

Application #: **N160051ZRY**

CEQR Number: 16DCP028Y

Project Name: **Mandatory Inclusionary Housing**

Borough(s): **Staten Island**

Community District Number(s): **3**

Please use the above application number on all correspondence concerning this application

**SUBMISSION INSTRUCTIONS**

1. Complete this form and return to the Department of City Planning by one of the following options:
- EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
  - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

*Docket Description:*

IN THE MATTER OF an application submitted by NYC Department of City Planning The Department of City Planning (DCP) is proposing a city-wide Zoning Text Amendment to create a Mandatory Inclusionary Housing ("MIH") program within the existing Inclusionary Housing program authorized in the New York City Zoning Resolution ("ZR") Section 23-90 (the "Proposed Action"). The Proposed Action would amend ZR Sections 12-10 (Definitions), 23-10 (Open Space and Floor Area Ratios), 23-90 (Inclusionary Housing), 62-80 (Special Review Provisions), 74-00 (Powers of the City Planning Commission), and 74-30 (Special Permits Uses and Bulk Modifications). The proposed text amendment would have no effect until mapped or implemented through subsequent discretionary actions of the City Planning Commission. The analysis year for the proposed text amendment is 2024. Absent the Proposed Action, there would be no program in place to require affordable housing.

Applicant(s): NYC Department of City Planning		Applicant's Representative: NYC Department of City Planning	
Recommendation submitted by: Staten Island      Community Board 3			
Date of public hearing: November 12, 2015		Location: 1243 Woodrow Road, 2nd Floor - Suite 8	
Was a quorum present?   YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: November 24, 2015		Location: Woodrow Methodist Church Hall, 1075 Woodrow Rd, SI	
<b>RECOMMENDATION</b>			
<input type="checkbox"/> Approve		<input type="checkbox"/> Approve With Modifications/Conditions	
<input checked="" type="checkbox"/> Disapprove		<input type="checkbox"/> Disapprove With Modifications/Conditions	
See Attached Resolution			
Please attach any further explanation of the recommendation on additional sheets, as necessary.			
<b>Voting</b>			
# In Favor: 42		# Against: 0    # Abstaining: 0	
		Total members appointed to the board: 50	
Name of CB/BB officer completing this form Frank Morano		Title Chairman	Date 12/8/2015





**BOROUGH OF STATEN ISLAND**  
**COMMUNITY BOARD 3**

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Staten Island, New York 10309*

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Resolution on the Department of City Planning's Application No. N160051ZRY "Mandatory Inclusionary Housing"

WHEREAS, Community Board 3, Staten Island received the Mandatory Inclusionary Housing "MIH" Department of City Planning "DCP" Application No. N160051ZRY on October 2, 2015;

WHEREAS, on October 14, 2015 the Community Board 3 Land Use Committee held a public hearing and representatives from DCP presented the Mandatory Inclusionary Housing Application at that hearing;

WHEREAS, November 5, 2015 Community Board 3 convened a special meeting to review the Mandatory Inclusionary Housing Application;

WHEREAS, the actual proposal is 700 pages, coupled with the fact that Community Board 3 Staten Island was presented with a mere portion of the proposal and the presentation did not adequately address our concerns;

WHEREAS, Community Board 3 Staten Island is uniquely knowledgeable, possesses firsthand experience with the individual composition of our neighborhoods, and is in the best position to determine the impact of zoning text changes;

WHEREAS, Community Board 3 Staten Island supports and defends The Special South Richmond Development District "SRD" that was established in 1975 to control the development of the south shore of Staten Island to ensure that public infrastructure is tantamount to development, and to avoid obliteration of natural resources that define the community;

WHEREAS, Community Board 3 Staten Island absolutely supports the objective of the Staten Island Growth Management Task Force and their mission to examine and protect against density, and influence planned proposals that enhance Staten Island's quality of life;

WHEREAS, Community Board 3 Staten Island supported and approved Prince's Bay/Pleasant Plains/Richmond Valley DCP approved (2006) down-zoning text amendment that safeguards neighborhoods from overdevelopment and upholds character by mapping low-density districts;

WHEREAS, Community Board 3 Staten Island supported and approved Andrew J. Lanza's, the Civic Association of the Sandy Ground Area's, and the Pleasant Plans/Prince's Bay/Richmond Valley Civic Association's DCP approved application (2010) to down-zone a section of Rossville to preserve the established low-density character and ensure that future residential development will reinforce the existing patterns of semi-detached and detached homes;

WHEREAS, the MIH is objectionable because its approach to planning by attempting to finance affordable housing through zoning is not suitable for a wide range of situations or individual borough centered problems;

WHEREAS, the MIH's EAS dated September 18, 2015 was not written and reviewed by an independent third party, but rather by the Department of City Planning which has a vested interest in its approval, thereby creating the appearance of a conflict of interest, if not a conflict;

WHEREAS, the Department of City Planning's self-certified conclusion is a "negative declaration" indicating that affordable units will not have an adverse effect on public health, safety or welfare of our city, and no basis has been shown for the merit of such a certification and, certainly the DCP has failed to demonstrate in response to direct questioning that such is the case;

WHEREAS, the requirement that the mandated percentage of affordable units be distributed over more than 50% of the floors of a building so as not to stigmatize the residents of those units is suspended and dispensed with for senior citizens;

WHEREAS, the MIH allows developers to construct apartments as small as 250 square feet for senior citizens;

WHEREAS, the MIH text creates a new board of Standards & Appeals "BSA" special permit that allows developers to request waiver to each and every MIH requirements upon a claim of failure to make a reasonable return. However, the newly drafted findings required for the granting of this BSA special permit omits a standard finding of no adverse impact on community character.

WHEREAS, the EAS is silent on the number of affordable housing units expected as a result of the zoning text changes;

WHEREAS, Community Board 3 Staten Island believes that the City's plan to spend over \$8.2 billion fulfilling MIH could be used more efficiently in other strategies rooted in community planning to create and preserve affordable housing;

WHEREAS, any mandated affordable housing proposal is subsidized housing whether it is funded by the government or the private sector;

WHEREAS, the MIH does not decree that this affordable housing program is temporary assistance and encourage people to become independent as soon as possible;

NOW, THEREFORE,

BE IT RESOLVED THAT, Community Board 3 Staten Island is opposed to the Mandatory Inclusionary Housing zoning text amendment No. N160051ZRY in its entirety.



Application #: **N160049ZRY**

CEQR Number: 15DCP104Y

Project Name: **Zoning for Quality and Affordability**

Borough(s): Staten Island

Community District Number(s): 3

Please use the above application number on all correspondence concerning this application

**SUBMISSION INSTRUCTIONS**

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
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  - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

*Docket Description:*

IN THE MATTER OF an application submitted by the Department of City Planning as part of the City's coordinated efforts under Housing New York - the Mayor's ten-year, five-borough housing plan - the Department of City Planning is proposing a set of targeted changes to zoning regulations to support the creation of new affordable housing and encourage residential buildings.

Applicant(s): NYC Department of City Planning		Applicant's Representative: Beth Lebowitz	
Recommendation submitted by: Staten Island      Community Board 3			
Date of public hearing: November 12, 2015		Location: 1243 Woodrow Road, 2nd Floor - Suite 8	
Was a quorum present?   YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.	
Date of Vote: November 24, 2015		Location: Woodrow Methodist Church Hall, 1075 Woodrow Road, SI	
<b>RECOMMENDATION</b> <input type="checkbox"/> Approve      See Attached Resolution <input type="checkbox"/> Approve With Modifications/Conditions <input checked="" type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions <b><u>Please attach any further explanation of the recommendation on additional sheets, as necessary.</u></b>			
<b>Voting</b> # In Favor: 42    # Against: 0    # Abstaining: 0      Total members appointed to the board: 50			
Name of CB/BB officer completing this form Frank Morano		Title Chairman	Date





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Resolution on the Department of City Planning's Application No.N160049ZRY, Zoning for Quality and Affordability Text Amendment "ZQA."

WHEREAS, Community Board 3, Staten Island received the Zoning for Quality and Affordability Text Amendment "ZQA" Department of City Planning "DCP" Application No. N160049ZRY on October 1, 2015;

WHEREAS, on October 14, 2015 the Community Board 3 Land Use Committee held a public hearing and representatives from DCP presented the Zoning for Quality and Affordability Text Amendment Application at that hearing;

WHEREAS, November 5, 2015 Community Board 3 convened a special meeting to review the Zoning for Quality and Affordability Text Amendment;

WHEREAS, Community Board 3 Staten Island is uniquely knowledgeable, possesses firsthand experience with the individual composition of our neighborhoods, and is in the best position to determine the impact of zoning text changes;

WHEREAS, Community Board 3 Staten Island supports and defends The Special South Richmond Development District "SRD" that was established in 1975 to control the development of the south shore of Staten Island to ensure that public infrastructure is tantamount to development, and to avoid obliteration of natural resources that define the community;

WHEREAS, Community Board 3 Staten Island absolutely supports the objective of the Staten Island Growth Management Task Force and their mission to examine and protect against density, and influence planned proposals that enhance Staten Island's quality of life;

WHEREAS, Community Board 3 Staten Island supported and approved Prince's Bay/Pleasant Plains/Richmond Valley DCP approved (2006) down-zoning text amendment that safeguards neighborhoods from overdevelopment and upholds character by mapping low-density districts;

WHEREAS, Community Board 3 Staten Island supported and approved Andrew J. Lanza's, the Civic Association of the Sandy Ground Area's, and the Pleasant Plans/Prince's Bay/Richmond Valley Civic Association's DCP approved application (2010) to down-zone a section of Rossville to preserve the established low-density character and ensure that future residential development will reinforce the existing patterns of semi-detached and detached homes;

WHEREAS, the ZQA was not a product of community based planning and nullifies many of the advances in Community Board 3 Staten Island and does not take into account the neighborhood character safeguards provided by the Special South Richmond Development District "SRD" and the Staten Island Growth Management Task Force;

WHEREAS, the ZQA is objectionable because its approach to planning by attempting to finance affordable housing through zoning is not suitable for a wide range of situations or individual borough centered problems;

WHEREAS, the ZQA allows developers to construct apartments as small as 250 square feet for senior citizens;

WHEREAS, the ZQA increases the density, floor area, height and dwelling unit count of affordable senior housing across the City, which will significantly diminish air, light, open space and living space;

WHEREAS, Community Board 3 Staten Island is opposed to any text amendment that increases the allowable density in existing zoning districts, as well as revising district boundaries inside existing zoning districts that allow for as of right increased density;

WHEREAS, the ZQA reduces or entirely eliminates the required parking for new developments ignoring the different and critical transportation needs of neighborhoods and the ability or willingness of government to provide sufficient and efficient public transportation to meet the needs of residents — present and prospective;

WHEREAS, the ZQA is an unprecedented action, allows an otherwise impermissible use, which increases dwelling unit count and building height, by permitting multiple dwelling unit buildings called Continuing Care Retirement Community "CCRC" to be located in single family R1 and R2 Districts without any necessity for affordable units:

WHEREAS, the ZQA while claiming that the new CCRC use is not as-of-right, allows these multiple dwelling unit buildings in R1 and R2 Districts by only a City Planning Commission authorization, thereby avoiding ULURP, the Community Board and City Council review;

WHEREAS, the ZQA's EAS dated September 18, 2015 was not written and reviewed by an independent third party, but rather by the Department of City Planning which has a vested interest in its approval, thereby creating the appearance of a conflict of interest, if not a conflict;

WHEREAS, the EAS concludes that there are no issues in need of mitigation disregarding the real infrastructure needs of the affected communities and the environments effects of the resulting new development on the public health, safety, and welfare of our citizenry.

WHEREAS, many of the proposed zoning changes will increase pressure on acquisition and demolition of underdeveloped property for purposed of redevelopment resulting in changing the character of our neighborhoods;

WHEREAS, the ZQA is not a good fit for the Community Board 3 Staten Island residents as the lack of transportation public alternatives (buses and trains) has compelled our citizens to be motor vehicle dependent community;

WHEREAS, Staten Island has one of the longest commuter times in the country, and our limited Express Bus Service is insufficient;

WHEREAS, Staten Island does not have a true mass transit system, the only train is the one-line Staten Island Railway, and we do not have subways like the other four boroughs;

WHEREAS, the south shore of Staten Island has a major deficiency in sanitary and storm sewers it does not make the south shore suitable for increased density;

WHEREAS, Staten Island is dependent on only two Sewer Treatment Plants which are currently overburdened;

WHEREAS, many of our schools are over-crowded, especially our high schools; and the fact that one was already forced into implementing a split session;

WHEREAS, our schools lack the resources to adequately offer children educational opportunities they need and deserve and increased density would further drain these resources;

WHEREAS, health care services within Community Board 3 Staten Island are limited (the only borough without a HHC hospital),with one private hospital the influx of the proposed inclusionary housing would be a burden;

WHEREAS, any mandated affordable housing proposal is subsidized housing whether it is funded by the government or the private sector;

WHEREAS, the ZQA does not decree that this affordable housing program is temporary assistance and encourage people to become independent as soon as possible;

WHEREAS, Community Board 3 Staten Island believes that the City's plan to spend over \$8.2 billion fulfilling MIH could be used more efficiently in other strategies rooted in community planning to create and preserve affordable housing;

WHEREAS, our Community Board would prefer to see our industrial zones developed in a manner that would contribute to creating jobs and to our economic development;

NOW, THERFORE,

BE IT RESOLVED THAT, Community Board 3 Staten Island is opposed to the Zoning for Quality and Affordability Text Amendment No.N160049ZRY in its entirety.