happening. I don't
22 think that there's as good of knowledge
23 in the community about who lives in the
24 SNAD, what the implications are of
25 living in the SNAD, what restrictions

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there are.

So trying to get better education out into the community, I think is going to be fundamental to approving these regs. And I will say that I do appreciate the efforts of the Bronx office. They have been in very regular communication with my office. I sat down with Carol a few times, multiple times.

A number of constituents have been in contact with my office. The Bronx office has worked closely with the Land Use Division of the City Council, and I do appreciate that, but I will say without significant changes that help build the consensus in the community, where this really should be a win for everybody, I will not support the City Council in its current form.

I appreciate that, and I'm happy to take any questions that you guys might have. Although, I will say, generally, I prefer to be the questioner, but I'm

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happy to give it a try.

MS. LAGO: I promise we will be kinder than some City Council hearings that I sat through.

Questions from the commission.

MR. KNUCKLES: I have a question for Official.

MS. LAGO: Commissioner Knuckles.

MR. KNUCKLES: Thank you, Councilman, for taking the time to come over and sharing your opinions with us.

In order of priority, what revisions to the current draft or proposal in this current form, what revisions would you make, what are the order of the highest priorities?

MR. COHEN: Well, I will say one thing -- and I see my borough commissioner from DOB is here -- and whether or not the public perception is reality, I think is besides the point.

I don't think the public has confidence that the DOB should be the arbitrator here of compliance, where the

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2 plans meet the regulations. I think
3 that, again, you should sort of take it
4 as a compliment that the community does
5 not want to give up its relationship
6 with the City Planning authority
7 regarding the smaller site application.

8 So I think that that is vitally
9 important. I will say that I'm
10 fortunate, and I see a number of
11 constituents here who have particular
12 expertise, you know, the architects, I
13 see the vice chair of the Community
14 Board here. And I think they do have
15 thoughtful recommendations and issues,
16 that they're going to bring up.

17 Again, I'd like to see that this
18 ultimately be a consensus proposal
19 where, you know, you I think take pride
20 in the work that you're doing here, and
21 that should be reflected, there should
22 be some community support for that
23 matter, and that has been really been a
24 challenge working with this project,
25 with this text amendments.

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MS. LAGO: Are there questions?
Well, again, thank you so much for
coming, Councilman.

MR. COHEN: My pleasure, thank you.

MS. LAGO: We will now turn to
Stephanie Coggins, who will be followed
by Sura Jeselsohn.

MS. COGGINS: First of all, let me
give my thanks to Councilman Cohen for
publicly declaring his opposition to the
proposal as it stands. I am extremely
grateful to hear this.

Please, pardon me, I'm a little low
blood pressured and low blood sugar.
I've been here since 9:30 this morning
because we feel this is very important.

As I said, my name is Stephanie
Coggins and I live in the Spuyten Duyvil
section of Riverdale.

I became an accidental activist in
2018, based on my involvement in holding
the developer and the DOB accountable
for circumstances surrounding the
permitting of a roof demolition at 2395

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Palisades Avenue.

In the absence of prior expressive abatement, I've written multiple opinion pieces in our community paper, the Riverdale Press, and I've become involved in the SNAD issue, in response to an effort to contain overdevelopment in Riverdale.

My first point is I call the let's get real point. The community of Riverdale feels that changes to the SNAD are designed to ban the prodevelopment agenda and neuter dissent of the community.

When you remove Community Board 8, you're removing us and the Community Board 8 as citizens, volunteers who represents the community of Riverdale.

I was surprised to hear Councilman Cohen mention that the DOB was here, nonetheless I wanted to, before I knew that, I was going to ask were they here as a primary party of contention in this argument; why have we not heard from

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2 them.

3 The answer as shared by the
4 community of Riverdale is because we
5 feel that they feel that they never owe
6 us an explantation; that they don't work
7 for us, in spite of the fact that they
8 do, as we are taxpayers and residents of
9 the city.

10 I took the morning off today. I
11 took the morning off to attend the
12 borough president's public hearing and
13 at the public hearing for the borough
14 president. I was not aware of their
15 presence. Okay.

16 As far as I know, DOB has not
17 attended any other public hearing
18 besides today, made any public statement
19 or provided any written testimony as to
20 why they deserve the job that City
21 Planning is now asking the Community
22 Board 8 to vacate in terms of the one
23 acre plots.

24 In Riverdale DOB is seen as an
25 entity to be protected from.

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MS. LAGO: Thank you. If you have written testimony, we will welcome to have it submitted.

MS. COGGINS: Okay. I will type it up, and I will be sure to get it to you.

MS. LAGO: Thank you.

MS. COGGINS: Thank you.

MS. LAGO: Questions for Ms. Coggins. Ms. Coggins?

MS. DE LA UZ: Ms. Coggins, I just want to thank you very much for taking the time to come and for especially waiting as many hours as you did.

MS. COGGINS: I appreciate that. I had spent a great deal of time on the community. I just want to say one thing. That I lived in the Bronx for many years. I went to Fordham in 1979. And my husband and I moved away for 15 years. We moved to a place without green space, we moved to Jackson Heights.

I moved five times in 15 years of marriage. This is the first place,

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2 Riverdale is the first place that we
3 lived -- my husband is a bit of a
4 nomad -- where he hasn't asked to move
5 away from, that he loves it as much as I
6 do.

7 MS. LAGO: Thank you, Ms. Coggins.

8 MS. COGGINS: Thank you.

9 MS. LAGO: And I want to thank all
10 of the people who are here, who have
11 clearly shown their interest and
12 devotion in the issue by coming early,
13 to be sure that you are being heard --

14 MS. COGGINS: There are people who
15 are not here today who are as devoted,
16 but could not attend this hearing.

17 MS. LAGO: The other thing I'll note
18 is that there probably is -- you had no
19 way of knowing this -- but we have some
20 very devoted fans of Jackson Heights
21 here so --

22 MS. COGGINS: No, it's not that.
23 I'm talking about the green space issue.

24 MS. LAGO: Thank you. Our next
25 speaker is Sura Jeselsohn, and she will

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2 be followed by Laura Spalter.

3 MS. JESELSON: It's a pleasure to
4 be here, although I too have been here
5 since 9:30 this morning.

6 Because Councilman Cohen has made
7 very clear his present opposition, a lot
8 of my comments are need not be voiced,
9 but I would like to make a few comments.

10 I'm a homeowner in Riverdale, and I
11 happened to be in the SNAD district and
12 would be, of course, directly be
13 affected by anything.

14 I just want to point out that our
15 homeowners association, of which I'm an
16 active part, applies specifically to put
17 our block without opposition from any of
18 the neighbors into the SNAD because
19 Riverdalians (phonetic) is very, very
20 conscious of the environment.

21 We live in a very nice neighborhood
22 with a fair amount of concentrated green
23 space. We appreciate it and want to
24 protect it. So we want to be sure that
25 any changes to SNAD will not adversely

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2 affect our community.

3 Stephanie did mention that were
4 facing a lot of overdevelopment and this
5 has added a certain dimension of tension
6 to our view of any regulations and
7 sudden changes in jurisdictions.

8 One of the issues that has bothered
9 us terribly in Riverdale on Community
10 Board 8, of which I'm not a member but I
11 do attend land use meetings, is the sort
12 of vagueness or let's say unclear way in
13 which these regulations were presented
14 to us.

15 As you undoubtedly all know,
16 originally, this was supposed to include
17 Staten Island which, of course, has
18 much, much more territory and area
19 devoted to SNAD, and Riverdale in many
20 ways is an afterthought.

21 I was in touch with the councilman's
22 offices in Staten Island, to ask them
23 how they sort of dropped out of it
24 because we were equally unhappy with it.

25 And they said they simply voiced

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2 their disquiet over the situation, and
3 all of sudden -- I mean -- I'm simply
4 reporting what I was told -- Staten
5 Island was dropped out of SNAD. That
6 left us with a terrible, terribly
7 redacted document, which our
8 professionals really couldn't adequately
9 focus on or render a clear judgment on.
10 And that left Riverdale in an extremely
11 uncomfortable position.

12 We depend on Community Board 8 to be
13 our representatives, to interface with
14 the various government entities.

15 We live in a very, very populace
16 area with a lot of complex things going
17 on, at government and nongovernment
18 levels, and it leaves us all feeling
19 very uncomfortable. Thank you.

20 MS. LAGO: Thank you, Ms. Jeselsohn,
21 and I want to assure you that Riverdale
22 is never an afterthought.

23 MS. Jeselsohn: Good to know.

24 MS. LAGO: Questions from the
25 commission. Anybody? Thank you.

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MS. Jeselsohn: Thank you.

MS. LAGO: Now, Laura Spalter who will be followed by Sherida Paulsen.

MS. SPALTER: Good afternoon. My name is Laura Spalter. I'm vice chair of Bronx Community Board 8.

I'm here to state the board's position that the ULURP process must start anew as expressed in a resolution unanimously adopted on June 27th for the following reasons.

One, the board had no zoning text before it, to approve or disapprove on June 27th.

Two, that City Planning's actions are contrary to the letter and spirit of the New York City Charter and a legal nullity.

In September 2017, the board adopted a resolution urging the separation of Staten Island SNAD regulations from the Bronx regulations, based on concerns that many of the proposed zoning text changes being considered, would provide

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2 solutions to problems that distinctly
3 pertain to Staten Island, our request
4 was rejected.

5 On May 6, 2019, the City Planning
6 Commission certified the proposed zoning
7 text.

8 On May 28th Staten Island Community
9 Board 3 voted to oppose the zoning text,
10 and within a week the City Planning
11 withdrew those portions of the texts
12 that applied to Staten Island. We
13 requested a meeting with City Planning
14 to hear an explanation, but we were
15 turned down.

16 Instead, a June 20th letter from
17 City Planning advised us even, that even
18 though it would take their planning
19 professional a month to prepare a
20 revised text, we were expected to vote
21 in one week's time after untangling and
22 reviewing over 240 pages of text with
23 Staten Island, Bronx and Queens language
24 intertwined.

25 We received the revised text only



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2 two weeks ago on July 31st, but at that
3 point the clock had run out. Our 60
4 days to make a recommendation ended on
5 July 6th.

6 As you know, the City Charter states
7 that community boards do not meet in
8 July and August, anyway. The Bronx
9 borough president agrees, and issued a
10 negative recommendation stating, quote,
11 New York City has a charter for a
12 reason, part of it is to lay out proper
13 procedure to assure that established
14 entities within city governments have
15 proper review and say in land use
16 process.

17 Asking one of those entities to move
18 forward without the opportunity for
19 proper review, while another one of
20 those entities in another geographic
21 location is given an undetermined amount
22 of time to reimagine their land use
23 process is entirely unacceptable.

24 Today's testimony focuses
25 exclusively on process, not substance,

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because that is what our Community Board
voted on; however, I must respond to
statements made by DCP at the August 12
review session --

MS. LAGO: Ms. Spalter --

MS. SPALTER: Please allow me to
finish, I'm the only board member here.

MS. LAGO: We apologize, we offer
everyone the three minutes, but we very
much welcome having your testimony, and
I will now ask commissioners for
questions.

Commissioner De La Cruz.

MS. DE LA CRUZ: Would you mind
detailing what happened at the board
meeting that you were referencing?

MS. SPALTER: The full board
meeting?

MS. DE LA CRUZ: Yes, I think you
were about to read it.

MS. SPALTER: Yes. I was going to
say that they were, that it was said at
Monday's meeting that there was very
much approval of the substance. And

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2 while we did not vote on substance, I
3 want to say that much progress was made
4 and there were many meetings.

5 We felt that safeguards of our
6 natural features were not redeemed in
7 adequate, and I wanted to say about the
8 meeting that we did have on DCP
9 presented, it was a very well attended
10 public hearing held on June 3rd.

11 And there had been much outreach and
12 advertisement about the meeting, but
13 despite that, not one civic association
14 or homeowners association or residents
15 of the community spoke in favor of the
16 proposal.

17 And that indeed, all speakers
18 opposed various elements of the
19 proposal, including members of your City
20 Planning Advisory Committee.

21 So at that meeting, you know, we
22 heard things loud and clear. I wanted
23 to clarify that, from what was said at
24 the review session, that there's a lot,
25 and we need to go back.

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2 The main thing is that your staff
3 refused to meet with us in June, but we
4 still believe that it's critically
5 important that we continue to engage.

6 And my understanding from Monday's
7 hearing, was that you're going to
8 continue to engage with Staten Island,
9 that we'll move forward with them
10 possibly in the new year and we're
11 asking for the same consideration and
12 respect, that you just stop the clock
13 for the Bronx, in order to allow the
14 community and the Community Board, to
15 properly participate in the ULURP
16 process.

17 MS. LAGO: Thank you, Ms. Spalter.
18 Are there questions? Thank you.

19 MS. SPALTER: Thank you.

20 MS. LAGO: We'll now hear from
21 Sherida Paulsen to be followed by
22 Charles Cochran.

23 MS. PAULSEN: Thank you, Madam
24 Chair, and commissioners.

25 My name is Sherida Paulsen. I'm

Riverdale Nature Preservancy

chair of the Riverdale Nature Preservancy, I was also a member of the City Planning Working Group because I am an architect/past president of the AIA New York chapter, past chairman of the Landmarks Commission, and a lot of other stuff. So, I wear a lot of hats.

But I'm speaking today on behalf of the Riverdale Nature Preservancy. We are opposing the proposal as currently issued as it failed to clear directions for implementation and enforcement, which have been the highest priority request during all of our meetings, both internally at the community and with the working group.

Now I'm going to jump ahead. The new proposal revised should at a minimum include the following modification:

Number one, only sites less than 10,000 square feet should be allowed to go directly to DOB, and that will depend entirely on having very clear zoning text. It's impossible to do enforcement

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2 when the text of the zoning resolution
3 is not clear.

4 Part of that involves what Carol
5 Samol and Jutan (phonetic) and I have
6 discussed is understanding what triggers
7 various types of compliance.

8 The difference between Riverdale,
9 Spuyten Duyvil, Fieldston and Staten
10 Island is that ours is a very largely
11 built-up neighborhood. We are not
12 looking to create development
13 opportunities out of vastly unbuilt
14 land. And, therefore, zoning texts that
15 addresses existing houses that are
16 contemplating small additions or modest
17 modifications of their landscape
18 features, there should be triggers
19 specified for those.

20 And specifically, if currently I
21 have enough tree credits and under the
22 new I don't, and I want to move a
23 pathway, can I move the pathway without
24 planting more trees. It's that kind of
25 triggering that needs to be resolved.

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2 The second point is City Planning
3 and Community Review should be required
4 for all sites over 10,000 square feet,
5 to make sure that this remains in
6 conformance with out 197A plan which was
7 approved back in 2003, and was
8 implemented in SNAD updates in 2006
9 which specified the 10,000 square foot
10 cutoff.

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11 The other thing is that we would
12 like applications for plan review sites,
13 those larger than 10,000 square feet, if
14 they have implemented a campus plan,
15 that that plan come back to the
16 Community Board for authorization
17 review, which I believe is being
18 discussed.

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19 And last but most important, we need
20 clear and enforceable planning with the
21 Department of Buildings for the
22 implementation that includes inspections
23 and sign-offs that assure that the
24 natural areas are, indeed, being
25 preserved and respected. Thank you.

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MS. LAGO: Thank you very much, Ms. Paulsen. We appreciate very much the specificity of your comments.

We benefited from your input on many occasions, but never with a cast and I hope that you're complimented.

MS. PAULSEN: Imrouge (phonetic.)

MS. LAGO: Questions for Ms. Paulsen?

Commissioner Marin.

MR. MARIN: Sherida, nice to see you. Thank you for coming.

MS. PAULSEN: Nice to see you.

MR. MARIN: I heard twice now that this will open the doors for future development. Can you elaborate on that statement?

I'd like to understand a little better why you feel this will open the door for further development.

MS. PAULSEN: My comments are not so much about future developments other than when we look at a one acre site, which could be subdivided into four

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2 sites, because the minimum lot size for
3 the R11 district is approximately 9,000
4 plus or minus square feet, so that we
5 can begin to carve up and increase
6 development.

7 And one of the concerns, which I
8 know the staff thought through very
9 carefully, is that in prior times when
10 subdivisions occurs, all of the nature
11 features would be located on one site,
12 and we'd be left with three sites with a
13 bit more density.

14 I think the guidelines as intended,
15 would parse out the open space more
16 correctly, but one of the things that
17 the community would like to see is that
18 subdivisions would and, I believe, there
19 are some modifications, in text, coming,
20 subdivisions into multiple lots would be
21 part of a review process, but we do feel
22 that that's important.

23 MR. MARIN: Thank you.

24 MS. LAGO: Other questions? Thank
25 you, Ms. Paulsen.

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MS. PAULSEN: Thank you. Now I have to run to my client. Thank you.

MS. LAGO: Well, run carefully. You don't want to reinjure. Charles Cochran, who will be followed by Helen Forgione.

MR. COCHRAN: Good afternoon. Maidam Chairwoman, commissioners. I'm here from NYC Parks, and I'm going to read a statement in support of the proposed zoning text amendment for the Special District in the Bronx.

New York City is home to over 22,000 acres of natural area, over 12 percent of the city's land areas. NYC Parks manages over half of these grasslands, wetlands and forests.

These habitats are critical infrastructures for the city, where people can enjoy a rest from city life, and from which many benefits flow including flood protection, thermal regulation and wild life habitat. The parks in the special districts in the

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2 Bronx, Riverdale, Raoul Wallenberg
3 Forest, and Seaview Park are the
4 backbone of this leafy neighborhood.

5 These parks include some of the only
6 repairing harbor forests in the city.
7 The natural habitats that are found
8 beyond Parks borders face real threats
9 from development.

10 For example, in the five-year period
11 from 2004 to 2009 in previous services
12 including parking lots in New York City
13 increase by 2,600 acres, often at the
14 expense of natural habitats. The
15 proposed billing amendments will help to
16 better protect these habitats.

17 We at NYC Parks are proud of the
18 work that we are doing as far as natural
19 resources on Parks property. The
20 proposed updates for the special
21 districts will enhance these benefits
22 and better secure the provision in to
23 the future by better preserving and
24 enhancing natural resources on private
25 property, while at the same time

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2 preserving their character.

3 We would like to express our support
4 for the proposed amendments in general.
5 For example, the amendment codifies best
6 practices and specifies standards, from
7 a minimum tree cover and percent cover
8 hard surfaces.

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9 In addition, we would like to call
10 attention to three features of the
11 proposed update that are particularly
12 important for the protection and
13 enhancement of benefits from natural
14 resources.

15 The first feature, is the dual
16 requirement, to protect a portion of
17 existing habitat on sites that are
18 larger than one acre and to maintain a
19 biodiversity garden.

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20 The patches of habitats that remain,
21 following development will be critical
22 stepping stones for wildlife, like,
23 native Palminators who also serving to
24 absorb storm-water.

25 Researchers have shown that small



1
2 patches of a quarter acre in size have
3 significantly improved some activity
4 across landscape and bolster wildlife
5 population.



6 The second part of the proposed
7 amendment, for which we would like to
8 highlight our support in the requirement
9 of establishing buffers on properties
10 adjacent to natural areas.



11 These buffers help us, help to
12 enhance the quality of publicly-held
13 habitat they also serve to enhance the
14 park life neighborhood.

15 Character. Finally, they can
16 moderate on a negative impacts from
17 private properties that adjoin
18 publically-held natural areas. From
19 homeowners, these buffers can help to
20 decrease flooding risk.



21 Third, we wish to express support
22 for the promotion of native planting in
23 the zoning text. The native plants
24 provide many benefits to the
25 environment, home and the land owners.



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2 They aid in water saving over the
3 conventional garden lower maintenance
4 costs and reduce noise pollution from
5 the traditional mowing.

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6 The proposed update text will ensure
7 that future generations of New Yorkers
8 will be able to enjoy the various
9 benefits of a healthy environment, clean
10 water, clean air, flood mitigation and
11 nature recreation while also sustaining
12 the many wild places and plants and
13 animals like that are found today in the
14 Bronx and across the city.

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15 MS. LAGO: Thank you. Mr. Crochran,
16 who is the letter from?

17 MR. CROCHRAN: I'm reading a letter
18 that was written by Energy Scientist,
19 Georgina Coleman.

20 MS. LAGO: Great and if you
21 introduce the full letter into the
22 record, please.

23 MR. COCHRAN: Absolutely.

24 MS. LAGO: We will now hear from
25 Helen Forgione to be followed by Philip

1
2 Michael.

3 MS. FORGIONE: Hi, Good afternoon
4 I'm Helen Forgione. I am the senior
5 ecologist of the Natural Areas
6 Conservancy.

7 The Natural Areas Conservancy is a
8 nonprofit organization based in New York
9 City that is a champion of New York
10 City's 20,000 acres of forest and
11 wetlands for the benefits and enjoyment
12 of all.

13 Our team of experts promote nature's
14 diversity in resilience across the five
15 boroughs working in close partnership
16 with New York City Department of Parks
17 and Recreation in the City of New York.

18 The results of our work make the
19 city a more healthier and more vibrant
20 place to live and to thrive. The
21 Natural Areas Conservancy would like to
22 voice our support for the proposal: The
23 proposed amendment to the special
24 natural area district regulations for
25 the Bronx.

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2 The NAC was formed in 2012 to build
3 on the successes of New York City Parks
4 natural areas to management, and to
5 envision and an advocate for their
6 future.

7 For seven years the NAC conducted
8 scientific research and produced
9 valuable data on the health and
10 condition of our public natural areas.

11 One product of our research was the
12 creation of a cutting edge citywide land
13 cover map, using current satellite
14 imagery, live art data and geographical
15 information to the system data, GIS
16 data. This map shows location, and the
17 extent of different forest grasslands,
18 shrubland and wetland-type citywide and
19 how they are connected to and support
20 park land.

21 These data along with data from
22 other scientific organizations were used
23 by Department of City Planning, to
24 create the amendments to the SNAD
25 regulations, and to focus on the sites

1
2 that have the greatest impacts on
3 preserving natural resources on public
4 lands.

5 As a participant in the DCP-convened
6 working group, NAC advised on the
7 ecology of natural areas to shape the
8 data driven proposal over the last three
9 years. The ecological assessment data
10 helped informed DCP's streamlined
11 science-based approach to natural
12 research preservation.

13 We support the clear rules outlined
14 in this proposal, the balanced
15 preservation and development on private
16 properties and aligned with a larger
17 goal of the city to protect and
18 strengthen habitats and ecosystem
19 services.

20 NAC convened a group of 80 local
21 experts in government and nonprofit
22 organization, academic institutions and
23 the private sector called Nature Goals
24 2050.

25 This coalition designed by

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1
2 overarching nature goals for New York
3 City future. All of which are addressed
4 in the DCP's proposed text amendments to
5 the SNAD regulations.

6 In particular, the natural areas
7 conservancy support requirements of
8 establishing buffers on its properties
9 adjacent to the natural areas.

10 These buffers help to enhance the
11 quality of the habitat on public land,
12 along with enhancing the park life
13 neighborhood character of the Bronx.
14 Buffers also moderate negative impacts
15 from private properties that adjoined
16 publically-held natural areas and
17 enhance biodiversity.

18 MS. LAGO: Thank you, Ms. Forgione,
19 and if you can submit the letter --

20 MS. FORGIONE: I will.

21 MS. LAGO: -- that will be most
22 helpful.

23 Questions for Ms. Forgione?

24 Thank you for your testimony.

25 MS. FORGIONE: Thank you.

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MS. LAGO: Our next speaker is Phil Michael to be followed by Michael Goldblum.

MR. MICHAEL: Good afternoon, almost good evening.

I had never -- I was in the city for no more than 20 years, but I never ever attended these sessions. I never even knew it existed. And I must say I'm very impressed. People don't know the efforts that goes on behind the scenes.

I thought -- what I represent here in this particular situation is what does it really mean for this measure to pass, because I'm in favor of this measure to pass as are many of my neighbors in favor for it to pass.

I'm not going to get into the technicality because I don't even understand them all or know them, but what I can give you is some insight into is what you have to go through if you want to do something on a small parcel to improve the liveability or other

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2 aspects of your home.

3 It's murder. It's absolutely
4 incomprehensible the trouble a
5 homeowner -- I have found personally, I
6 have lived in Riverdale for more than
7 30 years, more than 20-years in
8 Fieldston.

9 And if you want to put in a deck; if
10 you want to build a pool; if you want to
11 increase some area where you want to do
12 plantings; if you want to add a patio;
13 you get the idea you get excited by the
14 idea and you have the area in which you
15 can do it, and then what happens you
16 were just put through the grinder over
17 and over and over again by enumerable it
18 will seem city agencies, to ever even
19 get your feet off the ground on your
20 project.

21 Partly, it's probably because unless
22 you actually had this experience, you
23 wouldn't believe what it was, and you
24 wouldn't recognize that there is a real
25 problem here.

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2 What I see in this provision is an
3 attempt, basically, to simplify the
4 process for small homeowners. That is
5 what the goal is as far as I can see it.

6 The current rules force property
7 owners to seek relief from folks so many
8 different places, you don't know what
9 you are doing.

10 The properties, the plans that you
11 want to do; you have to hire an
12 architect; you have to hire
13 professionals. Properties gave to go
14 through the Landmark Provisions
15 Commission, and many other agencies.
16 That takes a minimum of seven months,
17 and then it's referred to the Community
18 Board which has 60 days to work on it
19 and the CPCs for a vote. And if that's
20 approved then --

21 MS. LAGO: Thank you, Mr. Michael.
22 We would welcome your submitting your
23 written testimony.

24 Any questions for Mr. Michael?
25 Commissioner De La Cruz.

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MS. DE LA CRUZ: Mr. Michael, I appreciate you being here. One final brief point that you wanted to make about the process.

MR. MICHAEL: The last point I wanted to make, and I think that is if you had to go through the process, you will stand up and cheer for this proposal because it takes by their, or by everybody's analysis, a minimum of 13 months. And that's if everything works perfectly. To go through all the various steps, it's 13 months.

I would tell you there isn't a chance in hell that you can get one of these off the ground in 13 months. If you can get it off the ground in two years, you'd be setting records.

MS. DE LA CRUZ: Thank you.

MS. LAGO: Thank you, Mr. Michael.

MR. MICHAEL: Thank you.

Michael Goldblum to be followed by Werner Defoe.

MR. GOLDBLUM: Hi, my name is

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1
2 Michael Goldblum. I live in the natural
3 area district. I'm an architect with
4 extensive experience working there. I
5 was also a member of the DCP Advisory
6 Group.

7 Well, I have concerns about aspects
8 of the proposed changes. I'm generally
9 supportive of the proposal. The
10 majority of the filings in Riverdale are
11 for modifications to existing single
12 family homes, the processes are complex,
13 costly and burdensome and results in
14 poor enforcement, if any.

15 A family wanting to add a deck,
16 install a patio, a pool or build a small
17 addition to their home must currently
18 endure a nine to 12-month, at least,
19 process, drawing preparation/refusing
20 and hearings. The cost of hiring
21 professionals to manage the process can
22 be very high sometimes. Sometimes it's
23 higher than the planned improvement
24 itself.

25 The new regulations enhance

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1
2 environmental stewardship while reducing
3 the regulatory burden on the homeowner.

4 The environmental gains are significant.

5 Now, the legal standard for approval
6 is qualitative and relative. You must
7 prove that the proposed intervention is
8 the least damaging to your particular
9 situation. There are no overarching
10 objective standards.

11 The new regulations compel clear
12 numerical conformity, stringent
13 standards for lot coverage, tree count,
14 unhistoric planting and pervious ground
15 coverage with no exceptions, no
16 negotiations.

17 Currently there are no requirements
18 for ground covers or unhistoric
19 plantings. The new regulations will
20 mandate that planting and shrubs, not
21 lawns, cover specific areas. Lawns
22 require gallons of water, they use
23 fertilizers and pesticides.

24 Currently, trees are scored for
25 points based on a linear scale with a

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cap. There's no difference between a 30-inch and a 60-inch tree because they both exceed the cap.

The new rules will apply more parabolic curve to the scoring with no upper limit on the trees point of value. The entire tree protection system has been reworked to make it much more difficult to cut down large old trees.

Currently, there is no requirement for an environmental or landscape professional to be part of the team. The new rules will mandate it.

Most controversially, the new rules permit there are applications to be reviewed solely at the Building Department and not be subject to separate DCP review.

The Building Department is currently the only agency empowered to enforce these regulations today. DCP has no enforcement staff or power currently since their staff, the DOB staff doesn't understand this particular code section,

1
2 and because DCP approval documents are
3 not integrated in DOB approvals. DOB
4 enforces SNAD regulations rarely, if at
5 all.

6 As a result, many people in
7 Riverdale don't trust the DOB and are
8 thus weary to rely on them for the new
9 regulations.

10 This situation is unacceptable and
11 must be fixed, but it is not a valid
12 reason to oppose these regulations by
13 bringing responsibility for reviewing
14 and enforcing the new rules under one
15 agency, it becomes more than likely they
16 be enforced.

17 There are two areas where I would
18 comment, but I ran out of time.

19 MS. LAGO: Very defiantly handled.
20 Commissioner Levin.

21 MS. LEVINE: Yes, I wonder if
22 there're a couple additional areas that
23 you can comment on.

24 MR. GOLDBLUM: Wow, the set-up. All
25 right, two points.

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MS. LEVINE: You have been here long enough to understand how this works.

MR. GOLDBLUM: I have. Two points, first the plan review site provision in the new regulations allow for sites that are over one acre to circumvent the process if the application is for a small minor addition.

Unfortunately, the definition of minor addition is rather expansive, let's say. I think it allows for 5,000 square foot lot coverage and 10,000 square foot construction floor area.

There are very few buildings in the district that are that big. The scale of that provision, which I think is a great loophole, should be brought down to fit the size of actual additions that are minor in the district.

Second, the proposed enforcement method, that's built in, as you heard enforcement is key, central to this process and is something that is very hard to pin down because it falls

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2 between these DCP and DOB. But the
3 method integrated into the text, I think
4 is the wrong method.

5 The method that's integrated, is to
6 extend the log proposal, the log
7 requirement, the site logs, into the
8 process; to require a contractor to keep
9 a site log, and that log would be used
10 as the basis for evaluating compliance.

11 I believe the log is the wrong tool
12 because it puts the burden of compliance
13 on the least qualified team member, the
14 general contractor. A log was not
15 otherwise required for single family
16 homes, and is not something most local
17 contractors know about.

18 A better solution, I believe, is to
19 use the special inspections process to
20 create and enforce the framework that
21 puts the oversight burden on licensed
22 professionals.

23 Special inspections that must be
24 done anyway with every structure, so
25 it's familiar and it's already

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1
2 integrated into the process. It's also
3 safer to have licensed professionals
4 take the responsibility for the work.
5 This would enhance enforcement and help
6 address residents concerns that the
7 district be properly protected.

8 MS. LEVINE: When you speak about
9 licensed professionals, what professions
10 are you thinking of?

11 MR. GOLDBLUM: The regulations have
12 different expertise called for. There's
13 a -- there's areas that architects can
14 do, like the layout, the conformance
15 with dense requirement, which I think is
16 a very important one, which sets the
17 boundaries of work and protects the
18 sites from intrusion. That can be done
19 by an architect. The species
20 requirements, the understory planting
21 requirements, those should be done by
22 the environmental group professional,
23 who is now going to be a part of the
24 required team.

25 MS. LAGO: Other questions?

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Thank you, Mr. Goldblum.

MR. GOLDBLUM: Thank you.

MS. LAGO: Our next speaker is
Werner Defoe.

MR. DEFOE: Good afternoon. My name
is Werner Defoe and I am the Borough
Commissioner for the Department of
Buildings in the Bronx.

And I have been working closely with
the Department of City Planning on those
rules. And my role is really
enforcement and orders of the people who
stand before me.

Everybody is worried about the
enforcement, and I'm very aware that
this is an issue but for the department
our role really is that we do not
decide, we do not design the rules.
City Planning does the rules and we work
with them to find the way points in
which we can enter and then ensure
proper enforcement is performed.

So while I think our department, you
know, makes great effort to make sure

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2 that whatever the rules are written that
3 we properly enforce them.

4 Those rules are very complicated,
5 especially in a new program like this,
6 and this is a work in progress. So I'm
7 actually very optimistic with this, that
8 this is a step forward in, toward
9 reducing the burden for especially the
10 smaller properties.

11 Because we are aware when we deal
12 with the smaller properties and try to
13 enforce all the rules that people have
14 to comply with. We really know how
15 difficult it is for homeowners.

16 So the efforts that City Planning
17 put into this and try to reduce the
18 burden and is also making sure that
19 proper enforcement is in place, I think
20 was actually very commendable.

21 And, as far as I'm concerned, I
22 think since it's a work in progress that
23 there are going to be mistakes in the
24 beginning, but I'm optimistic that it
25 really can work and it can work better

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2 than the old system.

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3 MS. LAGO: Thank you.

4 Commissioner Marin.

5 MR. MARIN: Thank you for being
6 here.

7 I would like to address the issue
8 of, against the jurisdiction of the
9 Building Department, because you know I
10 have been on this body for eight years
11 now and through those eight years we all
12 have heard how the commission because
13 the body has turned around a couple of
14 times.

15 While there are mechanism and things
16 in the text that we put into the text
17 that should be jurisdiction of the
18 Building Department, and enforcing it,
19 somehow for some reason it slipped
20 through the cracks, and it doesn't make
21 it through. And then we we're here to
22 focus on the facts to correct the
23 actions, when they should of gotten
24 right in the first place.

25 So I guess my question would be,

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2 what type of tools or what mechanisms
3 does the Building Department envision
4 putting in place to work with the
5 changes that the department is trying to
6 make to the confidence of the level of
7 the community to assure them that
8 Building Department will pick up on the
9 changes being made.

10 MR. DEFOE: Well, the way I
11 understand the rules are, and I hope the
12 rules will work out, that there are
13 certain weigh points under which the
14 contractors and the professionals have
15 to labor and have to set up, so that --
16 and maintain as Mr. Goldblum said, that
17 at the moment there are law books and
18 inspections.

19 And what the proper balance is we
20 can work that out, but there is an
21 accountability from all the
22 professionals that work there that have
23 to maintain law books, they have to do
24 certain inspections. And the Building
25 Department is basically there to

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2 enforce, and make sure that the
3 professions are actually doing their
4 work.

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5 MR. MARIN: I think that is a
6 concern of the community. The concern
7 is that the professionals may put on
8 paper one thing and then something else
9 happens at the site. And at the end of
10 the day you only have a violation;
11 there's nothing to the corrective
12 action, really -- there is no corrective
13 action because either the pool was built
14 or the deck was built or some factor of
15 the natural area has been disturbed, and
16 you can't replace the 30, you know, inch
17 tree that's hundreds of years old that
18 somebody tore down, without having
19 revised or taken a look at that tree
20 credits and what the requirements were.

21 I think that those are the details
22 that the community is concerned about,
23 and I think they are looking for a
24 definitive answer on how the Building
25 Department will assist in making sure

1
2 that these things are done right.

3 I think that is where part of this
4 proposal is not well received by the
5 community.

6 MR. DEFOE: Well, the Buildings
7 Department is the enforcement agency. I
8 mean if there are bad actors out there,
9 there isn't anything in the system that
10 you can prevent somebody who really
11 wants to do something that is against
12 the rules.

13 Now, the only thing we can do is be
14 there, and then once, you know,
15 something happens, we enforce -- we have
16 an mechanism in order to restore it.
17 Maybe not to, you know, what it used to
18 be, but there are rules written into the
19 system that if, you know, some natural
20 features are destroyed there's the
21 mechanism to actually replace it or,
22 and/or system (inaudible) detections but
23 we can't, there is nothing that you can
24 prevent somebody to do something who
25 really insists on doing it.

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2 MS. LAGO: I'll note that we
3 occasionally, do see before commissioned
4 people coming in to correct prior
5 violations. I would guess that
6 frequently you see in connection with
7 their wanting to get a new building
8 permit.

9 The other thing I would note that,
10 it's been expressed by a number of
11 people, that currently the expertise on
12 the smaller sites is lodged with the
13 department in which seize them because
14 there required to go through the ULURP
15 process. We have committed as a
16 department that we would over a series
17 of months work hand in glove with the
18 Department of Buildings.

19 The new rules are simpler but less
20 discretion, but also we realize that
21 currently we are the keepers of a lot of
22 expertise, and so we expect to be having
23 our staff work hand and glove with the
24 borough office of DOB.

25 Commissioner Rampershad.

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MR. RAMPERSHAD: Yes, thank you
commissioner for coming.
Question, does the DOB or will DOB
consider having a special task force for
these types of special inspections?

And the other question I have is,
once the complaint is made, what is the
turnaround time for the inspector to get
to the site, approximately?

MR. DEFOE: Well, we have,
actually we haven't gone down with these
details yet because the whole process
isn't that far, but -- and when we set
up our inspections we have different
kind of urgencies.

You know we have type A, type B,
type C, type D violations. Each of them
is assigned a response time. So in this
case, you know, people will assess or,
you know, our office will assess,
depending on what the violation is what
kind of response time is built into the
system but, obviously, it all depends on
the urgency because our -- the way we

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2 enforce things is about how dangerous
3 certain things, you know, how long can
4 it wait. And then you go out there
5 without endangering something else.

6 So we haven't specifically drilled
7 down into the mechanism just yet because
8 this is only, you know, a work in
9 progress.

10 MS. LAGO: Would it be correct, Mr.
11 Defoe, if an unauthorized work took
12 place and the lands were in danger of
13 slumping, that that will have a
14 different urgency than removing, as bad
15 as it is, but removing a tree; is that
16 the variation that you are talking to?

17 MR. DEFOE: Yes, absolutely. The
18 presentation has to do with danger to
19 the public, basically.

20 MS. LAGO: Commissioner Levine.

21 MS. LEVINE: Yes, I'm just trying to
22 follow along on the chair's comment
23 about the work that remains to be done
24 to transfer the expertise that has
25 resided with the City Planning to the

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2 Department of Buildings.

3 The urgency here, is that you
4 anticipated there will be that process,
5 but I wonder what thought you have given
6 to how the Bronx office of DOB will take
7 on that new responsibility? Will there
8 be a couple of individuals to whom all
9 of the national area applications will
10 be sent?

11 So that as time goes on, there will
12 be a couple of people who really know
13 this area, or are you expecting, you
14 know, to have all of your people --

15 How does work get dished out in the
16 Bronx office?

17 MR. DEFOE: Actually, we are right
18 in a transition right now because we
19 used to be very borough-orientated and
20 now since the new systems we have been
21 now everything gets decentralized, and
22 then moved to whoever is available
23 because everything is digitalized.

24 It doesn't really matter where
25 somebody sits anymore, but on the other

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2 hand we, we more so specialize so that
3 there are certain groups in our
4 department that do, that do specific
5 things, and repeatedly so.

6 Like, for example, there are groups
7 that do, you know, fence applications;
8 there are groups that do plumbing
9 applications, they all specialize in
10 certain areas. And from the whole city
11 the application goes there.

12 But It used to be that everything
13 was from quorum. So right now we
14 actually the department is in an
15 enormous transitional phase because we
16 are starting to operate, you know,
17 digitally much more than we used to when
18 we are much more flexible.

19 But on the other hand, things that
20 are so very specific to the borough, you
21 know, there are people in our office who
22 really get trained and do the specific
23 rules.

24 Like with everything else, I mean if
25 it comes to we have a specialist who do

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2 who work with the DOB issues; we have
3 specialists who work about with DOT
4 about, you know, the DOB applications.

5 So we do make rules and we do have
6 groups that specialize --

7 MS. LEVINE: Okay. I'd feel much
8 better about this process if there were,
9 if we knew there were simply a natural
10 resource district group within DOB.

11 MS. LAGO: It might be a person,
12 given that it's around several
13 applications a year. So it's not like
14 you would only be dealing with the DOB
15 or DEP which has a higher volume, but a
16 group of people who have this special --
17 I hear the request for a group of people
18 with a specialize expertise.

19 MR. DEFOE: Well, the issue is there
20 are only so many -- I mean in the Bronx
21 there's the natural resource district,
22 but you know in the rest of the city,
23 you know, it doesn't deal with those
24 issues.

25 MS. LEVINE: No, so that actually

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2 reenforces what we've been hearing from
3 the Community Board, but it's the local
4 folks who really know how this works,
5 and if we're going to change the
6 dynamics, we really need to know that
7 the city is going to have the expertise
8 to match the, you know, can be brought
9 to bear on these applications.

10 MS. LAGO: Also, that same concern
11 is a large part of what drove making the
12 requirements much more -- less
13 discretionary so that each one, each
14 application would not be a Bespoke
15 application.

16 Commissioner Cerullo.

17 MR. CERULLO: I guess this question
18 is, they were all connected in some way
19 the last several questions, and I
20 understand the responses.

21 And they sound like they are related
22 to taking the existing structure and not
23 being sure yet, but working within the
24 existing resources of the borough
25 office.

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2 That's how it sounds. So I can be
3 wrong, but that's what I'm getting. And
4 my question, basically, which is going
5 around all of that, is it envisioned by
6 you in your capacity as the borough
7 commissioner or the central office to
8 add people to the team to handle this
9 potentially new responsibility, giving
10 the other important responsibilities the
11 Building Department has in Queens and
12 elsewhere, and is that part of how this
13 process will -- I meant, I'm sorry, the
14 Bronx I said Queens the Bronx -- that
15 look I'm from Staten Island and I know
16 it's the Bronx, I know.

17 I just wondered what the plan, the
18 longer term plan is in the midst of
19 this. Have there been any discussions
20 about that? Whether it is to identify
21 people in a certain division or is it
22 about bringing additional people in to
23 manage that part of the workload.

24 If the community's concern is about
25 enforcement, and there are already

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2 issues in terms of overwhelming
3 enforcement agencies, particularly
4 buildings with complaints, and having to
5 respond to complaints as it is, then how
6 does the agency envision dealing with
7 this new responsibility, within the
8 existing structure and just adding more
9 to the workload or expanding the
10 enforcement division, whether it's a
11 specific division or just within
12 building support.

13 MR. DEFOE: No. Actually, I would
14 say we use the, our orders is to use the
15 existing resources.

16 And I always hear that that there
17 are -- you know, we don't take on the
18 job of what City Planning is doing. We
19 are trying to stay strictly within the
20 enforcement part of it. That's one of
21 the efforts that was made in our group,
22 that everything is specifically
23 specified.

24 So all we have to do, the Building
25 Department has do, is to enforce the

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1
2 rules. And City Planning makes a great
3 effort to write the rules in such a way,
4 and successful or not, but in such a way
5 that we don't take on the
6 responsibility, design responsibility,
7 and those kind of issues. We simply do
8 the enforcement of tit.

9 So I'm not entirely sure what you
10 mean when you say: We are you taking on
11 additional responsibility.

12 We are not taking on the
13 responsibility of City Planning, we just
14 might add enforcement and maybe
15 specialize enforcement in the sense that
16 we look at things that, you know, are
17 different from the day in the sense of
18 instead of you know -- it really isn't,
19 the way I look at it, it really isn't
20 different for an inspector to go out
21 there for this kind of issues than for
22 other issues.

23 MS. LAGO: What I would note in
24 moving from a qualitative determination
25 which varies on application from

1
2 application to a much more standardized
3 requirement that we would anticipate
4 that the interpretation that's required,
5 and an interpretation that the workload
6 would decrease.

7 And, again, I will note that Staten
8 Island is very different because of the
9 number of applications that we see, but
10 in the Bronx we currently see on average
11 seven a year. So it is a relatively
12 small number, I would expect, a
13 relatively small percentage of Mr.
14 Defoe's workload.

15 MR. CERULLO: Right, that's
16 obviously not a significant number of
17 applications. I'm just now a little bit
18 confused about what the role of
19 Buildings will be, because there is some
20 processing process that goes beyond
21 enforcement, as least as written, the
22 smaller applications, you would be able
23 to go directly to Buildings, who would
24 be making some determination.

25 Before enforcement would be

1
2 necessary, enforcements for everything,
3 and then there's the smaller
4 applications, which also would require
5 Buildings involvement and approval,
6 we'll call it, to start a project that
7 could ultimately be enforced later on.

8 MS. LAGO: It will be the review as
9 part of the review of whether
10 (nonaudible) Building permit?

11 MR. CERULLO: Correct. Yes.

12 MR. DEFOE: That's exactly what I'm
13 saying. The City Planning made a great
14 effort -- a great effort for those
15 smaller projects, to write the rules in
16 such a way that it's not our enforcement
17 stuff, our inspection stuff, but our
18 brain examinations stuff in order to
19 interpret. Just like all the other
20 rules to interpret.

21 They will then interpret those rules
22 and apply them. And if they are
23 specific enough, it doesn't give us you
24 know that much leeway in order to
25 deviate or from what City Planning

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envisioned.

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MS. LAGO: Other questions? Thank you, Mr. Defoe.

Mr. DEFOE: Thank you.

MS. LAGO: Is there anyone else who would like to be heard on this topic? Okay.

Then, Mr. Singer, if I could ask you to talk about the timing, going forward.

MR. SINGER: So we had a little bit of irregularity with the timing on this and because of vacation schedules and the drafting of the A-Text, the staff was actually recommending that we continue the hearing on the 28th of August. So that there's an adequate time to review the A-Text, and then we can close and continue the ULURP process.

MS. LOGA: People are welcomed testify, we would anticipate given their robust participation. I will note that the draft DEIS will be kept open for an additional ten days afterwards, and this

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again we think will encourage maximum participation.

MS. LEVINE: Has the A-Text been made been available to the Community Board?

MR. SINGER: The A-Text has been sent out. Yes.

MS. LEVINE: So the point of continuing is to let people take a look at the A-Text?

MR. SINGER: Yes.

MS. LAGO: To get even more to look at the A-Text and make more comments that again, could be incorporated in going from the DEIS.

MR. SINGER: The Community Board has a scheduled meeting -- well, they don't have one?

MR. DOUEK: No, are we on the clock; on the clock on this?

MR. SINGER: There is a clock, yes.

MS. LAGO: We pushing it to th absolute.

MR. SINGER: Yes.

1
2 MS. LAGO: Like we did actually in
3 response to the Manhattan Borough
4 President's request of just keeping the
5 periods open as long as were allowed.

6 MR. DOUEK: The Community Board will
7 get on it right away.

8 MS. LAGO: Good. So this will be
9 consecto (SIC) and continued on the 28th
10 of August, when many of us will be here.

11 And with that, Madam Secretary, is
12 there anything else on the agenda?

13 MS. GRUEL: No, Madam Chair.

14 MS. LAGO: Okay. It's been a long
15 day. Thank you to the members of the
16 public who have waited through out the
17 day we value your input.

18 (Time noted: 4:23 p.m.)
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C E R T I F I C A T E

STATE OF NEW YORK)

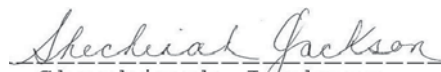
Ss:

COUNTY OF BRONX)

I, Shechinah Jackson, a shorthand reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on 08/14/2019.

I further certify that I am not related to any of the parties to this action by blood or by marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of August 2019.


Shechinah Jackson

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THE CITY OF NEW YORK

CITY PLANNING COMMISSION

BRONX SPECIAL DISTRICTS TEXT UPDATE

CALENDAR NUMBERS 20, 21 AND 22

BOROUGH OF THE BRONX

PUBLIC HEARING

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August 28, 2019
10:08 a.m.

120 Broadway
Lower Concourse
New York, New York

Julia M. Speros
Court Reporter

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A P P E A R A N C E S:

Marisa Lago, Chair

Kenneth J. Knuckles, Esq., Vice Chairman

Hope Knight, Commissioner

Anna Hayes Levin, Commissioner

Orlando Marin, Commissioner

Raj Rampershad, Commissioner

Richard W. Eaddy, Commissioner

Joseph I. Douek, Commissioner

Alfred C. Cerullo, III, Commissioner

David Burney, Commissioner

PROCEEDINGS

THE CLERK: The next part of the calendar is the Public Hearing Section on page 17.

Citywide, Calendar numbers 20, 21 and 22.

Community District 8 in the Bronx, Calendar number 20, C 190403 ZMX, Calendar number 21, N 190430 ZRY, Calendar number 22, N 190430(A) ZRY, for continued hearing in the matter of applications for Zoning Map and Zoning Text Amendments concerning the Staten Island and Bronx Special District Text Update.

Notice of public hearing is being held by City Planning Commission in conjunction with the above ULURP hearings to receive comments related to the Draft Environmental Impact Statement. This hearing is being held pursuant to the State Environmental Quality Review Act and the City Environmental Quality Review.

CHAIR LAGO: As this is a

1 continuation of the public hearing, we
2 will not be having a presentation, and
3 we will follow our traditional practice
4 of beginning with up to five speakers in
5 opposition, then speakers in favor. I
6 would note that each speaker is limited
7 to three minutes.

8 And so we'll begin with Bruce
9 Jacobs, who will be followed Jodie
10 Colon.

11 MR. JACOBS: Good morning everybody.
12 Bruce Jacobs, Coalition in the
13 Rockaways, supporter of medical and
14 religious freedom, 9/11 first responder,
15 U.S. Navy veteran.

16 1 I had questions about this thing --
17 this park thing. Why is this now and
18 what's the questions to -- like what
19 kind of jobs are going to be involved
20 and why are they -- they want to get rid
21 of some kind of planning -- you know,
22 some kind of idea inside the -- that's
23 already existing.

24 Now, in the Staten Island thing
25 there's an HPD rule involved. What kind

1 of jobs are they going to be getting?
2 Are they going to have union jobs to be
3 fixing up this place? Are they going to
4 be, you know, really helping their
5 community?

6 Is it going to be blocking the
7 highway? Is it going to be messing up
8 everything? If they could answer these
9 questions, I would be for it. But, you
10 know, I understand it's just to build a
11 park, but there is people that live
12 around there and I do have to come here
13 to speak to help, you know, keep this
14 neighborhood.

15 You know, I have a lot of, you know,
16 business and things in this area. You
17 know, a park sounds good. The Staten
18 Island thing, you know, with the HPD,
19 they want to change and put a park, and
20 then they want to put a big building.

21 Big building must use union workers.
22 Union apprenticeship program; that's all
23 I'm asking for. I'm not asking for the
24 top amount; I'm asking for guys to be
25 able to make a permanent living and a

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real living, not, you know, a thing that
they can't live with benefits. So that
they can have a career and they could
get by. And, you know, that's just
about it.

I appreciate you -- your help.
Thank you.

CHAIR LAGO: Thank you. Questions
for Mr. Jacobs?

(No response.)

CHAIR LAGO: Thank you. Our next
speaker will Jodie Colon, who will be
followed by Karen Argenti.

MS. COLON: Thank you and good
morning. I'm Jodie Colon. I'm speaking
on behalf of the friends of Spuyten
Duyvil.

First, thank you for extending the
hearing. I was able to get vacation
time to be here. I also have used that
time to read through the thousand plus
pages of the DEIS, the proposed zoning
texts, and all the other related
documents, and I'm not liking what I'm
seeing.

2

It clearly is written for Staten Island. It doesn't really address the needs, the concerns, or the characteristics of our Bronx community. For example, in the Bronx, although only 12 percent of the lots are institutional, that's 50 percent of the land area. That's community facilities use.

So many sections of the new text apply only to residential uses, not community facilities. And about 96 percent of those institutional lots are in base protection areas. That means they're allowed to build more and preserve less than the homeowner lots. They get a third of the tree credits, half the biodiversity credits, 35 percent lot coverage instead of 25 percent, 5,000 square feet enlargements as of right. That's just not right for the Bronx SNAD, and I don't think it's right for City Planning either.

3

It allows more projects to skip



3

community review when we're your best
and most vested resource. There's many
more people like me who spend hundreds
of hours reviewing documents and
providing comments, you know, and
without those documents, 87 pages of
zoning text for what amounts to about
seven applications a year in the Bronx
SNAD, that's kind of excessive.

I don't understand -- maybe you
could just apply the cardinal science
and use your discretionary powers to
determine whether they make the findings
or not. That would keep you cutting
edge and you wouldn't have to change the
text when science changes or when
climate changes forces us to protect
every single patch of soil and the
plants that grow in it.

4

You know, I know that the original
goal was to protect natural resources
and create a more clear consistent and
holistic approach, but this didn't get
us there. It's money with waivers and
exceptions, contradictory and confusing

1 text, and no enforcement measures or
2 penalties.

3 That's why we oppose the zoning
4 proposal and request a no action
5 condition on the SEQRA. The devil is in
6 those details, and if you withdraw it
7 and submit it, we'll help you write text
8 that applies specifically to the Bronx
9 and saves our SNAD for today and the
10 future.

11 You know, Joni Mitchell once sang,
12 "You don't know what you've got till
13 it's gone". Well, we know, and you
14 know. So let's do what we can to
15 protect every little bit of paradise
16 that's left, even if it's on
17 institutional community facility
18 property.

19 Thank you so much for your time and
20 attention today.

21 CHAIR LAGO: Thank you, Ms. Colon.
22 Questions?

23 (No response.)

24 CHAIR LAGO: Thank you.

25 MS. COLON: Thank you.

1 CHAIR LAGO: Our next speaker is
2 Karen Argenti, who will be followed by
3 Laura Spalter.

4 MS. ARGENTI: Hi. My name is Karen
5 Argenti. I represent the Bronx Council
6 for Environmental Quality and we are
7 specifically commenting on the
8 environmental -- the DEIS, and how I
9 find it to be fatally flawed, and you
10 should go back and re-prepare it because
11 it has many problems with it.

12 I will read you a list of what I
13 found to begin with and we will submit
14 further details. I don't know what the
15 date is for the submission -- you could
16 tell me that at the end.

17 9 | So the DEIS fails to identify the
18 | current level of imperviousness, such as
19 | buildings and landscape area on the
20 | lots. This is important to us in terms
21 | of the impact on the ecosystem.

22 10 | Two, the new zoning resolution does
23 | not insert conditions and additions as
24 | is customary. This makes it difficult
25 | to compare changes and look at the

↓

10 ↑ impact.

11 | Three, you have not established the
baseline of existing conditions.
There's nothing explaining these
existing conditions, so you can't tell
if there's an impact from the existing
conditions to what the change will be.

12 | After almost 35 years the stated
purpose of this SNAD to protect,
maintain, and enhance the natural
features has been changed to incorporate
development. Do you have any data to
support doing this? And since it's not
provided in the EIS, it's hard to tell
if there's an impact.

13 | You neglected to identify the number
of lots and the acres by categories of
10,000 square feet, less than one acre,
greater than one acre, and which ones
are in community facilities. It's hard
to tell exactly what you're looking to
do.

14 ↓ Six, you failed to provide letters
from interested agencies as is
customary, like the DEP, the DPR,

14 ↑ Landmarks, and some New York State
agencies.

15 | Seven, you've omitted the Hudson
River, Alder Brook, and the Harlem River
as natural assets.

16 | Eight, you reversed the 197-A 2005
zoning change for all SNADS from 46,000
square feet to 10,000 square feet
without examining the impact.

17 | Nine, you've neglected to even
mention a long-term control plan for
CSOs and MS4s, nor recognize the impacts
-- the indicators for these impacts,
which is the flooding conditions, which
were mentioned in the 197-A, causing
extra salt during winter storms which
goes into the parks and the rivers.
This EIS is like throwing away the baby
with the bath water.

18 | Like Staten Island, I demand you
choose the no action option for the
Bronx SNAD.

CHAIR LAGO: Thank you.

MS. ARGENTI: You can ask me any
questions you like on the environment.

1 CHAIR LAGO: I would your
2 submitting those written testimonies.

3 MS. ARGENTI: We will be talking
4 about the level of imperviousness and
5 the critical nature of that.

6 CHAIR LAGO: Thank you.

7 MS. ARGENTI: And when is --

8 CHAIR LAGO: I'll make an
9 announcement at the end of the public
10 hearing.

11 MS. ARGENTI: Okay.

12 CHAIR LAGO: Thank you. Thank you
13 for your testimony.

14 Our next speaker is Laura Spalter,
15 who will be followed by Christopher
16 Rizzo.

17 MS. SPALTER: Good morning, Madam
18 Chair and members of the Commission. My
19 name is Laura Spalter and I'm Vice Chair
20 of Bronx Community Board 8 and I am
21 speaking on Ed's behalf today.

22 I spoke at the public hearing held
23 on August 14th. I urged then --

24 CHAIR LAGO: Excuse me, if I could
25 ask the secretary, is it -- I believe

1 that a person is only able to speak once
2 at a public hearing --

3 UNKNOWN SPEAKER: Yeah.

4 CHAIR LAGO: This is for additional
5 testimony. If you have written
6 comments, we'd very much welcome them.

7 MS. SPALTER: I only have one minute
8 left.

9 CHAIR LAGO: I'm afraid that --

10 UNKNOWN SPEAKER: You've actually
11 already spoken on this hearing, and so
12 we can collect your written testimony,
13 but you are not allowed to testify twice
14 at the same hearing.

15 MS. SPALTER: Understood.

16 CHAIR LAGO: So we will welcome
17 your written testimony.

18 MS. SPALTER: Understood.

19 CHAIR LAGO: Thank you.

20 MS. SPALTER: I'm going to -- I came
21 here to bring it all and to urge you to
22 listen to all the Bronx sites who have
23 spoken. Thank you.

24 CHAIR LAGO: Which we will. Thank
25 you, Ms. Spalter.

1 MS. SPALTER: Thank you.

2 CHAIR LAGO: Our next speaker is
3 Christopher Rizzo.

4 MR. RIZZO: Good morning. My name
5 is Christopher Rizzo and I am an
6 environmental land use attorney and I
7 served as a member of the Department's
8 SNAD working group that started in 2015
9 to address these potential amendments to
10 the SNAD.

11 I want to read from a letter I
12 submitted to the Commission -- to the
13 Chair in support of these amendments,
14 and at the end, I will address two
15 recent developments that came after my
16 letter.

17 I am writing in support of the
18 Department of City Planning's proposed
19 modifications to the SNAD's zoning
20 regulations. I had served since 2015 on
21 the Department's SNAD working group that
22 advised on issues in the Riverdale SNAD
23 and my comments do not relate to the
24 application's applicability on Staten
25 Island.

1 1 The amendments have four elements
2 that helped win my support. One,
3 greater focus on open space
4 preservation. Preserving the remaining
5 tracks of open space in the SNAD is the
6 most important issue in the SNAD.

7 2 Number two, control of zoning lot
8 subdivisions.

9 3 Number three, pressure on large
10 institutional land owners to engage in
11 long-term planning and preserve more
12 significant amounts of open space on
13 their property, including through
14 clustering of development.

15 4 And number four, clearer as of right
16 options for owners of smaller lots that
17 simply want to follow the rules without
18 a costly and time consuming public
19 review process.

20 I retain two concerns about these
21 amendments.

22 5 Number one, control of tax lot
23 subdivisions, which are distinct from
24 zoning lot subdivisions and are equally
25 problematic in the SNAD. Please address

1 that issue.

2 6 Number two, I have concerns about
3 enforcement by the Department of
4 Buildings, particularly with regard to
5 the expertise of plan examiners and lack
6 of qualified inspectors.

7 With this letter I ask the
8 Department to address both issues in its
9 responses to comments. I want to thank
10 the Department for taking this SNAD
11 amendment process so seriously and the
12 thoughtful work product.

13 Since this letter, there have been
14 two developments. One is the removal of
15 the Staten Island portion of the
16 amendments from the proposal. That does
17 not concern me at all. I didn't read
18 them.

19 7 Number two, a potential solution to
20 the enforcement problem. My
21 understanding is the Department is
22 talking about the possibility of
23 notifying the Community Board, as well
24 as possibly adjacent homeowners, about
25 an application that would not be subject

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to a public review process, to inform them about the start of the 45-day Department of Buildings zoning appeal process.

The Department of Buildings zoning appeal process is a very meaningful process. I have used it for clients opposing projects from time to time. It allows neighbors, or Community Boards, or elected officials to submit a formal objection to zoning compliance to the Department of Buildings which is reviewed and responded to by the Department of Buildings.

If they don't like that answer, they can appeal to the Commissioner of the Department of Buildings. If they don't like that answer, they can appeal to the Board of Standards and Appeals.

Ensuring that the Community Board has notice of all applications including those that are going to be excluded from public review would be a meaningful solution to the enforcement problem at DOB. Thank you.

1 CHAIR LAGO: Thank you. Questions
2 for Mr. Rizzo?

3 COMMISSIONER LEVIN: (Indicating.)

4 CHAIR LAGO: Commissioner Levin.

5 COMMISSIONER LEVIN: Mr. Rizzo, I
6 have a question not related to your
7 testimony really, but your experience as
8 a land use attorney.

9 Have you been involved in filing
10 applications on behalf of the small
11 property owners -- the owners of the
12 small properties that would be excluded?

13 MR. RIZZO: No, my experience in the
14 SNAD includes mainly three projects in
15 opposition to SNAD applications --

16 COMMISSIONER LEVIN: Okay.

17 MR. RIZZO: -- where I represented
18 property owners around an application
19 that were using the SNAD rules to oppose
20 it.

21 COMMISSIONER LEVIN: Right. Okay.

22 MR. RIZZO: Nevertheless, I'm here
23 in support of these amendments.

24 COMMISSIONER LEVIN: Understood.
25 Thank you.

1 CHAIR LAGO: Other questions?

2 COMMISSIONER EADDY: (Indicating.)

3 CHAIR LAGO: Commissioner Eaddy.

4 COMMISSIONER EADDY: Mr. Rizzo, so
5 we've heard from residents and we've
6 heard from several folks about the
7 enforcement by DOB, as well -- actually,
8 we're mainly concerned about that.

9 What suggestions would you make at
10 this time for the process to maybe
11 suggest something other than DOB or
12 maybe strengthening the DOB's review of
13 these applications?

14 8 MR. RIZZO: Look, part of it is a
15 funding issue. The Bronx DOB doesn't
16 have a lot of inspectors. They may not
17 have expertise; they need training --
18 formal training on the SNAD rules and
19 what those mean. But I do think that
20 the proposal to provide formal
21 notification to the Community Board, as
22 well as neighbors, of an application to
23 allow them to utilize the DOB's existing
24 zoning challenge process -- 45-day
25 period -- would be very meaningful.

1 COMMISSIONER EADDY: Thank you.

2 CHAIR LAGO: Other questions?

3 COMMISSIONER CERULLO: (Indicating.)

4 CHAIR LAGO: Commissioner Cerullo.

5 COMMISSIONER CERULLO: Thank you. I
6 just have a question regarding the
7 suggestion, or sort of the plea about
8 the tax lot subdivision being addressed
9 by us.

10 What is it that you would like to
11 see us do in that area versus the
12 responsibility of the Department of
13 Finance with respect to --

14 MR. RIZZO: Sure.

15 COMMISSIONER CERULLO: -- tax lots;
16 how would -- how do you see that playing
17 into the zoning?

18 MR. RIZZO: I haven't played out a
19 solution to be honest.

20 COMMISSIONER CERULLO: Okay.

21 9 | MR. RIZZO: The response that City
22 | Planning staff would give me is that
23 | it's a Department of Finance issue, and
24 | as a legal matter, that's true.

25 | I just think you should be aware



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that it poses a quiet threat to the SNAD because you can subdivide a zoning lot as of right, so long as the resulting tax lots are zoning compliant --

COMMISSIONER CERULLO: Yeah.

MR. RIZZO: -- and then it puts tremendous pressure on the City to approve applications for those individual tax lots, even if they remain one zoning lot.

I'm very pleased that the SNAD amendments address the zoning lot -- zoning lot subdivision issue.

COMMISSIONER CERULLO: Right.

MR. RIZZO: That's very, very important, but I wish there was a way for Department of City Planning and Department of Finance to talk and come to some sort of agreement about how tax lot subdivisions and SNADs would be handled.

COMMISSIONER CERULLO: Okay. Thank you. I mean, I didn't know if you had a specific recommendation, but I think the advice and suggestion is certainly a

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1 good one.

2 MR. RIZZO: Yeah, agencies can come
3 to MOUs and agreements about how to
4 handle things --

5 COMMISSIONER CERULLO: Very true.

6 MR. RIZZO: -- talk in advance, and
7 that would be one solution.

8 COMMISSIONER CERULLO: As the former
9 Finance Commissioner, that's why I was
10 interested in that question. Thank you.

11 CHAIR LAGO: You wear many hats
12 Commissioner Cerullo.

13 Thank you for the testimony.

14 MR. RIZZO: Thank you.

15 CHAIR LAGO: Those are the only
16 people who have signed up to speak. If
17 there are others present who would like
18 to, please come forward now.

19 (No response.)

20 CHAIR LAGO: Okay. Then I will
21 note that the record on this matter is
22 going to remain open for comments on the
23 Draft Environmental Impact Statement
24 through 5 p.m. on Monday, the 9th of
25 September.

1 And with that, the public hearing is
2 closed.

3 (Time noted: 10:26 a.m.)
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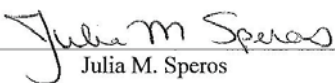
CERTIFICATION

I, JULIA M. SPEROS, a Notary Public
for and within the State of New York, do
hereby certify:

That the witness whose testimony as
herein set forth, was duly sworn by me;
and that the within transcript is a true
record of the testimony given by said
witness.

I further certify that I am not
related to any of the parties to this
action by blood or marriage, and that I
am in no way interested in the outcome
of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 28th day of August,
2019.



Julia M. Speros

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