

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITINGS AND DISPOSITIONS

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HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

B E F O R E: Kevin C. Riley
CHAIRPERSON

COUNCIL MEMBERS:
Inez D. Barron
Peter A. Koo
I. Daneek Miller
Mark Treyger

A P P E A R A N C E S (CONTINUED)

Libby Rohlfing
Chief of Staff New York City
Housing, Preservation,
and Development

Lin Zeng
Director Brooklyn Planning

Alice Friedman

Arnima Bouayad
Development Team

Parag Mehta

Nancooar Rajcooar
Development Team

Sushman Pramod
Brooklyn Planner

Alana Smith

Bwana Payeye Kizito
President of Bwana Foundation

SERGEANT-AT-ARMS: PC recording underway.

SERGEANT-AT-ARMS: Cloud is up.

SERGEANT-AT-ARMS: Backup is rolling.

SERGEANT-AT-ARMS: Thank you. Sergeant Bradley with the opening statement.

SERGEANT-AT-ARMS BRADLEY: Yes, good afternoon and welcome to today's New York City Council hearing on Landmarks, public sitings and dispositions. At this time will all panelists please turn on their videos. To minimize disruption please place electronic devices on vibrate or in silent mode. If you wish to submit testimony you may do so at landusetestimony@council.nyc.gov. Again, that is landusetestimony@council.nyc.gov. Thank you for your cooperation. Chair Riley, you may begin.

CHAIRPERSON RILEY: Good afternoon. I am Councilmember Kevin Riley, Chair of the Subcommittee on Landmarks, public sitings and dispositions. I am joined remotely today by Councilmember Barron, Council Member Koo, Councilmember Miller, and Councilmember Treyger. Today we will be hearing two advocations submitted by HPD for UDAAP in connection with the new Penn Developments, but first I now

recognize Subcommittee Council to review today's hearing procedures.

SUBCOMMITTEE COUNCIL JEFFERY COMPAGNA:

Thank you, Chair Riley. I am Jeffery Compagna, Council to this subcommittee. Members of the public who wish to testify were asked to register for today's hearing. If you registered to testify and are not yet signed to ZOOM, please sign in now.

If you wish to testify and have not registered, please go to www.council.nyc.gov to sign up immediately.

If you are not planning to testify on today's items, please watch the hearing on the New York City Council website.

All people testifying before the Subcommittee will be on mute until they are recognized to testify. Please confirm that your mic is unmuted before you begin speaking. Public testimony will be limited to two minutes per witness.

If you have a written testimony, you would like the Subcommittee to consider in addition to or in lieu of appearing before the Subcommittee or if you require an accessible version of a presentation given at today's meeting, please email

landusetestimony@council.nyc.gov. Please indicate the LU number and project name or project name in the subject line of the email.

During the hearing Councilmembers who would like ask questions should use the ZOOM raise hand function. The raise hand button should appear at the bottom of the (UNIDENTIFIED) panel. I will announce Councilmembers who have questions in the order that they raise their hands.

Witnesses are reminded to remain in the meeting until they are excused by the Chair.

Lastly, there may be extended pauses if we encounter technical problems. We ask that you please be patient as we work through these issues. Chair Riley will continue with today's agenda.

CHAIRPERSON RILEY: Thank you, Council. I now open up today's public hearing. We will hear application number C 210109 HAK (The New Penn Development I). This application was submitted by the Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Charter Section 197 c for the designation of an Urban Development Action Area, approval of an Urban Development Action Area Project for such area and the

disposition of city-owned property located at 306 Pennsylvania Avenue, 392 Wyona Street, 426 Wyona Street, and 467 Vermont Street in the East New York Neighborhood of Brooklyn to facilitate the development of three new buildings with 46 affordable rental units, Eight of which would be affordable independent residences for seniors. We also hear application number 20215019 HAK (the New Penn Development II UDAAP. The application was submitted by HPD pursuant to Article 16 of the General Municipal Law for approval of an urban development action area project and waiver of the area designation requirements and Sections 197-c and 197-d of the New York City Charter for Property located at 791 Saratoga Avenue, 794 Far... Sorry, excuse me, 792 Rockaway Avenue, 429 Newport Street, 303 Hinsdale Street, 461 New Jersey Avenue, 432 Wyona Street, and 510 Vermont Street also in the East New York Neighborhood of Brooklyn to facilitate the construction of seven buildings containing a total of approximately 25 rental dwelling units plus one unit for a Superintendent. The projects will be presented together. They are located in council district represented by Councilmember Barron and at this time

I will allow, uh, Councilmember Barron to give any remarks regarding these projects as she may.

Councilmember Barron.

COUNCILMEMBER BARRON: Yes, thank you. Uh, thank you, Mr. Chair and thank you to the panel for being here. I'm just looking forward to the panel's presentation because I know that there were questions that I had raised and the Community Board had raised. So, I wanted to see how those questions had been addressed in their presentation. Thank you, Mr. Chair.

CHAIRPERSON RILEY: Thank you Councilmember Barron. Council, please call the applicant panel.

SUBCOMMITTEE COUNCIL JEFFERY COMPAGNA: The applicant panel is Libby Rohlfing, Lin Zeng, Alice Friedman, and Sushman Pramod on behalf of HPD and Arnima Bouayad, Parog Metta (SP?), Nancooar Rajcooar, and Alana Smith on behalf of the Development Team.

CHAIRPERSON RILEY: Council, please administer the affirmation.

SUBCOMMITTEE COUNCIL JEFFERY COMPAGNA: Could we please unmute the panel?

ARNIMA BOUAYAD: Hello.

SUBCOMMITTEE COUNCIL JEFFERY COMPAGNA:

One moment, please. Panelists, please raise your right hands and state your names one at a time.

LIBBY ROHLFING: Libby Rohlfing.

LIN ZENG: Lin Zeng.

SUSHMAN PRAMOD: Sushman Pramod.

ALICE FRIEDMAN: Alice Friedman.

ARNIMA BOUAYAD: Arnima Bouayad.

NANCOOAR RAJCOOAR: Nancooar Rajcooar.

PARAG MEHTA: Mehta.

CHAIRPERSON RILEY: Is that everyone?

ALANA SMITH: Alana, uh...

SUBCOMMITTEE COUNCIL JEFFERY COMPAGNA:

All Right, do you affirm to tell the truth, the whole truth, and nothing but the truth in your testimony before this Subcommittee and in answer to all Councilmember questions?

LIBBY ROHLFING: Yes, I do.

LIN ZENG: Yes.

SUSHMAN PRAMOD: Yes.

ALICE FRIEDMAN: Yes.

ARNIMA BOUAYAD: Yes.

NANCOOAR RAJCOOAR: Yes.

ALANA SMITH: Yes.

PARAG MEHTA: Yes.

CHAIRPERSON RILEY: Thank you. Before you begin, please state your name and affiliation again for the record and you may begin. Thank you.

LIBBY ROHLFING: Hi, my name is Libby Rohlfing. I am the Chief of Staff at the New York City Department of Housing Preservation and Development. Today we are here to present a project known as New Penn Development. The land use applications seek UDAAP designation, disposition, and project approval for 10 vacant city-owned blocks in Brooklyn Council district 42.

The first land use item is related to the application of New Penn Development I located at 306 Pennsylvania Avenue, 392 Wyona Street, and 426 Wyona Street to 467 Vermont Street.

The second land use item is related to the application for New Penn Development II located at 791 Saratoga Avenue, 792 Rockaway Avenue, 729 Newport Street, 303 Hinsdale, 461, New Jersey Avenue, 320 Wyona Street, and 510 Vermont Street. One site in the disposition area, listed as site 122, is erroneously designated for open space uses in the

East New York I Urban Renewal Plan. HPD is separately planning to initial a ULURP for an urban renewal amendment to permit residential uses on site 122 as originally intended and that will facilitate the proposed project.

The sponsors of the project are Rajoy Management and PM Architecture, both MBE certified firms, were selected through a competitive process and have proposed to develop these city-owned sites under HPD's Neighborhood Construction Program or NCP. Under NCP, sponsors city-owned or privately-owned land or vacant buildings and construct multi-family buildings in order create mid-size rental housing projects on infill sites affordable to families earning up to 80 percent of area median income or AMI. This is 81,920 for a family of three.

The proposed development will consist of 10 new construction residential buildings on 10 sites with approximately 73 affordable rental units including eight Heirs units and two Superintendents units.

The proposed development will include a mix of studios, one bedroom, two bedroom, and three bedroom apartments. Income tiers include zero

percent, 30 percent, 40 percent, 50 percent, 60 percent, and 80 percent of AMI rents will range from up to \$952 for studio at the lowest AMI tier to \$2,161 for a three-bedroom unit at the highest AMI tier. This project will also set aside approximately 10 percent of the units for homeless families and individuals referred from other social service agencies such as the Department of Homeless Services.

The buildings will be built to exceed and appraise green community standards and amenities will include a laundry room, bike storage, and landscaped rear yards.

Today HPD is before the Subcommittee seeking approval of the New Penn Development project in order to facilitate construction of these affordable residential buildings and with that, I'd like to turn it over to our Development Team for their presentation.

ARNIMA BOUAYAD: Thank you. Uh, can I have the PDF on the presentation if it is possible. Thank you. Uh, next slide, please. Thank you. So, hi. Thank you for this opportunity to present this project. My name is Arnima and I am with the Development Team. So, this project was awarded to PM Architecture and

Rajoy Management, which are two MBE firms, in 2018 Through the HPD and IHOP and CPRQ and I am very excited to present it to you today. So, it's a proposed (UNIDENTIFIED) of 10 new buildings in East New York with approximately 71 affordable rental units and two supers' units and all of the units will be affordable to very low income and low income families and individuals. Three of the sites with more than four units are currently in (UNIDENTIFIED) or UDAAP process approval and disposition of city-owned land. This was solidified in November 2020 and the seven remaining sites proposed four or less units on each site are accelerated UDAAP sites and will also require City Council approval. Next slide, please.

As you can see on the map, the proposed unit development sites are scattered sites and located on three vacancy city-owned lots in East New York. They are all located within Community District 5 and are within half mile of each other. The neighborhood is mainly residential with access to mass transit. Next slide, please.

Development site I is 306 Pennsylvania located on Pennsylvania Avenue, an important artery

in East New York. The building is within a primarily residential district and the land is approximately 5,000 square feet with 50 feet frontage along Pennsylvania avenue. Next slide, please.

306 Pennsylvania will be developed as a seven story elevator building with approximately 25 affordable units including eight affordable independent residences for seniors and we have also one additional two bedroom super's unit. There is common laundry room on the first floor and an indoor bicycle storage and tenant storage room cellar. We modified the façade design to include comments from Councilmembers, Community Board, and City Planning and we are using more contextual materials so our design matches with the neighborhood. Next slide, please.

This is site two, 392 Wyona, with 40 feet frontage along regular street. The land is approximately 4,000 square feet and located within an R6 zoning district. Next slide, please.

392 Wyona will be developed as a four-story walk-up building with approximately 11 affordable units. We also decided to raise the ground floor by two foot three to provide more privacy to

the first floor units and we will also provide in an access ramp. Next slide, please.

Here is development site three, 426 Wyona, 467 Vermont, and Blake Avenue. The land is 20 feet by 200 feet, which is approximately 4,000 square feet. Next slide, please.

For this building we incorporated the comments from the Community Board and designed 426 Wyona-467 Vermont as a single building with two wings, A and B, connected in the cellar. The building will have approximately 10 affordable units and an open entrance along Blake Avenue. The rendering shown here is along Wyona Street. Its wing A is set back to match the street's walls of adjacent buildings. The ground floor is raised by 30 inches to provide privacy to the first floor units. Next slide, please.

Here the rendering is showing the building along Vermont street, which is wing B and it's four stories high and also set back from the street. We provided fenestration to minimize blank walls and breakdown the facade and maximize natural light for the vertical circulation core. Next slide, please.

Now, on this map you can all of Penn's (UNIDENTIFIED) SITES, The units, and the accelerated UDAAP sites. They are all within one mile of each other. Next slide, please.

The seven accelerated UDAAP sites are all three story walk-up buildings and contain three to four units each. We would have approximately 26 affordable rental units in total. Here you can see a rendering of one empty lot and all seven buildings are proposing mostly brick material to match designs of surrounding buildings. Next slide, please.

The chart on this slide shows the number of different unit types and the percentage of each as a part of the total number of units in whole project. To review the income and rent... renters respectively. Achieving the right units and income mix was important to us and approximately 78 percent of the units will be affordable for households earning up to 60 percent AMI. 43 percent of the units in the entire project are family size two bedroom and three bedroom while remaining units are studios and one bedroom. Providing a variety of apartment sizes allowed us to create housing for seniors. Eight units will be dedicated to the Heirs Program and this project will

also include 10 percent of homeless set aside. The affordability metric we used in this project has (UNIDENTIFIED) the desired income, which is aligned with the East New York commitments. Next slide, please.

So, in summary, the entirety of the project will be 10 new energy efficient residential buildings containing 71 affordable rental units, including eight Heir units, and two additional units for supers. For all phases of the project development team, consisting of two MBE's, are committed to hire locally and will conduct outreach through the Community Board, New York City Small Business Services, hire NYC, and Man Up. Our targeted household income ranges are reflective of the communities needs with proposed units affordable to households earning between \$30,000 and \$81,000 for a family of three and we will also market apartments through Housing Connect. Next slide, please.

This slide shows the breakdown of our timeline as we continue to seek approvals. We aim to close on the project financing in the summer of 2022 and ease up in the winter of 2024. Last slide, please.

In conclusion, the New Penn Development Team wishes to thank you all and we welcome your questions and comments. Thank you.

CHAIRPERSON RILEY: Thank you, panel. Uh, just a few questions before I pass it over to my college Councilmember Barron. Uh, regarding the Heirs Program, the CPC report for New Penn indicates that eight of the 46 units will be affordable independent residence for seniors or the Heirs unit, but the HPD project summary makes no mention of this. Can you clarify the difference whe... the difference and whether the project will include the Heirs?

LIBBY ROHLFING: Yes, it will include the eight Heirs units.

CHAIRPERSON RILEY: Okay, thank you. Can you please describe your plans for insuring WMBE and locally-based contractors and subcontractors' participation in the development?

LIBBY ROHLFING: Arnima, do you want to take this one?

CHAIRPERSON RILEY: Arnima, can... Oh, go ahead.

ARNIMA BOUAYAD: Yes.

PARAG MEHTA: No.

ARMINA BOUAYAD: Sure, hi.

PARAG MEHTA: Hi.

ARMINA BOUAYAD: Parag will take over.

PARAG MEHTA: Hi, my name is Parag. Uh, so, our firm is WMBE and Rajoy is WMBE and we have worked in the city of New York for the past 26 years working with a lot of other engineers and contractors who are WMBE and we have successfully completed many jobs. When the job does go out for construction, we'll put equal emphasis on hiring WMBE.

CHAIRPERSON RILEY: Okay, and can you describe your plans for local hiring during the construction and if so, how many local hires are we typically looking at for a project like this?

PARAG MEHTA: (UNIDENTIFIED), who is also a part of my team, we collectively reached out to different offices where we met with individuals. We thought about hiring with Man Up. That's on the construction side. We will at least get a few people involved in each site depending on the expertise that we can help. There will be a team available for sheet rocking, taping, and painting. That would be people easily available to work on our daily shifts when

have to transport materials. More of plumbing and electrical and the trades which require a license, we may not have a stronger control of hiring them, but everything that does not seek a license that can be done without having a licensed individual (UNIDENTIFIED) on the job. (UNIDENTIFIED)

CHAIRPERSON RILEY: So, So, those without the licenses, is there like an estimated number of local hires that we can bank of for this project?

PARAG MEHTA: yes, we'll, we'll, uh, we'll, uh, try and, uh... Really, uh, like I'm not really prepared to give a number right now.

CHAIRPERSON RILEY: OKAY.

PARAG MEHTA: Yes, our commitment is to hire local people and we have always done in the past. You know, I started my office in Harlem and I did a lot of things in areas long before like in Harlem when we, uh, when we entered Harlem in 1997. So, Yes, we'll bring in local, uh, WMBE.

CHAIRPERSON RILEY: Thank you. How can we assure follow up and progress reports on these commitments, uh, for the local hiring, for the WMBE, Uh, how can we follow up and, and show that you guys are fulling your commitments, uh, for these projects?

PARAG MEHTA: I will need guidance on how it's actually done because there are... We've participated... Like I did a lot of projects architect and my resume says that from 1995 until today, but never played this role as a developer. So, Maybe I'll need some guidance (UNIDENTIFIED). Like what will be typically done. Like how the reporting is done. I am not sure.

CHAIRPERSON RILEY: Well, I think you'll want to stay connected with Councilmember Barron and, and she'll speak on that later on, but staying connected with them, staying connected with the Community Board just to kind of let them know that you guys are doing local hires and are still ensuring the WMBE's and local contractors are a part of this project. I think that's a good start to do so.

PARAG MEHTA: Sure.

CHAIRPERSON RILEY: And my last question, before Councilmember Barron comes on, what sustainability and resiliency measures are incorporated into the building design and construction of this development?

PARAG MEHTA: Okay, so, we want to pursue Passive House building. Our goal is, uh... In general,

we have completed a lot of (UNIDENTIFIED) buildings. We also completed a Passive House building, which was, uh... with all of the credentials and certifications, but right now this building, the walls will be heavily insulated, which is a primary requirement of Passive House. We will be using triple-glass windows. There will be, uh, ER units, which is energy recovery units, uh, but the essential measures like, you know, plumbing and all of that, that with low-flow, which is standard for a (UNIDENTIFIED) job, but our primary focus is going to be on, uh, heavy insulation and high-efficiency windows and ER units.

CHAIRPERSON RILEY: Thank you. I would like to give my question time to Councilmember Barron if she has any questions for this panel.

COUNCILMEMBER BARRON: Yes, thank you Mr. Chair. I want to thank the panel for coming for their presentation. I had questions, which I hoped you would've addressed in our presentation, which I didn't hear. I did step away. So, I may have missed them. One in particular was the fact that you have store... a four story building, but it is a walk up. I know that HPD does not require elevators in a four

story building, but I asked you to consider an elevator and I didn't hear that included in your presentation. Do you recall that I asked you about that and if so, what is your response?

PARAG MEHTA: Yes, we do recall. I believe we tried to reply just informal letter correspondence. Our response there was that these are extremely small size buildings. So, in a building this size if we bring in a special elevator, special elevator could be approximate size of a room with the hoistway and going... putting a special elevator in a four story building brings a lot of economical burden like, you know, construction costs will go up at least by half million dollars by the time you put all of the hoistway walls and we put in the elevator and Then all of the electrical. (UNIDENTIFIED) connected with the fire alarm. It will just go on auto recall. Every year we'd have to go for inspections. There will a maintenance contract. So, keeping all of those things in mind, uh, we were thinking that the benefits of solving two or three apartments on the top floors, uh, if, uh... in other words, there is a lot more money that is going in the job and the benefits are small and also now we are losing a room

in each apartment. You know, so, like a two bedroom is quite likely going to become a one bedroom and likewise a reduction in size of units. So, that was our only reason not to consider an elevator in a four story building and we, we'll put it in the form of a written narrative and send it out.

COUNCILMEMBER BARRON: So, the buildings, how many buildings are there in total?

PARAG MEHTA: Total there are 10 buildings.

COUNCILMEMBER BARRON: And of some of them are three story?

PARAG MEHTA: So...

COUNCILMEMBER BARRON: and some of them are three stories, right?

PARAG MEHTA: Yeah, one, one is a seven story, one is a four story, and most of them are three story except one building, which is on a merged... like, you know, wing A and wing B. That one is like small brownstone with a four story, four story.

COUNCILMEMBER BARRON: Okay.

PARAG MEHTA: So, in other words, if I would say one... half of one building is four story

COUNCILMEMBER BARRON: Right, and the other...

PARAG MEHTA: and one other building is a four story building.

COUNCILMEMBER BARRON: Okay. What is the exterior? We had talked about the exterior. You know, I'm very much concerned about blending with the existing community and I do not favor Hardie Plank, which I have been told has a life span of approximately 50 years. So, that's at the outer limit. So, I do not favor Hardie Plank. So, what is the exterior that you have planned for these buildings?

PARAG MEHTA: We... All of our buildings are brick. They are all brick.

COUNCILMEMBER BARRON: All?

PARAG MEHTA: Yeah, only the one that (UNIDENTIFIED) was a Greystone, 306 Pennsylvania. We, uh... That was the seven story one. The seven story building that was, uh...

COUNCILMEMBER BARRON: Yes.

PARAG MEHTA: 306 Pennsylvania where your concern was about design?

COUNCILMEMBER BARRON: Yes.

PARAG MEHTA: Uh, we are using tow-colored brick. One lighter color and one slightly darker color with a small inlay of, uh, some metal in-between. The reason is that whole Pennsylvania Avenue is (UNIDENTIFIED) and not really changing.

You know, there are some nicer architecture buildings more to the north of Pennsylvania and there are some really interesting contemporary buildings coming up on Pennsylvania and right next door is a hotel, which also has the large window and, uh, again, a seven story building. So, again, we are keeping in context and keeping absolutely brick and a lighter color brick was suggested to us. With just a little architectural detail like bringing in metal panels.

CHAIRPERSON BARRON: Okay, thank you. In terms of the number of studio apartments in the total that you have, that you're building, how many... What's the total number of buildings and how many of them are studios? Total number of apartments? I'm sorry.

PARAG MEHTA: Just one second. I...

SUSMAN PRAMOD: Sorry, can you hear me?

CHAIRPERSON BARRON: Yes.

SUSMAN PRAMOD: So, in answer the total number in all of the projects is 72 units of which two of them are supers' units, but the studios in total are 17.

CHAIRPERSON BARRON: 17?

SUSHMAN PRAMOD: Yes.

CHAIRPERSON BARRON: And are Heir's apartments relegated to each of those studios or will the heirs also include some one bedrooms?

PARAG MEHTA: There, there... Sorry. Sushman are running with it?

SUSMAN PRAMOD: No, go ahead.

PARAG MEHTA: So, Heirs will... Heirs is studio and one bedroom and it's on the elevator building, 306 Pennsylvania.

CHAIRPERSON BARRON: Okay, it's in the, it's it the elevator building and how... What is the size of the unit for Heirs?

PARAG MEHTA: Sushman, you have the document in front of you?

SUSHMAN PRAMOD: Uh, not the heirs, but I...

ALANA SMITH: I'm happy to contribute. if you don't mind?

SUSHMAN PRAMOD: Uh-huh, you can do that.

ALANA SMITH: Yeah, no problem. This is Alana Smith. We have studios ranging from 370 to 401 square feet and, uh, one bedrooms from 474 to 538. So, to specify exactly which, uh, Heirs unit, uh, I can certainly follow up with the exact figure after the fact.

CHAIRPERSON BARRON: Okay, and the same applies for the homeless?

ALANA SMITH: Uh-hm.

CHAIRPERSON BARRON: You know, I would like to know what is the unit size that you're designating for those, uh, families that are formerly homeless coming out of shelter. I would like to get that information and then finally, the Chair based a question about WMBE. I am always concerned about Black people and WMBE's often time don't have any reflection of Black people. They have the other categories, but they don't have the Black, which in turn means that my community is in fact being used perhaps as a domestic colony in as much as the people who are the majority of the people living here in my community, Black and Latino, are providing the base, the land, but they're not getting the benefit of being involved in the hiring and even in the

contracting and the local hires that we're talking about. So, I want to know not totality of WMBE. I want to know Black. I want to know Latino. So, as we go through this process and as we make these contracts and subcontracts that's what I want to know because our community is being drained of its resources without getting the benefit of the economy that others are coming into our community getting the benefit of. So, I'd be very mindful. I'd be very careful. I'd be very concerned to make sure that Black and Latino are a part of what we talk about when we say WMBE. I did have another question, but I didn't write it down and I can't remember it, but if I... If it comes to me, I can send it to you and I'm sure you'll get back to me with a response. Thank you, Mr. Chair.

CHAIRPERSON RILEY: Thank you, Councilmember Barron. I now invite my colleges to ask questions. Council, I did see Councilmember Miller's hand up. I'm not sure if he still has a question. Councilmember Miller.

COUNCILMEMBER MILLER: Yes, sir. Thank you, Mr. Chair and thank you Councilmember Barron for your leadership as usual on these issues here, uh,

land use issues. So, uh, on this application, the developers... Is it one developer for Penn I and Penn II?

SUSHMAN PRAMOD: That is right. It is, uh, well, two companies. It's PM Architecture and Rajoy Management and they are the development team and it is both of them for all 10 buildings.

COUNCILMEMBER MILLER: Okay, and, and so, it's ten buildings. How many total units?

SUSHMAN PRAMOD: 73 including two supers' units.

COUNCILMEMBER MILLER: Okay, and what is the developer's relationship of past affiliations, if any, with this, this New York Community?

NANCOOAR RAJCOOAR: Oh, uh, hi, my name is Nancooar Rajcooar.

COUNCILMEMBER MILLER: UH-HM.

NANCOOAR RAJCOOAR: Call me Raj for short. I have been affiliated with East New York Community from since around 2003. My office is located at 603 Miller Avenue, Brooklyn, New York 11209. In 2005 I was elected to develop and manage a scatter site consisting of nine buildings through the MEP Program.

COUNCILMEMBER MILLER: Uh-hm.

NANCOOAR RAJCOOAR: That project was successful. In 2007 I was also selected by HPD to develop 16 one to four family units to be sold to low and moderate income first time home buyers. That project was also successful. In 2015 I applied for this RFQ and through a rigorous competitive process I was selected to develop and manage these 10 building consisting of 73 units.

COUNCILMEMBER MILLER: Okay, so, so, you... Your relationship is as far as, as a developer. Are there any, uh, other relationships that, that your company has with the community itself. Uh, do you employ folks from the community that, that... Do you have any folks from the community in your employ? Do you... Have, have you employed folks from the community on your previous projects within the East New York Communities? That was my question in terms of affiliations.

NANCOOAR RAJCOOAR: Most likely we did, we did that employed... What happens is that in the beginning we, we, we selected a contractor who did most of the selections.

COUNCILMEMBER MILLER: Uh-huh.

NANCOOAR RAJCOOAR: Now that we know that Councilmember Barron wants that we will definitely ensure that we go to her office and get some of the, some the recommended names or so we can reach out to those WMBE's. Especially a Black and Hispanic person.

COUNCILMEMBER MILLER: And who, who's, who's the contractor that you utilize, construction company?

NANCOOAR RAJCOOAR: Who is the contractor for this project?

COUNCILMEMBER MILLER: Correct.

NANCOOAR RAJCOOAR: It's going be PM Architecture, my partner.

COUNCILMEMBER MILLER: And what's their construction background?

NANCOOAR RAJCOOAR: Parag.

SUSHMAN PRAMOD: I'm sorry. Can we unmute, uh, Alana? Thank you.

PARAG MEHTA: Okay, hi. So, at PM Architecture, we have been working in construction industries from 1995 to now. In my resume, like you know, things we did in Harlem, uh, today we be.. We have always hired WMBE company to the point that our masons are Hispanics. Our steel guy is a Black-born

company. Two of my supers work, work with me from 1999 'til today. Uh, they are, uh, uh, Black guys. We actually have more minority workers than anything else. I, I think we probably have 80 percent minority workers. Not that we tried very hard to do that, but it just happened that way. So..

COUNCILMEMBER MILLER: How much, how much of... How much of your company's business is affordable housing? How much of the portfolio is, is affordable housing?

PARAG MEHTA: In, in the business that I did as architecture we have, uh, used affordable housing. On other side when whatever I did is probably 30 percent affordable housing.

COUNCILMEMBER MILLER: And, and, and Raj, for your side of the business, how much of, how much of the business is affordable housing?

NANCOOAR RAJCOOAR: 100 percent.

COUNCILMEMBER MILLER: 100 percent?

NANCOOAR RAJCOOAR: Yes.

COUNCILMEMBER MILLER: How much, how much of it is, uh... Do you develop land that you own or is it all by virtue of RFPs on city-owned land?

NANCOOAR RAJCOOAR: RFPs on city-owned land.

COUNCILMEMBER MILLER: Okay, and, and then I have, I have a, a question and, and it's probably more of a HPD question. Uh, I noticed that even at 80 percent of, of AMI in here in, in East New York is something that we're experiencing in, in, in the greater Jamaica area and throughout the city with a decline in rent throughout the city that we're seeing that, that market rate that, that we're seeing now that, uh, affordability is at, at 80 or 100 percent are exceeding market rates in many of these communities. Is there a mechanism of making that adjustment before we go into this project now? Because as I look at some of the numbers at 80 percent and nearly \$2,300.00 that, that certainly exceeds the market rate of East New York.

SUSHMAN PRAMOD: Uh, our policy generally is that our affordability is adjusted at the time of closing. So, with this project it will be 2022. So, all of the newer income data that we have will be incorporated into the affordability of these units at the time of closing. Uh, the one argument about, uh, market rate units being a lot more affordable now is

that they are is that they are inconsistently affordable and we're not sure how affordable they will be in the future, but all of our HPD buildings are under a 60-year regulatory term. So, you're... They're definitely affordable for the next 60 years at least with an option to renew after that.

COUNCILMEMBER MILLER: Okay, so, so, obviously councilmember's office will, will certainly, uh, be, uh, available and paying attention during the time of closing so that we make sure it is consistent with... uh, like I said, it's something that we've seen... we are seeing all over the city now where, where, uh, affordabil... uh, affordable housing has significantly outpaced a market rate in, in, certain areas of the city and, and, you know, it, it is difficult when people are pinched that they're actually spending 5, \$600.00 or more a month on affordable than they are on market rate housing in some areas.

LIN ZENG: Yeah, uh, and appreciate... Uh, we appreciate that, that feedback for sure and, and just anecdotally, you know, we heard from the, the district manager of 45 that there are... Even though, uh, 80 percent is... You know, that seems high, uh, but

I think their also hearing and getting feedback that there are those in the community where their kids have kids have gotten older and, you know, they've become professionals and, and they want to stay in the community and... you know, and that is, and that is like the range that they're able to sort of stay and, and that applies to some of the, the studios and the one bedrooms as well. Uh, so, certainly, I think... I, I think this project kind of provides a, a nice range. It has a little bit of everything, uh, and we would definitely like to revisit that like once it's ready to close to see, uh, how it matches up with, uh...

COUNCILMEMBER MILLER: So, I, I'm okay with that number; although, Councilmember Barron may feel differently about it.

LIN ZENG: Yeah.

COUNCILMEMBER MILLER: Uh, I have a different perspective of it. I do believe the only for us to attract and retain our greatest minds of our children staying at home is to be able to provide housing for them. I'm just a little concerned about the formula that we're using now and whether or not affordability is, is outpacing market rate because

of, you know, the times that we.. Covid times that we find ourselves in. Thank you so much, uh, Mr. Chair. Uh, Councilmember Barron Obviously, you know, I look forward to working with you, assisting you in anyway we can on, on this project here, uh, as, as usual. Thank Mr. Chair and thank you for your leadership. I had to jump in again. Thank you and Thank you all for, uh, answering the questions as well.

(UNIDENTIFIED): Thank you.

(UNIDENTIFIED): Thank you.

CHAIRPERSON RILEY: Councilmember Miller. Councilmember Barron, did you want to ask that last question or are you good?

COUNCILMEMBER BARRON: Yes, thank you. I don't have any further questions. I did want to thank the acknowledgment that the Community Board had raised, uh, about that upper level of 80 percent and I just want to tell Councilmember Miller we will be in touch because I appreciate that other perspective that you brought to our conversation and we will certainly be in touch. Thank you so much.

NANCOOAR RAJCOOAR: Thank you.

CHAIRPERSON RILEY: Thank you Councilmember Barron. Uh, and just to echo, uh, Raj

and (UNIDENTIFIED), I really think Councilmember Miller was talking about the participation in the community. uh, really engaging, uh, with members in the community because a lot of times we do see developers building new developments in the community and they really have no community in the partnerships or engagement, Uh, that goes beyond construction. So, I think that's what he was kind of eluding to. So, just, uh, keep that in mind, you know, moving forward for future projects.

NANCOOAR RAJCOOAR: Yeah, we will... We will definitely reach out to the Community Board.

CHAIRPERSON RILEY: Thank you, thank you, Raj. I really appreciate that and thank you Councilmember Miller and Councilmember Barron for always advocating and making sure that, uh, developers are paying attention to the community. Uh, Council, are there any more questions from any Councilmembers?

SUBCOMMITTEE COUNCIL JEFFERY COMPAGNA:
There are no other Councilmember questions.

CHAIRPERSON RILEY: Okay. There being no more questions for this panel, this panel is excused. Thank you.

NANCOOAR RAJCOOAR: Thank you.

LIN ZENG: Thank you so much.

CHAIRPERSON RILEY: Council, are there any members of the public who wish to testify on this item?

SUBCOMMITTEE COUNCIL JEFFERY COMPAGNA: At this time all witnesses intending to testify on these items should log in or call into ZOOM. At the present moment we have one public witness, Bwana Payeye Kizito. Please forgive me for the pronunciation. Members of the public will be given two minutes to speak. Please do not begin until the sergeant-at-arms had announced the time has started.

CHAIRPERSON RILEY: Thank you. OKAY, thank you Bwana. I am sorry for pronouncing your name wrong.

BWANA PAYEYE KIZITO: Oh, no problem. Thank you.

CHAIRPERSON RILEY: Uh-huh, uh, please state your name and affiliation before you begin and then you may begin.

BWANA PAYEYE KIZITO: Uh, my name is Bwana Payeye Kizito.

SERGEANT-AT-ARMS: Starting.

BWANA PAYEYE KIZITO: My name is Bwana Payeye Kizito and I am the president of Bwana Foundation.

CHAIRPERSON RILEY: You may begin with your testimony.

BWANA PAYEYE KIZITO: Thank, thank you so much. So, as we know in Brooklyn, Brooklyn is changing. Uh, there is a lot of gentrification going on. I should not have to explain what that is and everything, but developers come in the community without really understanding the history of the community and because Black people and Hispanics are the original members of this community they need to be included in this debate and listened to and respected in this process. It is very important, uh, when developers come into a community, they are changing the community into whatever image they want to make it look like and attract new customers into it and that's great. That's business, but it is very important that Blacks and Hispanics be hired in this process with these contracts and that they benefit from it and be a victim of this process. Since it has been years now that they have been trying to gentrify Brooklyn starting from, you know, and going east it's

now a process that we've seen before where if you ask tenants or older community members, they are not satisfied with what has happened to their community. Therefore, you know, you know, I think that developers need to be really engaged and have specifics on what they plan on doing for Black people and the Hispanics. Even though it is a business decision, it's not charity, it's nothing like that, but it is a commitment that needs to be made. where community members see new developers coming in okay, what can I get from that? Are you going to hire me? Are you going to help my community thrive? It doesn't... These are the questions that we need to answer and that developers need to answer wherever they want to go into New York and, you know, Harlem is one place that has been left along for a long time around Marcus Garvey Park, Western Heights, and the Bronx. You know, these communities will be next and I have been there many times and...

SERGEANT-AT-ARMS: Time expired.

BWANA PAYEYE KIZITO: Okay, thank you so much.

CHAIRPERSON RILEY: Bwana, you can, you can continue. You can finish up.

BWANA PAYEYE KIZITO: Thank you so much.

So, I've been there... Thank you so much. So, I've been there many times and, you know, I've been to Marcus Garvey Park. It has been left alone and I think communities in Harlem, Bronx, Western Heights, South, South Jamaica, Queens, uh, (UNIDENTIFIED), you know, Queensbridge. All of the communities have been left alone and left behind for decades, since the 60s. So, if we want to renovate, how about we help the community that's already there, not trying to change it. Help it. So, if you want to develop a building, great then promise to hire the kids and the people that are already there. It's very important. We cannot just put buildings in there and say we'll, we'll talk about it later or we'll see what happens. No, you get there, you put your bricks, you put your building, you set it up, Great. Now, the people that are around these buildings, what do they get from it? That is the major question. What do they get from it and if they get, uh, a job from it. If they get any type of, uh, prospects. You know, job prospects or anything like that, then great, but it's just to come in there and then leave them along and, and, and, you know, push them back further into other places around

the neighborhood, you know, that's not the way to go. So, there needs to be a real commitment. Not just building businesses. Not just building industrial, industrial complex or anything, but real commitment. So, I just wanted to say that. So, thank you so much for your time. Thank you.

CHAIRPERSON RILEY: Uh, and thank you for your testimony, Bwana. Uh, I think that is on everyone's mind here. Uh, Councilmember Barron, myself, and the rest of the Committee, we really want to, uh, express and, and emphasize to the developers to make sure that community involvement, uh, is something that they are taking care of, uh, when they're coming into a new community. Especially when it comes with our local hiring process. Uh, so, everything that you stated and, and sentiments, uh, we feel the same way. Uh, we encourage you, uh, and thank you so much for coming today, uh, and sharing your testimony and we will continue to fight for you, uh, within the City Council, to make sure that these developers coming into our communities are making sure, uh, that they having, uh, a lot of community involvement and, uh, with that being said, I'm not

sure if our Councilmember Barron, uh, has anything to add to that. Uh, Councilmember Barron.

COUNCILMEMBER BARRON: Thank you. Just want to, uh, thank Mr. Kizito for his comments and say that we are inline with what it is that you're saying, that we need to make sure our community is recognized, appreciated, and respected, and involved. Thank you.

COUNCILMEMBER RILEY: Thank you for your testimony. Council, are there any more members of the public that wish to testify?

SUBCOMMITTEE COUNCIL JEFFERY COMPAGNA: Chair Riley, there are no other members of the public who wish to testify on these items.

COUNCILMEMBER RILEY: There being no other members of the public who wish to testify on these items the public hearing on application C210109HAK (New Penn Development I) and 20215019HAK (New Penn Development II-UDAAP) are now closed and the items are laid over. That concludes today's business. I remind you that if you have, if you have written testimony on today's item you may submit it to landusetestimony@council.nyc.gov. Once again, that is landusetestimoney@council.nyc.gov. Please indicate

the land use number or the project name in the subject heading. I would like to thank the applicants, the members of the public, my colleges, Subcommittee Council, Land Use Staff, and Sergeant-At-Arms for participating in today's hearing. This meeting is hereby adjourned. Thank you.

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date 04/20/2021