

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING AND  
FRANCHISES

----- X

January 5, 2023  
Start: 10:24 a.m.  
Recess: 1:08 p.m.

HELD AT: 250 BROADWAY - COMMITTEE ROOM, 14TH  
FLOOR

B E F O R E: Kevin C. Riley, Chairperson

COUNCIL MEMBERS:

Shaun Abreu  
Erik D. Bottcher  
David M. Carr  
Kamillah Hanks  
Farah N. Louis  
Francisco P. Moya  
Lynn C. Schulman  
Julie Won  
Lincoln Restler

A P P E A R A N C E S

Allison Curreri, Greenberg Traurig, LLC

David West, Hill West Architects

Patrick Taylor, Shorewood Real Estate Group

Vivian Krieger, Cozen O'Connor

Rabbi Mark Kaiserman, Reform Temple of Forest Hills

Andrew Kimler

Seth Diamond

Lior Evan

Steve Strauss

Marcia Parness

Frank St. Jacques, Akerman LLP

Joe Vultaggio, Owner, Ford Lincoln of Queens

John Starks, Owner, John Starks Kia

Michael Naclerio, Owner, Ford Lincoln of Queens

Nicholas Dippolito, Business Agent of United Service Workers Union Local 355 IUJAT

Michael Diguiseppe, Representative of Local 259 United Auto Workers Union

Rosamond Giantos

Laura Shepard

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

Reilly Owens

Mary Catherine Madden

Janet Ryan

Thomas Ryan

Rita Mantin

Steven Bodzin

Caroline Spitzer

Cristina Furlong

Jean Collie

Richard Lobel, Sheldon Lobel PC

Yoel Horowitz, applicant

Lewis Garfinkel, Garfinkel Architects

Justin Donlon, Community Affairs Specialist for  
the Division of Government Affairs at Department  
of Housing Preservation and Development

Hallah Saleh, Deputy Director of Brooklyn  
Planning at Department of Housing Preservation  
and Development

Lee Ilan, Chief of Planning at the Mayor's Office  
of Environmental Remediation

2 SERGEANT LEWIS: Good morning. Today's  
3 hearing is on Zoning and Franchise. Today's date is  
4 January 5, 2023. The location is the 14th Floor  
5 Committee Room. Recorded by Walter Lewis.

6 SERGEANT-AT-ARMS: Good morning and  
7 welcome to the Subcommittee on Zoning and Franchise.

8 At this time, we ask that you place  
9 phones on vibrate or silent mode. Thank you for your  
10 cooperation.

11 Chair, we are ready to begin.

12 CHAIRPERSON RILEY: [GAVEL] Happy New  
13 Year, everyone. Thank you, Sergeant. Good morning and  
14 welcome to a meeting of the Subcommittee of Zoning  
15 and Franchises. I am Council Member Kevin Riley,  
16 Chair of the Subcommittee. Happy New Year, everyone.  
17 This is the first meeting this year. Glad everyone is  
18 here.

19 Before I begin, I would like to wish my  
20 fraternity, Kappa Alpha Psi fraternity, a happy 112-  
21 year anniversary today so I just wanted to wish my  
22 fraternity that.

23 Now to begin, this morning I am joined by  
24 Council Member Lynn Schulman, Council Member Carr,

2 Council Member Hanks, Council Member Abreu, and Chair  
3 Louis.

4 Today, we will hold public hearings for  
5 three rezoning proposals in Queens, one rezoning  
6 proposal in Brooklyn, and four in the Empire State  
7 Development Cooperation Grant to be awarded also in  
8 Brooklyn.

9 Before we begin, I recognize the  
10 Subcommittee Counsel to review the hearing  
11 procedures.

12 COMMITTEE COUNSEL MARTINEZ-RUBIO: Thank  
13 you, Chair Riley, and Happy New Year. I am Angelina  
14 Martinez-Rubio, Counsel to the Subcommittee. This  
15 meeting is being held in hybrid format.

16 Members of the public who wish to testify  
17 may testify in person or via Zoom. Members of the  
18 public wishing to testify remotely may register by  
19 visiting the New York City Council website at  
20 [www.council.nyc.gov/landuse](http://www.council.nyc.gov/landuse) to sign up or for those  
21 of you here in this room, 14th Floor, please see one  
22 of the Sergeants-at-Arms to prepare and submit a  
23 speaker card. Members of the public may also view a  
24 livestream broadcast of this meeting at the Council's  
25 website.

2           When you are called to testify before the  
3 Subcommittee if you're joining us remotely, you will  
4 remain muted until recognized by the Chair or I to  
5 speak. When the Chair or I recognizes you, your  
6 microphone will be unmuted so please make sure that  
7 your device is on and confirm that your mic is on  
8 before you begin speaking.

9           We will limit today public testimony to  
10 two minutes per witness, but if you have additional  
11 testimony you would like the Subcommittee to consider  
12 or if you would like to submit testimony instead of  
13 appearing here before the Subcommittee today, you may  
14 email it to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Please  
15 indicate the LU number and/or project name in the  
16 subject line of your email.

17           We request that witnesses joining us  
18 remotely to remain in the meeting until excused by  
19 the Chair or I as Council Members may have questions.

20           Finally, there will be pauses over the  
21 course of this hybrid reasons for various technical  
22 reasons, and we ask that you please be patient as we  
23 work through any issues.

24           Chair Riley will now continue with  
25 today's agenda items.

2 CHAIRPERSON RILEY: Thank you, Counsel. I  
3 will now open the public hearing on LUs 155 relating  
4 to the 97-27 57th Avenue Commercial Overlay proposal  
5 in Council Member Moya's District in Queens. This  
6 application seeks a zoning map amendment to map a C2-  
7 4 Overlay within an existing R6A/C1-2 and R6B zoning  
8 district.

9 For anyone wishing to testify on this  
10 item remotely, if you have not already done so, you  
11 must register online, and you may do that now by  
12 visiting the Council's website at  
13 council.nyc.gov/landuse. Once again, for anyone with  
14 us in person, please see one of the Sergeants-at-Arms  
15 to prepare a speaker's card.

16 Counsel, can we please call the first  
17 panel for this item?

18 COMMITTEE COUNSEL MARTINEZ-RUBIO: Can we  
19 just have the panel for 57th Avenue come up to the  
20 front. The panel will be Allison Curreri, Patrick  
21 Taylor, and David West.

22 CHAIRPERSON RILEY: Counsel, please  
23 administer the affirmation.

24 COMMITTEE COUNSEL MARTINEZ-RUBIO:  
25 Panelists, can you please raise your right hand?

2 Do you affirm to tell the truth, the  
3 whole truth, and nothing but the truth in your  
4 testimony before the Subcommittee and in your answers  
5 to all Council Member questions?

6 ALLISON CURRERI: I do.

7 DAVID WEST: I do.

8 PATRICK TAYLOR: I do.

9 CHAIRPERSON RILEY: Thank you. For the  
10 viewing public, if you need an accessible version of  
11 this presentation, please send an email request to  
12 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Now, the applicant  
13 panel team may begin.

14 Panelists, as you begin, I'll just ask  
15 that you please restate your name and organization  
16 for the record. You may begin.

17 ALLISON CURRERI: Good morning, Chair  
18 Riley, Council Members. My name is Allison Curreri of  
19 Greenberg Traurig, LLP, land use counsel for the  
20 applicant. We have with us here today Patrick Taylor  
21 from Shorewood Real Estate Group representing the  
22 applicant and David West from Hill West Architects.  
23 I'll give the initial presentation and then our  
24 entire team will be available to take questions.



2 This is an application to facilitate the  
3 expansion and modernization of the existing Food  
4 Bazaar Supermarket at 9727 57th Avenue, Queens Block  
5 1906, Lot 1 by mapping a C2 Commercial Overlay over  
6 the entire property while leaving the existing  
7 underlying residential zoning districts in place.  
8 Next slide, please.

9 Here you can see the site's location in  
10 context. It occupies the 57th Avenue blockfront  
11 between 97th Place and 98th Street just north of  
12 LeFrak City and near a number of shopping centers.  
13 Next slide, please.

14 The property is owned by Bogopa, the  
15 operator of the Food Bazaar chain of supermarkets  
16 across the tri-state area. The supermarket has been  
17 in the neighborhood for nearly 60 years, and the  
18 owner would like to rebuild it with a larger, more  
19 modern supermarket so that it can continue to serve  
20 the neighborhood going forward. Bogopa has brought in  
21 Shorewood Real Estate Group as a partner in the  
22 proposed redevelopment in the site. The supermarket  
23 was built in 1962 pursuant to a BSA Variance that had  
24 a 25-year term. The Variance was needed because the  
25 site was in an R6 district in which no commercial

uses are permitted. Because of the term limit for the Variance, it has had to be extended numerous times and is currently set to expire in less than five years. Next slide.

Since the Variance was granted, a Commercial Overlay was mapped on the portion of the site within 100 feet of 57th Avenue. This is only about 20,000 square feet of the site's approximately 34,000 square feet of lot area so the Variance is still necessary for the approximately 80-foot-deep portion of the supermarket that is located in the residential district beyond the Overlay. This application proposes to establish a new C2-4 Commercial Overlay over the entire property within 185 feet of the northside of 57th Avenue on the west half of the block and within 160 feet of 57th Avenue on the east half of the block. The existing R6A and R6B zoning districts underlying the Commercial Overlay would not change. The extension of the Commercial Overlay would enable a new larger supermarket to be built without obtaining an amendment to the BSA Variance. The proposed Commercial Overlay would not impact the maximum permitted floor area on the site of approximately

1 88,400 square feet. Since the property is now built  
2 to well below such maximum floor area, the owner  
3 determined that a new development with an expanded  
4 supermarket should also utilize the property's  
5 permitted floor area by providing residential units  
6 above the new supermarket. The residential component  
7 and proposed building envelope is entirely as-of-  
8 right under today's zoning, and the proposed zoning  
9 change to establish the new Commercial Overlay would  
10 just allow the owner to have a larger store. Next  
11 slide.

12  
13           The existing store was built almost 60  
14 years ago and has old and inefficient fixtures and  
15 mechanical systems. The store has undergone very  
16 minimal updates since it was built and, given the  
17 uncertainty of the limited term of the Variance, is a  
18 challenge for ownership to invest in upgrades. Next  
19 slide.

20           The store's existing floorplate is about  
21 22,000 square feet, about a quarter of which is back-  
22 of-house and storage space, all on the ground floor.  
23 The supermarket has an open parking area along the  
24 98th Street side of the site with 21 parking spaces  
25 and an open loading area. The trash is also located

1 within the unenclosed loading dock area. Currently,  
2 customer vehicles enter the surface parking lot on  
3 57th Avenue, immediately adjacent to an existing bus  
4 stop and exit on 98th Street using the same curb cut  
5 that delivery trucks utilize to access the loading  
6 dock, and we heard from discussions with the  
7 Community Board that there are existing safety  
8 issues, and we agree with the location of the  
9 supermarket entrance on 57th Avenue immediately  
10 adjacent to that bus stop. Next slide, please.

12           In our proposed ground floor layout, the  
13 main supermarket customer entrances would be located  
14 on 57th Avenue with the residential entrance located  
15 around the corner on 98th Street. Loading and trash  
16 would be enclosed and would be located on 98th  
17 Street. We think the enclosed condition of the  
18 loading and trash would greatly improve odor and  
19 vermin conditions. The entrance and exit to the  
20 supermarket parking, which would be located in the  
21 cellar, would be moved to 97th Place. We think moving  
22 the parking entrance off of 57th Avenue and away from  
23 the bus stop will be safer for pedestrians and will  
24 ease congestion at the busy corner of 57th Avenue and  
25 98th Street and that separating the supermarket

1 parking from both the loading and the trash area will  
2 improve the customer experience and prevent delivery  
3 truck interference with customers' vehicle  
4 circulation. Lastly, a residential parking garage  
5 would also be provided, and it would be on the second  
6 floor of the building with its entrance and exit on  
7 98th Street in the current location of the  
8 supermarket parking entrance. Because of the reduced  
9 traffic patterns of residential vehicles as compared  
10 to supermarket vehicle trips, we think this would  
11 reduce trips on the 98th Street side of the site.  
12 Next slide.

14           Based on feedback that we received from  
15 the Community Board, we made changes to the plans to  
16 increase the number of supermarket accessory parking  
17 spaces as compared to our filed application. While  
18 our filed application showed 25 supermarket parking  
19 spaces, we now propose to excavate the entire cellar  
20 level and increase the number of supermarket parking  
21 spaces to 46. The supermarket garage would be self-  
22 park and free to supermarket customers. Next slide.

23           The store has undergone very minimal  
24 updates since it was built, and the proposed action  
25 would allow Food Bazaar to have an expanded and

1 modernized store. The illustrative images on the  
2 screen are from a recently constructed Food Bazaar at  
3 Bronx Terminal Market. In keeping with these newer  
4 Food Bazaar stores, the market would have an expanded  
5 product selection, particularly for fresh produce,  
6 meat, and seafood, much more energy-efficient  
7 fixtures, and improved waste management systems. Next  
8 slide.

10           As shown on this chart comparing the  
11 current store to the proposed store, the new store  
12 would have a larger floorplate on the ground floor,  
13 allowing for an increase in the size of the sales  
14 floor by about 5,000 square feet, which is about a 30  
15 percent increase over the current sales floor, and  
16 would also add about 8,000 square feet of new back-  
17 of-house space in the cellar, nearly doubling the  
18 total amount of existing storage area. As I noted,  
19 the applicant proposed to provide 46 parking spaces  
20 and so while the size of the selling space in the  
21 supermarket is increasing by approximately 30  
22 percent, the number of supermarket parking spaces  
23 will be more than doubled which we think will greatly  
24 improve the customer's ability to find parking for  
25 this store. Next slide.

1           The development would utilize the site's  
2 maximum permitted floor area of about 88,400 square  
3 feet, about 26,400 of which would be the commercial  
4 floor area, not including the cellar, and the rest of  
5 which would be residential above with 78 dwelling  
6 units. In addition to the supermarket parking and the  
7 cellar with having 46 spaces, the building would also  
8 have 45 residential accessory parking spaces on the  
9 second floor of the building, which is equal to  
10 almost 60 percent of the units, exceeding the minimum  
11 required by zoning. Next slide.

12           To provide additional context for this  
13 application, the architect has prepared an  
14 illustrative massing for the as-of-right building  
15 that would be developed. These images show the  
16 proposed massing for the building in context with  
17 LeFrak City to the south and the lower density  
18 residential buildings to the north. The proposed  
19 massing would comply with all floor area and bulk  
20 requirements within the existing R6A and R6B zoning  
21 districts, which again wouldn't be changed by the  
22 proposed rezoning, including the maximum height  
23 limitation of 75 feet for the six-story portion in  
24

2 the R6A district and a maximum of 55 feet in the R6B  
3 district. Next slide.

4 As you can see from this angle, in  
5 keeping with the existing zoning that has a higher  
6 density along 57th Avenue and a lower density in the  
7 rear, the building would step down going from 57th  
8 Avenue towards the lower scale buildings to its  
9 north. Next slide.

10 In our discussions with Council Member  
11 Moya, he has stressed the need for community space in  
12 this area. The applicant controls the site  
13 immediately adjacent to the supermarket on 97th Place  
14 shown here in red and has committed to constructing a  
15 new two-story community center thereon. Next slide.

16 We've prepared some illustrative images  
17 of the community center here, and the next slide  
18 shows another potential illustrative image. Next  
19 slide. Thanks. This would be an ADA-compliant two-  
20 story building containing about 2,700 gross square  
21 feet with a private backyard as shown on the plans.  
22 Next slide will show the layout of the building and  
23 the rear yard. The space would be rented at a reduced  
24 rate. While a tenant has not yet been determined for  
25 this space, Council Member Moya has raised the



2 possibility that this may be a good location for the  
3 relocated Queens Public Library LeFrak City Branch to  
4 reopen, and we are looking forward to further  
5 discussions to determine if this space would  
6 accommodate their program needs.

7 Thank you for your attention, and we are  
8 happy to take any questions.

9 CHAIRPERSON RILEY: Thank you, Allison. I  
10 just have a few questions for the applicant team  
11 regarding this application before I toss it over to  
12 Council Member Moya.

13 How long would the existing supermarket  
14 likely be closed during construction of the proposed  
15 project and how far is the next supermarket from this  
16 location?

17 PATRICK TAYLOR: Thank you. My name is  
18 Patrick Taylor. I'm with Shorewood Real Estate Group,  
19 the applicant. The downtime for the construction  
20 period for the supermarket will be about 24 to 30  
21 months. That would happen after the predevelopment  
22 and design period is completed so we wouldn't  
23 anticipate any store closure for at least two years  
24 from now. The nearest Food Bazaar store is about five  
25 blocks away on Junction Boulevard in LeFrak City.

2 There's another Food Bazaar there. It's about a  
3 quarter of a mile away. Food Bazaar also has another  
4 location about a mile north on Junction Boulevard and  
5 37th Avenue.

6 CHAIRPERSON RILEY: Thank you. Will  
7 current supermarket employees have the opportunity to  
8 return to the new supermarket after construction of  
9 the proposed project is complete?

10 PATRICK TAYLOR: Sure. All Food Bazaar  
11 employees are governed by a wall-to-wall union across  
12 all the Food Bazaar locations so ahead of closure,  
13 Food Bazaar has to give proper notice to all the  
14 employees as well as give them the opportunity to  
15 work at any of their locations that work for them  
16 nearby so, upon closure, staff will be relocated to  
17 the 30 other Food Bazaar stores in the city and, upon  
18 reopening, the previous employees will have the first  
19 opportunity to work at the new store.

20 CHAIRPERSON RILEY: Thank you. Lastly, can  
21 you describe any environmental sustainability  
22 features of the proposed development?

23 DAVID WEST: I'll take that. I'm David  
24 West from Hill West Architects. It's a little early  
25 for us to commit to very specific commitments, but

1 we've been studying the site both from a  
2 sustainability perspective and a resiliency  
3 perspective. As far as sustainability is concerned,  
4 the building is likely to be all electric or nearly  
5 all electric. It would have a highly efficient  
6 building envelope. We're certainly considering green  
7 roofs and solar arrays on a site like this, and we  
8 would be putting in at least a minimum 20 percent of  
9 the parking spaces to have charging station  
10 capability. As far as resiliency is concerned, we  
11 understand there have been some flash precipitation  
12 events in the neighborhood. We don't believe they've  
13 affected this site specifically so we do need to  
14 study that a little bit further, but there are a  
15 number of common-sense measures that we will employ.  
16 Among them, the green roof, an oversized detention  
17 tank, elevating the RPZ valve to the ground floor  
18 rather than putting it in the cellar, and we've  
19 arranged the parking ramps so that the ramp that  
20 leads up to the second floor is at the low point of  
21 the site so there's a natural protection there, and  
22 the ramp that leads down into the cellar would be at  
23 the high point of the site and could even be crowned  
24 a little bit close to the street to keep water from  
25

2 getting in the cellar. We would also study our door  
3 locations and make sure they're all at the highest  
4 points they can be for the spaces they're located in,  
5 and to the maximum extent possible locate our  
6 residential mechanical systems above grade. I do want  
7 to emphasize this is not a flood zone or any sort of  
8 specific flood hazard area. These are just common-  
9 sense measures that we're employing pretty much for  
10 any site these days. As we get a little further into  
11 design these days, the buildings we're designing tend  
12 to be very sustainable, both because of things that  
13 you have done to create incentives and Local Laws  
14 that we appreciate and are incorporating into our  
15 buildings and also because that's become a marketable  
16 aspect of this type of architecture.

17 CHAIRPERSON RILEY: Thank you so much. I'd  
18 just like to state for the record we've been joined  
19 by Council Member Moya online and Council Member  
20 Restler. I would now like to turn it over to Council  
21 Member Moya to ask his questions. Council Member  
22 Moya.

23 COUNCIL MEMBER MOYA: Thank you, Chair. I  
24 apologize but my video can't come on right now, but I  
25 just have very brief questions here. One is is the

2 applicant willing to provide any affordable housing  
3 units in the proposed development with the  
4 understanding that there is no MIH text amendment in  
5 this proposal and there is currently no 421A  
6 equivalent program in place? Is this a discussion  
7 that you're willing to have?

8 PATRICK TAYLOR: Hi. Good morning,  
9 Councilman. Yes, as you know when this project  
10 started, 421A, affordable housing program, was in  
11 place and the intention was to proceed with  
12 affordability in this development pursuant to that  
13 program. As most of us know, that program has lapsed  
14 and not been reinstated. At this time, there is no  
15 appetite to proceed with a redevelopment here that  
16 includes multi-family component without some level of  
17 affordability and some level of tax abatement. It's  
18 really not a feasible development as purely market-  
19 rate so yes, absolutely, that's something that we  
20 intend to include in the redevelopment here. When  
21 that will be is another question.

22 COUNCIL MEMBER MOYA: Thank you. Can you  
23 go back to the number again of how much of the floor  
24 area could be for the community facility under the  
25 proposed zoning?

2 ALLISON CURRERI: As designed, based on  
3 the size of the adjacent site and the required rear  
4 yard, a two-story building we think would have about  
5 2,700 gross square feet.

6 COUNCIL MEMBER MOYA: Got it. Okay. I know  
7 that we have talked in regards, and you mentioned  
8 this in your presentation, about Queens Public  
9 Library. We just want to make sure that we can  
10 advance those conversations sooner rather than later.

11 ALLISON CURRERI: Absolutely. I don't  
12 think there's any problem with that.

13 COUNCIL MEMBER MOYA: Great. Thank you.  
14 Thank you so much and thank you, Chair, for the  
15 opportunity to ask questions. Thank you.

16 CHAIRPERSON RILEY: Thank you, Council  
17 Member Moya. We've also been joined by my Colleague,  
18 Council Member Erik Bottcher.

19 I will now invite my Colleagues to ask  
20 any questions. Do we have any Council Members with  
21 questions?

22 There being no further questions, the  
23 applicant panel is excused.

24

25

2 Counsel, are there any members of the  
3 public who wish to testify on the 97-27 57th Avenue  
4 proposal remotely or in-person?

5 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair,  
6 we don't have any witnesses signed up online, but if  
7 there's anyone here in person that wants to testify  
8 on this item please come forward and fill out a  
9 speaker card with one of the Sergeants.

10 Looks like we have no one so we can go  
11 ahead and close the hearing.

12 CHAIRPERSON RILEY: There being no members  
13 of the public who wish to testify on LU 155 relating  
14 to the 97-27 57th Avenue Proposal, the public hearing  
15 is now closed, and the item is laid over.

16 I will now open the public hearing on LUs  
17 160 and 161 relating to the Reform Temple of Forest  
18 Hills Rezoning Proposal in Council Member Schulman's  
19 District in Queens. This application seeks a zoning  
20 map amendment to rezone an existing R1-2A zoning  
21 district to an R7D zoning district and the related  
22 zoning text amendment to map an MIH program area.

23 For anyone wishing to testify on this  
24 item remotely, if you have not already done so, you  
25 must register online and you may do that now by

2 visiting the Council's website at  
3 council.nyc.gov/landuse.

4           Once again, for anyone with us in-person,  
5 please see one of the Sergeants-at-Arms to prepare  
6 and submit a speaker's card.

7           I would now like to toss over to Council  
8 Member Schulman to give remarks before the applicant  
9 panel comes up. Council Member Schulman.

10           COUNCIL MEMBER SCHULMAN: Thank you very  
11 much. I am proud to continue to support the  
12 development of affordable housing in my district, and  
13 I am especially pleased to see the development of new  
14 affordable homes and ensure the continuing presence  
15 and growth of such an important institution to the  
16 community as the Reform Temple of Forest Hills.  
17 Established in 1994, the Reform Temple of Forest  
18 Hills was formed through the coming together of four  
19 congregations. Since its founding, it has played an  
20 increasingly important role in the community and has  
21 been asset to Forest Hills Queens for nearly three  
22 decades. The proposed development will ensure that it  
23 will continue its important work in a more accessible  
24 and sustainable facility for years to come while  
25 providing much needed affordable housing.



2 I want to thank Chair Riley, Committee  
3 staff, and the applicant team for their work and look  
4 forward to today's presentation. Thank you.

5 CHAIRPERSON RILEY: Thank you, Council  
6 Member Schulman. Counsel, please call the first panel  
7 for this item.

8 COMMITTEE COUNSEL MARTINEZ-RUBIO: The  
9 first panel for this item, if we could just have the  
10 two speakers come up, will be Vivian Krieger, sorry  
11 if I'm mispronouncing your name, Vivian, and Rabbi  
12 Mark Kaiserman for the Reform Temple of Forest Hills.

13 CHAIRPERSON RILEY: Counsel, please  
14 administer the affirmation.

15 COMMITTEE COUNSEL MARTINEZ-RUBIO:  
16 Applicants, can you please raise your right hand?

17 Do you affirm to tell the truth, the  
18 whole truth, and nothing but the truth in your  
19 testimony before this Subcommittee and in your  
20 answers to all Council Member questions?

21 VIVIAN KRIEGER: I do.

22 RABBI MARK KAISERMAN: I do.

23 CHAIRPERSON RILEY: Thank you. For the  
24 viewing public, if you need an accessible version of

2 this presentation, please send an email request to  
3 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

4 Now the applicant team may begin.

5 Panelists, as you begin, I'll just ask that you  
6 please restate your name and organization for the  
7 record. You may begin.

8 VIVIAN KRIEGER: Good morning, Council  
9 Members. Vivian Krieger of Cozen O'Connor for the  
10 applicant. Thank you to Chair Riley and thank you  
11 very much to Council Member Schulman for that  
12 wonderful introduction. If we could get the  
13 presentation up. Well, you guys have the print-out so  
14 I'll just go ahead.

15 The application before you is for the  
16 proposed rezoning of the Reform Temple of Forest  
17 Hills located at 7111 112th Street in Queens  
18 Community District 6. Both the Community Board and  
19 Borough President recommended approving this project,  
20 and the City Planning Commission voted unanimously in  
21 favor the project. I will walk you through a short  
22 presentation and then turn it over to Rabbi Mark  
23 Kaiserman. The project architect is also here and  
24 available to answer questions. Next slide, please.

2           The applications seeks to rezone the site  
3 to an R7D zoning district along with the  
4 corresponding text amendment to map the area for MIH.  
5 This would allow the proposed building which would  
6 rise nine stories before setting back for the 10th  
7 floor and would step down along 71st Road and would  
8 enable the Temple to move into a new ADA-compliant  
9 space at the same location while providing  
10 residential units above. Next slide.

11           This is a different view where we can see  
12 the green roofs at all levels as well as neighborhood  
13 context. Next.

14           At an open house we held at the Temple  
15 for the congregants and the neighbors and at the  
16 Community Board, we received feedback about the  
17 importance of enlivening the ground floor experience  
18 to keep in context with the green spaces in the  
19 neighborhood. This rendering shows you not only the  
20 building with the Temple entrance on 71st but some of  
21 our preliminary ideas on how to green the ground  
22 floor. As you can see here, we're beginning to play  
23 around with the idea of including some setbacks and  
24 articulations at the ground floor, which, go to the  
25 next slide, we can see on the lower lefthand corner.

1 The Temple's new 16,600-square-foot facility will be  
2 a fully accessible ground floor condominium owned by  
3 the Reform Temple with its own entrance on 71st Road  
4 and would include outdoor space at the ground floor  
5 level as well as on the second floor. The ground  
6 floor will also have the residential entrance and  
7 parking entrance along 112th Street. The project  
8 would require 60 parking spaces. Initially, we  
9 contemplated including additional parking spaces but  
10 in response to Council Member Schulman and others, we  
11 would only provide the required number of parking  
12 spaces and use any additional space for additional  
13 bicycle parking. EV chargers will also be provided.  
14 Next slide, please.

16           There will be nine floors of residential  
17 space, approximately 153 units. The project would  
18 utilize MIH Option 1 and would require 38 units to be  
19 permanently affordable. In response to Council Member  
20 Schulman and others, we are happy to say that we  
21 would be able to provide an additional five units of  
22 affordable housing at 60 percent AMI. The applicant  
23 is committed to a goal of hiring M/WBE and local  
24 firms. Not only is the Reform Temple of Forest Hills,  
25 but the developer, Werber, is a family-owned Queens

2 developer and property manager. Ben Werber is the  
3 next generation of leadership and take M/WBE and  
4 local hiring very seriously. Although we're very  
5 early in the stage of this project, Werber has worked  
6 with a number of M/WBE and local firms on recent  
7 projects in Queens including 7117 Roosevelt Avenue.  
8 Next slide, please.

9           The apartment building will have amenity  
10 space for all of the residents including outdoor  
11 spaces on the roof. This is an example from that  
12 project on Roosevelt Avenue. Next slide.

13           The applicant was asked to provide  
14 greater consideration for site drainage by going  
15 beyond the DOB and DEP minimum requirements. The  
16 applicant will be providing additional measures. They  
17 will be installing roof drains that will control the  
18 flow of stormwater so as to not overflow the city's  
19 storm sewer system. In conjunction with the roof  
20 drains, they will be installing either rooftop  
21 retention or detention tanks to capture the  
22 stormwater. The green roof will be designed to retain  
23 stormwater through permeable materials and native  
24 plantings consisting of flood- and drought-tolerant  
25 species. They will be providing enlarged tree pits

2 along the property frontages and will be maximizing  
3 planted areas on the site, which is all beneficial  
4 for stormwater uptake, and they are looking at  
5 permeable pavers for any open areas at grade on the  
6 site that cannot accommodate planting. Within the  
7 building itself, they will be installing low-flow  
8 toilets.

9 I'll turn it over to Rabbi Mark  
10 Kaiserman.

11 RABBI MARK KAISERMAN: Good morning, Chair  
12 Riley and Council Members. My name is Mark Kaiserman.  
13 I am the Rabbi at the Reform Temple of Forest Hills.  
14 Thank you for the opportunity to speak today.

15 The Reform Temple of Forest Hills has  
16 been part of the Forest Hills community for 28 years.  
17 I have been privileged to be the Rabbi there for 10  
18 years following the founding Rabbi Mayer Perelmuter.  
19 In these decades, we have strived to be an active  
20 part of the neighborhood supporting our nearly 300-  
21 member families and the community around us. Our  
22 current building was constructed in 1964 and was not  
23 built to last beyond six decades. At almost 60 years  
24 old, the building requires constant costly repair. In  
25 addition, the structure lacks modern technology that

1 will allow us to teach our kids and lead our  
2 religious services more effectively. The building has  
3 staircases throughout, making it difficult for our  
4 many senior citizen members and others with mobility  
5 issues to access synagogue life. In short, our  
6 current building can no longer serve our  
7 congregation's needs nor does it allow us to fulfill  
8 our potential to be of service to the broader  
9 community.

11 We explored different options to keep the  
12 synagogue thriving towards the future, but even the  
13 best renovation would leave us with a building that  
14 is not friendly to those with disabilities. We  
15 investigated moving to another site, but finding an  
16 alternate location in Forest Hills has proven  
17 unlikely, and most of our congregation is local. We  
18 are the Reform Temple of Forest Hills. Working with  
19 an excellent developer partner, Benjamin Werber, we  
20 want to transform this lot into the new home for the  
21 Temple with an apartment building above. RTFH will  
22 own the first floor of the building in a new  
23 contemporary site. It will be ADA friendly and will  
24 have a flexible design to enable us to explore  
25 offering more programs to the community.

2           At our congregation's core is Tikkun  
3 Olam, helping to repair the world. RTFH has strived  
4 to be an active part of helping make our  
5 neighborhood, Queens, and beyond a better place. We  
6 have worked closely with Forest Hills churches and  
7 synagogues to create programs and events in the  
8 community including the Annual Interfaith  
9 Thanksgiving Service and the Interfaith Food Drive.  
10 We have hosted the Thanksgiving Service many times.  
11 We are humbled and honored to support our Queens  
12 community in holding the funerals for Queens District  
13 Attorney, the Honorable Richard A. Brown, and for a  
14 Deputy Chief Police Officer, both a blessed memory in  
15 recent years. We hold PFLAG meetings, community  
16 concerts, along with a variety of neighborhood  
17 events, meetings, and programs.

18           I want to especially thank Council Member  
19 Lynn Schulman for her constant and continual support  
20 of this project and our congregation's families. Our  
21 Temple's families are neighbors and friends. The plan  
22 is one we developed for the financial future of our  
23 congregation, allowing us to work in partnership with  
24 a local developer to sustain the congregation and to  
25 continue to be an essential part of Forest Hills, and



2 we think it will be a beautiful new spiritual space  
3 for our members and for Queens. Thank you for your  
4 consideration.

5 CHAIRPERSON RILEY: Thank you. Thank you,  
6 Vivian, thank you, Rabbi, for coming in today. Just a  
7 few questions before I toss it to Council Member  
8 Schulman.

9 Do you plan to target the Borough  
10 President's recommended goal of 30 percent M/WBE for  
11 local hiring and contracting.

12 VIVIAN KRIEGER: Absolutely. Local hiring  
13 and M/WBE hiring is incredibly important to this  
14 developer. They work in close consultation with a  
15 number of organizations, a number of Queens  
16 organizations, and they will continue to do so on  
17 this project. There's no probably meeting that.

18 CHAIRPERSON RILEY: Thank you. You went  
19 through a very descriptive environmental  
20 sustainability features that you will be adding to  
21 the project so I won't go into that. I am interested  
22 in knowing, Rabbi, during the construction of this  
23 project, where will you be able to go with your  
24 congregation and be able to fellowship?

2 RABBI MARK KAISERMAN: We're currently  
3 exploring options. Obviously, we have lots of needs  
4 with services and religious school and other things.  
5 We're looking at a number of places in the immediate  
6 neighborhood of buildings that are open, of  
7 synagogues that don't fully use their site  
8 (INAUDIBLE) and we hope to find a place as this moves  
9 along in the neighborhood where our families can  
10 attend services and life cycle events ongoing.

11 CHAIRPERSON RILEY: Thank you, Rabbi, and  
12 thank you, Vivian. Council Member Schulman.

13 COUNCIL MEMBER SCHULMAN: First, I want to  
14 say, Rabbi, we will also help you with that search so  
15 we can talk offline about that.

16 RABBI MARK KAISERMAN: Thank you.

17 COUNCIL MEMBER SCHULMAN: Yes. What I want  
18 to ask you, I have just a couple of questions because  
19 you answered most of them in the presentation, but  
20 one is for the additional apartments, what's the unit  
21 mix going to be?

22 VIVIAN KRIEGER: It's going to be two  
23 studios, two one-bedrooms, and one two-bedroom.

24

25

2 COUNCIL MEMBER SCHULMAN: Okay. Did you  
3 mention bike parking or did I miss that? Is there  
4 going to be bike parking provided?

5 VIVIAN KRIEGER: Yes, absolutely, and  
6 we'll go above what's required in the zoning.

7 COUNCIL MEMBER SCHULMAN: Okay. Chair,  
8 that's all the questions that I have.

9 CHAIRPERSON RILEY: Thank you, Council  
10 Member Schulman. Do we have any Council Members with  
11 questions for this applicant panel?

12 There being no questions for this  
13 applicant panel, you are now excused. Counsel, are  
14 there any members of the public who wish to testify  
15 on the Reform Temple of Forest Hills Proposal in-  
16 person or remotely?

17 COMMITTEE COUNSEL MARTINEZ-RUBIO: If we  
18 have anyone in person, can you please come to the  
19 front or see one of the Sergeants to fill out a  
20 speaker card?

21 We have about five members of the public  
22 online so give me just one second to make a quick  
23 announcement.

24 You will have two minutes to speak, and  
25 we'll call you as a panel of five. The first panel

2 will be, and we're going to call you in this order,  
3 hopefully you're all online, Andrew Kimler, Seth  
4 Diamond, Lior Evan, Steve Strauss, and Marsha  
5 Parness, sorry if I'm mispronouncing your name, so  
6 the first speaker will be Andrew Kimler.

7 SERGEANT-AT-ARMS: Starting time.

8 ANDREW KIMLER: Good morning.

9 CHAIRPERSON RILEY: Good morning, Andrew.

10 Go ahead.

11 ANDREW KIMLER: Thank you. My name is  
12 Andrew Kimler, and I want to thank you for giving me  
13 an opportunity to speak today. I am speaking in  
14 support of the application submitted by the Reform  
15 Temple of Forest Hills and Werber Management.

16 After my family relocated to Forest Hills  
17 from upstate New York in 2013, we did not know a soul  
18 in the community until we found the Reform Temple.  
19 The Temple quickly became our spiritual home and a  
20 connection to the community. It also created ways for  
21 us to serve our community through various Temple  
22 committees. Our Temple has also joined hands with  
23 other houses of worship to serve our community and to  
24 find ways to eliminate the barriers that sometimes  
25 divide us. The creation of a new home for our Temple

2 will allow us to exist and preserve our Reform  
3 spiritual and community home. It will also become ADA  
4 accessible, thus enabling us to better serve seniors  
5 and the disabled while also creating needed housing,  
6 especially affordable housing.

7 Thank you, again, for permitting me to  
8 testify this morning.

9 CHAIRPERSON RILEY: Thank you. The next  
10 applicant will be Seth Diamond.

11 SERGEANT-AT-ARMS: Starting time.

12 SETH DIAMOND: Good morning, Chair Riley  
13 and Members of the Committee. Thank you for the  
14 opportunity to present testimony to you today. My  
15 name is Seth Diamond, and I'm a long-term resident of  
16 Forest Hills and the President of the Reform Temple  
17 of Forest Hills. I'm here today to strongly urge your  
18 support for the zoning proposal before you.

19 The Reform Temple of Forest Hills is a  
20 vital community institution, and this zoning proposal  
21 is essential to our long-term financial viability. As  
22 the only Reform Temple in Queens, the Reform Temple  
23 provides critical spiritual support for hundreds of  
24 Queens residents. Without it, many families would be  
25 forced to look beyond the city boundaries and move to

2 a new community to find a synagogue that was the  
3 right fit. The Reform Temple is much more than a  
4 religious institution. We provide important public  
5 policy, educational, and community building programs  
6 in a wide range of areas. We host programs for the  
7 LGBTQ community. We have a vibrant senior-focused  
8 calendar featuring music programs and informative  
9 talks. We have hosted advocacy programs for the  
10 disability community. All our programs are free or at  
11 low cost and are open to all. We're also proud to  
12 have hosted Council Member Schulman for community  
13 events and thank her for all her strong support of  
14 our congregation.

15           With the redeveloped building that will  
16 result from this zoning proposal, we will be able to  
17 do even more for the community. Our space will have  
18 greater accessibility allowing there to be more  
19 people to reach us. We will also be more flexible and  
20 can accommodate more uses.

21           Our congregation also strongly supports  
22 the housing that will result from this proposal. As a  
23 congregation, we are deeply invested in the long-term  
24 health of our city, and that requires more housing,  
25 including more affordable housing. We look forward to

2 the additional units this proposal would allow, and  
3 we look forward to also welcoming our new neighbors  
4 to the community.

5 Thank you for your time and your  
6 consideration of this important proposal.

7 CHAIRPERSON RILEY: Thank you. The next  
8 person on this panel will be Lior Evan. Lior, you may  
9 begin.

10 SERGEANT-AT-ARMS: Starting time.

11 CHAIRPERSON RILEY: Lior, are you there?

12 LIOR EVAN: Sorry. I was muted. Sorry  
13 about that.

14 CHAIRPERSON RILEY: It's all right. Go  
15 ahead.

16 LIOR EVAN: Good morning. First, thank you  
17 to the Council Members and the Zoning Subcommittee  
18 for the opportunity to speak and thank you to Council  
19 Member Schulman for your ongoing support.

20 My name is Lior Evan. I've been a  
21 resident of New York City for over 40 years and have  
22 lived in Forest Hills and been a member of the Reform  
23 Temple of Forest Hills for over 20 years.

24 As Rabbi and others have noted, this  
25 project is very important to the Reform Temple. It'll

2 provide the congregation with a modern fully ADA-  
3 accessible home, and it will also boost the Temple's  
4 finances, enabling it to continue operating longer  
5 into the future. As important I think is the project  
6 will provide benefits to the neighborhood and more  
7 broadly. A fully accessible space will enable the  
8 Temple to offer more programming for the general  
9 community and, in addition as we all know, the city  
10 faces a dire shortage of housing. I think I read that  
11 we need more than 500,000 units over the next 7 to 10  
12 years. Without more housing and better affordability,  
13 the city cannot continue to thrive. This project  
14 provides much needed market rate and affordable  
15 rental apartments in a beautiful new building that  
16 fits in with the neighborhood, and this neighborhood,  
17 in particular, is an excellent candidate for more  
18 housing given how well-served it is by public  
19 transit.

20 I urge the Subcommittee to recommend  
21 approval of the project, and I thank you, again, for  
22 your time.

23 CHAIRPERSON RILEY: Thank you. The next  
24 witness to speak is Steven Strauss. Steven, you may  
25 begin.



2 STEVE STRAUSS: Thank you, Chair Riley and  
3 Members of the Land Use and Zoning Co. I'm here today  
4 to speak in favor of the rezoning. I am a member of  
5 the Reform Temple of Forest Hills and also a Forest  
6 Hills resident. This is a great project that helps  
7 the finances of the Temple, but more importantly it  
8 provides critically needed housing at all different  
9 price points in a neighborhood that's well-suited to  
10 accept and accommodate additional housing like this.

11 As you saw from the artist's rendering,  
12 the building fits in with other apartment buildings  
13 in our neighborhood. There will be an even taller  
14 building behind it a block or so when the Parkland  
15 Hospital site is redeveloped. As Mr. Lior pointed  
16 out, we are a very transit-rich neighborhood in  
17 Forest Hills. The location is about three blocks from  
18 an Express Subway Station, it's about five blocks  
19 from the Long Island Railroad Station in Forest  
20 Hills, and we have excellent bus service from the Q60  
21 to Q23 and the Q64 all within a couple of blocks of  
22 this site. It's been well-documented that New York  
23 City is critically short of housing. This is a great  
24 location to start adding to our housing stock, and  
25 several independent planning organizations have

2 recommended this portion of Forest Hills as an area  
3 that can accept and contribute to the need to build  
4 more housing through this rezoning so I would  
5 appreciate the Committee's support of this rezoning  
6 when you act later today. Thank you.

7 CHAIRPERSON RILEY: Thank you so much. The  
8 last one to speak is Marcia Parness. I'm just going  
9 to ask if you guys could turn on the videos when  
10 you're testifying, please. Thank you.

11 MARCIA PARNNESS: Hi. My name is Marcia  
12 Parness, and thank you to all for the opportunity to  
13 speak in support of the Temple's application. I have  
14 been an active member of RTFH for 25 years. It has  
15 been family's spiritual home where we have  
16 worshipped, learned, celebrated the holidays and life  
17 cycle events, and been blessed to be part of a warm  
18 and caring community. What I also cherish about RTFH  
19 is that it has inspired and enabled my family and so  
20 many other families to do acts of Tikkun Olam, or  
21 repairing the world. The Temple's very active social  
22 action team has done countless projects to improve  
23 the lives of those in the wider community. We have  
24 packed lunches to feed our neighbors at the Seventh  
25 Day Adventist Church in Corona. My daughter visited

1 the elderly at ForestView Nursing Home. My son  
2 extended his bar mitzvah project, volunteering for  
3 three years at the Commonpoint Queens Y with children  
4 on the autism spectrum. I have distributed clothes  
5 and food to the homeless in Manhattan with Midnight  
6 Run, spearheaded a virtual coat drive for New York  
7 Cares, given blood with the New York Blood Center,  
8 and coordinated with the Queens BP office to help our  
9 teen youth group prepare lunches for the victims of  
10 Hurricane Ida. Our Immigration and Refugee Taskforce  
11 has helped a Guatemalan family separated at the  
12 border settle nearby plus Temple's Volunteer Vaccine  
13 Corps helped schedule COVID vaccines for dozens of  
14 seniors, transported them, and followed up after the  
15 received their shots. It's all been made possible by  
16 RTFH.  
17

18           Rezoning will allow the Temple to remain  
19 viable so it not only can fully serve our members but  
20 also enable our caring Temple family in turn to  
21 better our wider community. We are, in fact, doing  
22 just that by proposing a space that is ADA-compliant  
23 and provides much needed affordable housing.  
24  
25

2 Thank you for the time to tell you how  
3 important RTFH is to my family, my Temple family, the  
4 community, and those we serve.

5 CHAIRPERSON RILEY: Thank you for your  
6 testimony. Are there any Council Members with  
7 questions for this panel?

8 There being no questions for this panel,  
9 the witness panel is now excused.

10 One last time, if there's anyone in here  
11 that wants to testify on this project, please see the  
12 Sergeant-at-Arms, and we're going to stand at ease  
13 for 30 seconds.

14 Okay. There being no other members of the  
15 public who wish testify on LUs 160 and 161 relating  
16 to the Reform Temple of Forest Hills Rezoning  
17 Proposal, the public hearing is now closed and the  
18 items are laid over.

19 I will now open the public hearing on LUs  
20 156 and 157 relating to the 58-02 Northern Boulevard  
21 Rezoning Proposal in Council Member Won's District in  
22 Queens.

23 This application seeks a zoning map  
24 amendment to rezone an existing R5 zoning district to  
25

2 an R6B/C2-2 zoning district and a related zoning text  
3 amendment to map an MIH Program Area.

4 For anyone wishing to testify on this  
5 item remotely, if you have not already done so, you  
6 must register online and you may do that now by  
7 visiting the Council's website at  
8 council.nyc.gov/landuse.

9 Once again for anyone with us in person,  
10 please see one of the Sergeants-at-Arms to prepare  
11 and submit a speaker's card.

12 I would now like to toss it over to  
13 Council Member Won to give her remarks. Council  
14 Member Won.

15 COUNCIL MEMBER WON: Good morning. Thank  
16 you so much, Chair Riley and members of the public as  
17 well as the development team. I'm looking forward to  
18 hearing your testimony on the proposed Lincoln  
19 dealership on Northern Boulevard.

20 Currently, Northern Boulevard is a mix of  
21 manufacturing, commercial, and residential, and much  
22 of this area has not been rezoned since the 1960s.  
23 Sitting about a mile away from here is the proposed  
24 Innovation QNS site which we all are familiar with  
25 because we were here for a very long hearing not too

1 long ago which will bring over 3,000 units of  
2 residential housing to the Northern Boulevard  
3 corridor.  
4

5           Just to give everyone a debrief of what  
6 the current community update is, is that the  
7 constituents no longer want a piecemeal approach to  
8 land use so Community Board 2 has rejected this  
9 application with a Resolution opposing all new auto-  
10 related uses on the Northern Boulevard corridor. They  
11 also most recently voted to form a working group to  
12 provide a taskforce for neighborhood rezoning  
13 requests including Northern Boulevard as well as  
14 Anable Basin and Roosevelt Avenue and other parts of  
15 my District. This is really important because, just  
16 in one year, we had 160 people injured and one  
17 resident was killed on Northern Boulevard in the  
18 District, and they want to focus on putting the land  
19 towards making sure that we're building more  
20 residential housing as we this past week alone have  
21 opened three new homeless shelters so now I am at a  
22 total 28 homeless shelters, over 7,000 people in the  
23 homeless shelter system in my District, so our city  
24 must make comprehensive plans to meet our urgent  
25 social goals including more affordable housing,

2 maximizing the number of (INAUDIBLE) protecting  
3 manufacturing space for local jobs as well as  
4 environmental goals, and reducing traffic deaths to  
5 reduce injuries along this corridor. I look forward  
6 to hearing the rest of the conversation as well as  
7 asking some of the questions that we have from the  
8 Council. Thank you.

9 CHAIRPERSON RILEY: Thank you, Council  
10 Member Won. Counsel, can you please call the first  
11 panel for this item?

12 COMMITTEE COUNSEL MARTINEZ-RUBIO: Frank,  
13 I'm going to need your help because I have only three  
14 names so Frank St. Jacques, Joe Vultaggio, and John  
15 Starks, and I'm missing one of you guys.

16 UNKNOWN: Michael Naclerio.

17 COMMITTEE COUNSEL MARTINEZ-RUBIO: Okay.  
18 Thank you.

19 CHAIRPERSON RILEY: Thank you. Counsel,  
20 please administer the affirmation.

21 COMMITTEE COUNSEL MARTINEZ-RUBIO: Can you  
22 all please raise your right and answer the following  
23 question?

24 Do you affirm to tell the truth, the  
25 whole truth, and nothing but the truth in your

2 testimony before the Subcommittee and in your answers  
3 to all Council Member questions?

4 MICHAEL NACLERIO: I do.

5 FRANK ST. JACQUES: I do.

6 JOE VULTAGGIO: I do.

7 JOHN STARKS: I do.

8 CHAIRPERSON RILEY: Thank you. For the  
9 viewing public, if you need an accessible version of  
10 this presentation, please send an email request to  
11 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

12 Now the applicant team may begin.  
13 Panelists, as you begin, I'll just ask you to please  
14 restate your name and organization for the record.  
15 You may begin.

16 FRANK ST. JACQUES: Good morning, Chair  
17 Riley, Council Member Won, and Members of the  
18 Subcommittee. My name is Frank St. Jacques, and I'm  
19 an associate with Akerman, LLP. We're land use  
20 counsel for the project.

21 We have a brief presentation, but I'm  
22 going to turn it over to the applicant to make a  
23 brief statement before we jump into the presentation.  
24 With that...



2                   JOE VULTAGGIO: Hi. Good afternoon,  
3 Chairman Riley, Members of the Subcommittee, and  
4 Councilwoman Won. My name is Joe Vultaggio and  
5 together with our partners, John Starkis and Mike  
6 Naclerio, I'm here today as an applicant for the 5208  
7 Northern Boulevard rezoning.

8                   Our land use attorney from Akerman will  
9 give you a formal presentation, but I wanted to start  
10 with a few words about how this project came to be.  
11 I'm not a developer. I operate a small business and  
12 enjoy good success because we treat our customers and  
13 neighbors honestly and fairly. We wanted to grow our  
14 business with the Lincoln dealership and, just as  
15 COVID was beginning to come into the city in early  
16 2020, we purchased this lot on Northern Boulevard.  
17 While others were running from the city, we doubled  
18 down on it.

19                   We picked the site for a few reasons.  
20 First, the location is near many other car  
21 dealerships so we will be able to fit in easily in  
22 the neighborhood. Second, this lot has sat abandoned  
23 and been an eyesore for many years, and we hope we'd  
24 be welcome by neighbors to have a small-scale  
25 showroom. The format of this particular business will

2 be different from many open-air dealerships. We will  
3 have a boutique showroom, which one of each model  
4 will be at the showroom which is one of four, so that  
5 shoppers who perhaps have done some research already  
6 online can come see the vehicles, choose features,  
7 finishes, and speak with our sales representatives.  
8 We won't be doing any service at the site, won't be  
9 taking deliveries of vehicles, should have very  
10 little impact on traffic or parking congestion. Our  
11 representatives have met with residents in the  
12 surrounding blocks, and I believe we'll be a good  
13 neighbor to them.

14 We also have a union shop. You'll hear  
15 from our union partners, but we expect approximately  
16 20 jobs to be created. These jobs will be split  
17 between salespeople and administrative personnel who  
18 are members of the United Service Workers Union. The  
19 associated repair work will be creating jobs at our  
20 Jamaica facility where the United Auto Workers Union  
21 serve.

22 I'll turn it over to Frank now, but I'd  
23 like to tell the Subcommittee that as a business  
24 owner we're eager to invest in Queens, eager to  
25 provide good union jobs, and, of course, improve the

2 particular lot that has set for very long as an  
3 abandoned lot.

4 Thank you for your consideration.

5 FRANK ST. JACQUES: Thanks, Joe. Again,  
6 Frank St. Jacques from Akerman.

7 Just to start off, we're seeking two land  
8 use actions on this application, a zoning map  
9 amendment to replace an R5 zoning district with an  
10 R6B district with a C2-2 Commercial Overlay and a  
11 zoning text amendment that would establish a  
12 Mandatory Inclusionary Housing area within the  
13 rezoning area. Next slide, please.

14 The site, 58-02 Northern Boulevard, is  
15 located on the south side of Northern Boulevard  
16 between 58th Street and 60th Street, is a 5,259-  
17 square-foot irregularly shaped lot. It narrows to a  
18 width of approximately 37 feet at Northern Boulevard  
19 as you can see on this zoning map. The site is  
20 outlined in red, and the surrounding area is located  
21 primarily within an R5 zoning district that was  
22 mapped back in 1961. They're M1-1 zoning districts  
23 established in 1961 and 1966 mapped immediately to  
24 the west and then to the east of the R5 zoning  
25 district. Next slide, please.

Despite this R5 zoning, this portion of Northern Boulevard where the development site is located is occupied almost entirely by nonconforming commercial uses shown in red and semi-industrial and industrial uses shown in purple on this land use map. Many are automobile-related uses including sales and repairs but not all, and conforming residential use, which is shown in yellow, is generally located at the mid-blocks beyond the Northern Boulevard blockfronts. There are also some nonconforming industrial uses within the mid-block areas as well as community facility use which is shown in blue. Conforming residential uses are generally two- and three- story, one- and two- family homes, and smaller multifamily walkup buildings. The applicant team selected the medium density contextual R6B zoning district that is proposed to align with this existing built context in the mid-block. Next slide, please.

You can see the surrounding context in this aerial photograph. Again along Northern Boulevard, despite the R5 zoning, you can see that it is entirely commercial or nonresidential with residential in the mid-blocks to the north and south of Northern Boulevard. This is the historic

1 development pattern for over 60 years, from before  
2 the enactment of the Zoning Resolution in 1961 and  
3 the establishment of the current zoning. Next slide,  
4 please.

5  
6 The 5,259-square-foot site shown here is  
7 improved with a one-story former restaurant building  
8 with unenclosed parking that was built around 1930.  
9 While there was commercial use at this site since  
10 1930, this restaurant closed more than 10 years ago,  
11 and zoning rules prohibit the building from being  
12 reactivated with a new commercial use. The existing  
13 building is in disrepair and cannot feasibly be  
14 converted to accommodate a new productive conforming  
15 use. New housing within the R5 is unlikely due to the  
16 site's small lot size, the R5 zoning that requires  
17 yards limits lots coverage, and has a high parking  
18 requirement, and its location on busy Northern  
19 Boulevard. Next slide, please.

20 Shown here on the zoning change map, on  
21 the lefthand side of the screen is the existing R5  
22 zoning as well as the attributes of that zoning, and  
23 on the righthand side is the proposed R6B with a C2-2  
24 Commercial Overlay zoning. The proposed rezoning to  
25 R6B/C2-2 would allow an increase from the existing R5

1 zoning district FAR of 1.25 to the proposed R6B/C2-2  
2 zoning district FAR of 2.0 for commercial use or 2.2  
3 for residential use under the Mandatory Inclusionary  
4 Housing program and an increase in the maximum  
5 building height from 40 feet under the existing R5  
6 zoning district to 55 feet above a 45-foot base  
7 height in the proposed R6B zoning district. These  
8 increases in FAR and height are appropriate along a  
9 wide street like Northern Boulevard. Next slide,  
10 please.  
11

12           The proposed rezoning would facilitate  
13 the development of a two-story automobile sales  
14 showroom building with approximately 8,000 square  
15 feet of commercial floor area. This is about 1.52  
16 FAR. The building would rise to a height of 21 feet.  
17 The proposed building is smaller than the permitted  
18 2.0 FAR because otherwise parking and loading  
19 requirements that cannot be accommodated on the small  
20 site would be triggered. Some of the features that  
21 Joe mentioned in his introduction of the site is that  
22 this is a new concept for automobile sales. It  
23 operates more like a retail store in contrast to the  
24 traditional automobile dealerships that line Northern  
25 Boulevard with large lots that also provide repairs.

2 Repairs are not permitted pursuant to the zoning  
3 being sought here. The benefits of the proposed  
4 project include, in addition to redeveloping this  
5 vacant site, electric vehicle charging stations that  
6 will be made available to the public, some  
7 sustainability features which I'll discuss on the  
8 next slide, new jobs as Joe noted on-site and off-  
9 site at the service facility, and, as he noted, these  
10 are also union jobs, and the unions will be here  
11 today to discuss that further. Next slide, please.

12 I noted that the project provides several  
13 sustainability features that are shown here. In  
14 addition to the electric vehicle chargers at the rear  
15 of the site, there will also be bike parking, solar  
16 panels on the roof, pervious pavement system in that  
17 it's technically a side yard but at the rear of the  
18 site that will promote natural stormwater  
19 infiltration and reduce runoff. We're also looking  
20 into requesting from the Department of Transportation  
21 the outside of the site, the sidewalk, there is an  
22 application that can be made to the Department of  
23 Transportation for a distinctive sidewalk design that  
24 incorporates permeable pavers so we intend to do  
25 that, and we're also looking into a request for

1 bioswales in the three new street trees that will be  
2 installed surrounding the site. Additionally, the  
3 architect has looked into reusable gray water for  
4 irrigation. We're providing landscaping surrounding  
5 the site as well as an additional green roof element  
6 using plantings on the roof level in addition to the  
7 solar array. We'll also note that the applicant has  
8 committed to the Queens Borough President's  
9 conditions to use porous concrete and passive  
10 landscaping as I just mentioned. They also commit to  
11 working with Community Board 2 to support  
12 environmental efforts and to work with Community  
13 Board 2 on bike parking. Also note, as Council Member  
14 Won noted, we are aware of the Community Board's  
15 efforts envisioning Northern Boulevard. The applicant  
16 team would be happy to provide any support that we  
17 can to that effort. We certainly have a vested  
18 interest in improving Northern Boulevard. We believe  
19 that this project contributes to that effort, but  
20 we'd be happy to help in that regard. Finally, the  
21 applicant also commits to the Queens Borough  
22 President's condition to prioritize the sale of  
23 electric vehicles and hybrids. The applicants can  
24 speak more to that specifically, but that's in line  
25



2 with Lincoln's push towards electrification of their  
3 entire fleet by 2030. Next slide, please.

4           This is the final slide. Just in closing,  
5 I want to reinforce the land use rationale here for  
6 the rezoning, that this site may not be reactivated  
7 with a new commercial use. The existing building was  
8 built back in 1930, it's been vacant for more than 10  
9 years and is in a state of disrepair. There's  
10 essentially no conforming use that can occur today  
11 that makes sense from a financial feasibility  
12 perspective. Residential redevelopment of the site to  
13 that point is unlikely given the small size, the  
14 irregular shape, the zoning constraints as well as  
15 its location on Northern Boulevard which presents  
16 issues with respect to air quality, noise, and light  
17 pollution for potential residents. Finally, and  
18 you'll hear testimony from surrounding neighbors,  
19 we've heard that this vacant site creates quality-of-  
20 life issues for the community. Not only is it an  
21 eyesore as was described earlier, but it attracts  
22 vandalism, graffiti, dumping, rodents and vermin, and  
23 illegal parking so the neighbors that we spoke to  
24 expressed support for this proposed development to  
25 eliminate these concerns by redeveloping the site. We

2 touched on the fact that this is a unique boutique  
3 showroom that's distinct from a traditional  
4 dealership. Again, we believe this would operate more  
5 like a retail store, similar to the Tesla showrooms  
6 that are found in malls and shopping centers.

7 Finally, we believe that the proposed R6B/C2-2 with  
8 MIH creates a precedent for future development along  
9 Northern Boulevard, establishing mid-density  
10 contextual residential district with a commercial  
11 overlay replacing 1961 zoning as a forward-thinking  
12 way of addressing what's possible on Northern  
13 Boulevard.

14 That concludes my portion of the  
15 presentation, and I'll turn it over to Mr. Starks for  
16 final comments.

17 JOHN STARKS: Thank you, Frank. Chairman  
18 Riley and Members of the Subcommittee, my name is  
19 John Starks.

20 While some of you may know me from  
21 playing with the New York Knicks, in recent years  
22 I've been building a brand in the car industry in the  
23 great borough of Queens. With the Committee's  
24 support, I'm looking forward to taking the next step  
25 with opening John Starks Lincoln at 58-02 Northern

2 Boulevard. My colleagues have described the project's  
3 many benefits, but I'd like to say a few words about  
4 the brand that I've been working on to build.

5           From my time with the Knicks and through  
6 the opening of John Starks Kia in Jamaica Queens,  
7 it's clear how important it is to work with the  
8 people of your neighborhood who support the business.  
9 Yes, we're in the business of selling cars, but we  
10 want our customers to know us and know that we care  
11 about the community where we work. This philosophy  
12 helped lead to the sales of 1,000 cars in our first  
13 year, an accomplishment that is personally satisfying  
14 while also helping to provide good taxes and jobs for  
15 the City of New York.

16           To this end, I've been very active in  
17 giving back. My John Starks Foundation opened in  
18 1994, and I've been giving back to the City of New  
19 York and the Tri-State area. I think it's very  
20 important that when you do things within the city and  
21 people help you, you are qualified to give back to  
22 the people that do things to give you support. In  
23 saying this, the dealership also has been active in  
24 charitable giving in the local community. In 2022,  
25 John Starks Kia Lincoln of Queens sponsored and

2 participated in Southeast Queens Friendsgiving  
3 Dinner, made a significant contribution to the  
4 Floating Hospital, the Greater Allen Church, and  
5 Queensboro Unico. We also purchased 200 brand new  
6 coats this season, supporting Operation Warm Coat  
7 Drive. When we open at 58-02 Northern Boulevard, you  
8 have our commitment to seek the same positive  
9 relationships with our surrounding community. Thank  
10 you.

11 FRANK ST. JACQUES: That closes our  
12 presentation. Thank you.

13 CHAIRPERSON RILEY: Thank you so much.  
14 Brother Starks, it's a pleasure seeing you today. I  
15 have a few questions then I'm going to toss it over  
16 to Council Member Won.

17 Similar to Council Member Won, I  
18 represent District 12 where Boston Road is filled  
19 with a lot of car dealerships. I actually got my car  
20 from Northern Boulevard at Queens Volkswagen actually  
21 so don't tell my constituents that, but just stating  
22 that I'm very interested to know how this is  
23 different from a traditional dealership. Besides  
24 having the cars in the driveways, how would this run?  
25 Can you just give me a brief description on how would

2 this dealership be different from the rest of the  
3 dealerships on that strip?

4           JOE VULTAGGIO: Thank you. That's a great  
5 question. I took my family on a road trip about two  
6 years ago when this concept was actually opened in  
7 Scottsdale, Arizona, and it was in a mall then we  
8 went to California and we saw the concept in  
9 California also, and it's in another shopping area.  
10 It's not actually a car row type setting. Basically,  
11 people come in, they look at the colors on the  
12 screens, and the salespeople have the iPads and they  
13 go through colors, and then like everything else  
14 nowadays with Amazon and everything else, the car  
15 will go to their home and office so we actually  
16 deliver the car and then we also DocuSign, which  
17 people don't even have to sign their contracts at the  
18 dealership. They can actually sign it straight on  
19 their phone so they actually do their finance  
20 contract, everything, straight over the internet then  
21 they pick up their car either at their home or office  
22 which is benefit to them. To have this concept of  
23 seeing different colors and one model of each, it's  
24 good to just show the cars out, but there's not a  
25 test drive. That stuff could actually be done at your

2 home or office too. On the service side, right now  
3 Lincoln has invested in pickup and delivery, which is  
4 the Redcap system, so you don't even bring your car  
5 in for service anymore. You actually call up, you ask  
6 for service, they send you a loaner car to your house  
7 or office, and then they bring the car into Jamaica  
8 where our local union actually takes care of the  
9 cars, services the cars, and then brings it back to  
10 your home or office. The inconvenience factor of  
11 going from dealership to dealership is a thing of the  
12 past. The thing of the future is making it convenient  
13 so people could spend time with their family and not  
14 have to worry about their car anymore, and that's the  
15 new concept that Lincoln came up with, this boutique.

16 CHAIRPERSON RILEY: And this will limit  
17 the cars on that strip as well (INAUDIBLE)

18 JOE VULTAGGIO: Yeah, we'd keep four cars  
19 there. It's one of each model, and they just see the  
20 car, their model. They won't see any colors.  
21 Everything is on the swatches, and actually Lincoln  
22 sends out their bible every year, and it's a swatch  
23 for every color they have, and you actually look at  
24 the colors there on the swatch panel and then you  
25 decide which one you want and you feel like you're in

2 the car driving so there's no test driving. Those are  
3 things that you don't do.

4 CHAIRPERSON RILEY: With this new concept,  
5 do you think this is something that will be adopted  
6 by your neighbors if this is approved?

7 JOE VULTAGGIO: I would hope so, sir,  
8 because my personal opinion is I don't believe you  
9 need to have a big showroom anymore with big  
10 buildings with showrooms with multiple cars, multiple  
11 colors. There's no need for that. Our Kia store that  
12 John and me and Mike opened up is very small. Years  
13 ago, that would've never been allowed, but with this  
14 new concept of three cars on a showroom floor they  
15 allowed it and basically that's where everything is  
16 going to right now.

17 CHAIRPERSON RILEY: Okay. How would the  
18 applicant use this site if the rezoning were not to  
19 be approved?

20 FRANK ST. JACQUES: I'd defer to the guys,  
21 but one of the first tasks that my office performed  
22 was evaluating what the potential development at this  
23 site was so it's within this R5 zoning. The only  
24 allowable use would be residential or community  
25 facility, and, based on the due diligence that was

2 performed with my office and the architect, it was  
3 determined that conforming as-of-right residential  
4 development or community facility development would  
5 not be financially feasible. I think absent the  
6 relief from the zoning, I'm not sure that you guys  
7 have figured out what you can do.

8           JOE VULTAGGIO: Yeah. Unfortunately, I've  
9 never thought about that because, to be honest with  
10 you, I've been so gung-ho on opening this store,  
11 creating jobs, and creating sales tax revenue and  
12 actually property tax revenue for the City. I've  
13 invested my whole life in Queens, my wife was born in  
14 Queens so our business is in Queens, and, to be  
15 honest with you, I want to stay here and prosper, and  
16 I just hope that this will come to be able to open.  
17 Other than that, I'm at a loss of words.

18           FRANK ST. JACQUES: Just to clarify my  
19 portion of the answer, there was never an intent to  
20 develop the site with anything other than the  
21 dealership. It was just part of the initial diligence  
22 to evaluate what could be done absent the rezoning.

23           CHAIRPERSON RILEY: Thank you. I just have  
24 two more questions then I'll toss it over to Council  
25 Member Won. Can you describe the environmental



2 sustainability? I think you spoke about this briefly,  
3 but can you just describe in detail the environmental  
4 sustainability because every time I think about  
5 sustainability, I'm not sure if this is a flood zone,  
6 but very cognizant of what's happening in Queens with  
7 water resiliency so can you just please describe the  
8 environmental sustainability features on the proposed  
9 development?

10 FRANK ST. JACQUES: Absolutely. As far as  
11 sustainability goes, there would be new street trees  
12 planted, new landscaping, solar panels on the roof,  
13 and potentially other green features on the roof.  
14 It's contemplated that there will be additional  
15 landscaping on the roof to add a green roof effect.

16 With respect to resiliency, the portion  
17 of the site where there's a yard required, it's  
18 essentially a 10-foot strip at the very rear of the  
19 site, would have permeable pavers to allow water  
20 infiltration to keep that rainwater out of the  
21 sewers, and we're also looking into the city-owned  
22 sidewalk that surrounds the site, the entire sidewalk  
23 will need to be rebuilt pursuant to a Builder's  
24 Pavement Plan with the Department of Transportation.  
25 One option that they allow, and it's subject to DOT's

2 discretion, is something called the distinctive  
3 sidewalk where you can incorporate a permeable-type  
4 paver on the sidewalk. There's specifications and it  
5 requires DOT approval, but we think that that's  
6 something that could be incorporated here.

7           Finally, because three new street trees  
8 are being added, those tree pits could be tree pits  
9 with bioswales which also capture stormwater and keep  
10 it out of the sewer system.

11           CHAIRPERSON RILEY: One last question.  
12 Community Board expressed concern about this proposal  
13 encouraging cars. How would you respond to this  
14 concern?

15           FRANK ST. JACQUES: I'll start, and I'll  
16 actually turn that over to Mike to my right to I  
17 guess flush out the answer. I think in certain  
18 interests, our proposal here aligns with some of the  
19 concerns that we've heard about the application and  
20 I'm sure you'll hear today in the form of testimony.  
21 I will note that the vote at Community Board 2 was  
22 essentially split. It was not an overwhelming  
23 majority opposed, and this application is  
24 contemplating an automobile showroom, albeit a new  
25 boutique one, so I recognize that there's not going

2 to be a meeting of the minds with respect to the  
3 overall use, but I think what we've done here is  
4 incorporate sustainability features and this new  
5 boutique model that we think will ameliorate some of  
6 the concerns, and we hope that it can really bridge  
7 the gap between the traditional automobile dealership  
8 that's seen on the street and a more forward-thinking  
9 vision for Northern Boulevard. That said, I'll turn  
10 it over to you, Mike.

11           MICHAEL NACLERIO: We agree wholeheartedly  
12 that there are many ways to improve pedestrian safety  
13 and ways to encourage fewer cars on the road. It's  
14 extremely important in the community, but denying  
15 this application isn't one of them. If a person wants  
16 or needs a car for their mode of transportation or  
17 for their business, they're going to get one. If it's  
18 not from this dealership, they'll purchase a vehicle  
19 elsewhere because they feel they need or they want  
20 it.

21           With respect to pedestrian safety, you  
22 want people driving Lincolns. Every Lincoln is  
23 equipped with the most advanced standard, top of the  
24 line crash avoidance technology, and we all know that  
25 the path to fewer cars on the road is investing in

2 alternative forms of transportation including mass  
3 transit and bicycle and pedestrian infrastructure,  
4 but denying this application will do absolutely  
5 nothing to keep a single car off the road. What it  
6 will do is leave the neighbors with a derelict  
7 eyesore. It will also deny the union jobs our store  
8 will generate and the taxes we pay to the city.

9           Finally, I'm sure it would stymie other  
10 small business owners like us who decided to take a  
11 financial risk and invest in this neighborhood and  
12 this city. While we absolutely care about pedestrian  
13 safety, this isn't appropriate.

14           CHAIRPERSON RILEY: Thank you. Council  
15 Member Won.

16           COUNCIL MEMBER WON: Thank you so much to  
17 the whole entire team and thank you for everything  
18 you shared about all the giveback that you do to the  
19 community in Southeast Queens. We really appreciate  
20 that.

21           I do have some questions. I just want to  
22 point out that when initially the land use item was  
23 voted down in Community Board, it was split. When I  
24 went back to speak with all the Community Board  
25 members, especially those who were potentially in

1 favor of this project, they are no longer, and they  
2 unanimously have passed a new resolution in support  
3 of opposing any further development of any auto-  
4 related use on Northern Boulevard, and now they are  
5 calling for a neighborhood rezoning for Northern  
6 Boulevard, especially because of the Innovation  
7 Queens rezoning with the 3,000 residential uses.

8 Because of the increase in homelessness, they want to  
9 see residential rezonings remain residential even if  
10 it's R5 and of low density.

11  
12 I do want to ask, these are some of the  
13 questions that the Community Board members have  
14 raised to me. If everyone can turn to page 4 of your  
15 proposal, if you look at the surrounding area, this  
16 area actually, not only is it residential,  
17 commercial, and manufacturing, it actually has a lot  
18 of places of spiritual worship so within walking  
19 distance of this car dealership, first the closest  
20 one is the Tibetan Woodside Community Center. The  
21 Tibetan Community Woodside Center has daily rituals  
22 where they do prayer circles around the vicinity of  
23 the Tibetan Community Center where we have multiple  
24 complaints, like the 160 people who have been  
25 injured, that was a resident and somebody killed on

1 the Northern Boulevard corridor, the grandmothers who  
2 do the spiritual walkthroughs have also made multiple  
3 complaints of almost dying and being hit by the car,  
4 not because they're walking on the street but because  
5 of the parking on the sidewalk so if you look at the  
6 pictures, the surrounding area is covered with cars  
7 of illegal parking on the sidewalk that you can see  
8 on the righthand corner, so we're looking at page 4,  
9 Chair Riley, of the document. I just want to make it  
10 clear that this area of the surrounding area is not  
11 just residential or commercial or manufacturing, it's  
12 actually places of worship so within one block north,  
13 the Tibetan Community Center is there where  
14 grandmothers do daily prayer walks and, during that,  
15 they almost get hit by cars, and that's why we have  
16 more than 160 injuries and one death of a pedestrian  
17 because if you look at your righthand corner, there  
18 are cars parked on the sidewalk so automotive uses  
19 are illegal parking and that is why the community is  
20 so sour and angry because they cannot use the  
21 sidewalk. In addition to the Tibetan Community  
22 Center, we have Shri Guru Ravidas gurdwara for our  
23 Sikh community and then we also have the Gulshan  
24 Terrace and Shree Divya Dham which is a Hindu temple,  
25

2 both in the vicinity so there are four places of  
3 worship that use their sidewalks for the community  
4 needs, and the sidewalks have been taken away from  
5 them that you can see in that very image, and one of  
6 the questions that the Community Board has raised to  
7 me about this is they said that when they look on  
8 Google Maps for Ford of Queens and John Starks Kia,  
9 both have vehicles parked on the sidewalk, the same  
10 way that we see in this image on page 4, and they are  
11 asking are you still storing vehicles on the public  
12 right of way on the street in your Jamaica locations  
13 as viewed in Google Maps?

14           JOE VULTAGGIO: At John Starks Kia, no. At  
15 Ford Lincoln of Queens, you are correct. There are  
16 some sidewalks that are being used because to get the  
17 cars in and out of the floor all of the time, I have  
18 to use the sidewalk so to pull a car out in the  
19 showroom that has that old concept of showroom which  
20 has 10 cars, I have to move all 10 cars out. I don't  
21 own any of the properties next door to it so I have  
22 to put them on the sidewalk and then put them back  
23 when I get the car out from the sale. At John Starks  
24 Kia, which is that new concept where there's only  
25 four vehicles, we don't need to use the sidewalk

2 because the traffic coming in and out of the showroom  
3 is pretty much nothing so we don't actually use the  
4 sidewalks at all to get cars in and off the showroom  
5 floor.

6 COUNCIL MEMBER WON: I just want to make  
7 it clear that this is not just about pedestrian  
8 safety but it's about public use of public land, that  
9 people want to have their sidewalk spaces that are  
10 safe without having fear that they will get hit by a  
11 car when they're doing prayer walks as well as making  
12 sure that in a district like mine where we are the  
13 most transportation rich with the highest amount of  
14 ferry, subway, bus, Rapid bus transit as well as bike  
15 lanes that they want to make sure that we are moving  
16 away from being car-centric in Northern Boulevard,  
17 that it's not about just purchasing cars or  
18 preventing people from purchasing, but this is really  
19 about pedestrian safety and not just pedestrians but  
20 also cyclist and other modes of transportation.

21 I also want to ask...

22 FRANK ST. JACQUES: Council Member Won, if  
23 I may, just to add a response to that. With respect  
24 to 58-02 Northern, we described some of the work we'd  
25 be doing to improve that sidewalk and the streetscape



1 including attempting the pervious pavement on city  
2 sidewalk as well as the street trees and the  
3 landscaping. There is no intention to illegally park  
4 cars at 58-02 Northern. We recognize that it's not  
5 permitted, but it would not be part of the  
6 operational plan. We're happy to work with your  
7 office or with the City if there's a way to  
8 incorporate barriers that would not impede pedestrian  
9 safety, if there's ways to expand the landscaping  
10 that we plan through a revokable consent with the  
11 Department of Transportation. We're happy to do that  
12 to actually physically prevent cars from, we don't  
13 believe that this will be an issue but to ameliorate  
14 concern over that being an issue, to actually  
15 physically prevent that from happening.

17 COUNCIL MEMBER WON: Thank you. I think it  
18 would be important to make sure that the Community  
19 Board hears this, but, again, the community's overall  
20 perspective, their resolution was that Northern  
21 Boulevard will oppose any further development of  
22 auto-related use on the Northern Boulevard corridor  
23 because the way it is currently being used today,  
24 especially with the increased number of residential  
25 housing that will come, that they want to have a

2 neighborhood rezoning to make sure that this is for  
3 people's livelihood and for public use instead of  
4 being an automotive parking lot for everybody. We'll  
5 make sure that the Community Board hears that.

6 FRANK ST. JACQUES: We're happy to put  
7 that in a letter to your office and the Community  
8 Board, that commitment, and we can detail that  
9 further. We'll just need to speak with the architect  
10 about what's possible there.

11 COUNCIL MEMBER WON: Okay. Can you be more  
12 specific about how many jobs will be on the site?

13 FRANK ST. JACQUES: Sure. It's about 13  
14 jobs on-site between sales and administrative folks,  
15 and that would generate about seven service jobs off-  
16 site, both of which are two different unions, and  
17 those unions will be here to speak today.

18 COUNCIL MEMBER WON: Out of the 13 jobs  
19 on-site, how many of them are union?

20 FRANK ST. JACQUES: 13.

21 COUNCIL MEMBER WON: Okay. When you made  
22 the decision, did you consider the negative impact of  
23 the auto industry's uses in the surrounding area,  
24 which is what the community is upset about?

2 FRANK ST. JACQUES: We did perform a full  
3 environmental assessment in connection with the  
4 zoning application. It was determined that there  
5 would be no significant adverse impacts with respect  
6 to the specific use. There are environmental  
7 designations that are being placed on the site with  
8 respect to ensuring that the commercial use at the  
9 site protects visitors from potential noise impacts  
10 from Northern Boulevard as well as air quality for  
11 the site itself and neighbors for both commercial or  
12 potentially residential use. With respect to the use  
13 itself, I think the thinking given the nature of the  
14 applicants' business and their business plan, their  
15 thought was that this showroom and, albeit it's not a  
16 traditional showroom like the ones surrounding, but  
17 fits with the context of the more traditional  
18 dealerships within the area. This is a node for auto  
19 sales, and the idea was to use this rezoning, again  
20 with a contextual mid-density residential district  
21 and the commercial overlay to fit this new model in  
22 with the existing context of auto sales, and it looks  
23 like Joe wanted to...

24 JOE VULTAGGIO: Just one thing that I want  
25 to comment. We've been approached many times with a

2 question about hours of operation. The hours of  
3 operation of normal dealerships are from 9 to 9 and  
4 then you have deliveries that happen to 10, 11 at  
5 night, and the place is open a lot longer because  
6 people are taking delivery at that location. This  
7 site will be open from 9 to 7, Monday through  
8 Saturday and will not be open on Sunday so at this  
9 juncture it's like a retail establishment where it's  
10 not a busy site, it's not going to have an issue with  
11 the neighborhood I believe because they'll be less  
12 automotive for their night.

13 FRANK ST. JACQUES: I mentioned the  
14 environmental assessment statement, but it evaluated  
15 the potential traffic demand. As I think you noted,  
16 Council Member Won, this is a transit-oriented area.  
17 There's not expected to be an increase in traffic or  
18 parking generated by this showroom that, again,  
19 operates more like a retail establishment and, as Joe  
20 noted, it doesn't have all the attributes of car  
21 delivery, car storage, repairs, etc. That's all  
22 handled off-site through a customer-oriented home and  
23 office delivery system.

24 COUNCIL MEMBER WON: Thank you so much. I  
25 don't have any further questions, but I just want to

2 underscore the Community Board and the community's  
3 request that this area no longer be used for any  
4 further development of auto-related on Northern  
5 Boulevard corridor, mainly because of public safety  
6 reasons because of the school as well as places of  
7 faith and just residential areas surrounding it as  
8 well as a new development that is coming in for  
9 Innovation Queens, increasing a transformation of  
10 3,000 new residential buildings as well as other  
11 residential developments that are coming along the  
12 corridor.

13 I look forward to continuing the  
14 conversation, but the Community Board has made it  
15 very clear on where they stand, and I support the  
16 community. Thank you.

17 CHAIRPERSON RILEY: Thank you, Council  
18 Member Won. I don't have questions for this applicant  
19 panel, but I do have a statement.

20 I share the same type of district as  
21 Council Member Won stated, and we also have the  
22 issues with cars on the sidewalks and kind of driving  
23 around, but I'm optimistic and I feel like what you  
24 guys are trying to do will hopefully transition to  
25 the other dealerships on that block so I think when

2 you do have the conversation with the Community Board  
3 you could address the issues that they're having in  
4 Jamaica Avenue with the cars being on the sidewalk.

5 We do understand that you have to get them in and out  
6 of the showroom but maybe pick times where it's not  
7 heavy traffic like in the morning-time where kids are  
8 walking to school because that's what happens in my  
9 district, but what you're doing is something that I  
10 feel like a lot of dealerships in New York City  
11 should start doing because it gives you more options,  
12 it's safer, we could utilize more space in those  
13 areas because you wouldn't be taking up a whole lot  
14 for cars so I think this is a very optimistic project  
15 so I think when you're having the conversation and  
16 your language that you speak to the Community Board,  
17 understand where they're coming from because

18 Innovation Queens is a huge project, there is going  
19 to be a lot of density in the area. Think about how  
20 they feel about cars being on the sidewalk, but what  
21 you are trying to do will prevent that so I think  
22 that's something that you need to kind of emphasis so  
23 with that being said, you guys are excused and thank  
24 you so much for coming out today.

2 FRANK ST. JACQUES: Thank you, Chair  
3 Riley, and thank you, Council Member Won. We look  
4 forward to working with your office and with  
5 Community Board 2 to hopefully earn your support.

6 CHAIRPERSON RILEY: Thank you. Counsel,  
7 are there any members of the public who wish to  
8 testify on 58-02 Northern Boulevard proposal in  
9 person or remotely?

10 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair,  
11 we have a couple of witnesses in person. We can call  
12 on those first, and then we have a few online so let  
13 me just make those quick announcements for the online  
14 witnesses.

15 For those of you who are waiting to  
16 testify, first I'll start by saying remember to turn  
17 on your camera because we had some technical issues  
18 with the prior panels, but you will be called in  
19 panels of three or four. If you're a member of the  
20 public signed up to testify on the proposal, please  
21 stand by when you hear your name and prepare to speak  
22 when the Chair or I say that you may begin.

23 Please also note that once all of your  
24 panelists in your group have completed their  
25 testimony, if remotely, you will be removed from the

2 meeting as a group and the next group of speakers  
3 will be introduced. Once removed, participants may  
4 continue to view the livestream broadcast of this  
5 hearing on the Council website.

6 CHAIRPERSON RILEY: Members of the public  
7 will be given two minutes to speak. Please do not  
8 begin until the Sergeant-at-Arms has started the  
9 clock. The first panel we'll be calling up is, excuse  
10 me if I mispronounce your name, Nicholas Dippolito  
11 and Michael Diguiseppe (phonetic).

12 The first panelist to begin will be  
13 Nicholas Depolita. I'm sorry if I mispronounce your  
14 name, Nicholas.

15 NICHOLAS DIPPOLITO: Dippolito. It's okay.

16 CHAIRPERSON RILEY: Dippolito. Thank you.

17 NICHOLAS DIPPOLITO: Thank you for  
18 allowing me to speak, Chairman Riley and Members of  
19 the Zoning Subcommittee. My name is Nicholas  
20 Dippolito, Business Agent of United Service Workers  
21 Unions Local 355 IUJAT.

22 Local 355 represents thousands of union  
23 employees in over 300 retail car dealerships in the  
24 northeast. I, myself, handle 50+ of those  
25 dealerships. Over the years, I have developed a good



working relationship with this ownership team, and I greatly appreciate and value their partnership.

Together, we have come to agreements made of more than fair wages and solid benefit packages. We have been successful and have always been able to work together to resolve any issues that may arise in the workplace. I am here today because Local 355 strongly supports the rezoning of 58-02 Northern Boulevard. As a Business Agent in the retail automotive industry, I have witnessed firsthand as to how many jobs one showroom can create and how many families it can support. Unless you have worked in this industry, you may not be aware of the chain reaction, if you will, that is created when a salesman sells a car. There's the finance team who helps the customer secure financing to purchase or lease the car, the detailer who cleans the car after it is sold, the technician who will eventually service the car, the parts counterman who will assist in providing necessary parts to the technician to properly fix the car, the service writer who will communicate directly with the customer as to what the technician recommends to be fixed. The showroom makes all of this possible and is the key to creating this wide range of job

2 opportunities. I understand that this ownership team  
3 is open to working with the local Council Member on  
4 hiring people from the community and Local 355 would  
5 be happy to collaborate on this effort. At this site,  
6 we have an opportunity to expand the union workforce  
7 and bring all of the associated benefits back to the  
8 community. On behalf of USWU 355, I sincerely hope  
9 the Subcommittee will vote unanimously to approve  
10 this rezoning in support of a new business in the  
11 community and the workers who will be the key to its  
12 success. Sorry for the time overage.

13 CHAIRPERSON RILEY: Next panelist,  
14 Michael, you may begin.

15 MICHAEL DIGUISEPPE: Chairman Riley and  
16 Members of the Zoning Subcommittee, my name is  
17 Michael Diguiseppe, and I proudly represent the  
18 hardworking members of Local 259 of the United Auto  
19 Workers Union. A union ensures our members have good  
20 wages, good benefits, and fair working conditions.  
21 Auto-related use is our lifeblood.

22 I hope the Subcommittee will support the  
23 rezoning of 58-02 Northern Boulevard. The proposed  
24 showroom for John Starks Lincoln will be linked to  
25 the service and repair jobs carried out by our

2 members at the business' Jamaica facility. When a new  
3 showroom like the one that is proposed opens up, it  
4 means that our members will have a new reliable  
5 stream of customers that need service. I know City  
6 Council Members are strong supporters of union labor.  
7 That being the case, I would hope this would be an  
8 easy rezoning to facilitate, which would benefit the  
9 union community and the greater community.

10           On behalf of Local 259, I would  
11 appreciate you taking our membership into  
12 consideration in your vote. We strongly urge your  
13 support for the rezoning.

14           Personally, I'd like to add as a former  
15 employee of this company that you're not just  
16 rezoning but welcoming a family-run business that  
17 embraces the meaning of being stakeholders in the  
18 community. After Hurricane Sandy, many of us, myself  
19 included, we were left unemployed and homeless.  
20 Despite having one of their facilities completely  
21 destroyed, the employers didn't lay off one employee.  
22 Let me repeat that, despite having one of their  
23 facilities destroyed, they didn't lay off one  
24 employee so I'm really proud to represent them today  
25 and speak on their behalf because that's the type of

2 business that I'm asking you to embrace in this  
3 community. I promise you this decision that your  
4 neighbors will come to embrace, you'll be grateful  
5 for it someday. This is a stakeholder, family-run  
6 business. I'm sorry I went over. Thank you for your  
7 time.

8 CHAIRPERSON RILEY: Thank you. Council  
9 Member Won, do you have a question for this panel?

10 With that being said, you are excused.  
11 Thank you so much.

12 Counsel, do we have any members online  
13 who wish to testify?

14 COMMITTEE COUNSEL MARTINEZ-RUBIO: Yes.  
15 The Chair will call on the first panel. Again, I will  
16 just remind you to turn on your camera when you're  
17 called to speak.

18 CHAIRPERSON RILEY: The first panel we'll  
19 call is Rosamond Giantos (phonetic), Laura Shepard,  
20 and Reilly Owens. Excuse me if I botched your name.  
21 Rosamond, you may begin first.

22 SERGEANT-AT-ARMS: Starting time.

23 ROSAMOND GIANTOS: Hi. My name is  
24 (INAUDIBLE) Rosamond Giantos. I've lived in this  
25 community for over 50 years, and I am strongly

2 opposed to the rezoning of 58-02 Northern Boulevard  
3 to allow the construction of what I can only see as  
4 cynically described as a boutique automobile  
5 dealership. As Council Member Won said, we lost a  
6 neighbor, an elderly pedestrian was killed, and he  
7 was killed by the same kind of vehicle that they are  
8 proposing to sell, and they did acknowledge that  
9 during the hearings at the Community Board. I want to  
10 say I am elderly as you can do the math if I've lived  
11 here over 50 years, and I'm saying to myself could  
12 this have been me so that's just part of the story  
13 though. The Community Board was very strong in saying  
14 we don't want any car-related uses, and we want to  
15 transform this community. Sixty years of these kinds  
16 of non-conforming zonings is enough. Developers when  
17 they purchased this property, they knew they'd have  
18 to get a zoning variance, and there's no inference  
19 that that would happen. I don't have any sympathy for  
20 that. They do argue that they're entitled to a zoning  
21 variance because there are already so many other non-  
22 conforming uses. That argument, I believe, to be  
23 specious. It's like saying that you can go ahead and  
24 lie as we've heard recently in the public realm  
25 because everybody does it, and we need to make a

2 change. The developers, we know they're a family  
3 business and so on, they really have no commitment to  
4 a base in our community...

5 SERGEANT-AT-ARMS: Time expired.

6 ROSAMOND GIANTOS: Excuse me. They  
7 acknowledged during their earlier hearings that they  
8 were coming here to Queens because they couldn't find  
9 an affordable property in Manhattan so our community  
10 seeks to reverse the trend, to reduce the car sales  
11 and servicing operations, and to replace them with  
12 desperately needed housing and supportive businesses.  
13 In addition to the huge residential Innovation Queens  
14 project...

15 CHAIRPERSON RILEY: Rosamond, just need  
16 you to wrap it up.

17 ROSAMOND GIANTOS: Okay. There's also  
18 going to be a large high school being built four  
19 blocks away so the best way to support the  
20 revisioning for Northern Boulevard is just not to  
21 build this dealership. Thank you.

22 CHAIRPERSON RILEY: Thank you so much. The  
23 next witness to testify is Laura Shepard. Laura,  
24 please have your video on, and you may begin.

25 SERGEANT-AT-ARMS: Starting time.

2 LAURA SHEPARD: I strongly oppose the  
3 ULURP application for the Lincoln dealership at 58-02  
4 Northern Boulevard and urge this Committee to vote it  
5 down as well. I'm a Woodside resident and member of  
6 CB-2 though speaking as an individual. This  
7 dealership is an illogical and ludicrous use of  
8 transit-accessible land that is currently zoned  
9 residential amidst a housing crisis. In fact, CB-2's  
10 Land Use Committee has convened a taskforce to  
11 discuss specific asks for a broader rezoning for the  
12 entire corridor to prioritize affordable housing,  
13 local businesses, and green space. To date,  
14 alternative uses that would better serve the  
15 community needs or create green jobs were not  
16 seriously considered for the site. The applicants'  
17 business and products are inappropriate, and no one  
18 is fooled by their attempts to greenwash or claims  
19 that this concept will be different. The applicant  
20 failed to identify an appropriately zoned lot where  
21 they could have proceeded as-of-right, and they are  
22 not entitled to expand the footprint of the auto  
23 industry in New York City where the majority of  
24 residents do not drive and so many of us advocate for  
25 a dramatic reduction in the number and size of

1 vehicles on our streets. Western Queens has ample  
2 public transportation options and is striving to  
3 become more walkable and bikeable. However, we suffer  
4 from high rates of traffic violence and Northern  
5 Boulevard is a Vision Zero Priority Corridor. Since  
6 January of 2015, 1,015 road users were injured and  
7 one killed on Northern Boulevard just west of the  
8 BQE. Last April, 89-year-old Yuitmay Szeto was killed  
9 by an SUV driver while walking nearby on 48th Street.  
10 East of the BQE, several children and seniors were  
11 killed walking, including 19-year-old Sara Perez who  
12 was killed by a pickup truck driver on the Northern  
13 Boulevard sidewalk outside of an auto business. We  
14 cannot stem the tide of traffic violence by  
15 continuing to allocate land for these businesses  
16 which abuse our public space by driving and parking  
17 on our sidewalks and bike lanes and bus stops, making  
18 it difficult and dangerous for pedestrians, cyclists,  
19 and transit users to traverse their neighborhoods  
20 while drivers continue to speed through. Illegal  
21 parking is already the number one complaint category  
22 in Community Board 2 where existing auto businesses  
23 are historically bad neighbors. We have also observed  
24 that this applicant operates its Jamaica dealership  
25



2 in a similar manner. SUVs are chronically parked and  
3 driven...

4 SERGEANT-AT-ARMS: Time expired.

5 LAURA SHEPARD: On the sidewalk. This  
6 applicant also claims that they cannot hold Lincoln  
7 accountable for their products, which average well  
8 under 25 miles per gallons in city which will  
9 contribute unnecessary climate-changing emissions and  
10 air pollution. 13 of the 17 children killed in New  
11 York City in 2022 were killed by SUVs, pickup trucks,  
12 vans, and school buses, and this is one block from an  
13 elementary school, PS-152, several other neighborhood  
14 schools including the yet-to-open 3,000 seat high  
15 school on 54th Street. Our neighbors...

16 CHAIRPERSON RILEY: Miss Shepard, can you  
17 wrap it up?

18 LISA SHEPARD: Sure. Our neighbors deserve  
19 better. Thank you very much.

20 CHAIRPERSON RILEY: Thank you so much. The  
21 next witness is Reilly Owens. Riley, you may begin.  
22 Please have your camera on.

23 SERGEANT-AT-ARMS: Starting time.

24 REILLY OWENS: Hi. Thank you very much to  
25 the City Council for hearing my testimony today. I am

2 also a member of Community Board 2, but I'm speaking  
3 for myself only. I live in Woodside a few blocks from  
4 this site, and I am opposed to the rezoning. Woodside  
5 and the other neighborhoods around this site are  
6 densely residential and getting more dense, filling a  
7 need for more housing for all New Yorkers. A  
8 StreetEasy report called New York City Neighborhoods  
9 to Watch listed Woodside, Sunnyside, and Elmhurst in  
10 the top 10 neighborhoods in New York City attracting  
11 new residents. Astoria, Jackson Heights, and Long  
12 Island City have been growing exponentially for  
13 years. Northern Boulevard is a river that cuts  
14 through the heart of most of these neighborhoods.  
15 Yet, unlike a natural river, Northern Boulevard  
16 serves nobody who lives near it. A blighted stretch  
17 of car dealerships, automotive shops, gas stations,  
18 and car washes in spite of the fact that most of the  
19 residents around it don't own cars and will never be  
20 in the market for a new car. Woodside around this  
21 potential rezoning site is a community underserved by  
22 new housing and underserved by the services that  
23 support neighborhoods. It is also overrun with  
24 automobiles parked on all of our sidewalks and in our  
25 bike lanes and crosswalks. My young children are

1 unsafe everywhere as cars and SUVs grow bigger and  
2 heavier and encroach on their safe spaces. This site  
3 is zoned for residential and needs to be built  
4 residential, and, as I am speaking before the City  
5 Council, I appeal to you to create a better future  
6 for Northern Boulevard that what is currently there.  
7 The hundreds of homes and new businesses at  
8 Innovation Queens is a great start, but we need no  
9 more auto dealerships and auto shops who are  
10 sprawling and traditionally bad neighbors as they  
11 drive and park on our city sidewalks everywhere all  
12 the time. In the heart of Queens is growing  
13 neighborhoods and near the subways and protected bike  
14 lanes that bring workers to and from Manhattan every  
15 day, we need more dense housing and grocery stores  
16 and restaurants and flower shops and theaters and  
17 parks. 58-02 Northern Boulevard is centered between  
18 an elementary school and a massive new high school.  
19 It's near a subway stop. It's near Paseo Park on 34th  
20 Avenue, New York City's largest new park project in  
21 years. It's zoned for residential, and it's needed  
22 for residential. Thank you.

2 CHAIRPERSON RILEY: Thank you, Riley.

3 Council Member Won, do you have any questions for  
4 this applicant panel?

5 This applicant panel is now excused.

6 Thank you.

7 The next panel we'll be calling up is  
8 Mary Catherine Madden and Janet Ryan. The first  
9 witness to speak is Mary Catherine Madden. Mary, you  
10 may begin. Please have your camera on.

11 SERGEANT-AT-ARMS: Starting time.

12 CHAIRPERSON RILEY: Mary, if you can hear  
13 me, you may begin.

14 Janet, Janet Ryan, if you can hear me,  
15 you may begin. Please have your camera on.

16 JANET RYAN: Hello.

17 CHAIRPERSON RILEY: Yes, we hear you,  
18 Janet. Can you please put your camera on?

19 JANET RYAN: Yes.

20 CHAIRPERSON RILEY: Thank you so much. You  
21 can go ahead. We'll get your right after, Mary.  
22 Sorry. Go ahead, Janet.

23 JANET RYAN: Chairman Riley, Council  
24 Member Won, and Members of the Subcommittee, my name  
25 is Janet Ryan, and I am a 30-year resident of 60th

2 Street here in Woodside. My house is about 500 feet  
3 from the site that's being discussed. I wanted to  
4 have this opportunity to support the applicants'  
5 rezoning request and to support their business.

6 Before I begin to speak, I just wanted to  
7 let you know that two community members that  
8 registered to speak came over to my house so that  
9 they could use my technology. That is Rita Mantin  
10 (phonetic) and Thomas Ryan so if they could be  
11 scheduled sometime after me or Mary, it'd be  
12 appreciated. I'll just call them to this computer.

13 I have lived here in this neighborhood  
14 for 30 years, and all of my kids were born and raised  
15 here, and I've been very active in the community. The  
16 site being discussed is at the very end of my block  
17 and has been vacant for at least 10 years. It has  
18 been a terrible eyesore. Everything else surrounding  
19 it is lovely. It's a lovely community. Taco Bell has  
20 been a great neighbor. Everyone around there has been  
21 great except this one horrible site. It's constant,  
22 heavy graffiti on it, vandalism, it's encouraging  
23 dumping, rats, and there are cars that do park on  
24 that property that I don't know where they come from.  
25 Speaking of pedestrian safety, I avoid walking at

2 that corner at night, and I'll tell my kids not to  
3 walk there because it is completely unlit. Who knows  
4 if anybody...

5 SERGEANT-AT-ARMS: Time expired.

6 JANET RYAN: Okay. I would be thrilled if  
7 a reputable company like the one proposed would put a  
8 business on the site. I think that their willingness  
9 to do the landscaping and the proposed green efforts  
10 are indications that they would be nice neighbors.  
11 Under the current zoning...

12 CHAIRPERSON RILEY: Thank you, Janet. Can  
13 you wrap it up for us, please? Thank you.

14 JANET RYAN: Sure. I just want to say that  
15 under the current zoning nobody has expressed any  
16 interest in that site for 10 years, and I think it  
17 would continue to remain vacant and an eyesore so  
18 thank you. I ask that you approve the rezoning.

19 CHAIRPERSON RILEY: Thank you, Janet. The  
20 next witness to speak will be Mary. Mary, can you  
21 please unmute yourself and you may begin.

22 SERGEANT-AT-ARMS: Starting time.

23 MARY CATHERINE MADDEN: Good morning. My  
24 name is Mary Catherine Madden. I am a nurse  
25 practitioner at Elmhurst Hospital, and I am a

2 resident of 58th Street for my entire life. I bought  
3 my own home on that block 30 years ago, and my  
4 parents lived there before me. As a member of the  
5 surgery department at Elmhurst Hospital, I am acute  
6 aware of safety issues. As a pedestrian, I walk to  
7 work every day. I am a bicyclist. I use public  
8 transportation, and I am a car owner. I think that  
9 the safety issues that have been described by  
10 pedestrians, a lot of that has been ameliorated over  
11 the years by delayed walk lights and turning lanes,  
12 specifically on our corner. I appreciate Council  
13 Member Won talking about the multicultural areas but  
14 as somebody that went to PS-152, that went to Corpus  
15 Christi, that walked those streets and that continues  
16 to walk those streets, I believe that there are  
17 safety structures in there. Additionally, Northern  
18 Boulevard is a major thoroughfare, but in this grid  
19 system that we have, 34th Avenue, 32nd Avenue, 31st  
20 Avenue are perfectly safer and less congested areas  
21 for people to be walking. The other thing is that  
22 when you talk about driver safety, we have a lot of  
23 new drivers that immigrate to this country and they  
24 are adult-learned drivers, and I think that driver  
25 education could be much better in New York City and

2 that a lot of the issues that we deal with as far as  
3 accidents are related to poor driver education. I  
4 highly support this business. I believe that it is  
5 low impact. I believe that they would be good  
6 neighbors. This business has actually been empty for  
7 going onto 15 years. It's been 15 years almost that  
8 the restaurant has closed, and I do believe that they  
9 would be a clean, pleasant, a new vision for this  
10 type of business, they'll be a model for the current  
11 car industry..

12 SERGEANT-AT-ARMS: Time expired.

13 MARY CATHERINE MADDEN: Thank you very  
14 much. I highly support the approval of the change in  
15 zoning so that Lincoln can open their dealership  
16 boutique there. Thank you very much.

17 CHAIRPERSON RILEY: Thank you, Mary. I  
18 believe Council Member Won has a question. Council  
19 Member Won.

20 COUNCIL MEMBER WON: I don't have a  
21 question. I just have a statement. Blaming car  
22 traffic deaths and crashes on immigrants is  
23 xenophobic, and I do not condone any sort of  
24 sentiment in that. Thank you.



2 MARY CATHERINE MADDEN: I think that  
3 you're twisting what I was saying, Council Member  
4 Won. What I was saying is that when adults immigrate  
5 to a new area and they're learning how to drive, the  
6 amount of education that is currently set up for  
7 driver education is very small.

8 COUNCIL MEMBER WON: Do you have data or  
9 evidence statistically on proving that it is new  
10 immigrant drivers that are causing traffic death?

11 MARY CATHERINE MADDEN: I'm talking about  
12 adult drivers.

13 COUNCIL MEMBER WON: For adult drivers, do  
14 you have evidence...

15 MARY CATHERINE MADDEN: I'm talking about  
16 new adult drivers.

17 COUNCIL MEMBER WON: Do you have evidence  
18 that new adult drivers are 1) immigrants and 2) that  
19 they are the leading cause of traffic death and  
20 crashes in New York City to make that claim on the  
21 record?

22 MARY CATHERINE MADDEN: I'm talking about  
23 adult drivers.

24 CHAIRPERSON RILEY: Thank you, Mary. I  
25 believe Council Member is insinuating...

2 MARY CATHERINE MADDEN: I've dedicated my  
3 life to serving the people of Queens, and I do not  
4 appreciate what Miss Won was insinuating about me,  
5 and I want an apology.

6 CHAIRPERSON RILEY: Excuse me, Mary. I  
7 think what Council Member Won was insinuating with  
8 the comment stating that people who migrate here are  
9 the sole responsibility...

10 MARY CATHERINE MADDEN: That is not what I  
11 said.

12 CHAIRPERSON RILEY: For accidents is  
13 something that won't be tolerated being stated so  
14 that's why I think she's trying to insinuate.

15 MARY CATHERINE MADDEN: That's not what I  
16 said.

17 CHAIRPERSON RILEY: It's all right.

18 MARY CATHERINE MADDEN: That is 100  
19 percent not what I said.

20 CHAIRPERSON RILEY: No problem, and we  
21 appreciate you coming here to testify. The next  
22 witness that will be testifying on this panel, excuse  
23 me, this panel isn't done, is Thomas Ryan. Thomas, if  
24 you can hear me, you can unmute yourself and please  
25 have your video on. Thank you.

2 SERGEANT-AT-ARMS: Starting time.

3 JANET RYAN: Tom is coming to this right  
4 now.

5 THOMAS RYAN: Sorry, we're (INAUDIBLE)

6 CHAIRPERSON RILEY: No problem. Go ahead,  
7 Thomas.

8 THOMAS RYAN: Yes, thank you. Chairman  
9 Riley, Council Member Won, my name is Thomas Ryan. I  
10 live at 3347 60th Street, 200 feet from this proposed  
11 property. I also have a CPA practice. I also am a  
12 member of Community Board 1 which is just across the  
13 street from Northern Boulevard. I am also a member of  
14 the Northern Woodside Coalition and speaking in favor  
15 of this proposal.

16 As you know, we've been active for over  
17 30 years, and we watched this property which has been  
18 abandoned for more than a decade become a major  
19 eyesore in an otherwise beautiful area. The site has  
20 been the target of dumping, vandalism, and graffiti.  
21 We support the applicant's plan to develop the site  
22 with a small owner showroom which we think would be  
23 appropriate for the block and benefit the community.  
24 Because this site has been vacant for so long and  
25 zoning prevents any new development besides housing,

2 rezoning is required for commercial use of the  
3 property. Since Northern Boulevard is heavily  
4 trafficked, we feel the site would be a poor place  
5 for housing. Without rezoning approval, we expect the  
6 site to continue to remain an eyesore to the  
7 community. We also feel that it's plausible for a  
8 small showroom for the (INAUDIBLE) two building  
9 without a lot or without on-site repairs. The focus  
10 on electric vehicles and the availability of electric  
11 vehicle charging stations, solar panels, landscaping,  
12 and the permeability of the surrounding area, we were  
13 affected by the Irma storm, we had a lot of flooding  
14 in this area, including my home and my office.  
15 Matters like this would help that remediation. For  
16 these reasons, we support the rezoning. We hope that  
17 you will too. Just to add a few comments in the time  
18 that I have remaining. We did submit a petition from  
19 60th Street..

20 SERGEANT-AT-ARMS: Time has expired.

21 THOMAS RYAN: I'm sorry. We did submit a  
22 petition from 60th Street of 12 residents. We also  
23 have here in front of me a petition..

24 CHAIRPERSON RILEY: Thank you, Thomas. We  
25 appreciate your testimony. Thank you. The next

2 witness to testify is Rita Mantin. Rita, if you can  
3 hear me, oh, Rita is there too, all right. I'm going  
4 to have to make y'all show your driver's licenses. Go  
5 ahead, Rita.

6 RITA MANTIN: Good morning. My name is  
7 Rita Mantin, and I'm a lifelong resident of Woodside,  
8 living in the area under discussion. Since 1972, I've  
9 lived at 3330 58th Street between Northern Boulevard  
10 and Broadway, less than half a block from the site in  
11 Queens. About 15 years ago, the former business, Il  
12 Felice left, and the very oddly shaped property has  
13 remained for sale and vacant since. Over the years,  
14 I've seen the building deteriorate, vandalized, and  
15 graffiti. Every so often, a volunteer anti-graffiti  
16 group is contacted, and they paint the outside. While  
17 this ameliorates the graffiti for a while, the paint  
18 colors unfortunately never match, and the graffiti  
19 takes place all over again anyway. Of course, the  
20 vandalization of the existing building only gets  
21 worse as time goes on, broken windows, broken  
22 facades, unkempt property, etc. What an eyesore. It  
23 seems to me that if this was a viable piece of oddly  
24 shaped property for housing, it would've been scooped  
25 up long ago. My concern and hope is that this

2 abandoned building be demolished and replaced with  
3 something more useful and fitting in with the  
4 neighborhood's décor. Guess what? Which is numerous  
5 car dealerships along the commercial strip of  
6 Northern Boulevard in Woodside since before I was  
7 even born over 75 years ago. I understand the current  
8 proposal for the space is low profile and by a  
9 reputable entity. Currently, the space is an  
10 abandoned, useless, infested eyesore which will  
11 continue down that same path if the rezoning, which  
12 will allow a new car showroom, is not approved. Thank  
13 you.

14 CHAIRPERSON RILEY: Thank you, Rita. This  
15 is the last of the panel. Do we have any Council  
16 Members with questions?

17 No questions, but just a really quick  
18 statement. We do appreciate those who testify for the  
19 project and against the project, but just on the  
20 record I just want to state that we won't tolerate  
21 any forms of discrimination to any parties or any  
22 demographic within our communities. To insinuate that  
23 all accidents happen because of migrants isn't  
24 something that we'll tolerate, and I think that could  
25 be taken as very offensive. I'm not sure if that's

2 what the witness was trying to do, but it could be  
3 insinuate as such so just wanted to state that for  
4 the record and I apologize to Council Member Won and  
5 my Colleagues here who felt offended by that  
6 statement, and we'll move on to the next panel. Thank  
7 you very much and apologize for that, Council Member  
8 Won.

9           The next panel that will be coming up is  
10 Steven Bodzin, Jean Collie (phonetic), Caroline  
11 Spitzer, Cristina Furlong, and Stefan Ziemba  
12 (phonetic). The first one to testify today will be  
13 Steven Bodzin. Steven, you may begin and please have  
14 your camera on.

15           STEVEN BODZIN: Hi. Can you hear me?

16           CHAIRPERSON RILEY: Yes, we can hear you,  
17 Steven.

18           STEVEN BODZIN: Great. My name is Steven  
19 Bodzin. I live in Jackson Heights, about a half mile  
20 from the site. Thank you very much for hearing the  
21 testimony.

22           The hearing today has actually been  
23 pretty inspiring up until this project. It's been  
24 remarkable all the high-quality, mixed-use designs  
25 that are being proposed all across Western Queens,

2 but it's really unfortunate because this project is  
3 the opposite. I know I hear the sponsors and the  
4 immediate neighbors saying that the current zoning is  
5 apparently not right for the site, and I believe  
6 that. It's quite possible that the proposed zoning  
7 category would be better, but this project is wrong.  
8 I'm just going to focus on one thing, which is the  
9 site plan. If you look at this plan, it has this back  
10 alley with these four charging stations and, in order  
11 for vehicles to get in and out of there, they're  
12 going to have to drive over the sidewalk. That's the  
13 very least, right. At the very least, they'll be a  
14 curb cut at each end, and the way it's set up you're  
15 going to have cars charging in there so from the kind  
16 of front end of it you're going to need cars to back  
17 in across the sidewalk to get into that alley. This  
18 is on a site that like people have said is right  
19 between two schools, and it's being pitched as a  
20 showroom, and that alone is certainly going to have  
21 some vehicle access and egress issues that I don't  
22 think have been adequately addressed. In addition, we  
23 haven't heard any explanation of how people are  
24 supposed to get to and from the showroom. I mean,  
25 yes, it is a transit-rich neighborhood, but I think



2 people who are shopping for fancy SUVs, a lot of  
3 those are people who already have a car, I think that  
4 that nice big sidewalk in the rendering is going to  
5 be parking. I think you're going to have cars on it.  
6 I appreciate the planners saying that they're willing  
7 to work with the city to mitigate that, but I think  
8 if they were really serious about this that would  
9 already be on the plan so I'm not seeing it.

10 SERGEANT-AT-ARMS: Your time is expired.

11 STEVEN BODZIN: Yeah, anyway, Northern  
12 Boulevard has been a sacrifice zone for too long. I  
13 appreciate the pushback on the car industry, and I  
14 think that we should be converting Northern into more  
15 beautiful mixed-use projects. Thank you.

16 CHAIRPERSON RILEY: Thank you, Steven. The  
17 next person to testify is Caroline Spitzer. Caroline,  
18 if you can hear me, please unmute yourself and have  
19 your video on, please. You may begin.

20 CAROLINE SPITZER: Thank you for the  
21 opportunity to speak. My name is Caroline Spitzer.  
22 I'm a resident of Sunnyside, and I strongly oppose  
23 the rezoning of 58-02 Northern Boulevard. I ask the  
24 Council to consider the long-term implications of  
25 approving the variance for a luxury boutique

1 automobile showroom, not just for the district but  
2 for the city at large. The showroom will only offer  
3 four types of high-end SUVs. Do we need more  
4 oversized vehicles on our streets? Regardless of any  
5 safety features, these vehicles time and time again  
6 have proven to be more deadly and dangerous for road  
7 users and one of the leading sources of carbon  
8 emissions globally. The weight of these large  
9 vehicles and even heavier once their fleet becomes  
10 electric is incredibly damaging to our city's roads,  
11 many of which like the BQE are crumbling under the  
12 weight of these heavy vehicles. On the same street  
13 not too far away, a pedestrian was killed by this  
14 type of vehicle. What type of opportunity is the  
15 Council waiting for, if not this, to choose safer  
16 streets and cleaner air for residents present and  
17 future? This business owner is not a member of the  
18 immediate community and has not offered anything  
19 concrete in exchange for the zoning change except for  
20 an incomplete plan for electric vehicle charging  
21 which became less and less feasible for open  
22 community use as their presentation to the Community  
23 Board went on. We need housing and along with that we  
24 need commercial use diversity that will be truly  
25

2 supportive to the housing soon to come on Northern  
3 Boulevard with Innovation Queens, not more SUVs. If  
4 we want a safer, greener, less hostile Northern  
5 Boulevard, I ask you to reject this rezoning and the  
6 status quo. Thank you.

7 CHAIRPERSON RILEY: Thank you. The next  
8 witness to speak will be Cristina Furlong. Cristina,  
9 if you can hear me, unmute yourself, show your video,  
10 and you may begin.

11 CRISTINA FURLONG: Good afternoon. I am a  
12 resident of Jackson Heights, a long-time Safe Streets  
13 advocate, and someone who is opposing and asking the  
14 City Council to oppose this zoning. I'd ask you to  
15 refrain from approving a two-story car dealership on  
16 Northern Boulevard. If you have not visited Northern  
17 Boulevard, it is full of car dealerships and often  
18 double parked by car carrier vehicles that load and  
19 unload causing serious danger to bicyclists and  
20 pedestrians. It was just 2018, a few years ago, that  
21 Commissioner Trottenberg held a press conference at  
22 Broadway and Northern Boulevard saying we have to fix  
23 Northern Boulevard, we have too many curb cuts. It  
24 was 2018 when she came to announce changes to  
25 Northern Boulevard, and, since then, biking has

2 increased, a new high school building which will  
3 include three schools, one a special ed school. In  
4 those short years, the area has become more  
5 residential, and the protected bike lane, a new H  
6 MART, and better transit have made the area more of a  
7 boulevard that connects neighborhoods, Astoria,  
8 Sunnyside, Woodside, Jackson Heights rather than what  
9 the existing Koepfel dealerships have posted a  
10 humongous billboard calling Koepfel Boulevard.  
11 Everybody knows that that is just loaded with just  
12 car dealerships. When I moved from Manhattan to  
13 Queens in 1999 and was driving up Northern Boulevard  
14 in tears saying what has happened, this is a strip  
15 mall. We all know as residents of Queens, as  
16 advocates of Queens, that this is an incredible  
17 borough and that is a highly prized location that  
18 could be used for retail for other types of  
19 development. Back in 2014, 64-year-old Kumar Rangunath  
20 was killed on Northern at 41st Avenue and since then  
21 advocacy for nonvehicle...

22 SERGEANT-AT-ARMS: Your time has expired.

23 CRISTINA FURLONG: That death and many  
24 others including five schoolchildren, five  
25 schoolchildren have been killed on Northern

2 Boulevard, and we're right by PS-152, we have the  
3 high school coming. This is not the kind of use that  
4 should be used.

5 CHAIRPERSON RILEY: Thank you, Cristina.  
6 You can start wrapping up.

7 CRISTINA FURLONG: Okay. The dealership  
8 representatives don't understand pedestrian safety  
9 and the need to reduce the number of curb cuts and  
10 vehicles driving across sidewalks. Their statement  
11 that it's currently an eyesore, rest assured prime  
12 real estate could and would be developed there. We  
13 simply cannot have another dealership at this time of  
14 extreme housing crisis, overuse of vehicle traffic,  
15 and beyond threshold level of car dealerships in the  
16 area. I'm a constituent who feels that the neighbors  
17 have not been made aware of such plans. I don't think  
18 it's the right kind of growth for Northern Boulevard,  
19 and I think it's a tremendous step backwards in  
20 Vision Zero policies that even this current Mayor...

21 CHAIRPERSON RILEY: Thank you, Cristina.

22 CRISTINA FURLONG: Thank you.

23 CHAIRPERSON RILEY: The next witness to  
24 testify is Jean Collie. Jean will be calling us on  
25 the phone so she won't be able to be on camera. Jean,

2 if you can hear me, please press star nine and you  
3 may begin.

4 Jean Collie.

5 JEAN COLLIE: Hi. My name is Jean Collie,  
6 and I live about two blocks from Northern Boulevard  
7 in Long Island City, just where Northern Boulevard  
8 starts, and walking along Northern Boulevard, all you  
9 encounter is double parked cars and cars on the  
10 sidewalk. It's a dumping ground for car repair and  
11 car dealerships. That is one of the reasons I'm  
12 against rezoning this lot for another SUV car  
13 dealership. Northern Boulevard can be a better place.  
14 It can be a place with pedestrian-friendly space and  
15 housing, and we don't have to have more unwanted land  
16 uses of cars. I think the dealer said that he needs  
17 to park on the sidewalk and he has to move cars  
18 around on the sidewalk. It's illegal to park on the  
19 sidewalk and to drive on the sidewalk, and what that  
20 means is that there's no enforcement and also that  
21 this location or the locations that car dealerships  
22 are doing this, they're not viable locations to sale  
23 cars. They need to be somewhere where there's much  
24 more space, not in the middle of New York City. We  
25 deserve better.

2 CHAIRPERSON RILEY: Thank you, Jean.

3 JEAN COLLIE: Thank you.

4 CHAIRPERSON RILEY: The next witness to  
5 testify is Stefan Ziemba. Stefan, if you can hear me,  
6 please unmute yourself and you may begin.

7 COMMITTEE COUNSEL MARTINEZ-RUBIO: Steven  
8 or Stefan, if you can hear us, can you unmute?

9 Chair, I believe that he just declined  
10 the request to promote.

11 CHAIRPERSON RILEY: Okay. Council Members,  
12 do you have any questions for this witness panel? If  
13 not, they are excused.

14 Counsel, do we have any more panels?

15 COMMITTEE COUNSEL MARTINEZ-RUBIO: We  
16 don't have anyone waiting online so if there's anyone  
17 here in the room that would like to testify, please  
18 come forward or see one of the Sergeants.

19 Chair, it doesn't look like we have  
20 anyone else so we can go ahead and close.

21 CHAIRPERSON RILEY: Okay. Give me one  
22 second. There being no other members of the public  
23 who wish to testify on LUs 156 and 157 relating to  
24 the 58-02 Northern Boulevard Rezoning Proposal, the  
25

2 public hearing is now closed, and the items are laid  
3 over.

4 I will now open the public hearing on LUs  
5 158 and 159 relating to the 446-448 Park Avenue  
6 Rezoning Proposal in Council Member Restler's  
7 District in Brooklyn. This application seeks a zoning  
8 map amendment to rezone an existing M1-1 zoning  
9 district to an M1-4/R6A zoning district and related  
10 zoning text amendment to map an MIH program area.

11 For anyone wishing to testify on this  
12 item remotely, if you have not already done so you  
13 must register online and you may do that now by  
14 visiting the Council's website at  
15 [council.nyc.gov/landuse](http://council.nyc.gov/landuse).

16 Once again, for anyone with us in person,  
17 please see one of the Sergeants-at-Arms to prepare  
18 and submit a speaker's card.

19 I would now like to turn it over to  
20 Council Member Restler to give a statement.

21 Council Member Restler does not have a  
22 statement.

23 Counsel, can you please call the first  
24 panel and administer the affirmation?



2 COMMITTEE COUNSEL MARTINEZ-RUBIO: Will  
3 do. Richard, maybe you can help me identify your co-  
4 panelists. I have that it's going to be you, Richard  
5 Lobel, and Yoel Horowitz and Lewis Garfinkel. Did I  
6 get that right?

7 Applicants, can you please raise your  
8 right hand?

9 Do you affirm to tell the truth, the  
10 whole truth, and nothing but the truth in your  
11 testimony before the Subcommittee and your answers to  
12 all Council Member questions?

13 APPLICANTS: I do.

14 CHAIRPERSON RILEY: Hey, Richard. Nice to  
15 see you, Richard. Happy New Year.

16 RICHARD LOBEL: Thanks. You as well, Chair  
17 Riley, and congratulations on Kappa Alpha Psi's  
18 anniversary.

19 CHAIRPERSON RILEY: Thank you so much. For  
20 the viewing public, if you need an accessible version  
21 of this presentation, please send an email request to  
22 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Now, the applicant  
23 team may begin.

24

25

2 Panelists, as you begin, I'd just ask you  
3 to please restate your name and organization for the  
4 record. You may begin.

5 RICHARD LOBEL: Thank you, Chair Riley.  
6 Richard Lobel of Sheldon Lobel PC for the applicant.  
7 Good afternoon. I'm joined today by Yoel and Lewis to  
8 discuss the 446 to 448 Park Avenue rezoning. This is  
9 the rezoning of nine lots or portions of lots in  
10 Brooklyn Community Board 3. I will run through the  
11 presentation quickly, and then the entire applicant  
12 team is available to answer any questions. Next  
13 slide.

14 The substance of the application is very  
15 straightforward. There are five lots on the adjacent  
16 block and four lots on our block which are currently  
17 zoned M1-1, and those would be rezoned to an MX4  
18 District M1-4/R6A. This would facilitate the  
19 development of a six-story-plus-cellar residential  
20 building with roughly 11,373 square feet of floor  
21 area and 11 dwelling units to be constructed at the  
22 site which is roughly 3,300 square feet. In addition,  
23 as with other rezonings of this nature, there would  
24 be a text amendment which would allow for Mandatory  
25 Inclusionary Housing to be mapped on the parcels

1 included in the rezoning, currently contemplated as  
2 either Option 1 or 2. Next slide.

3  
4           The next slide really recites a very  
5 brief site history. Both lots are vacant. There are  
6 two lots in the development site. The first, Lot 38,  
7 was previously improved with a non-conforming three-  
8 story-plus-basement residential building built in  
9 1905 which was demolished in 2014 due to impaired  
10 structural integrity. Both lots, again, are vacant.

11           The next slide gives you the statistics  
12 from the proposed development. Again, a very modest  
13 proposal. The building, itself, would be six stories  
14 plus cellar which would rise at the base to 65 feet  
15 and then set back at the sixth story by 15 feet. The  
16 floor area would be 11,373 square feet or 3.49 FAR, a  
17 maximum in the R6A district is 3.6. The total height  
18 would amount to 80 feet. There would be 11 units,  
19 currently contemplated as five ones, five twos, and  
20 one three-bedroom, all generous unit sizes, and in  
21 that would include three affordable units pursuant to  
22 MIH.

23           The next slide is a picture of the zoning  
24 map. You can see from the zoning map, and we will be  
25 able to see this more closely in the maps that

2 follow, that the site is currently zoned M1-1 but is  
3 adjacent to an MX4 district which is an M1-2 district  
4 partnered with an R6A district so this rezoning would  
5 merely seek to extend within the circled area that  
6 MX4 district further to the west to encompass these  
7 sites along Park Avenue.

8           The next slide, please, is a tax map  
9 which along with the slide after demonstrates with  
10 particularity the nature of the rezoning. Again, you  
11 can see this is a modest rezoning of roughly 8,000  
12 square feet on each of the two blocks, total of  
13 16,000 square feet. The plan after this which shows  
14 the site in red demonstrates the area map, it's the  
15 next slide, which really demonstrates why the land  
16 use rationale here is strong. The M1-4/R6A that's  
17 adjacent to the site was zoned in the 2001 Flushing  
18 Bedford Avenue Rezoning, and this was a rezoning  
19 which understood that many of the surrounding uses to  
20 the north, northeast, east, and south of the site  
21 were zoned residential and so rezoned those to permit  
22 for additional development consistent with these  
23 three- to seven-story residential buildings so in  
24 allowing for the extension here, what are we seeking?  
25 We're seeking to develop on vacant lots, but

1 importantly every one of the other lots within this  
2 rezoning area has residential uses either in the form  
3 of an entirely residential building or a mixed-use  
4 building so this is one of those rare rezonings where  
5 you really are allowing the zoning map to reflect  
6 what's already on the ground. We look a lot at  
7 conformance, at whether or not the buildings and the  
8 uses within an area conform to the underlying zoning.  
9 Right now, you would have no conformance or, if you  
10 looked at the vacant lots maybe 10 percent  
11 conformance of the existing lots, whereas after this  
12 rezoning, a full 89, 90 percent of those lots will be  
13 conforming and now allowing for residential use so  
14 the land use policy here is sound, both in extending  
15 this modest residential district as well as in  
16 allowing conforming uses to occupy all of these  
17 sites.

18  
19 The next several pages are photographs of  
20 the area. I would run through them briefly.  
21 Primarily, the first page which shows the residential  
22 building on the corner, that is the building  
23 immediately adjacent, you can see in the top left  
24 picture, adjacent to the site, this is an existing  
25 five-story residential building permitted by BSA

2 variance. I would note that Community Board 3 has  
3 been subject over the last number of years to roughly  
4 55 to 60 residential variances within its community  
5 district to allow for residential use within  
6 manufacturing districts. What we seek to do here is  
7 to allow this through a better planning process  
8 through the rezoning process.

9           If you want to fast forward through the  
10 pictures, you will come to the plans of the project.  
11 Again, a modest building. The first plan shows the  
12 site plan, which demonstrates the proposed  
13 residential six-story building. The next plan shows  
14 the first floor divided between a 600- and 800-foot  
15 residential unit as well as a residential lobby and  
16 then the floors above, two through five, each with  
17 two units ranging from 700 to 800 square feet, and  
18 the final slide with floor plans showing 1,000 feet  
19 at the top story.

20           The next two plans show sections of the  
21 building which demonstrate the adjacent building as  
22 well and show that this is an appropriate building  
23 maintaining the required setback at the sixth story,  
24 and the final slide, which demonstrates the building,  
25 shows a rendering of the building. Again, a rather

2 attractive building, fitting contextually nicely in  
3 with the surrounding uses.

4 That concludes this portion of the  
5 presentation. I would merely add that Brooklyn  
6 Community Board 3 voted in favor of this application.  
7 We were entirely thrilled with the process with the  
8 Community Board and their vote in favor of this  
9 application. This Community Board has not always been  
10 favorably disposed to this type of rezoning activity.  
11 I think that they recognized here that the merits of  
12 a residential/mixed-use rezoning were overwhelming.  
13 With that, we did achieve the approval of the  
14 Community Board, the Brooklyn Borough President, and  
15 subsequently the City Planning Commission, and we  
16 hope, Chair Riley, that you as well as your  
17 Colleagues and especially Council Member Restler will  
18 see fit to approve this rezoning.

19 With that, the applicant panel is happy  
20 to answer any questions.

21 CHAIRPERSON RILEY: Thank you, Richard. I  
22 have a couple of questions then I'm going to pass it  
23 to Council Member Restler to ask his questions.

24 This project is under the square footage  
25 minimum and barely exceeds the minimum unit threshold

2 for MIH. How can we have confidence that your  
3 development will include enough units to ensure that  
4 MIH applies?

5 RICHARD LOBEL: Thank you for the  
6 question, Chair Riley. By way of background, this  
7 application has been before the City in some form for  
8 over six to seven years. The applicant originally  
9 attempted an application as part of public record  
10 before BSA and eventually came to the City Planning  
11 Commission so the applicant here has a longstanding  
12 commitment to residential use at the property as well  
13 as to affordable use at the property. The applicant  
14 is more than willing to work with the Council and  
15 particularly Council Member Restler to make whatever  
16 commitments are necessary to ensure that affordable  
17 units will be housed at the site so whatever form  
18 that takes, we would be happy to do that. I'd say as  
19 a matter of record, this applicant has been through a  
20 lot with regards to this property, but we would be  
21 willing to enter into that discussion, and we would  
22 definitely commit to including that affordability.

23 CHAIRPERSON RILEY: You're applying to  
24 rezone a site to a mixed-use, M1-4/R6A district, but  
25 your development does not include any commercial use.



2 Can you describe your rationale for building 100  
3 percent residential?

4 RICHARD LOBEL: Sure, Council Member. We  
5 recognize that there are other lots within the  
6 rezoned area, specifically on the adjacent opposite  
7 corner which include ground floor commercial use. The  
8 applicant here through the research with regards to  
9 the property and again a longstanding review of the  
10 property over the course of years made a  
11 determination as far as feasibility that an entirely  
12 residential building would be appropriate and would  
13 be feasible to build at the site. We do also  
14 recognize that there are other properties included in  
15 this rezoning, which may elect as is currently the  
16 existing case on the opposite corner to have  
17 (INAUDIBLE) for commercial so we're rezoning from an  
18 M1-1 which allows commercial. The rezoned district  
19 would permit commercial, but the applicant's  
20 intention here would be to build a fully residential  
21 building while recognizing that local commercial may  
22 be appropriate or even more appropriate for some of  
23 the adjacent sites.

24 CHAIRPERSON RILEY: Thank you. The Racial  
25 Impact Report shows that close to 60 percent of the

1 households in Bed-Stuy have incomes under 80 percent  
2 of the Area Median Income with a greater proportion  
3 under 50 percent of AMI than Brooklyn or the City at  
4 large. Why do you believe that MIH Option 2 is  
5 appropriate in this context?  
6

7           RICHARD LOBEL: Council Member, the truth  
8 is that we are mapping Option 1 and Option 2. From  
9 our prior actions at the Council and before the  
10 Community Board, we are aware that there is a  
11 preference for Option 1 so what we'd like to do and  
12 what we always are interested in doing is not merely  
13 proposing a rezoning but proposing a project. Yoel  
14 right now is faced with a position where there is a  
15 lot of inconsistency and uncertainty as far as the  
16 development of the site is concerned with regards to  
17 financing, with regards to cost of construction  
18 materials, and most importantly with regards to 421A  
19 being removed from the opportunity to develop the  
20 site. The intention here would be to comply with  
21 whatever takes the place of 421A on a going-forward  
22 basis and so, with that, we would have to maintain  
23 whatever affordability was required with regards to  
24 421A. If that is Option 1, the applicant would be  
25 happy to comply with that. The only reason that we're

2 mapping both here is frankly to make sure of two  
3 things. The first is that our neighbors have the  
4 flexibility to the extent that they redevelop their  
5 sites to use both and also so that as Yoel goes down  
6 the process he's able to develop the site and, again,  
7 with an actual project that he can finance. We make  
8 no assertions with regards to the lack that Option 2  
9 would be even better than Option 1 here. What we  
10 merely hope for is the flexibility to provide that so  
11 that in the case that it would assist in making the  
12 development feasible, we're able to do so.

13 CHAIRPERSON RILEY: Last question. What  
14 strategies will you employ to reduce energy use,  
15 manage stormwater, and otherwise maximize the  
16 environmental performance of your building?

17 RICHARD LOBEL: Chair Riley, we're  
18 cognizant of the Council's commitment to  
19 sustainability measures as well as the Brooklyn  
20 Borough President who so mentioned in his  
21 resolutions. The applicant has committed to a green  
22 roof at the site as well as solar at the site in  
23 order to comply with and to satisfy certain Local  
24 Laws as well as abatement applications so that's the  
25 first thing. When we talk about a green roof, we're

2 talking with regards to Local Laws a minimum of 50  
3 percent of coverage with a green roof as well as 80  
4 percent of that being drought resistant flora.

5 In addition to that and in addition to  
6 common measures such as low-flow toilets and LED  
7 lighting, the applicant is currently exploring  
8 alternative energy sources for the building and is  
9 also... roof detention for water retention as well. We  
10 do have a host of measures we are taking at the site.  
11 We look forward to taking those measures at the site  
12 so that's how we would answer the question.

13 CHAIRPERSON RILEY: Thank you, Richard.  
14 Council Member Restler.

15 COUNCIL MEMBER RESTLER: Thank you, Chair  
16 Riley. It's always good to be with you. Thank you to  
17 the applicant for joining us today.

18 I'll just say firstly one of the things I  
19 hear most about in South Williamsburg and the  
20 northwest corner of Bedford-Stuyvesant is from  
21 families who are young, who are getting married, and  
22 they have no place to live, they have no place to go,  
23 they have to leave Williamsburg, which breaks my  
24 heart, and so I welcome the opportunity for  
25 additional housing here in this community especially,

2 but I want to make sure that we're building housing  
3 that meets the needs of the community and so I'm  
4 perturbed, concerned, disappointed in the proposed  
5 unit mix that you have for this project, five one-  
6 bedroom units and just one three-bedroom unit. Not to  
7 quiz you, Richard, but what's the average family size  
8 for families in this area?

9 RICHARD LOBEL: Thank you for the  
10 question, Council Member. The unit mix is somewhat  
11 misaligned with what is actually taking place in the  
12 building. Importantly here, the actual unit sizes in  
13 allowing for 11 units within an 11,000-square-foot  
14 building are really rather generous. There are only  
15 two units proposed for each floor. The smallest unit  
16 is on the ground floor because there is a residential  
17 lobby, and, other than that, the highest floor, the  
18 sixth floor, allows for one three-bedroom unit. The  
19 remaining floors are merely split between two units.  
20 Really, what it really amounts to as Lewis and I  
21 spoke about prior to the hearing is that the one-  
22 bedroom units actually could be conceived as two-  
23 bedroom units, which would make the project nine two-  
24 bedroom units, one three-bedroom, and one studio unit  
25 on the ground floor. Really with that...

2 COUNCIL MEMBER RESTLER: Could be  
3 conceived of. That's quite a description.

4 RICHARD LOBEL: Yeah. It's more that from  
5 a legal standpoint, from a DOB and Codes filing  
6 standpoint, the square footages of those floors two  
7 through five would permit those to be two-bedroom  
8 units.

9 COUNCIL MEMBER RESTLER: But you're not  
10 proposing them as two-bedroom units in this project.

11 RICHARD LOBEL: Do we have any issue... I'm  
12 sorry.

13 LEWIS GARFINKEL: Lewis Garfinkel. It was  
14 debatable how to lay it out, and when I originally  
15 spoke with them, we spoke about a one-bedroom, but  
16 then the way I see it you could have two bedrooms.  
17 It's just up to the developer how he wants to market,  
18 how big his living rooms should be so it can go  
19 either way.

20 COUNCIL MEMBER RESTLER: I recognize a  
21 young family may not need a two-bedroom immediately  
22 upon getting married, but shortly thereafter they  
23 certainly do and so I would strongly consider  
24 reconsidering that unit mix as we move forward with  
25 this process.

2 I had a couple of other questions. The  
3 adjacent building has balconies that come up  
4 basically directly to your lot line for this proposed  
5 project. Have you been in touch with that developer,  
6 have you reached a resolution, would you all have  
7 balconies for your apartments that potentially could  
8 accommodate sukkahs or whatever or whoever may live  
9 there? Would they be on that side adjacent to that  
10 building? Could you just give us a little context on  
11 all of this?

12 RICHARD LOBEL: Sure. The first thing we  
13 would note is that we have reached out to the  
14 neighbors. Yoel has indeed been in contact with the  
15 neighbors as well as the management company for that  
16 building and, understanding that there's certain  
17 violations issued to that building which we can't do  
18 anything about, with regards to our building and  
19 their building, we're trying to move forward together  
20 to try to come to some understanding as we move  
21 forward with our building plans. The complications  
22 posed by the corner building on Franklin are that the  
23 violations issued to that building relate to a BSA  
24 approval. That BSA approval was issued pursuant to a  
25 2003 variance application so that building is

1 violation in accordance with the printed violations,  
2 again a matter of public record, but with regards to  
3 whether or not we are reaching out to them, we have,  
4 we are, we are in continued communication with that  
5 building. With regards to our building, while we  
6 would be able to have balconies off the rear of the  
7 building, we would not have balconies to the side so  
8 there would be no similar concern with Sukkot  
9 adjacent to that building. I think one of the things  
10 that makes our application challenging and also kind  
11 of going a little bit to the unit sizes as well is  
12 that we have a shallow lot. The lot, itself, is 40  
13 feet across by 80 feet deep so with a standard rear  
14 yard of 30 feet, maybe 25 feet due to the lack of  
15 much depth, we would be looking at the floor area of  
16 each floor being relatively a small floorplate, 40 by  
17 51 to 55, so it limits our layout, but we would not  
18 have balconies on that side of the building.

19  
20 COUNCIL MEMBER RESTLER: Okay. All  
21 helpful. I really appreciated Chair Riley's questions  
22 around commitments to sustainability and am pleased  
23 to learn about the green roof and the solar.

24

25



2 The only other question I wanted to ask.  
3 I was a little confused on the Park Avenue Fish  
4 property. Is that in this rezoning area?

5 RICHARD LOBEL: Council Member, can you  
6 specifically tell me which lot that would be?

7 COUNCIL MEMBER RESTLER: Well, I'm a  
8 little confused if it's 462 or 468, but it's the one-  
9 story Fish building you'll see on page 3 of 11, the  
10 lower lefthand corner, image 9.

11 RICHARD LOBEL: Those buildings fronting  
12 on Park Avenue within 100 feet from the corner of  
13 Park and Franklin would be included in the rezoning  
14 area.

15 COUNCIL MEMBER RESTLER: Have you been in  
16 touch with the owner of the Park Avenue Fish lot?

17 RICHARD LOBEL: We've not. That use would  
18 be conforming and the building would be conforming  
19 and complying with the rezoning..

20 COUNCIL MEMBER RESTLER: My understanding  
21 is it would allow for eight stories of development  
22 there so I was just, that's potentially even a  
23 greater development than the one that you're talking  
24 about today with your project so I just want to  
25

2 understand you have not been in touch with nor  
3 familiar with the owner of that property?

4 YOEL HOROWITZ: I was not in touch with  
5 him. I know him very well.

6 COUNCIL MEMBER RESTLER: Would you be able  
7 to help facilitate...

8 CHAIRPERSON RILEY: Sorry. Can you just  
9 state your name for the record before you speak?

10 YOEL HOROWITZ: Hi. My name is Yoel  
11 Horowitz. Nice to meet you.

12 COUNCIL MEMBER RESTLER: Good to see you,  
13 Mr. Horowitz. Would you be amenable to facilitating  
14 an introduction for us to the property owner?

15 YOEL HOROWITZ: Yes.

16 COUNCIL MEMBER RESTLER: Thank you.  
17 Lastly, then I promise to shut up, Chair Riley, you  
18 commit to making your project subject to MIH?

19 RICHARD LOBEL: Correct.

20 COUNCIL MEMBER RESTLER: Unequivocally,  
21 100 percent, this will be an MIH project?

22 RICHARD LOBEL: Correct, and the goal of  
23 the project has always been to be a rental building.  
24 Indeed, one of the benefits that we are now offered  
25 as not being able to come before BSA and be in front

2 of the Council is the opportunity to become a  
3 Mandatory Inclusionary Housing building so the  
4 intention has always been to provide that.

5 COUNCIL MEMBER RESTLER: Building in New  
6 York City is not an easy thing. I'm sorry that you  
7 have been trying for six or seven years to build what  
8 is a small and reasonable project that will provide  
9 vital and necessary housing for our community. I want  
10 to thank you for taking the time to come before us  
11 today. I hope you'll incorporate the feedback and  
12 comments in a constructive but serious way, and I  
13 look forward to this project moving forward.

14 RICHARD LOBEL: Thank you, Council Member.

15 COUNCIL MEMBER RESTLER: Thank you, Chair  
16 Riley, and thank you to the applicant.

17 CHAIRPERSON RILEY: Thank you, Council  
18 Member Restler. There being no questions for this  
19 applicant panel, you are now excused. Thank you so  
20 much for your testimony.

21 RICHARD LOBEL: Thank you, Chairman.

22 CHAIRPERSON RILEY: Counsel, are there any  
23 members of the public who wish to testify on 446-448  
24 Park Avenue Proposal in-person or remotely?

2 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair,  
3 we have none remotely, and I don't see anyone in the  
4 room that's here to testify for that item so we can  
5 go ahead and close the hearing.

6 CHAIRPERSON RILEY: There being no other  
7 members of the public who wish to testify on LUs 158  
8 and 159, the 446-448 Park Avenue Rezoning Proposal,  
9 the public hearing is now closed, and the items are  
10 laid over.

11 I will now open the public hearing for LU  
12 168 relating to the Gowanus Green Empire State  
13 Development Corporation Grant Proposal in Council  
14 Member Hanif's District in Brooklyn.

15 This application by the New York City  
16 Department of Housing Preservation and Development  
17 seeks capital funding from the ESDC up to 5 million  
18 for the Gowanus Green Affordable Housing Development.

19 For anyone wishing to testify on this  
20 item remotely, if you have not already done so you  
21 must register online and you may do that now by  
22 visiting the Council's website at  
23 [council.nyc.gov/landuse](http://council.nyc.gov/landuse).

24 There is no one in here now, but if  
25 anyone comes in, once again for anyone with us in-

2 person please see one of the Sergeants-at-Arms to  
3 prepare and submit a speaker's card.

4 Counsel, can you please call the first  
5 panel for this item and administer the affirmation?

6 COMMITTEE COUNSEL MARTINEZ-RUBIO: Sure.  
7 Thank you to HPD and the Mayor's Office of  
8 Environmental Coordination for being patient with us  
9 today.

10 The panel is Justin Donlon and available  
11 for questions is Lee Ilan and Hallah Saleh.

12 Can you please raise your right hand?

13 Do you affirm to tell the truth, the  
14 whole truth, and nothing but the truth in your  
15 testimony before the Subcommittee and in your answers  
16 to any of the Council Members' questions?

17 PANELISTS: Yes.

18 CHAIRPERSON RILEY: Thank you so much,  
19 Counsel.

20 For the viewing public, if you need an  
21 accessible version of this presentation, please send  
22 an email request to [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov).

23 Now, the applicant team may begin. Please  
24 just remember to state your name and organization for  
25 the record before you begin. You may begin.

2 JUSTIN DONLON: Good afternoon, Chair  
3 Riley.

4 CHAIRPERSON RILEY: Do you have a  
5 presentation?

6 JUSTIN DONLON: No. We're just going to  
7 make some testimony.

8 CHAIRPERSON RILEY: Go ahead.

9 JUSTIN DONLON: My name is Justin Donlon.  
10 I am the Community Affairs Specialist for the  
11 Division of Government Affairs at HPD. I am joined by  
12 my colleagues, Hallah Saleh who is the Deputy  
13 Director of Brooklyn Planning at HPD, and Lee Ilan,  
14 the Chief of Planning at the Mayor's Office of  
15 Environmental Remediation.

16 Pursuant to the New York State Urban  
17 Development Act, the City intends to file an  
18 application for the Empire State Development  
19 Corporation's Restore New York Community's  
20 Initiative, more commonly known as Restore New York,  
21 Grant. This grant provides municipalities with  
22 financial assistance for the revitalization of  
23 commercial and residential properties. The program  
24 encourages community development and neighborhood  
25 growth through the demolition, rehabilitation, and

1 reconstruction of vacant, abandoned, condemned, and  
2 surplus properties. The City has proposed future  
3 building A within the Gowanus Green Project in  
4 Brooklyn in Council Member Hanif's District for its  
5 grant application. Gowanus Green, a six-building,  
6 950-unit affordable housing development with  
7 commercial and community facility space and  
8 approximately 1.5 acres of open space sited for a  
9 future park was previously approved by the Council as  
10 an Urban Development Action Area and Project pursuant  
11 to Article 16 of the General Municipal Law in  
12 November 2021.

14 Under the proposed application, the City  
15 will apply for 5 million dollars to facilitate the  
16 first phase of reconstruction and development of the  
17 Gowanus Green Project. The grant will contribute to  
18 the success of this permanently affordable, mixed-use  
19 residential development at a time when the city is  
20 experiencing a historic dual crisis in both housing  
21 shortages and homelessness.

22 To that end, consistent with the  
23 guidelines issued by Empire State Development, the  
24 City respectfully requests that the Council make the  
25 following findings related to New York City's

2 application for funding this capital project under  
3 the Restore New York Grant.

4 One, that the proposed project is  
5 consistent with the municipality's local  
6 revitalization or urban development plan.

7 Two, that the proposed financing is  
8 appropriate for the specific project.

9 Three, that the project facilitates  
10 effective and efficient use of existing and future  
11 public resources so as to promote both economic  
12 development and preservation of community resources.

13 Four, that the project develops and  
14 enhances infrastructure and/or facilities in a manner  
15 that will attract, create, and sustain employment  
16 opportunities where applicable.

17 Thank you, Chair Riley and the  
18 Subcommittee, for your time and consideration.

19 CHAIRPERSON RILEY: Thank you so much. I  
20 just have two quick questions. How did you decide to  
21 prioritize Gowanus Green Building A for this funding?  
22 Before you answer, if you could just state your name  
23 for the record, please?

24 HALLAH SALEH: Sure. My name is Hallah  
25 Saleh, and I'm the Deputy Director for Brooklyn



1 Planning at HPD. This site, Gowanus Green, is  
2 multiphase. Building A is of the first phase. It was  
3 prioritized for a number of reasons, one of which it  
4 met the criteria that the grant asked for which it be  
5 an Empire zone and a BOA. Also that it was ready and  
6 feasible to begin within the next year. This site has  
7 all of its approvals. It went through ULURP and  
8 gained approvals in November 2021, and it does have a  
9 lot of the predevelopment finances that are needed to  
10 move forward. Of the two buildings, Building A and  
11 Building D, Building A was one that was seen to be  
12 ready to move forward at this stage. Additionally, it  
13 can be connected to existing infrastructure and  
14 facilities that are already in place in the  
15 neighborhood.  
16

17 CHAIRPERSON RILEY: Thank you. Last  
18 question. What is the development timeline for  
19 Building A?

20 HALLAH SALEH: The grant, itself, would  
21 require construction begin by February 2025 so we  
22 would be looking at a closing timeline before then  
23 and then getting the permits in place for  
24 construction to begin no later than that timeline.  
25

2 CHAIRPERSON RILEY: Thank you. I have no  
3 more questions for this applicant panel.

4 Counsel, are there any members of the  
5 public who wish to testify on this topic?

6 COMMITTEE COUNSEL MARTINEZ-RUBIO: Chair,  
7 we have no members online and, as you can see, we  
8 don't have any members here in person.

9 CHAIRPERSON RILEY: Thank you. This panel  
10 is excused. Thank you so much. Thank you for being  
11 patient.

12 COMMITTEE COUNSEL MARTINEZ-RUBIO: We can  
13 go ahead and close the hearing.

14 CHAIRPERSON RILEY: There being no members  
15 of the public who wish to testify on LU 162 relating  
16 to the Gowanus Green ESDC Grant Proposal, the public  
17 hearing is now closed, and the items are laid over.

18 That concludes today's business. I would  
19 like to thank the members of the public, my  
20 Colleagues, Subcommittee Counsel, Land Use and other  
21 Council Staff, and the Sergeant-at-Arms for  
22 participating in today's meeting.

23 This meeting is hereby adjourned. Thank  
24 you. [GAVEL]

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 January 9, 2023