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**TRANSCRIPT OF PUBLIC HEARING BEFORE  
THE CITY PLANNING COMMISSION  
MARCH 18, 1960**

in the matter of ....

Comprehensive Amendment  
of the Zoning Resolution  
of The City of New York

Borough of the Bronx

Prepared by Department of City Planning  
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CP-15278

P U B L I C   H E A R I N G

before the

CITY PLANNING COMMISSION

in the matter of a

PROPOSED COMPREHENSIVE AMENDMENT  
Pursuant to Section 200 of the New York City Charter

of the

ZONING RESOLUTION OF THE CITY OF NEW YORK

consisting of

TEXT AND MAPS

Held at City Hall, Borough of Manhattan

Beginning on March 14, 1960, and continued on  
March 15, 18, 21, 22, 23 and 25, 1960.

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CONTINUED HEARING - PROPOSED ZONING MAPS  
FOR THE BOROUGH OF THE BRONX  
Friday, March 18, 1960

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CITY PLANNING COMMISSION

James Felt, Chairman  
Francis J. Bloustein,  
Vice-Chairman  
Goodhue Livingston, Jr.  
Robert Moses  
Lawrence M. Orton  
Michael A. Provenzano  
James G. Sweeney  
Commissioners

Pauline J. Malter, Secretary

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March 18, 1960

1.

CHAIRMAN FELT: The meeting will please come to order.  
Will the Secretary call the roll?

SECRETARY MALTER: Chairman Felt, Vice Chairman Bloustein,  
Commissioners Livingston, Orton, Sweeney, Provenzano, Acting Com-  
missioner Constable.\* Quorum present.

This is a continued public hearing in the matter of the  
proposed comprehensive amendment, pursuant to Section 200 of the  
New York City Charter, of the Zoning Resolution of The City of  
New York, consisting of text and maps, which are a part thereof,  
and which are appended thereto, being CP No. 15278. On December 23,  
1959, Cal. No. 48, the Commission fixed Monday, March 14, 1960, for  
a hearing on this matter and for the convenience of the public to  
assure orderly procedure and to permit a full hearing, the hearing  
has been initially devoted to the proposed text. These hearings  
having been held on Monday, March 14, 1960, and Tuesday, March 15,  
1960, and the hearing is being continued today on the proposed  
zoning map for the Borough of The Bronx. On Tuesday, Wednesday  
and Friday, March 22, 23, and 25, respectively, the hearings will  
continue on the zoning maps for the Boroughs of Manhattan, Queens  
and Richmond, respectively.

CHAIRMAN FELT: I would like to read a brief statement  
at the outset. As you may know, we have completed two days of  
hearings on the general text of the proposed Zoning Resolution.

( \*Edward Hoffman, sitting for Acting Commissioner  
Stuart Constable.)

The testimony heard at these hearings - both in quantity and quality - has given us assurance that New Yorkers have a growing understanding and interest in achieving a modern zoning ordinance for this city.

Today's hearing marks the first of five sessions devoted to the mapping in each of the boroughs. These meetings do not merely involve praise or criticism of the ordinance, but are in effect workshop sessions in which the public comes before this body to offer specific mapping recommendations and suggestions which will help us prepare the best resolution possible.

Many have told me that they would like to suggest map changes, but they did not want their requests to imply any basic dissatisfaction with the Commission's Proposal. I do not want anyone to feel that we regard the request for a mapping change as opposition to a modern zoning ordinance.

We understand that many of you support the general principles of the proposed resolution, but have specific questions regarding your property or your district. We welcome these questions and shall endeavor to resolve them equitably.

Criticism and suggestions offered at this and the other hearings are accepted in the constructive vein they are offered. No requests, no matter how small, will be ignored. We will be spending many weeks working on these recommendations - reviewing maps, making checks in the field, meeting with groups and individuals. The result of this effort will be a zoning resolution in which every citizen can be assured that he or his representatives have participated. It will be your resolution.

I have a list before me of speakers who have requested to be heard and there are others who have given notice at today's meeting that they wish to be heard. We will hear first from those who have given advance notice. Is Mr. Montero present?

FRANK MONTERO: Commissioner Felt, members of the City Planning Commission, I'm appearing here on behalf of the Riverdale Neighborhood and Library Association, a civic organization with approximately 2000 members, which has been an established institution in the community for many years. I would like to state that the Neighborhood House is a non-sectarian, non-political and non-profit organization, and that at no time do we represent any special interest, but we do believe that our Board, by virtue of its composition and membership, represents a cross section of the elements in the community that are concerned with civic betterment and civic progress. This is, I believe, evidence of our continuing support of the amendment to the zoning ordinance because we appeared at the informal hearing on the comprehensive plan to rezone which was prepared by the consultant firm. We now want to reaffirm as strongly as we can, our support of the amendment to the zoning resolution on precisely the same basis that we stated before:

One, we believe it's good for New York in its entirety; two, we believe it's good for The Bronx; and from the point of view of our own community we support it wholeheartedly. We do this on the basis that the purpose of zoning in its broad perspective is to keep people from doing things that seem eminently desirable

from their own point of view but which hurt the community of which they are a part, of which their buildings are a part. We think it's important to remind you that it is well to remember that vigorous and restricted zoning has never destroyed real estate values; and thirdly, the true and lasting fiscal soundness of the City depends on the efficiency and success of the City as a whole. It cannot last if we base it on inflated land prices created by permissive overbuilding.

There are, of course, other reasons that I will put before you in writing but I want to summarize it briefly by saying that our organization is wholly in support of this amendment and, further, that we will make our point of view felt before the Borough President when this comes up before the Board of Estimate. Thank you very much.

CHAIRMAN FELT: Is D. Miller of the Locust Point Civic Association present?

For the convenience of those who have not submitted written requests for map changes, where there are such requests involved at the hearing this morning in connection with your statements, we have forms right at the desk. If you fill out those forms, they will give us the exact and precise information regarding your request and will enable us to give each request the careful consideration it merits. In other words, if any of you have a specific area in mind that is zoned one way and you think it should be zoned another way, in addition to giving us your remarks, which we want, you might so note on the sheets before you. I'm sorry, Mr. Miller.

Montano / Felt

MR. D. MILLER: The Locust Point Civic Association, Inc., comprised chiefly of lifelong residents of the City of New York, is unanimously in favor of the comprehensive amendment to the zoning resolution. We see it as a forceful and timely step to make our City a better place to live, work and play. We think it is a pleasant change from the "too little and too late" policy which has often prevailed. We think its advantages far outweigh its disadvantages and feel the majority is bound to benefit from such a resolution.

In our home borough of The Bronx, the provisions made for expansion of heavy and light industry, manufacturing, retail, residential and waterfront recreation areas, is viewed with great enthusiasm. We see it as a much needed growth pattern for our rapidly expanding population. We'd like to take this opportunity to thank the Commission for their efforts extended in developing the amendment and for their courage displayed in working for its adoption. In connection with our own request for a map change, we wish to thank the Commission for their consideration in granting our request as it will enable us to maintain the present character of our neighborhood. Thank you.

CHAIRMAN FELT: Mr. Harvey Hauptner of the Civic Association of City Island?



HARVEY E. HAUPTNER : Mr. Chairman, ladies and gentlemen of the Commission, my name is Harvey E. Hauptner and I am Vice President of the City Island Civic Association, representing all the residents and homeowners on City Island, approximately. We are the most northeasterly part of New York City and some of you may or may not know that it is a very small corner of the Bronx. It has always been and still is a nice quiet, pleasant community of individual homeowners and their families. We have three fine churches, one synagogue, one public school and one parochial school.

It is now joined to Pelham Bay Park by a bridge and is the end of the line with only one way in and the same way out. Our principal industry is the building, repairing, servicing of yachts and smaller craft and the attendant departments of marine activity. During the last war, these industries all contributed much to the war effort through the various types of war vessels built by them. Roughly, some 90% of our Island is occupied as strictly residential served by a small business area and the balance by the marine installations that occupy and have occupied certain restricted portions of our waterfront for years.

Now, originally, City Island was known as Minneford Island after the Minneford Indian tribe living in the area. City Island is settled now for some 300 years, but it did come into some prominence during its early history through the manipulations of one who might be called City Island's first real estate salesman - an Indian character named Wampage who, it was rumored,

tried to sell the island, along with what is now known as Pelham Bay Park to three different people at the same time. It is said that when this little scheme was discovered, some of our fore fathers chased them right out into the middle of Eastchester Bay and forced them to swim to the mainland. Now, he yelled back a lot of unprintable stuff at those on the shore and he took a walk up Split Rock Road and then he got to Ann Hutchinson's place, who had a nice little split-level ranch house on the opposite side of the Hutchinson River where Freedom Land is now being built. He found this lady taking a sunbath in whatever people took sunbaths in in those days. However, he didn't like what he saw because he politely murdered her.

Now, all this was told to me by an old Indian neighbor when I was a boy, and he even gave me a fine stone axe and a scalping knife which he claimed were the tools this fellow did the job with. Now, I don't say that these were actually the tools because I caught this fellow in a few little fibs myself. So, I'm not trying to change the course of history when I repeat this story here.

Now, from then on things ran along pretty good until the last few years when our people have been forced to stoically endure a steadily increasing number of cars during the summer months that literally tie up all our streets and avenues, are parked indiscriminately everywhere on our streets and set up the most alarming situation in the event of a fire or an emergency. This not only

applies to our streets but to every other artery leading into City Island, and its plain that our fire and other emergency apparatus are decidedly handicapped in responding to our area.

Now, with all this to contend with, imagine our surprise and consternation when we suddenly learned what apparently the rezoning specifications had in store for us. The City Island Civic Association, a live, progressive and yet militant group representing the welfare and interest of all our residents, immediately left no stone unturned to get at the bottom of the picture which I must say at that time was not a good picture. A study of the specifications indicated that manufacturing could be imposed on fine residential areas and, also, that an attempt seemed in the making to dissect portions of our most attractive and exclusive residential waterfront and turn them into business areas that could include marinas, gasoline stations, cheap eating places, entertainment spots that could well be included with strip-tease acts. This could and would spell the end of City Island forever for us. Certainly, there seems to be no thought of trying to protect the name of City Island, prized for a century as the pride of Long Island Sound.

Our delegates started off to our first meeting with officials of the City Planning Commission with fire and indignation in our hearts and in our minds. We were determined to let them know just what our residents thought about this proposed dissection of City Island. But imagine our surprise when we were met by two of the Commission's representatives, Messrs. Jack Smith and Ed Friedman and, eventually, Commissioner Felt and Commissioner

Bloustein. None of these gentlemen had horns on them. We were quite surprised at that. This first meeting was followed by a number of others at which our problems were given the most respectful attention. This included their visiting the Island, giving us the opportunity to show them just what we were objecting to. We showed them our homes, our shipyards, our yacht clubs, our churches, our synagogues, our schools, our extremely narrow streets and those portions of our shorefront that were in question.

Then, at a later date, at a public meeting at St. Mary's Auditorium, with the walls literally bulging due to the huge turnout, it was immediately brought home to them that the City Island Civic Association did truly represent every resident and homeowner and that we wanted and demanded a very definite change in the rezoning specifications and maps of the Commission.

Ladies and gentlemen, this Association has presented this entire matter without the help of an attorney or legal counsel for we were and still are convinced that any just and honest opinion can receive an equally just and honest decision, and this seems to have been born out in this case. The fine, friendly and honest treatment the residents of City Island have received at the hands of you, Commissioner, and your able assistants, has made it quite apparent that we can have only the deepest respect for the Commission's work. In closing, Mr. Chairman, on behalf of the City Island Civic Association, I wish to put into the record

Hauptner

here today that we heartily endorse the decisions and the map specifications of your body as they stand at this moment in respect to the rezoning of City Island, New York City. Thank you.

CHAIRMAN FELT: Is Mr. Lippe present?

HENRY J. LIPPE: Mr. Felt, members of the Commission, I was here Monday; and I want to say that Mr. Hauptner's words are practically my words. In listening last week - I want to go back to this program of defeatism and negative approach of some of the organizations who do not represent taxpayers. I found that out last week when I went into it very thoroughly. Most of these organizations, Mr. Chairman, are different service organizations and they are on a level with wonderful clubs like the Lions and the Rotary and so forth, and in their reports to you of what you should do, such as the one that was put forth - I think it was around one o'clock the last time I was here - to throw the whole thing out. Now, nothing could be that bad. There must have been some good in some of it. When they come in with a very negative approach they just don't want anything. The thing that I am thoroughly against is these people representing themselves in page after page of speeches they put forth. They should not sway you from doing the diligent, fine job that you have already programmed for us in a year from now. I think it's going to come up in a year or maybe a little bit more. If there is any change, City Island does not wish it. They wish the one that you have now for it. Thank you very much.

Lippe

EDWARD J. HURLEY: Mr. Commissioners, I'm speaking as President of the Fieldston Property Association, which is a group of 240 homeowners in the northwest Bronx. We are in a "G" Area District. We want to keep the restrictions which exist now. We read the draft of the new zoning resolution. As we understand it, it keeps those restrictions. Therefore, we are heartily in favor of it. We would be very much concerned about any reduction in those restrictions or any reduction in the "G" Areas without due public hearings. We hope that any such changes will be made after the new zoning is in force and at public hearings.

As to the zoning law generally - as it affects the City generally - our study of it leads us to believe that it would certainly be a long overdue improvement. We know that the present zoning resolution dates from 1916 and has been amended many times and we think this is certainly a good clarification.

I have a written draft of our views in this matter which I would like to leave with your Commission. Thank you.

JACK VERNON: Mr. Chairman and the Commission: I protest the rezoning of the area covering Hollers Avenue bounded by Huguenot and Mc Owen Avenue, New York. The property in question, a whole section 18, Block 56-55, 21 lots all told. Size 100 by 250 and 200 by 175, Lots 143, 85, 148, 146, 144, 6, 1, 11 and 8. I, Jack Vernon, am the owner of this land. When I purchased the property it was zoned for an apartment house site. In 1959, the City Planning Commission zoned the same land for Manufacturing.

Now, the Commission has again changed the zoning to "R-3." However, just adjacent to the property on Huguenot Avenue, the zoning still remains "M". Since this land is not suitable for "R-3", I will have to take a big loss on all this land unless it remains in the "M" category the way it was originally. I think it is a good choice of the Planning Commission to have zoned the land "M" in the first place since practically the whole area is zoned for "M". It is one block from Boston Road and very suitable for manufacturing purposes and, therefore, it would be the best choice to leave this property zoned for Manufacturing.

VICE CHAIRMAN BLOUSTEIN: Mr. Vernon, are you between Hollis Avenue and Boston Road and between McOwens and Huguenot?

MR. VERNON: Yes, that whole block.

VICE CHAIRMAN BLOUSTEIN: Do you run up to the City Line with your property? Your ownership, how far does it extend?

MR. VERNON: I go 300 feet on Huguenot toward McOwen.

CHAIRMAN FELT: Do have anything beyond McOwen?

MR. VERNON: 100 feet beyond McOwen. I own the entire block on Hollis Avenue.

VICE CHAIRMAN BLOUSTEIN: Are you toward Ropes Avenue?

MR. VERNON: I am toward Ropes Ave. That's correct, sir. I own some property on Ropes Avenue, too.

VICE CHAIRMAN BLOUSTEIN: Will you give us a site plan showing your ownership?

MR. VERNON: Yes, sir.

Vernon

COMMISSIONER ORTON: Is your property on vacant land?

MR. VERNON: Yes, it's all vacant land.

CHAIRMAN FELT: Thank you. Mr. Kosse?

SAMUEL H. KOSSE : Mr. Chairman and gentlemen of the City Planning Commission, my name is Samuel H. Kosse. I am speaking in behalf of the Real Estate Board of The Bronx, as Chairman of its Planning and Zoning Committee. I am also Chairman of the Real Estate and Builders Committee and the Industrial Planning Committee of the Bronx Chamber of Commerce. My business is Real Estate Broker and Appraiser, which I have carried on for the last thirty-five years, mostly in The Bronx.

Setting the public hearings on the proposed zoning plan on different days for text and mapping has lead to the wrong impression that either of them is a distinct entity. On the contrary, they are as complementary and inseparable as the flesh and spirit. Most of those who made only a cursory examination of the plan first looked to see how their personal properties fared on the maps. When they found that the use district their property was in was similar to the present zoning use everything was fine. After that, it was difficult to interest them further in the study and analysis of the plan.

CHAIRMAN FELT: Do you mean by that that the Real Estate interests and the Chambers of Commerce and other similar groups have been apathetic?

Kosse



MR. KOSSE: I mean individuals, not groups, individuals who ought to be more interested. They first looked at the map, saw how their property was districted. If it looked like it was done in just about the same status as it is now, then they wouldn't study the three hundred pages of plan. Now, I found that very difficult to understand.

CHAIRMAN FELT: To clear the record and so that you may not be regarded by your own people as misquoting any situation - your own people, they are not apathetic.

MR. KOSSE: I mean property owners in general.

CHAIRMAN FELT: Do you mean real estate boards?

MR. KOSSE: Even real estate brokers, property owners in general.

CHAIRMAN FELT: I mean the Real Estate Board of The Bronx.

MR. KOSSE: The Real Estate Board of The Bronx and all the groups with which I had contact did not adopt that attitude. They were very much interested in the plan in general. But it was like dragging a whole load along with you to make the average person understand the plan.

One of the most cogent arguments for a slower pace in referring this plan to the Board of Estimate is that there are too many errors in the mapping of over 800,000 parcels of property under the proposed plan. The number of corrections which the City Planning Commission has made thus far or will make in the near future is only an insignificant number in comparison to the many

errors which are inherent in the draft of the map. As I have mentioned before this plan was formulated without the participation of knowledgeable individuals familiar with the local areas. As a result, the changes that are made quickly to fit into the timetable are mere daubs and patchwork. It is not a comprehensive quality job of correction. The argument that the year of grace will be utilized to remedy errors in the plan after it becomes law, is specious. It would require a property owner who now has a legal conforming property to come hat in hand to plead for an amendment of an error, not his own error. The time and expense required to remedy this by legislative process would be costly, if not in money, at least in time. The making of leases, the mortgaging of property and the possible sale of it would have to await the change of the amendment applicable to his property.

VICE CHAIRMAN BLOUSTEIN: Mr. Kosse, we are making changes every day in the week in the present Zoning Resolution if the people merit such change.

MR. KOSSE: And how long does it take, Commissioner Bloustein?

VICE CHAIRMAN BLOUSTEIN: The average time, if it's done expeditiously between ourselves and the Board of Estimate, no more than about six weeks if there is merit to the plan.

MR. KOSSE: My experience has been very different. I subscribe to the City Record and have watched it travel a very slow road. That means - I don't want to be argumentative - but if you were to have 10,000 requests for amendment, I am sure that even that

Kosse/Bloustein

speed will be slowed down. In the meantime, a man's property would be under special scrutiny by the building department because it was non-conforming.

The statements publicly expressed in these hearings by representatives of architects, builders, real estate groups, professional engineers and Chambers of Commerce and Boards of Trade have all testified to their sympathy for modern zoning. They have also deplored the lack of time to do a thorough job in the matter of submitting recommendations. As I see it, asking for delay is not an insincere tactic motivated by an intention to procrastinate.

Now, as to the matter of mapping in The Bronx: Residential Mapping: It is not my intention to submit to you specific geographical map changes affecting residential districts. That can better be done by the home builders or the builders in the Building Industry League or by the apartment house and small house architects.

I would like to suggest, however, that the plan should not pass if it sets such unrealistic floor areas that the building of new apartment houses would be unattractive, economically, to builders of conventional jobs so that people of modest means can be accommodated at rentals not too high for their purse. This is a fundamental principle and it should be practical - that the plan, with its floor area, should be subjected to a feasibility test that leaves no doubt in the minds of builders, architects, mortgage lenders and real estate men that the floor areas are realistic for an economic setup.

At the public hearing on the text on Tuesday, March 15th, I made reference to a tabulation of five apartment buildings designed by Clarence Lilien, a prominent architect, which tabulation is considered to represent a typical cross-section, although a very limited one. Mr. Chairman, you suggested that I submit the tabulation at this hearing on mapping. It is appended herewith with some of the comments which Mr. Lilien wrote in an article in the March issue of the Bronx Real Estate and Building News, the official publication of the Bronx Real Estate Board, and I will turn this memo with the tabulation over to the proper party. I will at this time just mention that from "R-4" to "R-8" there has been a reduction of 77.3% from a "D" Zone to an "R-4", and 26% from a "B" Zone to an "R-7". And I am not at all satisfied that this percentage would remain static throughout every district changed from "B", "C", "D" to "R-4", 5, 6, 7, and 8. It may be subject to variation.

Manufacturing land: the shortage of industrial land has become so acute recently in the Borough of The Bronx that it constitutes the crucial obstacle to the retention of industrial businesses in the City. We must be sure that adequate additions of industrial land are provided on the new maps. It's necessary to make up for that which has been pre-empted for other necessary uses, and to provide substitutes for the land now in Business Use Districts. Much of this was adaptable for light manufacturing and it is being wiped off the map for the extension of residential districts.

It is suggested that land under elevated transit lines near railroad rights of way, along noisy major highways be resurveyed for possible sources of industrial land. It is further suggested that the maps and the sites be reinspected to see if there is still some land in sparsely settled sections, where high performance types of industry can be planned for which would not impinge too closely on homes already built. It is suggested that areas be searched out where islands of harmless types of industrial businesses could be located within the heart of The Bronx so that residents living nearby could walk to work instead of shuttling downtown and back.

Manufacturing districts: Certain further recommendations are submitted for whatever use you may find. "M-1" Districts, which are supposed to be buffers between Residential and Manufacturing Uses, with few or no nuisance types are too wide and are more than buffers. As a result, too many properties are made non-conforming. If necessary, I might suggest that there be a creation of an "M-4", that would embrace some of the very obnoxious types of industry or a Group 19 where they could be bunched, and not damage an industry such as the steel structural products in Hunts Point by inclusion of this particular industry with industries like the slaughtering of animals or hazardous chemicals.

Three, I would avoid if possible crossing a property line by two different districts. This would only make for unnecessary complications for the particular owner.

Kosse

Non-conforming properties, which are now legal, will prove to be a big headache to the planners. May I suggest that the whole subject of non-conforming uses, especially those involving termination dates - I call them death sentences - be reviewed with a view toward applying some other method of upgrading neighborhoods. As it is now planned, the principle is applied with a ruthless hand and more stringent in most cases than the amenities of the locality require.

CHAIRMAN FELT: Mr. Kosse, so that there may not be any misunderstanding on the part of those that hear you, the non conforming use that you call a death sentence, provides for manufacturing property in a residential neighborhood. The very thing that we are trying to do is to upgrade the neighborhood. It only relates to manufacturing buildings in residential neighborhoods.

MR. KOSSE: Then that involves correct mapping.

CHAIRMAN FELT: That's correct.

MR. KOSSE: Which I submit to you as a prerequisite.

CHAIRMAN FELT: Correct mapping is undoubtedly a prerequisite.

MR. KOSSE: And, if possible, to upgrade a very fine manufacturing building even if it is in a residential zone because many of the places that they find themselves in are in such areas that unless they were demolished by bulldozer methods by subsidized housing, would never be built in. Therefore, the high type of manufacturing is probably of a higher appearance than some of the

buildings around it. Specific map recommendations are still under study by the Real Estate Board and are not ready for submittal at this time. We are awaiting further reports from our local area brokers and specialists in the various phases of real estate.

CHAIRMAN FELT: When do you think we will have that, sir?

MR. KOSSE: I hope within thirty days. We are circularizing all the brokers. They will have them in no later than the tenth of April.

CHAIRMAN FELT: All I can say is that the sooner we get it, the more opportunity we will have to study it.

MR. KOSSE: I'm not trying to delay you unduly. I'm just going away and I won't be able to personally handle it. It will be handled during my absence but I have a lot of points I'd like to bring to your attention in that tabulation.

CHAIRMAN FELT: We want all of that but the sooner we have it, the better. We are giving you an opportunity to do a thorough job.

MR. KOSSE: I'll arrange it. Thank you.

COMMISSIONER ORFON: May I comment? I think your suggestion of opportunities for high-performance industrial locations, islands, as you call them, would be a very constructive one if we could have specific suggestions along those lines.

MR. KOSSE: Yes, sir, if I could get a number of them I'll be very glad to give them to you.

CHAIRMAN FELT: Mr. Kosse, if you want to - this is up to you and the Board - you might think in terms of sending these suggestions along to us as you receive them rather than sending them in all at one time.

MR. KOSSE: I had a number of them but I wasn't ready this morning. I'll try to get them out before I go.

CHAIRMAN FELT: Thank you very much. Joseph Stein?

JOSEPH STEIN : Chairman Felt and members of the City Planning Commission, I have appeared previously before you in connection with the hearing on the text. My name is Joseph Stein; I am an attorney at 305 Broadway. As I said, I appeared previously in connection with the hearing on the text. Then, as now, I represented the Santini Brothers. Up to the present time I was afraid that we might have difficulty in four out of our five boroughs. It now turns out that our only difficulty is here in The Bronx, the county we are now considering.

CHAIRMAN FELT: Santini Brothers, then, would not have any problem under the proposed mapping of the new resolution except in The Bronx.

MR. STEIN: Except in the Bronx. That is correct. I would like to digress just for one minute. I have read newspaper reports of this hearing and listened to some of the comments made to this Commission by representatives of civic organizations. They used superlatives to express how greatly they appreciated what was being done for our City. As long as it didn't press on their



toes, everything seemed right. The hardship that it would foist on the minority who would be adversely affected by it seemed to be sloughed off by the mere mention of democracy and the common good. Those speakers who came here with the idea that everything is all right as long as George does it blunted their impression on me. It is all very good to ask somebody else to make a sacrifice. It is entirely unfair that a small minority should be enveloped by the great majority even if the common good is involved. I think it is contrary to our Constitution. I think it is contrary to all fairness.

Specifically, and getting to the issues here, my client owns a piece of property in The Bronx on Jackson Avenue. It has been there since 1915. It is south of Westchester Avenue on the west side of Jackson Avenue between Pontiac Place and Westchester Avenue. This building was constructed in 1915. It is on an area 50 by 110 and occupies a lot area of 5000 square feet. It is a seven-story building and the total floor area, including the cellar, is 40,000 square feet. I am told it is assessed at approximately \$90,000. I don't think it could be bought for twice that amount and its replacement value - it is constructed of steel and concrete - is probably four times that amount. It has 250 roomettes. It is a valuable piece of property. As I said, it was built in 1915. It is, today, worth more than it was worth when it was built. And because my clients have guarded it and taken care of it to the present time it is as good as the day it was built.

As a matter of fact, I have a picture of it here. I don't know whether it can be seen.

CHAIRMAN FELT: May we have that, please? (picture submitted)

MR. STEIN: And, aside from the fact that it would not blight the neighborhood, it would be a terrible loss to the owners of that building if that building had to be depreciated in a period of twenty-five years. That building was put up there long before many of the residents who now live in the area were even born.

VICE CHAIRMAN BLOUSTEIN: Is it used as a warehouse only?

MR. STEIN: It is used as a warehouse. That is correct. As a matter of fact, I notice that on an adjoining page or 6-A, there is another situation where the zoning is exactly like this, where right in the middle of a residential zone, there is a "C-8" Use permitted and "C-8" is what we require here. That would be on 6-A.

VICE CHAIRMAN BLOUSTEIN: If you would be permitted in "C-8", don't you have a vested interest and vested right now?

MR. STEIN: It so happens that it has a No. 16 Use.

VICE CHAIRMAN BLOUSTEIN: What I'm getting at is basically this: that because of the vested right you enjoy you would be able to continue there.

MR. STEIN: Well, we would be able to continue for twenty-five years, which would be a terrible depreciation of this building. Not only that, if this building was partially destroyed,

well, substantially destroyed, we could never recover our loss because we would have the expense of tearing down the rest of it, aside from not being paid for it. All we'd be left with would be an empty lot where we could only put up a single-family house.

This is all very good, but if we are going to share equally in the profits from this new resolution, it would seem to me we should all share in the cost of it. As I said, there is provision made in other sections of this new zoning resolution for inclusion of a "C-8" District in the midst of a residential district. This, especially in the light of the picture which you've looked at, would seem to me to be a proper case, a fair case, to make a similar exception.

CHAIRMAN FELT: Thank you, Mr. Stein. Is Dr. Saland present?

DR. GAMLIEL SALAND : My name is Dr. Gamliel Saland and I am the President of the Spuyten Duyvil Taxpayers Association. I want to make this statement for the record: that the members of the Spuyten Duyvil Taxpayers Association, living in The Bronx in the district bounded by Fairfield and Edgehill Avenues between West 227th and West 232nd Streets, wish to go on record as endorsing and praising the overall planning and zoning of the New York City Planning Commission. We have carefully examined the many features of the plan and have closely followed all the arguments presented pro and con for the past year. We feel that the Commission has always been and is now extremely patient, cooperative, wise, just,

competent and uncoerced. We feel that all their attempts have been and are now directed toward the betterment of the City of New York, and that the people of New York City owe this Commission a great debt of gratitude.

Finally, we feel that the time is now opportune to accept this magnificent overall plan immediately in order to make New York City a desirable, attractive City in which one may live, work, and play in comfort and good healthful surroundings. Thank you very much.

VICE CHAIRMAN BLOUSTEIN: Mr. Chairman, I think it perhaps would be appropriate to repeat a statement that was made when this hearing commenced. I'd like to repeat it for the benefit of those who came into the room since we started the hearing.

As you may know, we have completed two days of hearings on the general Text of the Proposed Zoning Resolution. The testimony heard at these hearings both in quantity and quality, has given us the assurance that New Yorkers have a growing understanding and interest in achieving a modern zoning ordinance for this city.

Today's hearing marks the first of five sessions devoted to the mapping in each of the boroughs. These meetings do not merely involve praise or criticism of the ordinance but are in effect workshop sessions in which the public comes before this body to offer specific mapping recommendations and suggestions which will help us prepare the best resolution possible.

Many have told us that they would like to suggest map changes, but they did not want their requests to imply any basic dissatisfaction with the Commission's Proposal. We do not want anyone to feel that we regard the request for a mapping change as opposition to this new proposed modern zoning resolution.

We understand that many of you support the general principles of the proposed resolution, but have specific questions regarding your property or your district or the area in which you live. We welcome these questions and will endeavor to resolve them equitably.

Criticism and suggestions offered at this and other hearings are accepted in the constructive vein in which we are assured they are being offered. No request, no matter how small, will be ignored. We will be spending many weeks working on these recommendations, reviewing maps, making checks in the field, meeting with groups and individuals. The result of this effort will be a zoning resolution and maps in which every citizen can be assured that he or his representatives have participated. It will be your resolution.

CHAIRMAN FELT: Thank you, Mr. Vice Chairman. Is Mr. Weinberg present?

ROBERT F. WEINBERG : My name is Robert F. Weinberg. I am representing myself and family in a particular mapping situation. I am concerned with the block which is bounded by 230th Street, Irwin Avenue and Johnson Avenue. It is triangular and it is to the south of 230th Street. We believe that the presently proposed zone for that area is not proper because of specific topographical conditions. The filed grade at the foot of 230th Street is 20.0, and at the head of 230th Street, a distance of 200 feet, 79.0, which is a difference in normal construction of approximately six stories.

CHAIRMAN FELT: What do you think is the appropriate mapping district?

MR. WEINBERG: It is very difficult for me. I have been studying this for several days and although it is understandable, and I might say that I am both an attorney-at-law and a professional engineer - I do not practice either of these professions particularly - I am a builder myself, I've had to get familiar with the technicalities of the law as I've gone along. I have spoken to the Commission informally and they have suggested that "R-7" might do it. But, in studying this myself, although I realize nothing higher than "R-7" had been granted in Riverdale, I still find difficulty and I will explain the reason to you. Number one, Irwin Avenue has become the artery for the entire Spuyten Duyvil section and, actually, this serves even up as far as 235th Street.

VICE CHAIRMAN BLOUSTEIN: At the highest point, what is the change in grade?

Weinberg

MR. WEINBERG: Well, from 20 to 79, 59 feet. Let me put it this way. My own home, that is, my parents' home, is at the top of 230th Street.

VICE CHAIRMAN BLOUSTEIN: That is where you have that step street.

MR. WEINBERG: That is correct. 230th Street is a step street. We look over the roof of the adjoining apartment house which is on Riverdale Avenue, and that is more than six stories to our first story since the average is about eight to nine feet per story.

VICE CHAIRMAN BLOUSTEIN: What is the smallest change in grade?

MR. WEINBERG: Well, the two streets come together - Johnson and Irwin meet at a point approximately 500 feet south of 230th Street, so of course the change in grade is zero at that point. It runs from seven stories to zero stories in a triangular shape which very quickly gets to less than 100 feet in depth so that any building is forced against the back wall of this grade immediately, as I'm sure you are well aware, people do not wish to live below grade. So we start with six or seven stories of foundation, the front portion of which may have apartments, but are relatively undesirable apartments.

VICE CHAIRMAN BLOUSTEIN: May I suggest this, Mr. Weinberg - we are familiar with the problem. You did see our staff. Why don't you complete your study - you said you were going to study

this thing, tell us what you think would be an appropriate change of zone here so that your land will be beneficially used.

MR. WEINBERG: I'd be pleased to. I would also to comment on one other thing about the Irwin Avenue frontage. A couple of years ago - the exact date I'm not certain of - without any request on the part ourselves and we do represent the entire 500 feet of that block right now, the Planning Commission saw fit to change the zoning to a Local Retail District, and I think that something along this line should be considered. I believe that this street will have to either be widened or something will have to be done there, inevitably, before much more time has gone on. The traffic potential has been growing and will continue to grow as Riverdale is developed, and even with the rezoning Riverdale will continue to grow. The buses, the trucks, they all come up that way and serve everything south of 235th Street and that's a tremendous area, and that street is only paved about thirty feet wide. If cars park on both sides, there is only room for a lane of traffic. Now, any building which is fronting on that street cannot be a desirable residential building by itself. Some provision should be made for a commercial utilization there such as you have already seen fit to do several years ago before all this traffic really had developed, and I would like to encourage some thought about the complete line of frontage because the topographical condition exists from 230th Street all the way up to the top of the hill which is, I would guess approximately at the



paper street of 225th Street, although there is no street there.  
Thank you very much.

CHAIRMAN FELT: Thank you, sir. Is Mr. Pearlman present?

LEONARD PEARLMAN: My name is Leonard Pearlman. I'd like to bring your attention to a particular area on Map 1-D, which is the west side of Jerome Park Reservoir, particularly the street called Giles Place, which is one block west of Sedgwick Avenue, south of 238th Street and north of Albany Crescent - in that area.

The variances in heights between the shopping district called for in the new zoning plan and the area on the Jerome Park Reservoir is something close to around 200 to 250 feet, so that since there is no local retail district specified any place in this area and since I personally am building an apartment house on Giles Place and have plans to build another one on the corner of Giles Place, and it is my understanding that there is an apartment house going to be built on Sedgwick Avenue, and there is another one going to be built on 239th Street and Cannon Place, which is all within the same area, it would seem to me that there should be some provision made in the new zoning law to the effect that there should be some sort of retail district included in here. Otherwise, people would be forced to walk down to Broadway, which as I said, is a drop of around 250 feet - Broadway and 231st Street.

VICE CHAIRMAN BLOUSTEIN: How far from Kingsbridge Road are you at that point?

Pearlman

MR. PEARLMAN: It's not walkable. You would have to take a bus.

VICE CHAIRMAN BLOUSTEIN: What about the retail shopping center that is now serving Amalgamated Housing?

MR. PEARLMAN: It shows nothing in here insofar as Local Retail area aside from the fact that that is a very congested area at present.

VICE CHAIRMAN BLOUSTEIN: But that would be the closest to you, wouldn't it?

MR. PEARLMAN: It would be the closest but it certainly would not be a sufficient area to do any shopping; people usually run in the other direction.

It would be my suggestion that Fort Independence Street, which is the main street that comes up from the bottom of the hill-- that Fort Independence Street and Giles Place, the northwest corner of Fort Independence and Giles Place be scheduled for a local retail area. The existence of present local retail areas is there now and I would suggest that that be taken into consideration. Otherwise you are going to have a load of new apartments there and there would be no place for them to shop; that is, local retail districts.

VICE CHAIRMAN BLOUSTEIN: How far are you from Bailey Avenue?

MR. PEARLMAN: It's a drop. You can expect a woman to walk four blocks but to walk 25 or 30 stories is a little bit of an abnormal request.

VICE CHAIRMAN BLOUSTEIN: You don't think that the erection of a shopping center in the midst of these new multiple dwellings would have a prejudicial effect upon them?

MR. PEARLMAN: I am not talking about a shopping center as much as I am about a local retail district which, I think, will make it convenient for them.

CHAIRMAN FELT: Mr. Pearlman, are you aware that we have sheets at the desk there which will enable you to summarize the requested change?

MR. PEARLMAN: I'll do that and submit it to you.

CHAIRMAN FELT: Thank you. Is Mr. Gottesman present?

N. MATTHEW GOTTESMAN

MR. GOTTESMAN: Gentlemen, my name is N. Matthew Gottesman. I am an attorney and maintain my office at 280 Broadway in the Borough of Manhattan. I am the attorney for Garrison Whittier Realty Corporation, taxpayer in the Borough of The Bronx, who owns property that you will find on Page 6-C of your book. It is Hunts Point, known as Little Pittsburgh, and the block bounded on the north by Garrison Avenue, on the south by Seneca Avenue, on the west by Longfellow Avenue and on the east by Whittier. My client owns a frontage of 200 feet on Garrison Avenue, owns approximately 400 feet south from Garrison towards Seneca on Whittier Street and approximately 675 feet frontage on Whittier Street south towards Seneca Avenue. This Corporation is an affiliate of the Multi-Metal Wire Cloth Company, to whom it rents

all its property on long-term lease. I might say this about Multi-Metals. It is one of only two industries of its kind in the City. It is engaged, through its own efforts and the efforts of its subsidiaries, in the manufacture of wire cloth for the chemical industry, food industry, and the like, used for filtration, and also fabricates that wire cloth in various forms for such use. It's interesting to note that since we are adversely affected by your proposal, it's interesting to note the history of this thing. In 1937, Garrison Whittier acquired the northeast portion of that property, an improved property, 100 feet by 100 feet, and thereafter, continued to acquire the property on Whittier Street....

VICE CHAIRMAN BLOUSTEIN: You're in M-1 now, aren't you?

MR. GOTTESMAN: No, sir. This is the point. We are Unrestricted.

VICE CHAIRMAN BLOUSTEIN: But you are in M-1, as proposed.

MR. GOTTESMAN: As proposed, we are in M-1. We are seeking to stay as we are but we have a problem on top of that. We not only want to stay Unrestricted because we don't think that on production standards, whatever they may be, that we can qualify in M-1. We're doubtful about it. But more important, we have the subsidiary operation on Longfellow Avenue, which we in 1952, bought this land from The City of New York, and they raised the upset price on the tax sale by changing the zoning to Unrestricted. We bought it in good faith, invested hundreds of thousands of dollars

in setting up a building and machinery used specifically to manufacture this wire cloth. Now, if we cannot expand ...

VICE CHAIRMAN BLOUSTEIN: Is that between Longfellow and Bryant?

MR. GOTTESMAN: Between Longfellow and Garrison, and Seneca. Now, directly across the street - this is my point - directly across the street the property is zoned, when we came in, on that side they were zoned, I believe, Business or Light Manufacturing - I am not too clear on that. And we've had difficulty - we've been in court on the question of noise that our looms made when they operate, not during the day, but at night when they run on two shifts. Only because we are doubtful about our present situation, we don't dare build anymore and take a chance. I'll say this again: these looms are unique. There are not too many of them in the whole country. Most of them have been made and bought from German manufacturers and cost untold thousands and thousands of dollars.

Now, even if you leave us on an unrestricted basis on Whittier Street we will nevertheless have the attendant difficulty with an R-6 proposal on contiguous property to the west directly across the street. Now, we want to stay in the City of New York. We employ a large number of people and there will be more jobs.

Obviously, as you know, an industrial taxpayer never gets back the money it pays in taxes. I think that not only on the practicality of it but on the equity of it - we want to stay in business, we want to stay where we are, we want to be able to

expand. We have enough land there to expand.

VICE CHAIRMAN BLOUSTEIN: This piece to the west -- did you acquire the entire square block?

MR. GOTTESMAN: No, only 575 feet, almost the whole block. There was one little parcel ....

VICE CHAIRMAN BLOUSTEIN: Are you manufacturing there now?

MR. GOTTESMAN: No, sir.

VICE CHAIRMAN BLOUSTEIN: Is it vacant?

MR. GOTTESMAN: It's vacant but we are hoping to build on it. That's why we bought it.

CHAIRMAN FELT: I suggest that when you conclude your remarks, Mr. Smith will meet with you and arrange to inspect the property and discuss your problem with you.

MR. GOTTESMAN: Well, sir, I can say this: the thing that struck me -- incidently, I might say I've had nothing but praise for your staff in the short contact I've had with them and I think you are to be complimented on the type of staff you have -- the thing that struck me in reading this thing and I'm far from an expert in this matter, believe me, one of your stated objectives was to meet the needs of the City's expected future economy for manufacturing and related activities, and I believe that you mean that. I certainly think, in light of that fact, that when you upgrade and leave us in a less advantageous position-- let me put it this way -- 25 years, 50 years of use won't make a

bit of difference, Mr. Felt and gentlemen. We are there to stay, we know, and we bought this land for the purpose of expansion. We have expanded over the years. We have built a 100-foot addition to our existing building. As a matter of fact, we have one operation in a rented building that we don't dare bring over until we know where we are.

CHAIRMAN FELT: We will be pleased to give this further serious consideration and Mr. Smith will see you now. Is Mr. Frantz present?

ALFRED A. FRANTZ: I am Alfred A. Frantz, a resident of Queens, and I appear purely as a private citizen. I am concerned about The Bronx and I am concerned about every part of New York City. I think we are all tied together.

Mr. Felt, ladies and gentlemen, you may wonder why I am at this hearing for The Bronx, since I am a resident of Queens. There are three reasons. First, of course, the Bronx is not an island unto itself. What happens in the Bronx will eventually affect Manhattan, and Queens and Staten Island, and Brooklyn.

When decay and blight spread in one borough, all are sooner or later affected. When living conditions become intolerable in one, people move to another or to the suburbs. And those of us who are left behind are stuck - stuck because we did not help our community plan ahead for the future, as good zoning would do. So I am here today because my family's fate and its future - like the fate and the future of your families - are linked with the City's.

Secondly, I am here because the community has given me so much. In the depression, I slept in jails that were maintained by the taxpayers, and they were a lot more comfortable and welcome than the weed patches beside the railroad tracks.

When I was earning fourteen dollars a week in 1933 and became seriously ill, Long Island College Hospital took me in, and after curing me its fine doctors said, "We'll send the bill to the City - you can't afford to pay." Since then I have enjoyed our wonderful parks, our magnificent public libraries and our free museums, with their treasures from all over the world. And suddenly the other day it dawned on me that perhaps I ought to attempt to give back some of the things the community has given me. Trying to make it a better place for all of us seems a pretty small repayment.

Third, I am here to speak for the second class citizens of the City. They did not elect me. They did not ask me to come. They don't even know I am here. A lot of them can't even speak English but they have found a voice in such thoughtful and socially conscious reporters as Woody Klein of the World-Telegram and Sun, who went to live in the slums so that he could describe the conditions there. Today he is doing another outstanding series on the plight and, yes, the aspirations of the Puerto Ricans in our midst. I wonder whether anyone seriously believes that these fellow Americans like to live ten in a room, and to have vermin swarm in their kitchens and rats bite their children in the night.



Yet these are the conditions that fester under our antiquated 1916 zoning. These are the conditions that the men who want to keep the outmoded code and reject the new really want, in spite of all their sly platitudes and their chest-beatings for the poor public and business. I do not think either the public or business needs defenders of this ilk. Of course, the Puerto Ricans are not our only second class citizens. I think many of you in this room must be stirred as you watch the great fight going on in the South today for human dignity.

You would certainly follow that fight with pride, if you had had the privilege and honor of serving with colored troops, as I did during the war. My men, and I am proud to call them my men, were truck drivers, and darned good ones. They took pride in their job and they did it well. They served all the troops, colored and white. And thousands of them died on the fields of battle, just as thousands of white boys died. It is so long ago - but can we afford to forget?

I thought to myself yesterday: What would you say if a colored soldier were to come back and ask, "Lieutenant, what did you do for my family? Did you help give it a chance? Did you fight to see that it got a decent place to live? Or did you just turn your back on Harlem? Did you stay away because you couldn't stand the filth and the squalor and the degradation of human beings that you knew you would find there?" I would have to hang my head in shame at those questions.

Nor would I want to tell that colored soldier that I have stood idly by while the movies played up the lives of Jack the Ripper and Legs Diamond to his children, and mine and yours. Or that I turn off my television when a program featuring lashing and shooting and brutality comes on. I keep it off most of the time - but maybe his family does not have any other amusement. Perhaps it is stuck with brutal "entertainment", just as it is stuck with brutal housing and living conditions, because you and I and all the rest of us shirk our responsibility to have a care for our neighbors.

Both the Puerto Ricans and the Negroes are coming into The Bronx, and every borough. Can we, as human beings, degrade them in the new homes they are seeking as we have let old zoning degrade them in Harlem?

I was astonished recently to see the words "Love thy neighbor as thyself" over the doors of a temple. I had always thought of those words as Christian doctrine, but a little investigation showed that they come from the Old Testament - the great book which Jews and Christians share alike. And my minister assures me that this is the message of all great religions. Can we not think of this message today as we come here to discuss our problems? Can we afford to listen to the short-sighted men who say: "New zoning is too complicated - let's get rid of it entirely. We operated comfortably under the old. The slums don't bother us because we don't have to live in them. We don't travel

on the subways, so don't cry to us that they are overcrowded. And if the Puerto Ricans don't like it, let them go back where they came from!"

The greedy few have pictured new zoning as a sinister and threatening bugaboo, perhaps because they have confused a fast buck with the great American dream. They are not the same! These "Friends of the People" did not have to wait for Hollywood to instruct them on the moral code of Legs Diamond or for television to dull their sense of decency and teach them the subtle ways of torturing their fellow man. There is nothing very subtle though about forcing people to live in slums, even though the rats and the vermin do not seem to mind the lack of heat and water. This tiny, self-serving group that would reject new zoning completely does have one fear -- it is afraid to state its case frankly.

I know that you will speak without subterfuge at these hearings, and I can assure you that you will be listened to, for you are dealing with a man who has high regard for his City and his fellow man. I hope you will state your case with sympathy and understanding and regard for the family living next door -- not only in your own block, but in your borough, and all the boroughs in this whole great City which our ancestors built, and which we can make better and finer, if we will, for our children and our children's children. That is the true purpose of new zoning -- for the Bronx, for Brooklyn, Manhattan, Staten Island and Queens.

I hope you have come here to fight for it! Thank you.

Frantz

ESTHER W. GREENFIELD : Mr. Chairman and members of the Commission. I am Esther W. Greenfield of 2607 Arlington Avenue in Spuyten Duyvil. I am the owner of the one-family house at 2607 Arlington Avenue, known as Lot 768, the vacant land adjoining on the westerly side known as Lots 771, 772, 773, which fronts on Kappock Street and the two-family house at 609-11 Kappock Street known as Lot 759, all in Section 13, Block 3407. With the exception of the northern portion of Lot 759, which fronts on 227th Street, all of this property is now in "E" Zone, and what is known as "apartment house site". It is my belief that your Commission proposes to change the zoning of my property to "R-2", which would restrict construction to one and two-family houses. In view thereof, I would like to bring to your attention the facts I presented to your Commission in December, 1953, when I appeared right here and opposed the rezoning of my property from "E" to "E-1", which your esteemed Commission considered favorably. A copy of the brief I presented then is attached to a letter I sent your Commission the other day and it speaks for itself. Since I appeared here in 1953, the apartment houses known as The Knolls, directly opposite my property, erected two additional ten-story buildings. At present, the one-family homes directly west and the one-family homes directly east of my property have been demolished. This is all open area right now, ready for construction of apartment houses. I am right between these two areas.

Now, for your Commission to rezone my property to "R-2" to restrict it to one and two-family homes would be entirely inconsistent. Is your Commission seeking to penalize me for being less fortunate than my neighbors. I pointed out in 1953 that the character of the area had undergone such a change where it did not warrant rezoning to "E-1" for one and two-family homes. If it was apparent then it is more apparent today, that this change should not be made. In addition, the frontage on Kappock Street cannot lend itself to one-family homes with all of the traffic coming off the bridge at the very next westerly intersection and the intersection into Knolls Crescent is a very busy one. This hardly lends itself to the construction of one and two-family homes. I'm sure your Commission will realize that this would be a considerable loss to me. I am a widow and my future lies in this very property.

CHAIRMAN FELT: Mrs. Greenfield, we will review the matter and give due consideration to the communication you have sent us, attached to which is the position you held in 1953.

MRS. GREENFIELD: Thank you.

JEROME R. GOLDMAN : The property in question is indicated on Map 2-A, Page 110, and the location is 4761 - 4763 White Plains Road in the Bronx.

CHAIRMAN FELT: Do you have with you, by any chance, a map or a photograph of the property involved?

MR. GOLDMAN: Yes, I do. (submits map to Commission)  
Goldman

MR. GOLDMAN: It's on White Plains Road between 241st and 242nd Street, White Plains Road and Richardson Avenue. In this particular instance, there has been no change in the zoning but what troubles Neptune Warehouses is the acknowledged purpose of the Planning Commission to remove in a regulated and orderly fashion any non-conforming use. At the present moment, this is a non-conforming use, even under the present zoning law.

The result of elimination of its present non-conforming use in the event of a vacancy or disuse would totally destroy the marketability of this particular building and, in my opinion, would not really serve the purpose originally set forth for elimination of non-conforming uses. It so happens that 78% of this particular building, which is a single structure on a single lot, is in a Commercial zone. 22% is in a Residential zone.

VICE CHAIRMAN BLOUSTEIN: The Richardson Avenue portion?

MR. GOLDMAN: That's correct.

CHAIRMAN FELT: Is that under the present ordinance?

MR. GOLDMAN: That's under the present and the proposed.

Almost all of White Plains Road except for this particular block on which this property is located constitutes a 200-foot depth. In this particular block, because of the contour and directional change of White Plains Road, the depth of the block runs from 100-foot depth to 200 feet. So that a portion of the street is totally commercial even though it infringes on a residential area, which is Richardson Avenue. At the present moment, none of the

activities of this particular business or this particular building have been conducted through Richardson Avenue. There is a permanent injunction in effect which precludes the use of Richardson Avenue for the conducting of any business in this building.

VICE CHAIRMAN BLOUSTEIN: That injunction - is that a judicial injunction?

MR. GOLDMAN: That's correct.

CHAIRMAN FELT: What is the approximate age of the structure?

MR. GOLDMAN: Oh, I would say it was about 20 years old. I have photos of this if you would like to see it. It's a well-constructed building. I have four photos here, Mr. Felt. (submits photographs to Commission) This building is truly a single-purpose building. It is leased on occasions when Neptune Warehouses has no occasion to use it. It is leased on short-term leases to people who conduct a storage business. So that if the present tenant should remove himself, at such time this building would no longer be permitted to be used for the non-conforming use it is now eligible to use. Furthermore, if a portion of this building were to be in a commercial zone, and that would only be 23%, it would be extremely difficult to persuade anybody to use the building, anybody that would purchase the building without having the complete use of such. So that the marketability and value of the building would be destroyed

At the present moment, it is assessed at \$100,000. A recent appraiser, in January of this last year, valued the building

at \$81,000. The building had been used for the building for the business being conducted was not less than on Richardson Avenue. Following that reasoning, if the zoning were to go into effect, although the building itself could not be used for approximately - the area of the building for approximately 28 feet - could not be used, it still could remain standing as a building because the use could be accomplished even though the physical structure remained. When a building remains unused, it becomes more of a scar, more detrimental to the impression of the community than if actively used.

For that purpose, I would request that the building line, that the zoning line, include all of the physical area of this particular building. I have a brief letter here addressed to the City Planning Commission which outlines our position, which I will submit. Thank you.

CHAIRMAN FELL: Thank you. Is Mr. Stephens present?

FRANCIS A. STEPHENS : Chairman Fell and members of the Commission, I appear on behalf of the Hunts Point Industrial Property Owners Association. I appeared here on Tuesday and presented at that time a memorandum and also a proposed map. At that session, the Chairman very kindly suggested that I see Mr. Smith, with whom I have had a very extensive and intelligible conference concerning certain proposed changes. Now, I appear here as a matter of record on this mapping hearing, and I'd just like to briefly say, rather than to repeat all I did say, that



we insist that Hunts Point is an isolated, industrial area, and that it should be treated by the Commission as such, and following the conference and hearing, I believe that it is the intention of the Commission to give due consideration to the proposals that we have made. I therefore, this morning, am just submitting an outlined map with some new proposals. And also, a three-page statement of the various uses over there which we say are inconsistent with the industrial aspect we believe this neighborhood should have.

CHAIRMAN FELT: That is generally in line with the conference you had.

MR. STEPHENS: That is generally in line with the conference. I just want to make this one other point: we've ordered a Bromley map of the entire area. We will have it within the next week or ten days. We hope to submit that to you with your kind permission. It will illustrate very definitely the situations we believe the Commission might well look into. I want to thank you very much for the cooperative effort that you have made and I assure you of our desire to cooperate with the Commission in working out this problem.

CHAIRMAN FELT: Mr. Stephens, we want to thank you for your cooperation, as well. Is Mr. Bramnick present?

PHILIP BRAMNICK : My name is Philip Bramnick. I reside at 31-26 Arlington Avenue. I am an attorney-at-law and am very much familiar with the zoning difficulties we had in our community, which is the Riverdale section of The Bronx.

The proposed resolution, which I support wholeheartedly, follows very closely the zoning of my area, and I am not complaining about anything insofar as the proposed resolution is concerned. I would just like to give you the benefit of my experience in connection with the portion of the existing resolution which is sought to be replaced by the proposed resolution.

As you probably know, our area went through a radical change in zoning in 1954. It was, however, done about two or three years too late - after about fifty or sixty apartment houses had displaced hundreds of one-family homes. At that time, and there still is, I believe, on the books of the existing resolution, a regulation known as 22B. In the litigation that I conducted in 1954 and 1955, there were no less than five different judges who had different things to say in their construction of 22B of the Zoning Resolution.

VICE CHAIRMAN BLOUSTEIN: We are trying to remedy that situation, as you know.

MR. BRAMNICK: As I know. I am now speaking on that point exactly, Commissioner Bloustein, because I say that the 1916 Resolution which is being applied to a modern and rapidly growing City, is outmoded, and any attempt to interfere with the Chairman's

determination to enact the proposed resolution should not be tolerated because we cannot make head or tail out of some of those things in the existing resolution, as my experience with 22B has indicated, because 22B was an attempt to interfere with the vested rights of people and 22B should not have any such effect according to a number of different judges, although some judges felt that it did have that effect.

I want to say that the Chairman's determination not to permit procrastination, but to insist upon the adoption of the present resolution, will go a long way to make such situations as occurred in 1954 in Riverdale impossible because, at that time, without regard to transit facilities, without regard to schooling, without regard to shopping facilities, fifty or sixty apartment houses sprung up almost overnight. And if we don't have some overhauling of the resolution that we are now living under, we will have the same thing happen over and over again in different localities of the City.

I should like to add my wholehearted support to the Chairman's determination and to the determination of the rest of the members of the Commission that the present proposed resolution be adopted without any further delay. Thank you very much.

CHAIRMAN FELT: Thank you. Mr. Bramnick, I'd like to add that the determination you subscribed to me is equally shared by all of the Commission. Is Mrs. Brannan present?

Bramnick

MRS. FRANK D. BRANNAN : Commissioner Felt, members of the Planning Commission, my name is Mrs. Frank D. Brannan, and I live at 335 West 246th Street. It is a one-family house. I want to say that I am very much in favor of the zoning resolution as it is planned. Thank you.

CHAIRMAN FELT: Thank you. Mrs. Carl Shoup?

MRS. CARL SHOUP : Chairman Felt, members of the Commission. I am Mrs. Carl Shoup of 370 West 245th Street in Riverdale. I have been a homeowner in Riverdale for 31 years, and I just want to go on record as favoring the proposed zoning resolution. It carries out the intention of Riverdale when it worked very hard for new zoning six years ago, and we feel that it will be very beneficial to our whole neighborhood to have this resolution adopted speedily.

CHAIRMAN FELT: Thank you. Mrs. Henry Allen Moe?

MRS. HENRY ALLEN MOE: Mr. Commissioner, members of the Planning Commission. I am Mrs. Henry Allen Moe, and I live on Fieldston Road in Riverdale. We are very grateful to live as we do under the "G" Zone, and we hope that in the future there will be few changes. We greatly approve of the plan as it is now laid down, and we hope that you will not let special interests change in any way the character of the community.

CHAIRMAN FELT: Thank you, Mrs. Moe. Mrs. John B. Butler?

Brannan / Shoup / Moe

MRS. JOHN B. BUTLER : Mr. Chairman, members of the Commission, my name is Mrs. John B. Butler. I own and live in a home, as I have for 25 years, on West 246th Street, a private home. I want to commend this Commission on the revised plan, particularly as it applies to the old "G" Zone, in which I am most interested.

CHAIRMAN FELT: Thank you, Mrs. Butler. Barbara R. Michael

MRS. BARBARA R. MICHAELS : My name is Barbara R. Michaels. 443 West 250th Street, in the Fieldston section of Riverdale. I wish to make known my support of your work to achieve a planned and proper systematic growth of each City area. For seven years we have had the benefit of the wise and careful planning of this Commission in our community. I endorse your proposals for the future. I am opposed to any changes that may come to you that would decrease the "G" Zone areas by cutting away by cutting away at its outer boundaries. I hope that you will keep these zones as they are now proposed. I don't know if it will save some time if I mention some other people who have come down here - two of my neighbors - to express these sentiments too. They have registered to speak but would be willing just to identify themselves as endorsing what I have said.

CHAIRMAN FELT: If they will come to the microphone and identify themselves, and set forth their position, that will suffice.

MRS. MICHAELS: May I say that two women that came down have gone out for coffee. They are Mrs. Brecker and Mrs. Mandel, both on Iselin Avenue.

MRS. LOUIS FROELICH, 4670 Livingston Avenue, Riverdale.

MRS. DANIEL BROWN, 4700 Grosvenor Avenue, representing Fieldston property owners.

MRS. HENRY COLCHER, 4658 Grosvenor Avenue, Riverdale.

MRS. MICHAEL SCHLESINGER, 5235 Fieldston Road, Riverdale.

MRS. LEO ROSEN, 5245 Fieldston Road, Riverdale

MRS. ALVIN LANE, 5204 Delafield Avenue, Fieldston. My next door neighbor was also here and had to leave. His name is Mr. Joseph Goode of Delafield Avenue.

MRS. HERMAN COHN, 4626 Grosvenor Avenue. I am in accordance with Mrs. Michaels.

MISS PATRICIA ORR : I am speaking for Mr. and Mrs. J. Burton, who just stepped out. The address is 5001 Iselin Avenue, corner of 250th Street.

MRS. HAROLD G. WOLF, 355 West 246th Street. I have been a resident and homeowner at this address for nearly thirty years. I want to express my enthusiastic support of the new zoning as it is planned.

CHAIRMAN FELT: Is Michael Shore present?

MICHAEL SHORE: Mr. Chairman, members of the Commission, my name is Mike Shore. I am President of the Bronx Home Builders Association. Unlike other vested real estate interests, we are in favor of your proposed plan but we would like for your consideration to look at a map since we are speaking about the map today. We would like to send in our proposed map and to thank you for working on our previous maps which we have sent in. Orr/Wolf/ Froehlich/Brown/Colcher/Schlesinger/Rosen/Lane/Goode/Cohn

MR. SHORE: (continued)

Our organization is made up mainly of builders, material men, subcontractors, who build the majority of one and two-family row-type homes in The Bronx. We feel that if certain of the "R" Districts are not changed, in view of the type of construction that we do and the type of persons that we sell to, that an unbearable financial burden will be put upon people who desire homes in The Bronx. Today, there is no house in The Bronx or anywhere in the City of New York, with the exception of Staten Island, that can be sold for under \$17,500. This is a one-family six-room house, with a garage and a playroom or basement. Now, under the old regulation of "D-1" or "C", a builder with 100' by 100' could put five of these homes up; and a person who made between \$7500 and \$9000 could afford one of these houses with a nominal down payment of 20%, because carrying a \$14,000 mortgage would cost him approximately \$150 a month. Under the new "R-4" which you have generously given us as of this moment, we could only get three houses, and the increase in the land alone, using the latest basis as sold<sup>d</sup> by the City of New York at their sale, of \$3000 for a 25' by 100' plot, the land alone would be \$1600 increase.

The resultant increase in the party walls, the masonry, the foundation and for plastering would add another \$9000. That is \$2500 increase without anything else and giving the person the same square footage. Now, this additional \$2500 would put the man with the same down payment, in a \$16,500 mortgage. Now, the banking

and lending institutions today require a minimum of \$11,000 to carry a mortgage of that size. Now, what will happen to these people who are now making \$7500 to \$9000 or \$10,000. If they are fortunate enough not to work for the City of New York, they can go anywhere they please. They can go to Islip, Long Island, they can go to Rockland County, they may even go to South Jersey if their hearts can stand an hour and a half of commuting each day. But what about the poor chap that works for the City of New York and who is by rule and regulation required to live within the territorial boundaries of the City of New York. He can never buy a house in New York City. He must live either in a project, the home he is living in, which you are trying to prevent or he must sneak out of New York illegally and live outside and have a double address in New York City, which is not only illegal but reprehensible.

Now, we propose that you consider our redistricting of the map. They are not upgraded very much or downgraded. We just require "R-5" which will permit us to build small groups of homes, because there are no large plots there, in three, four, five houses at a time, which will permit people who make \$7500 to \$10,000 to buy homes and live in the Bronx. And we would ask you if you do this, we will be able to retain the name, "the Borough of Universities" and add to it "the Borough of Homeowners", rather than to be known as the borough of private and governmental-financed projects.



We want to thank you and all the members of your staff for having worked with us in giving us statistics that you have up to this point. But, with a bit more consideration, we feel that we will be permitted to give housing for the middle-income group who does not desire to live in a large project-type building.

CHAIRMAN FELT: Thank you. Mr. Smith will be in touch with you.

MR. SHORE: May I at this point send to the young lady for distribution our maps which we had made up, showing what we desire, what we feel would be not in opposition to your general plan. We will be happy to send you a copy of the statement I just made with a breakdown of the cost of a \$17,500 home today and what it will be in the future, with the rezoning. Thank you again.

CHAIRMAN FELT: The best procedure at this time would be to ask those that wish to be heard to step forward. Does anyone else wish to be heard?

ROBERT J. CRINNION : My name is Robert Crinnion, consulting engineer of the firm of Crinnion and Crinnion, 601 East Tremont Avenue, Bronx, New York. I appear here this morning to compliment the Commission on the monumental task they are doing but to direct some particular remarks toward a certain section of the northeast Bronx, which in the original plan proposed by Voorhees Walker Smith and Smith, called for the northeast section of the Bronx, represented on Map 2-D, Page 113, of the  
Shore / Crinnion

proposed comprehensive amendment of the zoning resolution. The particular section I refer to being at the lower left hand corner of the map section reproduced on Page 113, the general area bounded by Huguenot Avenue, New England Thruway, the boundary line of the City of New York and the Village of Pelham Manor. The original amended resolution, as proposed by Voorhees Walker Smith and Smith, proposed an M-1-1 District.

The new proposed comprehensive amendment now calls for an "R-3" District. I submit to this Commission that in accord with their own statements on legislative intent, specifically, Section 41-00 of the Proposed Comprehensive Amendment, Sub-paragraph F - "that to promote the most desirable use of land and direction of building development in accord with a well-considered plan and to promote stability of manufacturing and related development, to strengthen the economic base of the City, to protect the character of the district and its peculiar suitability for particular uses, and to conserve the value of land and buildings, and to protect the City's tax revenues"-- I submit that this area specifically lends itself to development as a manufacturing district as originally proposed by the consulting firm engaged to consider this resolution. I further submit that this entire area that I specifically mentioned borders the southerly end of the Village of Pelham Manor and is immediately adjacent to great industrial uses being conformed, and conforming uses in that Village.

VICE CHAIRMAN BLOUSTEIN: Would what you are suggesting go right up to the City Line?

MR. CRINNION: Yes, sir.

VICE CHAIRMAN BLOUSTEIN: You would take that entire three-block square area?

MR. CRINNION: I make that in the form of a general comment, Mr. Chairman, but this morning I am here to represent a particular owner, Fran-Stell Realty Corp., the owner of Lot No. 210 in Block 5653. The property owned by this Corporation is a corner lot, located on the southwest corner of West Street and Good Place, that particular corner being located within the Village of Pelham Manor and being in an industrial zone. The size of the plot owned by Fran-Stell Realty is a square 160' by 160'. The entire 160' along Good Place is located in the Village of Pelham Manor and it is in an industrial area. The 160' along West Street--of the 160' along West Street, all but 40' is located in the Village of Pelham Manor in an industrial zone.

Therefore, this particular owner is faced with the hardship of having 86% of his street frontage in an industrial zone and being unable to realize full use of the land because the existing zoning in The City of New York and the proposed zoning under the comprehensive amendment would be residential. I submit that this Commission should make an effort in its proposed zoning resolution to coordinate and complement the zoning of the villages and communities directly adjacent to the City of New York. I, therefore, respectfully urge that this Commission reconsider the proposed "R-3" Zone in this area and respectfully urge that they again

change it to the original designation of M-1.

In support of this I would like to submit one aerial photograph showing the boundary line of the City and for orientation purposes, Boston Road, and some uses immediately adjacent to this area which I may mention includes the Village of Pelham Manor incinerator, a riding stable, several manufacturing plants, gas stations, bulk oil storage plants, etc. I respectfully submit this photograph.

CHAIRMAN FELT: Thank you very much, and we will be mindful of your recommendations. Mr. Diamond?

JOHN L. DIAMOND : I am John L. Diamond, 9 Rockefeller Plaza, representing the Riverdale Country School, and incidently, myself. I live at 5049 Fieldston Road, and I wish to speak for my next-door neighbors, also.

I want to congratulate the Board for its retention of this area in the character that it is presently in. I think that they have taken into consideration both the artistic and the practical side of this; artistic in the sense that it has retained a small Lincoln Square, and from a practical sense they have insured the realty values for the City. Because in every desert you need an oasis. I think that is about all, sir.

CHAIRMAN FELT: Thank you, Mr. Diamond. Does anyone else wish to be heard?

ALFRED J. PESNICK : My name is Alfred J. Pesnick. I am an attorney-at-law with offices at 384 East 149th Street. I am interested particularly in the Grand Boulevard and Concourse in The Bronx. I notice that the Commission proposes to zone large areas

Diamond / Pesnick

along that Boulevard "R-8". I think the Commission knows that a great deal of this area, a great many of these apartment houses have professional offices in them, and that these professional offices occupy not only the ground floor but upper floor levels. I don't see any designation in this stretch of road which would permit professional-type buildings which would render the medical, dental or optical services to the surrounding area.

I see in the proposed zoning resolution for residence areas that you do propose to permit medical offices or group medical centers below the level of the first story ceiling, and that in multiple dwellings you make an exception that they may be located on the second floor provided separate means of exits are provided or that the use is one that existed on January 1, 1948. My suggestion to the Commission is that consideration be given in this particular type of area to permitting professional buildings.

The area I particularly want to point out to the Commission is one that's bounded by the Grand Concourse, Tremont Avenue, Monroe Avenue and Mount Hope Place - that's a sort of a wedge-shaped parcel standing out all alone. It is being used, a great portion of it is being used for that particular type of purpose, and I think it ought to be made legal without having to seek amendments or exceptions either by application to the Commission or by application to the Board of Standards and Appeals. That is the suggestion I have for you, gentlemen.

CHAIRMAN FELT: Would you mind embodying that in a written statement?

MR. PESNICK: I will do that and submit it.

CHAIRMAN FELT: Thank you very much. Does anyone else wish to be heard on mapping in The Bronx?

REV. ROBERT DAVIDSON: I am Reverend Robert Davidson, representing the Clason Point Community Council. I just want to speak briefly in support of the map as it is proposed for our area. This is Area 7-A and 6-C. We think it shows wise foresight in preserving the area as a residential community. The only tentative suggestion we would make is that the density of population be seriously considered and that we try to maintain as low a density of population as possible. We recognize that there will be undoubtedly more apartment house developments coming into our community but because of the overtaxing of community services, we think that attention should be paid to the density although the "R-3" and the "R-4" and "R-5" and "R-6" designations seem to us to have some wisdom and foresight. And so, we would like to just state our approval of the proposal.

CHAIRMAN FELT: Thank you very much, Reverend. Does anyone else wish to be heard?

Davidson

KARL KOCH: Mr. Chairman, members of the Commission.

My name is Karl W. Koch, III. I am employed by the Karl Koch Erecting Company, Inc. which is owned and operated by my father and grandfather who have been in the steel erection business for 50 years and have been located at 362 Casanova Street, Bronx, New York, Hunts Point Section for 30 years. (Refer to Map Number 6C) Our property is bordered by Casanova Street, Viele Avenue, Barretto Street and East Bay Avenue, with the exception of two small lots.

This property is owned by the Seneca Longwood Corporation which is a subsidiary corporation of the Karl Koch Erecting Company, Inc. As you can see this property has been classified as M2-1. Our principal operations on this property involves the repair of construction equipment, such as cranes and fabricating of structural steel. If we should be forced to continue our operations in the M2-1 classification, we would eventually be forced out of business.

We are in accord with the statements and proposals submitted by Francis X. Stephens, Jr., Attorney, who represents the Hunts Point Property Owners Association. However, for the record, we wish to state that the Planning Commission re-zone this property to an M3-1 classification.

Thank you for the consideration you will give this proposal.

CHAIRMAN FELT: Would you send a copy of your statement and a diagram to us?

MR. KOCH: I will. Thank you, sir.

WILLIAM W. MAC SORLEY : My name is William MacSorley and I am the owner of property in Hunts Point. The major parcel is over an acre on the easterly side of Tiffany Street running through to Casanova between Viele and East Bay Avenues. Part of the property was acquired from the City in rem and was Unrestricted. The property is improved with a one-story garage-type building, 100 by 100, with a certificate of occupancy for the garage.

However, we are now entertaining the thought of erecting for a tenant a paint factory which I understand would come under Unrestricted such as we enjoy now. But with this hovering, we are in a position that we can't tell what to do. In addition to that, we own a piece of property which we bought Unrestricted, on Whittier Street, again on the east side between Spofford and Randall Avenues, about 7000 feet. It so happens that again we have a paint company about to take title to it, but with this hovering, I think myself and many, many others - in fact, the majority of people - it's a dedicated industrial area. I think with anything changing the restrictions from what they are - it seems to me it should be almost heavier industry - even to the point of smelting or steel, anything in a complete unrestricted sense.

VICE CHAIRMAN BLOUSTEIN: Mr. MacSorley, do you mix paint?

MR. MAC SORLEY: No, I'm in the boiler repair business but, however, we bought this property for a boiler shop.

CHAIRMAN FELT: We mean in the paint shop?

MR. MAC SORLEY: Yes, there is no obnoxious odors.

CHAIRMAN FELT: Will they be mixing paint?

MR. MAC SORLEY: They do mix and grind colors, yes. Both of the firms mix and grind colors.

Mac Sorley



CHAIRMAN FELT: Mr Smith will meet with you in just a moment to see whether we might clarify some of the points which disturb you. I want to repeat, however, as Mr Stephens mentioned, we are giving reconsideration to the treatment of the entire Hunts Point area in the light of some of the problems which have been brought to us by occupants and owners in that district.

MR. MAC SORLEY: I think it is worthy of it because I know how the mortgagees feel about it.

CHAIRMAN FELT: The Hunts Point district has been a rather contentious one even under the old zoning resolution.

MR. MAC SORLEY: We are aware of that. Thank you a great deal for your time.

CHAIRMAN FELT: Thank you, Mr. MacSorley. Does anyone else wish to be heard?

(no reply)

If no one else wishes to be heard at this time, we will recess until 2:30 P.M.

(Roll call on recess until 2:30 P.M.)

2:30 P.M. - Friday, March 18, 1960

SECRETARY MALTER: Roll call after recess: Acting Chairman Bloustein, Commissioners Livingston, Orton, Sweeney, Provanzano, Acting Commissioner Constable. Quorum present.

ACTING CHAIRMAN BLOUSTEIN: I want to call attention to the fact that on Monday and Tuesday of this week we had hearings on the text of the resolution. By and large, most of those people who appeared and spoke, spoke in favor of the resolution and apparently indicated a desire for the proposed modern zoning resolution as something quite acceptable to the City. We have now scheduled five hearings on the maps, one for each Borough. Our first hearing commenced this morning with hearings on the maps dealing with the Borough of The Bronx. This week we will conclude our hearings on the maps. I want to make it amply clear that we expect those who wish to speak will have time to submit, even after they have had an opportunity to discuss their problems with us, further statements.

We are extremely anxious to have as many views put before us as possible so that we can put forth a zoning resolution that is acceptable to the City as a whole, because the resolution, basically, is your resolution - not that of the City Planning Commission. We proposed it but when it is finally adopted, the people of The City of New York will have to live under it and so we solicit your help. That is why we are holding these public hearings. This morning we concluded our hearing and recessed after hearing many people who appeared, most of them in favor of the proposal put before the public. We will now continue. The first speaker I have listed is Mr. Sachs, of Sachs Quality Stores.

Bloustein

RICHARD SACHS: My name is Richard Sachs. I am the President of Sachs Quality Stores, a retail furniture and house furnishings chain, which operates in New York City as well as in suburban areas. It is a source of great satisfaction to me to appear here today to speak on behalf of the proposed zoning resolution, not only as a businessman interested in the commercial problems of the entire New York community but as a citizen whose past and present identification with the Bronx, itself, has made me well aware of the Borough's economic and social needs for the future.

I have carefully studied the revisions made by the Planning Commission in the resolution proposed by the consulting firm of Voorhees Walker Smith and Smith. The resolution proposed by the consultants contained the basis for a sound approach, in my opinion, to the urgent problems that have arisen and will continue to arise in New York in industrial, commercial and residential neighborhoods contiguous to one another in the heart of a thriving metropolis.

The Planning Commission, in its revision, has made changes on the basis of certain objections which were raised to the consultants' report at the preliminary informal hearings last spring. These changes have been made in order to, I assume, give greater import to the realities of the City's development under the existing zoning resolution.

I stated in the preliminary hearings that The Bronx has reached a cross-roads and must make up its mind which way it will turn, and I believe this is no less true than it was at that time. We cannot allow ourselves to continue the aimless growth pattern of the past nor can we permit the further spread of areas of blight and instability in various parts of The Bronx. This wasteful process will bring with

it unfortunate consequences for the entire metropolitan area. It is evident to me that the present zoning regulations contained a built-in mechanism with which to stifle the City's lifeblood. These old regulations permit the destructive incursions of residential projects into manufacturing and high-density commercial neighborhoods. This is unhealthy from the standpoint of industry and is inimical to the interests of families who must live in the new houses built in old unsuitable neighborhoods.

In The Bronx itself there are many dramatic examples of what can happen under the aimless, planless use of land allowed by the existing zoning resolution. The industrial areas of the southeast Bronx and the heavy commercialized shopping area of the hub, and the upper Third Avenue section which used to be a busy commercial center, there are today blighted and unhealthy residential buildings.

Such residences are unhealthy for the entire community if they are unhealthy for those who must live in them. The proposed resolution rezones these areas to create more sensibly devised commercial neighborhoods, industrial centers, and residential areas.

One of the chief objectives of this resolution is to protect residential neighborhoods from the corrosive qualities associated with some heavy industries and manufacturing plants. Equally important is the protection of the City's economic lifeblood, its commerce and industry, from the destructive qualities of immediately contiguous residential developments. For many years, residential developments throughout the City, particularly in The Bronx, guided by the old zoning resolution, has been characterized by an excessive concentration of people in small areas and a dearth of open space.

The new proposal, while recognizing the reality of existing neighborhood development in this City, is designed to prevent excessive population densities and to insure adequate standards of light and air which are vital to a healthy community.

I have heard many New Yorkers complain about their City but I think that few of them would want to move and live elsewhere. Those of us who love New York have had a heart-rending experience in watching the destruction of neighborhoods which once were good places in which to live and to conduct business. The new zoning resolution will immediately stop this downward trend by controlling excessive conversion of dwelling units and the resultant over-crowding

The City is losing the fight against blight, slums, and the human destruction that emanates from these conditions. The new zoning resolution would introduce stability in the middle-aged areas of The Bronx and permit urban renewal programs in the older sections to achieve real progress in the borough.

A large City must be concerned with every aspect of life. This means that commercial areas must be protected. The life of The Bronx depends not only upon the people who live there but equally upon its manufacturing concerns, its industries and its commercial and retail establishments. The present zoning has allowed these functions to be scrambled together in a crazy-quilt pattern with incompatible uses. The new zoning controls will gradually result in the sorting out of these functions so that the neighborhood shopping areas, the larger community commercial centers, the automotive service areas, and the central commercial

areas can each provide their customers with the high quality of service which they should be able to reach and attain under today's technology. The age of the automobile has in no sense been surpassed by the age of jet transportation, and our City is continuing to live under horse and buggy conditions instead of modern automotive transportation facilities. It has been many years since New York could effectively deal with the volume of private and commercial traffic that flows through its arteries.

In many respects, we have abdicated to suburban shopping centers which are amply supplied with off-street parking. The devastating effect upon the City's commerce has become apparent with increasing force since the end of World War II. With car ownership in the City growing steadily and rapidly, it is essential that all possible steps be taken to get the cars off the streets to save our commercial areas from the fate of traffic strangulation and the further loss of business to the suburbs. This is why I cannot stress too strongly the importance of the present proposed zoning off-street parking and loading requirements for new commercial construction. These requirements in combination with the liberally mapped depths of the commercial districts should produce a gradual and substantial long-run improvement to the operating efficiency of the City's commercial areas.

I can say to you, gentlemen, that I know from experience that in the Bronx, itself, commerce has been hurt badly by the Westchester and Long Island shopping centers, which are more convenient for people to go to than it is to shop in the center of The Bronx where they can't park and they can't have these facilities.

I am most gratified that the resolution contains as one of its major objectives the realization of the Bronx's many potential advantages for the attraction of many stable industries. At a time when so much industry is leaving the City, we need regulations that protect the remaining vacant industrial land from mislocated residential construction. The new proposal sets reasonable standards to insure the development of stable, modern industrial neighborhoods with adequate facilities for off-street parking and loading. There would also be established reasonable standards of performance for control of noise, vibration, smoke and other nuisances near residential neighborhoods. These are regulations the City needs to hold and add to its present industries and to strengthen its tax base. I am also particularly impressed with the zoning maps contained in the new proposed resolution insofar as they relate to the density of residential neighborhoods. I believe there are, perhaps, too many allowable higher-density residential communities in The Bronx, even under the proposed resolution but I am also cognizant of the fact that once again existing realities must be given weight. In giving weight to existing conditions, the proposed resolution permits the continuation of heavy industries in certain residential sections without regard to the enforcement of performance standards which would be required in the face of new commercial and industrial incursions into areas which are not typically zoned for their operation. Scattered through the Borough and the City are many heavy manufacturing plants which are granted continued permission to remain for many years in their present location despite the fact that they will not conform to the new use patterns to be established if the proposed resolution is adopted.

Quite certainly, it is not feasible to force the immediate relocation of some major industries without creating extreme hardship and undoubtedly for this reason they are permitted to continue in their present locations despite the restricted residential nature of the zones in which they would be operating. Together with the industrial, commercial and residential factors involved in the question of zoning are the far-reaching social implications in The Bronx as well as in each of the other Boroughs. We express great dismay when we read the number of youths who are judged delinquents by our courts each year for the serious crimes committed by the City's young people. We are horrified to recognize that the greatest City in the world, the seat of world government, continues to have inadequate schools, dangerously overcrowded hospitals, and a serious lack of neighborhood recreational facilities to occupy the growing leisure time of adults and the after-school and vacation hours of children.

The deterioration of the physical appearance of New York has reached such proportions that most of us are willing to shrug and accept the grime and the dust and the ugly slums as part of big city life. It need not be so. We have been guilty of a failure to think and to plan for the future. It is hard to recognize that last month's future, last year's future, is here today. We know the high price we are paying today for the indiscriminate building and the lack of planning in the past. As monuments to our shortsightedness, we have solid walls of overcrowded and deplorable conditions, tenements in the older sections of The Bronx, just as we do in every borough, in every corner of the City. The cost of our past mistakes has created many a disastrous financial problem,



which makes daily headlines in the City's press. Every businessman knows that he cannot operate successfully and profitably without sound and imaginative plans.

No progress can be made or would be made or has been made throughout history without the imaginative souls who are willing to think about and plan for the future. We can no longer live with the existing zoning resolution because it is a tangled and intricate mass more complicated in a modern city than was the labyrinth of ancient times. The City cries for the proposed new zoning resolution. It must be adopted for this generation and for the protection of generations to come. Instead of stifling the City as the existing resolution has stifled us, the new proposal will enable New York to be a City of light and air, beauty, health and prosperity for many decades to come in the future. Thank you, gentlemen, for your patience.

VICE CHAIRMAN BLOUSTEIN: Thank you, Mr. Sachs. Mr. Gilbert Kerlin - of the Riverdale Planning Association.

GILBERT KERLIN: Mr. Chairman and members of the Planning Commission, my name is Gilbert Kerlin, President of the Riverdale Community Planning Association. I go back to January, 1954, when following a study of the Riverdale area the Board of Estimate unanimously adopted a comprehensive rezoning of the Riverdale district. As the Acting Chairman has stated, this Commission proposed that zoning and we in Riverdale have been living under it. We want to report to you, gentlemen, that the whole texture of our lives there has been changed as a result of the rezoning which you proposed at that time. We find, in looking at the new comprehensive

rezoning for the entire City of New York, that the gains which were made in the 1954 rezoning have been carried over and improvements have been made. We are thankful for these, and we will heartily endorse the proposal of the Planning Commission and work for its acceptance by the Board of Estimate. A problem going beyond that, and I may say it's unthinkable to us, that this comprehensive zoning resolution will not be adopted by the Board of Estimate - going beyond that we have problems of enforcement.

Again, following the 1954 comprehensive rezoning, we found that we had to make two trips to the Court of Appeals in New York to have that zoning sustained by the courts of the state. We have made some eight trips to the Board of Standards and Appeals where attacks were made upon the 1954 rezoning. I'm happy to say that we were successful on all of these occasions. It's abundantly clear to us as development goes on in Riverdale, and it is development not only for single-family homes but principally for multiple dwellings, Riverdale becomes a more and more attractive place for builders and developers and promoters. We welcome in Riverdale good builders and good developers. Thanks to the planning that you gentlemen have launched, which is carried forward in the comprehensive amendment of the rezoning, there is room for additional builders. And as they come, we will do everything in our power as a community planning association to work with them to provide services and to provide schools, parks, and so on. I think our record on this score speaks for itself. We will look to you, gentlemen, and the other agencies of the City, once this good zoning has been established to assure us that it will be upheld and maintained. Our thanks to you for the fine work that you have done. It would be a grievous

error not to mention the other agencies of the City that have been so helpful to us, principally the office of the Borough President, and the Borough President himself. We feel sure that with the continued support that we've had, we will be able to continue Riverdale as a fine place for human beings in the City of New York to live.

VICE CHAIRMAN BLOUSTEIN: Mr. Kerlin, before you leave, would you for the assistance of the members of the Commission, indicate the area over which your planning association exercises its jurisdiction.

MR. KERLIN: From the Hudson River on the west to Broadway on the east, Spuyten Duyvil on the south and City Line on the north. That was the area covered by your 1954 change, and it is to that area that we have been constantly giving our attention.

VICE CHAIRMAN BLOUSTEIN: Thank you very much. Mrs. Byard Williams?

MRS. BYARD WILLIAMS: I'm Mrs. Byard Williams, 4710 Delafield Avenue. I don't know whether you care to have me speak for myself first or for my husband. I'm here with a message which he has which I can either give to you -- I'll speak for him first.

"I am Dr. Byard Williams, Chairman of the Committee on Housing of the Community Service Society. This is a group of citizens who have been interested for over sixty years in promoting decent and helpful housing standards and, in addition, living standards for healthful and wholesome family life. The new proposed zoning regulations have been discussed in our committee and we are wholeheartedly in favor of the whole principle of limiting density within reasonable limits and the idea of doing this in the proposed fashion

with a long-term comprehensive plan. In addition, I have been a resident of Fieldston in the Riverdale section of The Bronx since 1922, and in this area, too, I have been active and interested in continuing the fight to keep an area in which it is possible to have single-family houses with all of the community and neighborhood advantages that come with this.

The present zoning law provides for many multiple-family buildings. I certainly feel that a further encroachment on the areas zoned for single-family occupancy would be a mistaken step, which would, I am sure, be expensive to the City and require many costly services and, in addition, would be expensive both money-wise and family-wise to those living in their own homes and counting on a continuance of the present "G" Zones.

Therefore, I wholeheartedly support the zoning plan as it is at present before the Planning Commission."

If I can be Poobah for a moment, I would like to say for myself that it is a pleasure, a pleasure to speak for a plan that allows and guides an orderly development of a community. I think we are particularly fortunate in the area where I live and we have been for many years. Fieldston was the first "G" zone. We were fortunate again in the zoning regulations which you gentlemen helped us to attain in that area. They have a great source of protection and comfort to a homeowner means a secure community where they are happy to bring up their families.

I think that all of the women in the community, the housewives, are very glad to come down and speak to you and have you do for them this kind of a job, of overall solid, intelligent planning

that allows for growth and development. We are not very happy when we have to go to the Board of Standards and Appeals and sit all day in order to take care of those who wish to snip away at the fringes of your good planning. Thank you. Father Barry?

REV. GERALD BARRY : Gentlemen, and one lady, I have no long prepared statement to make. I simply want to go on record as being very much concerned about the proposed zoning regulation, "R-1" because aside from anything else, I'm quite sure that anybody who knows anything about Riverdale has observed a rather definite deterioration in a good many ways since the advent of very large apartments. I think that anything that can be done to avoid this deterioration is to the benefit of the City as a whole. I happen to have been born in Harlem. I am one of the few native New Yorkers living in New York. I'm somewhat proud of it. I also lived for a time as a boy on 103rd Street and 106th Street and as I think back over the relatively few years when, because of various things, not always the building of apartments because there always were apartments there but when I consider the tremendous deterioration that has taken place in those two areas, I realize that an apartment building stays new for just about so long and then starts to deteriorate. As a consequence, there is a certain dropping in the level of population. It frightens me to think of any additional apartment building being done in this Riverdale area, and I have in mind specifically that great section just north of Christ Church Riverdale.

I should simply like to go on record as hoping that steps will be taken to preserve the character of the Riverdale area insomuch as it is possible. Thank you.

Barry

MRS. THEODORE KHEEL: I am appearing here for my husband who had hoped to be with you. My name is Mrs. Theodore Kheel. My husband was called out of town on business and he asked me to express for him and I fully concur - his support and his belief in the work of the City Planning Commission in its splendid rezoning effort that they are making. We know of no more dedicated public servants than the members of the Planning Commission of the City and in our own Riverdale Planning Committee. We have lived in Riverdale 15 years. I am myself a Vice President of our neighborhood Association and an official in our League of Women Voters, and a mother of six children who are growing up in Riverdale. During that time, we have witnessed a tremendous change and, I think, due to the vigilance of our Riverdale Planning Committee and the wise and dedicated service, service in the interest of the many, of the City Planning Commission - we have managed to maintain the neighborhood of which New York can be proud. The new apartments have come and with them they have brought problems. They have also enriched the community because the planning had been wise. If we had permitted the growth that would have happened without this selfless service of the City Planning Commission, we would have bred, I believe, slums of the future in Riverdale.

Instead, we have a neighborhood that our children can still grow up in, and I believe, turn into useful citizens. I would like to thank the Riverdale Planning Committee and particularly, the City Planning Commission for their dedicated service to the many and not to the few.

Kheel

MRS. PHILIP POLLATIN: I am Mrs. Philip Pollatin. I live at 4667 Delafield Avenue in Fieldston, which is in Riverdale. I'd like to speak for myself, for Dr. Pollatin, and also for the area of Fieldston, where I am a Board member. We are wholeheartedly in favor of the plan you gentlemen have drawn up. We thank you for it. We feel that you are not only preserving Riverdale, Fieldston, and the City, but making it a very attractive area for those to return to who have formerly left it. I don't know whether you are aware of the exodus that took place. People felt that New York City was deteriorating. I'm very happy to share with you the information I attained recently from several brokers, that because of the knowledge of this excellent plan, many people who had fled from New York are seeking homes back, especially in Riverdale. Thank you again.

VICE CHAIRMAN BLOUSTEIN: Does anyone else wish to speak? If not, I am very grateful to you who have spoken. It assures us, at least of your support and encouragement in proceeding as we have. Thank you so much. Just a moment. We have another speaker.

SEYMOUR ALPER: My name is Seymour Alper. I am an associate of Mr. Worth. He is a builder in the Van Cortlandt area. I believe you may be familiar with his problem. He attempted to build a retail store in the area several years ago on the corner of Sedgwick and Van Cortlandt Avenue West, I believe. Right across the street from the Coop Market.

VICE CHAIRMAN BLOUSTEIN: Would you submit to the Commission, or have Mr. Worth submit to the Commission, a memorandum stating his interest in the matter so that we may give it consideration? We will give you ten days to make such submission.

MR. ALPER: Yes, sir. I'll do that.

Pollatin/Alper

GILBERT KERLIN : Mr. Chairman, Mr. Albert Wheeler was here and had to leave for a funeral. He has authorized me to say that he is heartily in favor of the proposed comprehensive rezoning. He is probably more knowledgeable about the Riverdale area than any living human being and has done a great deal of work independently and on behalf of the Riverdale Community Planning Association in connection with the technical features of the comprehensive rezoning.

VICE CHAIRMAN BLOUSTEIN: He is one of the great historians of Riverdale and Fieldston.

DR. JOSEPH A. COLEMAN: My name is Dr. Joseph Coleman and I represent myself. I live in Riverdale, 5051 Iselin Avenue. I merely wish to state that I am very much in favor of the proposed zoning resolution and the lines of zoning to continue as they are in Fieldston and in the immediate vicinity. I've lived there for 13 years. I bought my home there with the understanding that it was tightly zoned for private residences such as I have and I would be very much upset if the character of the neighborhood were to change.

VICE CHAIRMAN BLOUSTEIN: Thank you, Doctor. Does anyone else desire to be heard? (no reply) If not, we will recess this hearing.

SECRETARY MALTER: On recessing this hearing and continuing the public hearing on the proposed comprehensive amendment of the zoning resolution of the City of New York to Monday, March 21, 1960, at 10 A.M. Chairman, Vice-Chairman, Commissioners Orton, Sweeney, Livingston, Provenzano. This meeting now stands in recess at 3:10 P.M.

\* \* \* \* \*

March 18, 1960

G. Buxbaum,  
Reporting Stenographer