Valerie S. Mason
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The City of New York
Community Board 8 Manhattan

March 31, 2026

Sideya Sherman
Director, NYC Department of City Planning
Chair, NYC Planning Commission
120 Broadway, 31st Floor
New York, NY 10271
via planningrules@planning.nyc.gov

Shampa Chanda
Chair
Board of Standards and Appeals
22 Reade Street
New York, NY 10007
via submit@bsa.nyc.gov

RE: **PROPOSED AFFORDABLE HOUSING**
FAST TRACK METHODOLOGY- CB8 COMMENTS

Dear Chairs Sherman and Chanda,

At the March 24, 2026 meeting of the Zoning, Development, and Housing Committee of Community Board 8 Manhattan, the Committee unanimously adopted the following resolution by a vote of 16 in favor, 0 opposed, 0 abstaining, and 0 not voting for cause. We offer this resolution as the Board's comments on the proposed Affordable Housing Fast Track methodology, subject to ratification by the Full Board at its upcoming meeting on April 22, 2026. We fully expect the resolution will be ratified at that time.

> **WHEREAS**, the New York City Planning Commission has proposed rules set forth in a new Chapter 13 to Title 62 of the Rules of the City of New York, to establish a methodology to determine the 12 Community Board Districts that have produced the lowest ratio of new affordable housing units built within a five year period most recently completed prior to the calculation relative to the total housing units existing within the Community Board district at the start of such period (the "Proposed Rules");
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> **WHEREAS**, the Proposed Rules define "affordable" as income restricted units and ignore units that are rent stabilized or rent controlled;
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> **WHEREAS**, the 12 Community Board districts with the lowest ratio of new affordable housing unit production as determined by the Proposed Rules will be required to follow a new "Fast Track" ULURP process for qualifying projects;

WHEREAS, the new "Fast Track" ULURP is intended to speed up the process for projects meeting the requirements for Mandatory Inclusionary Housing;

WHEREAS, given that our district is, according to the housing market study provided in COYHO's DEIS, unfortunately first among all New York City Community Districts in housing units lost during the period 2010-2024, despite luxury residential tall tower construction booming along almost every avenue in our district (there are currently, 3 luxury housing developments underway on Second Avenue between 71st and 72nd Streets alone, all the result of the razing of approximately 18 low rise affordable walk-ups which, also housed mom and pop small businesses);

WHEREAS, the combination of (a) construction of such massive buildings with almost no incremental housing, (b) the conversion of small tenements to single family homes, (c) the combination of units in condos and coops to create family sized apartments, and (d) the conversion of residential locations to medical institutional use, has left our district with substantial construction activity despite the destruction of housing, often lower cost housing, and replacing it with some of the largest most expensive housing units in the world;

WHEREAS, it has long been a primary goal of Community Board 8M to help in the facilitation and creation of affordable housing in our District and elsewhere in the City of New York;

WHEREAS, Community Board 8M has pro-actively advocated for the development of affordable housing within our district, including most recently in 2025 and 2026, identifying to the Department of City Planning and our elected officials, specific City owned sites in our District that may be used for affordable housing, and additionally, developing and submitting a proposal to City Planning to rezone several portions of blocks within our District from manufacturing to residential, which would generate Mandatory Inclusionary Housing requirements for future development;

WHEREAS, the price of land and construction economics in our District favor luxury, market rate housing projects, such that, Community Board 8M is skeptical that "fast tracking" will result in any more MIH projects being proposed in our District than we have seen historically (including, the recently enacted City of Yes legislation that expanded the UAP option to our District and has, thus far, yet to generate any proposed new affordable units);

WHEREAS, in recognition of the City's acute affordable housing crisis, even when Community Board 8M has relaxed our staunch support of R8B height limitations and has approved otherwise unpalatable ULURP rezoning applications for midblock residential towers that grossly exceed existing zoning height limitations, seriously degrade the light and air and overall quality of life for neighboring residents, and contain fewer two- and three-bedroom units in favor of more studios (and with AMI percentage levels that do not promote or meet the needs of the community), we still have not seen any of those projects move forward beyond City "approval"[1] -- in all likelihood due to a lack of sufficient economic incentives to move forward;

WHEREAS, neither the proposed rules for determining the 12 eligible districts nor the Fast Track ULURP process include consideration of how many lower cost units are being demolished to make room for the new developments that either provide fewer units for the initial calculation

[1] We refer, by way of example, to 231 East 94th Street. On November 15, 2023. CB8M approved a rezoning application to make this project possible, and then Manhattan Borough President Mark Levine, "fast tracked" his review from 30 to 5 days. This proposed project is a 46-story tower containing 452 apartments, 113 of which are supposed to be affordable units. Three years later, not one shovel in the ground.

nor in the ultimate approval process of a Fast Track proposal, resulting in the potential that these construction projects could easily result in a net loss of total units; and

WHEREAS, Community Board 8M has, without any great effort, identified gross errors in the most recently publicly available data for our District including HPD/DOB data[2] showing only 9 affordable units at 250 East 83rd Street when NYC Housing Connect shows 33, and only 5 affordable units at 300 East 83rd Street when NYC Housing Connect shows 28;

NOW, THEREFORE, be it resolved that Community Board 8M submits the following comments and suggestions for modification of the Proposed Rules:

1. **Inclusion of Preservation Programs**: Affordable units that are preserved as part of a new development project should be counted towards the total new affordable units produced. If a developer is allowed to count preservation units towards eligibility for FAR bonuses or fulfillment of any type of requirement for affordable housing associated with a project (by way of example, we cite 985 Fifth Avenue -- a rental building which is being turned into a luxury condo building with fewer units than it has today -- which has apparently solved its FAR bonus eligibility requirement by transferring $7million to James Lenox House, a Mitchell Lama Housing Program for older adults at 49 East 73 Street, with 99 "affordable" rental units, and by so doing, the new project with no affordable units is eligible for a 20% FAR bonus), these units should likewise be counted toward the numerator of the ratio;

2. **Data Transparency, Accuracy, and Integrity**: The data to be used for both the numerator and denominator should be publicly available well in advance of the "final" calculation, and there should be a reasonable public comment period and process for correction prior to the final determination by DCP/CPC/another agency as to the "final 12". Community Board 8M has observed concerning inconsistencies in the data on affordable housing from HPD (see for example, 250 East 83rd Street and 300 East 83rd Street as noted above). Community Board 8M strongly believes that ALL units included as income restricted at any level should be included in the numerator of the ratio calculation if there is to be an accurate determination of the Fast Track districts. Community Board 8M additionally hereby advocates for the inclusion of not for profit provided affordable/subsidized housing units that are not subject to a regulatory agreement in the calculation. In Community District 8 many hospital/medical and educational institutions provide lower cost/subsidized housing for their employees and students. These units are NOT included in the calculation and yet represent many of the "affordable" units constructed in the last 5 to 10 years in our District. The people who live in these units vote in our elections, attend our schools, use public transportation, and add to the density of population in our District and for those units to be excluded from the calculation seems odd, at the very least;

3. **Not all Units are created Equal**: The count of affordable units should be weighted with a consideration of square footage/bedroom count and AMI level in conjunction with the absolute number of units so as to differentially value -- and ultimately encourage -- a

[2] Affordable Housing Production by Building, and can be found here: https://data.cityofnewyork.us/Housing-Development/Affordable-Housing-Production-by-Building/hg8x-zxpr/about_data

wide range of AMI levels and unit types from studios to multi-bedroom family apartments, from deepest affordability to workforce housing. A system that in any way incentivizes the production of only studio apartments or counts a studio as equivalent to a two- or three-bedroom apartment does not meet the needs of our diverse population nor the desire to make New York City an attractive, affordable, and sustainable long-term option for families;

4. **Initial Cycle: Total Housing Units at the Start of each Five-Year Cycle**: The first cycle to be measured should have a longer than 5 year look back given that the first period to be evaluated occurred right after the height of the COVID epidemic and the data may not be representative of what would be historical norms for housing starts in a District given COVID disruption; and

5. **Timing of Fast Track applications and the 60 day Community Board Review Period** – while Community Board 8M understands that the Proposed Rules focus only on determining the "Fast Track" Community Districts, we believe it is never too early to comment that the applicable Community Board and each Community must have a fair and reasonable opportunity to evaluate each application, meaning the schedules of Community Board meetings must be taken into account when determining the timing of the 60 day review period. Community Board 8M emphasizes that the measurement of 60 days should be tolled during summer months, and additionally, should be linked to regularly scheduled land use and full board meetings; Fast Tracking must not create a "gotcha" situation, whereby the clock has the effect of limiting a full evaluation of the proposed project and the ability of the community to have a real voice in the process.

Please advise our office of any action taken on this matter.

Sincerely,

Valerie S. Mason — *Elizabeth Ashby, Anthony Cohn, and Ed Hartzog*

Valerie S. Mason
Chair

Elizabeth Ashby, Anthony Cohn, and Ed Hartzog
Co-Chairs, Zoning, Development, and Housing Committee

cc: Honorable Kathy Hochul, Governor of New York State
Honorable Zohran Mamdani, Mayor of the City of New York
Honorable Brad Hoylman-Sigal, Manhattan Borough President
Honorable Jerry Nadler, 12th Congressional District Representative
Honorable Liz Krueger, NYS Senator, 28th Senatorial District
Honorable José M. Serrano, NYS Senator, 29th Senatorial District
Honorable Edward Gibbs, NYS Assembly Member, 68th Assembly District
Honorable Alex Bores, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member, 76th Assembly District
Honorable Julie Menin, Speaker, NYC Council, 5th Council District
Honorable Virginia Maloney, NYC Council Member, 4th Council District
Honorable Elsie Encarnacion, NYC Council Member, 8th Council District
John Mangin, Director, Housing Division, NYC Department of City Planning
Julia Hoffman, Assistant Planner, NYC Department of City Planning
Emily Bachman, Director of Land Use and Planning, Manhattan Borough President's Office
Celeste Royo, Deputy Director of Land Use & Planning, Manhattan Borough President's Office